



## Town of Pawling Town Board

Pawling Town Hall  
160 Charles Colman Blvd  
Pawling, NY 12564

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# Regular Meeting of the Town Board

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

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Tuesday, October 8, 2024  
6:00PM

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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) Privilege of the Floor with respect to Agenda Items only
- d) Discussion
  - 1. Financial Disclosure
- e) Resolutions
- f) Town Board Items for Special Consideration & New Business
- g) Privilege of the Floor with respect to Agenda & Non-Agenda items (3 minutes)
- h) 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.*
- i) 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 20241206-20241349, 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 \$492,422.01.

## **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. During the Temporary Building Permit Fee Amnesty Period, effective October 1, 2024 through December 31, 2024. The Temporary Building Permit Fee Amnesty shall be \$250.00 per household. 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.

**RESOLUTION 2024-137**

**Approving Preliminary Budget for Fiscal  
Year 2025 and Directing a Public Hearing Thereon**

WHEREAS, the Town Supervisor, pursuant to Section 106 of the Town Law has presented the Tentative Budget to the Town Board for review, examination and possible revision, and

WHEREAS, the Town Board of the Town of Pawling has reviewed same and deemed it reasonable and appropriate, and

NOW THEREFORE BE IT RESOLVED, as follows:

1. The recitations above set forth are incorporated in this Resolution as if fully set forth and adopted herein.
2. Pursuant to and in accordance with the provisions of Section 106 of the Town Law and other applicable provisions of law, the annexed detailed statement of estimated expenditures and revenues be and the same is hereby approved and adopted as the Preliminary Budget of the Town of Pawling for the fiscal year beginning January 1<sup>st</sup>, 2025.
3. The Preliminary Budget adopted herein shall forthwith be filed in the Office of the Town Clerk in the Town of Pawling where it shall be available for public inspection.
4. The Town Board of the Town of Pawling shall meet at Town Hall, 160 Charles Colman Boulevard, Pawling, New York on the 6<sup>th</sup> day of November, 2024 at 6:00 p.m. and then and there shall hold a Public Hearing upon such Preliminary Budget.
5. The Town Clerk of the Town of Pawling shall give Notice of such Public Hearing by publishing Notice thereof in the Poughkeepsie Journal, the official newspaper of the Town of Pawling, at least five (5) days prior to 11/06/2024 and the Town Clerk shall cause a copy of said Notice to be posted on the sign board of the Town no later than five (5) days before the scheduled Public Hearing.
6. This Resolution shall take effect immediately.

**RESOLUTION 2024-138**

**Temporary Appointment of Full Time  
Code Enforcement Officer**

WHEREAS, Kenneth Clair has been a part-time building inspector/code enforcement officer for the Town of Pawling, and

WHEREAS, in an effort to continue to improve efficiency of the building department during the amnesty period and provide additional assistance to the building inspector Everett White, the Town Board of the Town of Pawling wishes to hire Kenneth Clair as a temporary full-time code enforcement officer for the Town of Pawling, and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Pawling appoints Kenneth Clair as temporary full-time code enforcement officer for the Town of Pawling, effective as of the date hereof.

**RESOLUTION 2024-139**

**Water District No. 2 – Change Order No. 2**

WHEREAS, the Town of Pawling entered into an agreement with Oram Contracting, LLC for the Water District No. 2 – Water Meter Replacement Installation contract, and

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

WHEREAS, the Change Order No. 2 provides for an additional cost of \$2,376.00, and

WHEREAS, Laberge Group has prepared Change Order No. 2 reflecting the proposed price amendments and extending the completion date and said change order has been executed by the contractor, and

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Pawling approves Change Order No. 2 and hereby authorizes the Town Supervisor to execute the same.

**RESOLUTION 2024-140**

**A Resolution Authorizing the Highway Department  
and Buildings and Grounds to Assist with the Veteran Banner Program**

WHEREAS, the Town of Pawling Lions organization has relinquished responsibility for the Veteran Banner program, and

WHEREAS, in order for the program to continue its importance the American Legion would like to take the program over with the help of the Highway and Building and Grounds Departments, and

WHEREAS, the American Legion will donate a safety cage for the Highway Department and Buildings and Grounds to be used to hang and take down the banners along with the Pawling Fire Department donating \$250.00 annually to help the cost, and

WHEREAS, the banners will be hung before Memorial Day and taken down after Veterans Day and stored in the American Legion building, and

NOW THEREFORE BE IT RESOLVED, the Town Board of the Town of Pawling hereby authorizes the Highway and Building and Grounds departments to assist in the Veteran Banner program for the American Legion.

