

Supervisor James Schmitt opened the regular meeting of the town board of the Town of Pawling at 6:00 PM October 8, 2024 at the Pawling town hall, 160 Charles Colman Blvd., Pawling, New York. Present were councilwomen Snow and Pitt, councilmen Mygan and McCarthy, Nancy Tagliaferro, town attorney, and approximately 10 interested citizens.

**DISCUSSION/FINANCIAL DISCLOSURE**

The board discussed the proposed financial disclosure, which was presented by councilman Mygan. Discussion ensued regarding the financial disclosure, and there was concern about the number of people who would be required to participate in it, there would be no repercussions for elected officials, and it would be overseen by an ethics board, which the town does not have at this time. Following discussion, the board agreed to continue to discuss this at next month's meeting.

**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 the 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 through 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.

**MOTION:** Supervisor Schmitt

**SECOND:** Councilman McCarthy

**ROLL CALL VOTE:**

Councilwoman Pitt – “AYE”

Councilman Mygan – “AYE”

Councilman McCarthy – “AYE”

Councilwoman Snow - “AYE”

Supervisor Schmitt – “AYE”

**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.

**MOTION:** Supervisor Schmitt  
**SECOND:** Councilman McCarthy

**ROLL CALL VOTE:**

Councilwoman Pitt – “AYE”                      Councilman Mygan – “AYE”  
Councilman McCarthy – “AYE”                      Councilwoman Snow - “AYE”  
Supervisor Schmitt – “AYE”

**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.

**MOTION:** Councilman McCarthy  
**SECOND:** Councilwoman Pitt

**ROLL CALL VOTE:**

Councilwoman Pitt – “AYE”                      Councilman Mygan – “AYE”  
Councilman McCarthy – “AYE”                      Councilwoman Snow - “ABSTAINED”  
Supervisor Schmitt – “RECUSED”

**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.

Following discussion of resolution 2024-135, the board agreed to table this resolution and discuss it at next month's meeting.

**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.

Following discussion on resolution 2024-136, the board agreed to further discuss this resolution at next month's meeting.

**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.

**MOTION:** Supervisor Schmitt  
**SECOND:** Councilwoman Snow

**ROLL CALL VOTE:**

Councilwoman Pitt – “AYE”                      Councilman Mygan – “AYE”  
 Councilman McCarthy – “AYE”                      Councilwoman Snow - “AYE”  
 Supervisor Schmitt – “AYE”

**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.

**MOTION:** Supervisor Schmitt  
**SECOND:** Councilwoman Snow

**ROLL CALL VOTE:**

Councilwoman Pitt – “AYE”                      Councilman Mygan – “AYE”  
 Councilman McCarthy – “AYE”                      Councilwoman Snow - “AYE”  
 Supervisor Schmitt – “AYE”

**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.

**MOTION:** Supervisor Schmitt  
**SECOND:** Councilman McCarthy

**ROLL CALL VOTE:**

Councilwoman Pitt – “AYE”                      Councilman Mygan – “AYE”  
Councilman McCarthy – “AYE”                      Councilwoman Snow - “AYE”  
Supervisor Schmitt – “AYE”

**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.

**MOTION:** Supervisor Schmitt  
**SECOND:** Councilman McCarthy

**ROLL CALL VOTE:**

Councilwoman Pitt – “ABSTAINED”                      Councilman Mygan – “AYE”  
Councilman McCarthy – “AYE”                      Councilwoman Snow - “AYE”  
Supervisor Schmitt – “AYE”

**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 Number	Account Name	May-23 Budget	Revised Budget	6/12/2024 Revised Budget	October Revised 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>1,584,153.00</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>1,584,153.00</b>			
Additional \$23k Addendum approved, increase demolition budget to cover actual & increase septic design cost to cover actual								

**MOTION:** Supervisor Schmitt  
**SECOND:** Councilman McCarthy

**ROLL CALL VOTE:**

Councilwoman Pitt – “AYE”                      Councilman Mygan – “AYE”  
 Councilman McCarthy – “AYE”                      Councilwoman Snow - “AYE”  
 Supervisor Schmitt – “AYE”

**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 businesses usual, and

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

A Fund	ACCOUNT DESCRIPTION	ACCOUNT NUMBER	CURRENT BUDGET	INCREASE	DECREASE	REVISED 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		-7,000	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 and OT
General Repairs OT	DB.5110.106	10,000	7,000		17,000	
Snow Removal	DB.5142.1	50,000		-42,000	8,000	
		<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	68,356		-32,770	35,586	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 for October
Bldg Wages	B.3620.1	213,615		-2,000	211,615	
		<u>227,145</u>	<u>2,000</u>	<u>-2,000</u>	<u>227,145</u>	

