



Town of Pawling Town Board

Pawling Town Hall
160 Charles Colman Blvd
Pawling, NY 12564

Regular Meeting of the Town Board

*Meeting will be broadcast live on the
Town of Pawling Facebook page*

Wednesday, July 17th, 2024
6:00PM

James Schmitt, Supervisor
James McCarthy, Deputy Supervisor / Councilman
Martin Mygan, Councilman
Coleen Snow, Councilwoman
Corinne Musella-Pitt, Councilwoman

Cathy Giordano, Town Clerk

RULES FOR PUBLIC COMMENT:

1. Each presentation to the Board made by an individual shall be limited to three (3) minutes in duration, unless extended by agreement by the Town Supervisor/ designee
2. Comments should be directed to the Board. Comments should be made in a respectful manner to the Board and from the Board to the community.

The Town Supervisor or designee may:

- a. Interrupt, warn, or terminate an individual's comment when the comment is personally directed, abusive or obscene.
- b. Request that any individual leave the meeting when that individual fails to observe reasonable decorum.
- c. Call for a recess or an adjournment to another time.

The intent of these rules are:

1. To allow members of the public a fair and adequate opportunity to be heard.
2. To assure that the regular agenda of the Town Board is completed; and
3. To recognize the nature of the Board and community's time and to use that time effectively.

Meeting Agenda

- a) Roll Call of the Town Board
- b) Pledge of Allegiance
- c) Acknowledgement of Minutes
 - 1. June 12, 2024
 - 2. June 21, 2024
- d) Mark Chipkin – CAB Presentation Update
- e) Privilege of the Floor with respect to Agenda Items only
- f) Resolutions
- g) Discussion
- h) Town Board Items for Special Consideration & New Business
- i) Privilege of the Floor with respect to Agenda & Non-Agenda items (3 minutes)
- j) Adjournment

Resolutions

RESOLUTION 2024-099

Payment of Bills for the Town of Pawling

WHEREAS, The Town of Pawling Bookkeeper has reviewed and prepared the vouchers for Town of Pawling and has offered them for review, and

WHEREAS, the vouchers have been approved in accordance with the Town of Pawling policy, and

WHEREAS, the vouchers have been numbered 20240751-20240891, and

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Pawling hereby accepts the vouchers as prepared and on the recommendation of the Bookkeeper and hereby authorizes payment of said vouchers for the Town of Pawling on this date in the amount of \$413,231.48.

RESOLUTION 2024-100

Billing for Pawling Water District No. 2

WHEREAS, Pawling Water District No. 2 bills need to be approved by the Pawling Town Board, and

WHEREAS, the bills have been prepared and submitted in the amount of \$_____ for the period of April 1, 2024 through June 30, 2024 by the Clerk to the Water District, Catherine Giordano, and

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Pawling hereby accepts the billing as recommended for Pawling Water District No.2.

RESOLUTION 2024-101

Lakeside Boathouse - Change Order No. 1

WHEREAS, the Town of Pawling entered into an agreement with Dalrymple Construction, for the Lakeside Boathouse Improvements contract, and

WHEREAS, the contractor has determined the cost of additional work, and

WHEREAS, the Change Order No. 1 provides for an additional cost of \$11,575.00, and

WHEREAS, Laberge Group has prepared Change Order No. 1 reflecting the proposed addendum No. 1, and

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Pawling approves Change Order No. 1 and hereby authorizes the Town Supervisor to execute the same.

RESOLUTION 2024-102

Approval of Laberge Contract Addendum

WHEREAS, the Town of Pawling has been successful in securing a wide variety of grants over the past years, and

WHEREAS, the Town of Pawling is required to provide grant management and administration of each grant which includes, but is not limited to summary reports, drawdown requests, coordination with local, state and federal officials and program staff, and other duties as may be required to manage and closeout program funding, and

WHEREAS, the Town of Pawling has a General Services contract with Laberge Group as well as an annual Grant Writing Contract, and

WHEREAS, to continue services with the Laberge Group a Contract Addendum must be reviewed and executed, and

NOW THEREFORE BE IT RESOLVED, that the Town Board authorizes and directs the Town Supervisor to execute contract addendum No. 2023038-02 to be increased by \$23,000 for provision of additional services related to the improvements for the Lakeside Park Boathouse.

