



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 Youtube page*

Tuesday, October 1, 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) Acknowledgment of Minutes
 - 1. September 4, 2024
 - 2. September 11, 2024
- d) Privilege of the Floor with respect to Agenda Items only
- e) Presentation
 - 1. 2025 Tentative Budget – Christine Mitchell
- f) Discussion
 - 1. 2025 Tentative Budget
- g) Resolutions
- h) Town Board Items for Special Consideration & New Business
- i) Privilege of the Floor with respect to Agenda & Non-Agenda items (3 minutes)
- j) Executive Session – *To discuss the medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension or removal of a particular person or corporation.*
- k) Adjournment

Resolutions

RESOLUTION 2024-128

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 -----, 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 \$-----.

RESOLUTION 2024-129

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 \$13,989.80 for the period of July 1, 2024 through September 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 2024-130

Award of Bid for Heating Oil and Service of Oil-Fired Heating Equipment

WHEREAS, bids were duly advertised and noticed for #2 Heating Fuel Oil and Service Boiler Maintenance Service for the year 2024-2025, and

WHEREAS, the bids have been submitted for the Town Board's review and tabulations have been provided by the Town Clerk, and

NOW THEREFORE BE IT RESOLVED, that the following bids for #2 Fuel Oil be awarded per the specifications within the bid packet to Morgan Fuel & Heating Co. d/b/a Bottini Fuel in the amount of plus (+) \$0.245 per gallon, the Boiler Maintenance Service bid is hereby awarded to Morgan Fuel & Heating Co. d/b/a Bottini Fuel in the amount of \$125.00 per hour, the fixed price bid is hereby awarded to Morgan Fuel & Heating Co. d/b/a Bottini Fuel in the amount of \$2.79 per gallon.

RESOLUTION 2024-131**Adoption of the Pawling Joint Sewer Commission Budget
for 2024 and Acknowledgement of Commission Stipends**

WHEREAS, the Town of Pawling received a request from the Pawling Joint Sewer Commission to approve the budget, and

WHEREAS, the Town Board of the Town of Pawling has reviewed the budget on file with the Town Clerk, and

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Pawling hereby approves the Pawling Joint Sewer Commission Budget for the calendar year 2024 as follows: Revenues in the amount of \$1,345,541.24. Expenditures in the amount of \$1,042,643.00. Bonding costs in the amount of \$302,899.00. Total Budget of \$1,345,542.00.

NOW THEREFORE BE IT FURTHER RESOLVED, that the Town Board of the Town of Pawling does hereby acknowledge the 2024 Pawling Joint Sewer Commission Stipends as follows: Chairperson \$7,000.00 per year, Vice Chairperson: \$6,000.00 per year, Commissioner (5): \$5,500.00. Total: \$40,500.00 per year.

RESOLUTION 2024-132**Establishing 2025 Rates for the Transfer Station**

WHEREAS, the Town of Pawling operates a Transfer Station for the benefit of the residents of the Town of Pawling to dispose of rubbish and debris on their property, and

WHEREAS, to best operate the Transfer Station the Town Board of the Town of Pawling set rates that offset the cost of operating the Transfer Station, and

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Pawling sets the 2025 permit rate as \$390.00, \$30 per sticker to capital account, and \$60.00 for an additional household permit, \$20 per sticker to capital account and \$250.00 per sticker after July 1, 2025, and

BE IT FURTHER RESOLVED, a single vehicle may be allowed into Transfer Station for multiple properties provided each property pay the full price of sticker and is hole punched per sticker purchase with an approved waiver by the Supervisor.

RESOLUTION 2024-133**Establishing Temporary Building
Permit Fee Amnesty Period**

WHEREAS, the Town Board of the Town of Pawling has identified over 400 expired and open building permits and is looking to motivate property owners to close out permits and improve efficiency of the building department, and

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Pawling establishes a temporary building permit fee amnesty period as set forth in this resolution:

1. The Temporary Building Permit Fee Amnesty Period shall exist starting October 1, 2024 through December 31, 2024 for properties with past due building permits.
2. The Building Inspector and Clerk of the Building Department are directed to notify all known residents with past due Town building permits with two mailings via U.S. Mail one in October 2024 and one in November 2024.