**RESOLUTION 2024-141**

**Revised Capital Project Budget for Lakeside Pavilion**

WHEREAS, a Capital Project Budget for the Lakeside Park Pavilion was developed by the Bookkeeper, and

NOW THEREFORE BE IT RESOLVED, the Town Board of the Town of Pawling approves the following revised budget for the Lakeside Park Pavilion project:

<b>Lakeside Pavilion Capital Project</b>								
Account	Account	May-23	Revised	6/12/2024	October			
Number	Name	Budget	Budget	Revised	Revised			
				Budget	Budget			
<b>Revenues</b>								
HPP.3097	NYS-OPR	500,000.00	500,000.00	500,000.00	500,000.00			
HPP.5031	ARPA	100,000.00	100,000.00	100,000.00	100,000.00			
HPP.5031	General Fund	52,115.00	52,115.00	52,115.00	52,115.00			
HPP.5710	Bond	700,000.00	900,000.00	900,000.00	900,000.00			
HPP.2651	Sale of Recycling Refuse					<b>1,400.00</b>	Inc. To Offset	
HPP. 2401	Interest			0.00		<b>30,638.00</b>	Inc. To Offset	
	<b>Total Revenues</b>	<b>1,352,115.00</b>	<b>1,552,115.00</b>	<b>1,552,115.00</b>	<b>1,552,115.00</b>	<b>1,584,153.00</b>		
<b>Expenditures</b>								
HPP.1440.021	Design, Contract Mgmt, e	94,000.00	174,000.00	192,908.00		<b>215,908.00</b>	\$23k TB Approved	
HPP.1440.021	Septic Design			7,042.00		<b>14,695.00</b>	Inc. for actual Design cost	
HPP.1440.22	Contract Mgmt	80,000.00	0.00	0.00		0.00		
HPP.1620.21	Demolition/sign, Start up	230,065.00	394,740.00	414,415.00		<b>415,800.00</b>	Inc. for actual Demo cost	
HPP.1620.22	Bathroom/Pavilion	930,550.00	965,875.00	920,275.00		920,275.00		
HPP.1380.20	Fiscal Agent Fees	7,500.00	7,500.00	9,450.00		9,450.00		
HPP.1420.20	Bond Counsel, etc.	10,000.00	10,000.00	8,025.00		8,025.00		
	<b>Total Expenditures</b>	<b>1,352,115.00</b>	<b>1,552,115.00</b>	<b>1,552,115.00</b>	<b>1,552,115.00</b>	<b>1,584,153.00</b>		
Additional \$23k Addendum approved, increase demolition budget to cover actual & increase septic design cost to cover actual								

**RESOLUTION 2024-142**

**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	BUDGET	DESCRIPTION
Justice Court Wgs	A.1110.1	108,050	7,900	115,950	Inc for New PT Clerk
Auditor	A.1320.4	23,800		16,800	9/12/24 for Oct
Parks Equip & Capital	A.7110.2	18,400	5,000	23,400	Inc for Bldg Demolition
Park Maintenance	A.7110.415	26,000	2,500	28,500	Inc for DC Sheriff Patrol
Buildings Equipment	A.1620.200	26,000	5	26,005	



Building Maint	A.1620.426	30,000	4,000		34,000	Inc for Bldg Maint.
Building Wgs	A.1620.100	296,800		-4,005	292,795	Dec to Offset Bldg Maint
Beach Wgs	A.7230.1	80,250	3,300		83,550	Revised Budget
Golf Course Cont.	A.7260.400	12,000	7,000		19,000	Entered
Summer Camp Wgs	A.7320.1	110,000		-2,900	107,100	Revised Budget
Summer Camp Cont.	A.7320.4	20,000		-400	19,600	Revised Budget
		<u>751,300</u>	<u>29,705</u>	<u>-14,305</u>	<u>766,700</u>	

ACCOUNT DESCRIPTION	ACCOUNT NUMBER	CURRENT BUDGET	INCREASE	DECREASE	REVISED BUDGET	DESCRIPTION
Employee Contributions	A.2704	<u>31,000</u>	<u>15,400</u>		<u>46,400</u>	Inc to offset exp increases

ACCOUNT DESCRIPTION	ACCOUNT NUMBER	CURRENT BUDGET	INCREASE	DECREASE	REVISED BUDGET	DESCRIPTION
Snow Removal Cont.	DB.5142.4	190,000	20,000		210,000	Inc for DC snow plowing agreement
General Repairs Wgs	DB.5110.1	507,890	35,000		542,890	Moving Unused snow wgs to general wages
General Repairs OT	DB.5110.106	10,000	7,000		17,000	and OT
Snow Removal	DB.5142.1	<u>50,000</u>		<u>-42,000</u>	<u>8,000</u>	
		<u>757,890</u>	<u>62,000</u>	<u>-42,000</u>	<u>777,890</u>	

ACCOUNT DESCRIPTION	ACCOUNT NUMBER	CURRENT BUDGET	INCREASE	DECREASE	REVISED BUDGET	DESCRIPTION
Trans Svc Other Gov't	DB.2300	0	52,770		52,770	Tor recognize 3 mo. DC Snow plowing Agreement
Interest	DB.2401	<u>68,356</u>		<u>-32,770</u>	<u>35,586</u>	Decrease to offset DB.2300 revenue Inc.
		<u>68,356</u>	<u>52,770</u>	<u>-32,770</u>	<u>88,356</u>	

ACCOUNT DESCRIPTION	ACCOUNT NUMBER	CURRENT BUDGET	INCREASE	DECREASE	REVISED BUDGET	DESCRIPTION
Bldg Contractual	B.3620.4	13,530	2,000		15,530	Entered 9/12/24
Bldg Wages	B.3620.1	<u>213,615</u>		<u>-2,000</u>	<u>211,615</u>	for October
		<u>227,145</u>	<u>2,000</u>	<u>-2,000</u>	<u>227,145</u>	