RESOLUTION 2024-103

Approval of Laberge Contract Addendum

WHEREAS, the Town of Pawling has been successful in securing a wide variety of grants over the past years, and

WHEREAS, the Town of Pawling is required to provide grant management and administration of each grant which includes, but is not limited to summary reports, drawdown requests, coordination with local, state and federal officials and program staff, and other duties as may be required to manage and closeout program funding, and

WHEREAS, the Town of Pawling has a General Services contract with Laberge Group as well as an annual Grant Writing Contract, and

WHEREAS, to continue services with the Laberge Group a Contract Addendum must be reviewed and executed, and

NOW THEREFORE BE IT RESOLVED, that the Town Board authorizes and directs the Town Supervisor to execute contract addendum No. 2022094-04 to be increased by \$16,000 for grant management and administration expenses.

RESOLUTION 2024-104

Authorization for the Submission of Environmental Protection Fund (EPF) Grant Program for Parks, Preservation and Heritage NYS Office of Parks, Recreation and Historic Preservation (OPRHP) for Lakeside Park Improvements Project, Phase 3

WHEREAS, the Town of Pawling, after due consideration, has determined that it is desirable and in the public interest to undertake the necessary activities for the submittal of a grant application under the 2024 OPRHP Environmental Protection Fund (EPF) Grant Program for funding toward the “Lakeside Park Waterfront Improvements Project – Phase 3”; and

WHEREAS, the Environmental Protection Fund (EPF) Grant Program grant request will not exceed the maximum request of \$675,000 of eligible project costs to complete the project; and

WHEREAS, the Town Board is hereby committed to identifying municipal or other leveraged funds to provide a local cash match of at least fifty percent (50%) of the total project cost under the OPRHP Environmental Protection Fund (EPF) Grant Program; and

NOW THEREFORE BE IT RESOLVED, that the Town Board authorizes and directs the Town Supervisor to submit an application to the NYS OPRHP Environmental Protection Fund (EPF) Grant Program for the “Lakeside Park

Waterfront Improvements Project - Phase 3” and to execute all documents necessary for the implementation of this work relating to the financial and/or administrative processes of the grant program; and

BE IT FURTHER RESOLVED, upon notice of award by the State, the Treasurer of the Town of Pawling is hereby authorized and directed to establish a Capital Account in an amount which represents the local share of the project not grant funded; and

BE IT FURTHER RESOLVED, to the extent all or any actions hereby authorized have been executed and/or performed by the Supervisor, all are hereby ratified and confirmed and this Resolution take effect immediately.

RESOLUTION 2024-105

Appointment of Part Time Laborer

WHEREAS, a permanent part time laborer vacancy exists in the Buildings and Grounds department, and

WHEREAS, the Supervisor of Buildings and Grounds would like to fill one permanent part time position with Tyler Kisslinger, and

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Pawling hereby approves Tyler Kisslinger to be appointed as part time laborer in Buildings and Grounds at the hourly rate of \$17.00.

RESOLUTION 2024-106

Appointment of Full Time Maintenance Worker

WHEREAS, a full time maintenance worker vacancy exists in Buildings and Grounds, and

WHEREAS, the Superintendent of Buildings and Grounds would like to fill this position with Michael Pitts, and

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Pawling hereby approves Michael Pitts to be appointed as full time maintenance worker in Buildings and Grounds at the hourly rate of \$22.60.

RESOLUTION 2024-107

Appointment of Full Time Laborer

WHEREAS, a full time laborer vacancy exists in Buildings and Grounds, and

WHEREAS, the Superintendent of Buildings and Grounds would like to fill this position with Doug Keupp, and

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Pawling hereby approves Doug Keupp to be appointed as full time laborer in Buildings and Grounds at the hourly rate of \$20.00.

RESOLUTION 2024-108

Appointment of Safety Officers

WHEREAS, a vacancy for safety officers exists in Buildings and Grounds, and

WHEREAS, the Superintendent of Buildings and Grounds would like to fill this position with Trevor Wendover And Craig Akin, and

WHEREAS, Trevor Wendover will be the safety officer for all the grounds, and

WHEREAS, Craig Akin will be the safety officer for all buildings, and

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Pawling hereby approves Trevor Wendover and Craig Akin as safety officers at an annual stipend of \$2,000 each.