3. The Town Board of the Town of Pawling does hereby authorize flexibility on application fees for past due building permits. During the Temporary Building Permit Fee Amnesty Period, effective October 1, 2024 through December 31, 2024 application fees may be reduced at the discretion of the Building Inspector. The Temporary Building Permit Fee Amnesty shall include fees pertaining to the renewal of the expired permit, final inspection and the appropriate closing of the permit only. Any additional fees that may arise during the course of the final inspection and any additional actions necessary to appropriately close the permit, as required per the Town of Pawling and New York State are not included under this Amnesty.

RESOLUTION 2024-134

Accepting Donation from Schmitt Excavating

WHEREAS, the abandoned structure at Murrow Park partially collapsed and was condemned, and

WHEREAS, the partially collapsed structure constituted an attractive nuisance and was a danger to the health, safety and welfare of residents and needed to be removed on an emergency basis, and

WHEREAS, Schmitt Excavating offered to remove the dangerous building at no cost to the Town, and the building was therefore demolished by Schmitt Excavating on September 20, 2024, and the Highway Department moved the debris to the transfer station, and

WHEREAS, in light of the potential danger to the health, safety and welfare presented by the dangerous building, there was no opportunity for the Town Board to approve the donation from Schmitt Excavating prior to the demolition of the dangerous building but was previously discussed by the Town Board, and

WHEREAS, the Town Board wished to authorized the donation of time and equipment by Schmitt Excavating and their assistance in removing this potentially dangerous condition,

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Pawling accepts the donation of Schmitt Excavating, with appreciation, and ratifies and approves any and all actions taken by the Supervisor, Town Board and Town officials in removing the condemned building from Murrow Park.

RESOLUTION 2024-135

Amendment to Handbook Regarding Nepotism

WHEREAS, the Town Board wishes to amend the Town of Pawling Employee Handbook to prohibit nepotism;

NOW THEREFORE, BE IT RESOLVED that the following shall be added as Section 311 of the Town of Pawling Employee Handbook, but shall not be applicable to any current employee as of the date of this Resolution, and shall only apply to new employees:

311. Employment of Relatives.

No relative or family member/member of household of any person employed in a department of the Town of Pawling shall be entitled to hold a position of full-time or part-time employment in the same department as their relative if the position applied for is in the direct line of supervision in the subject department. "Relative" shall mean a spouse, child, stepchild, parent, stepparent, brother, brother-in-law, sister, sister-in-law, stepbrother, stepsister, father-in-law, mother-in-law, or legal guardian of any of said persons. With respect to prospective employees who

have relatives as defined herein or family member/members of households in other Town of Pawling departments, the hiring official shall exercise sound discretion in employing such individual in order to avoid the appearance of impropriety, which relationship shall be fully disclosed to the Board of Ethics.

RESOLUTION 2024-136

**Amend Handbook to Require Training for
Town Board Members**

WHEREAS, the Town Board wishes to amend the Town of Pawling Employee Handbook to include a new requirement, as best practice, that Town Board Members take a minimum of four (4) hours of training on an annual basis;

NOW THEREFORE, BE IT RESOLVED that the following shall be added as Section 312 of the Town of Pawling Employee Handbook:

312. Training for Town Board Members.

Training and attendance requirements. Each member of the Town Board shall complete, at a minimum, four (4) hours of training each year designed to enable such members to more effectively carry out their duties. Training received by a member in excess of four hours in any one year may be carried over by the member into succeeding years in order to meet the requirements of this subdivision. Such training shall be approved by the town board and may include, but not be limited to, training provided by a municipality, regional or county planning office or commission, state agency, statewide municipal association, college or other similar entity. Training may be provided in a variety of formats, including but not limited to, electronic media, video, distance learning and traditional classroom training.

b. The training required by this subdivision may be waived or modified by resolution of the town board when, in the judgment of the town board, it is in the best interest of the town to do so.

c. No decision or action of a Town Board shall be voided or declared invalid because of a failure to comply with this requirement.