RESOLUTION 2024-109

Budget Amendments for Fiscal Year 2024

WHEREAS, a request for Budget Amendments has been received from the Bookkeeper, and

WHEREAS, normal course of business activity throughout 2024 has prompted the Bookkeeper to determine that various budget items should be amended to allow for the Town of Pawling to continue conducting business as usual, and

NOW THEREFORE BE IT RESOLVED, that the Bookkeeper has requested the following budget amendments:

A Fund						
ACCOUNT	ACCOUNT	CURRENT			REVISED	
DESCRIPTION	NUMBER	BUDGET	INCREASE	DECREASE	BUDGET	DESCRIPTION
Expenditures						
Refuse & Garbage	A.8160.2	9,000	8,435			Additonal rolloff box
		9,000	8,435	0	0	
A Revenues						
ACCOUNT	ACCOUNT	CURRENT			REVISED	
DESCRIPTION	NUMBER	BUDGET	INCREASE	DECREASE	BUDGET	DESCRIPTION
Revenue						
Mortgage Tax	A.3005	220,000	8,435		228,435	Revised budget
		220,000	8,435	0	228,435	
B Fund						
ACCOUNT	ACCOUNT	CURRENT			REVISED	
DESCRIPTION	NUMBER	BUDGET	INCREASE	DECREASE	BUDGET	DESCRIPTION
Expenditures						
Unemployment Insurance	B.9050.8	7,400	1,000		8,400	Revised budget
Health Reimbursement Account	B.9089.81	5,000		-1000	4,000	Revised budget
		12,400	1,000	-1,000	12,400	

RESOLUTION 2024-110

Setting Public Hearing for Sewer District #4

WHEREAS, on May 1, 2022, a map, plan and report prepared by Laberge Group for the provision of facilities, improvements or services in a portion of the Town of Pawling along the Route 22 commercial corridor, wherein a new sewer district is proposed, was filed in the Office of the Town Clerk; and

WHEREAS, the original public hearing for the proposed Sewer District No. 4 was held on October 12, 2022; and

WHEREAS, due to changes in different cost factors during the interim period, it has been necessary to modify the Preliminary Engineering Report to account for these changes all of which, when combined, affect the project cost and estimated first year annual user costs; and

Whereas, these changes include:

1. Inclusion of the \$1,000,000 CPF Grant that has been included in the federal Budget for the project;
2. Increase in the interest rate for local borrowing from 4 to 6 percent since the original hearing;
3. Significant increase in the operation and maintenance cost for the PJSC;
4. Project cost escalation; and

WHEREAS, the changes in the project cost and user fees are in excess of what was originally presented, necessitating the recommencement of the district formation; and

WHEREAS, the Town Board wishes to commence the district formation using the information contained in the most recently revised Map, Plan and Report (July 2024), which is on file in the Office of the Town Clerk for public inspection; and

WHEREAS, the Town Board believes that it would be in the best interests of the owners of commercial properties along the southern portion of Route 22, and the Town of Pawling, to establish a Sewer District to serve those properties and allow the continued growth of the Route 22 commercial corridor; and

WHEREAS, pursuant to the authority of Article 12-A of the New York State Town Law, the Town Board does intend to form Sewer District Number 4 to serve those commercial properties, pursuant to the said Map, Plan and Report, subject to holding a Public Hearing, and further subject to the permissive referendum process, and

WHEREAS, the boundaries of the proposed sewer district are as follows:

Beginning at the northwest corner of Parcel 257503;

Thence easterly and then southerly along the northern and eastern boundary of the said parcel to the westerly boundary of Old Route 22;

Thence easterly, across NYS Route 22 to the west corner of Parcel 422473;

Thence southerly along the westerly boundary of Parcel 422473 to the southwest corner of said parcel;
Thence easterly, along the southern boundary of Parcel 422473 to the northeast corner of Parcel 440439;

Thence southeasterly and southwesterly along the northeasterly and southeasterly boundary of Parcel 440439 to the south corner of said parcel;

Thence southerly along the easterly boundary of NYS Route 22 to the northwest corner of Parcel 552214; Thence

easterly along the northerly boundary of Parcel 552214 to the northeast corner of Parcel 552214;

Thence southerly along the easterly boundary of Parcels 552214 and 561152 to the southeast corner of Parcel 561152;

Thence westerly along the south boundary of Parcel 561152 to its intersection with the northward extension of the west boundary of Parcel 565087;

Thence southerly, across Akindale Road to the northwest corner of Parcel 565087, and continuing southerly to the northerly boundary of parcel 552035;

Thence easterly, southerly, and westerly along the northerly, easterly and southerly boundary of Parcel 552035, continuing westerly along the southerly boundary of Parcel 514017 to the intersection of the northward extension of the easterly boundary of Parcel 496996;

Thence south to the northeast corner of Parcel 496996;

Thence south along the easterly boundary of Parcel 496996 to the northerly boundary of Parcel 496975;

Thence east along said northerly boundary and the northerly boundary of Parcel 522966 to the easterly boundary of Parcel 522966;

Thence south and west along the easterly and southerly boundary of Parcel 522996 to the intersection of the northward extension of the easterly boundary of Parcel 503941;

Thence south to the southeast corner of Parcel 503941, and west along the southerly boundary of said parcel to the northeast corner of Parcel 492920;

Thence south along the easterly boundary of Parcel 492920 to the northerly boundary of Parcel 494892; Thence northeast along said boundary to the easterly boundary of said parcel;

Thence southerly along the easterly boundary of Parcel 494892 and Parcel 487867 to the northerly boundary of Parcel 514867;

Thence easterly and southerly along the north and east boundary of Parcel 514867;

Thence continuing south along the extension of the east boundary of Parcel 514867 to the southerly boundary of Maggie Lane;

Thence west along said southerly boundary to the east boundary of Parcel 477834; Thence south along said boundary to the northerly boundary of Parcel 486785;

Thence south, east, and south, along the east, northerly, and easterly boundaries of Parcel 486785 to the northerly boundary of Parcel 471743;

Thence east, south, west, and south along the northerly, easterly, southerly, and easterly boundaries of Parcel 471743 to the northeasterly corner of Parcel 451714;

Thence southerly along the easterly boundary of said parcel to the northerly boundary of Parcel 458682;

Thence easterly and southerly along the northerly and easterly boundary of Parcel 458682 to its intersection with the southerly boundary of the Town of Pawling;

Thence westerly along said boundary to the westerly highway boundary of NYS Route 22; Thence

northerly along said highway boundary to the southerly boundary of Parcel 371702;

Thence westerly along the southerly boundary of Parcel 371702 to the westerly boundary of Parcel 371702;

Thence northerly along said boundary, and the westerly boundary of Parcel 440895, to the northwest corner of said parcel;

Thence northerly through Parcel 198874 to the southwesterly corner of Parcel 434282;

Thence easterly along the southerly boundary of Parcel 434282 to the westerly highway boundary of NYS Route 22;

Thence north along said highway boundary to the easternmost corner of Parcel 410418;

Thence southwest along the southeasterly boundary of said Parcel, and crossing Old Route 22 to the easterly corner of Parcel 394393, and the westerly highway boundary of Old Route 22;

Thence northerly along said highway boundary to the north boundary of Parcel 372436;

Thence westerly along said boundary, in part, and the south boundary of Parcel 257503, and northerly along the westerly boundary of said parcel to the Point of Beginning.

Excepting Parcel 485936; and

WHEREAS, the improvements proposed include the installation of a Septic Tank Effluent Pump System using existing septic tanks to transport effluent to an existing wastewater treatment plant; and

WHEREAS, the maximum amount proposed to be expended for such improvement is \$3,050,000, and

WHEREAS, the proposed method to be employed for financing such improvement is debt service, operation and maintenance cost and capital recovery charge; and

WHEREAS, the estimated cost of said district to the typical property is \$3,366.00, and

NOW, THEREFORE, IT IS HEREBY RESOLVED that the Town Board hereby extinguishes the district formation process commenced in 2022; and be it further

RESOLVED, that the Town Board shall meet at the Town Hall, 160 Charles Colman Boulevard, Pawling, New York, on the 14th day of August, 2024, at 6:00 p.m., for the purpose of conducting a public hearing on the proposal to establish said sewer district with the improvements specified above, at which time and place all persons interested in the subject thereof may be heard concerning the same, and it is further

RESOLVED, that the Town Clerk is hereby authorized and directed to publish a copy of this order in an official newspaper of the Town and post a copy of the same on the signboard of the Town, in the time and manner required by law.

RESOLUTION 2024-111

Setting a Public Hearing to Abolish Joint Ethics Board

WHEREAS, on _____, 2022, the Town Board approved an Intermunicipal Agreement between the Town, the Village of Pawling, the Town of East Fishkill, the Town of Beekman and the Town of Dover to establish a Joint Ethics Board to consisting of one member from each municipality; and

WHEREAS, in on June 14, 2023 by Local Law No. 4-2023, the Town amended Chapter 28 of the Town Code to authorize the use of the Joint Ethics Board; and

WHEREAS, upon information and belief, none of the municipalities signed the Intermunicipal Agreement, and the Joint Ethics Board was never formally formed;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Pawling directs the Town Attorney to prepare a local law amending the Town Code to abolish the Joint Ethics Board and re-establish a town Board of Ethics; and it is

FURTHER RESOLVED, that the public hearing on the aforesaid Local Law be held on August 14, 2024 at 6:00 p.m. at Town Hall; and it is

FURTHER RESOLVED, that the Town Clerk is authorized and directed to post a notice of the public hearing and publish such notice in an official Town Newspaper.