**MOTION:** Supervisor Schmitt

**SECOND:** Councilwoman Pitt

**ROLL CALL VOTE:**

Councilwoman Pitt – “AYE”

Councilman Mygan – “AYE”

Councilman McCarthy – “AYE”

Councilwoman Snow - “AYE”

Supervisor Schmitt – “AYE”

**TOWN BOARD DISCUSSION**

**PITT**

Councilwoman Pitt said she met Inginia Jackson, co-founder and executive director of the Camino al Exito Project, which is a not for profit, at the Rotary Fall Fest. They work to empower underserved youth and their families with education and other opportunities. She felt they were doing great work and mentioned that they are having a Hispanic heritage celebration on October 26<sup>th</sup> in the Village of Pawling.

**MCCARTHY**

Councilman McCarthy made a motion to accept a donation from Akindale Farm for topsoil, seconded by councilman Mygan, motion passed unanimously.

**SNOW**

Councilwoman Snow felt the town board needed to do RFQ’s for all professional services, and it is best practice to do it every three years. She said it would be best practice to have a finance committee. She congratulated Dutchess Autobody, John Amaturro for fifty years in Pawling. She said the Pawling library has begun building their children’s wing.

**MYGAN**

Councilman Mygan asked about the RFQ for a planner, he wanted to know who could handle this and get it moving.

Supervisor Schmitt said he would reach out to Ron Gainer and Mike Liguori to move this forward.

**EXECUTIVE SESSION**

Supervisor Schmitt made a motion at 7:50 PM to enter 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, seconded by councilman McCarthy, motion passed unanimously.

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Catherine Giordano  
Town Clerk



Town Board Meeting – Executive Session

October 8, 2024

The Board adjourned to Executive Session to discuss pending or threatened litigation. Present were Supervisor Schmitt, Councilman McCarthy, Councilwoman Snow, Councilwoman Musella-Pitt, Councilman Mygan and Town Attorney Nancy Tagliaferro. Ms. Tagliaferro was appointed to take the minutes.

On a motion from Supervisor Schmitt, seconded by Councilman McCarthy, and unanimously approved by all those present, the Board authorized Hogan, Rossi & Liguori to enter into a settlement agreement regarding a pending tax certiorari matter, and adopted the resolution in the form attached.

The meeting was adjourned at 8:16 p.m. on motion of Supervisor Schmitt, seconded by Councilman McCarthy, and unanimously approved.

Respectfully submitted,

Nancy Tagliaferro

**APPROVING SETTLEMENT OF TAX CERTIORARI PROCEEDING IN THE MATTER OF JUCCA COMPANY v. THE TOWN OF PAWLING**

**Index Nos. 2023-52514 and 2024-52899**

**WHEREAS**, the Town of Pawling is currently a party respondent in a certain tax certiorari proceeding entitled **JUCCA COMPANY V. TOWN OF PAWLING, ET AL**, currently pending in the Supreme Court, State of New York, County of Dutchess, in which the total assessed valuation of premises shown on the Pawling Tax Map as grid number 7056-00-695137-0000 as listed on the 2023 and 2024 Assessment Rolls are being contested; and

**WHEREAS**, a proposed settlement of said matter has been negotiated by and among the Town Attorney, Counsel to Petitioner, and Counsel to the Pawling Central School District the terms of which are set forth in a proposed Consent Judgment, a full and complete copy of which is annexed hereto and hereby made a part hereof; and

**WHEREAS**, the Assessor of the Town of Pawling and the property owner have agreed to settle the proceeding by reducing the assessed valuation of the subject premises as shown on Consent Judgment with a waiver of any refunds based on the reduction in on the 2023 Assessment Roll; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Pawling hereby approves and ratifies the settlement of the above described matter; and

**BE IT FURTHER RESOLVED**, that Jamie Spillane, Esq. of the Firm of Hogan & Rossi, the Pawling Town Attorney, or any other member of said Firm, is hereby authorized and directed to sign, on behalf of the Town of Pawling, said Consent Judgment in the form annexed hereto or, if hereinafter modified or amended, in such form as may be deemed satisfactory to the Town Attorney.

Our File #59997-U

At a Special Term of the Supreme Court,  
State of New York, County of Dutchess, held at  
Poughkeepsie, New York, on the \_\_\_\_ day of  
\_\_\_\_\_, 2024.

P R E S E N T

Hon. James V. Brands  
Justice

-----X CONSENT ORDER

In the Matter of the Application of:

Index # 2023-52514

JUCCA COMPANY,

Petitioner,

-against-

THE BOARD OF ASSESSORS AND/OR  
THE ASSESSOR OF THE TOWN OF PAWLING  
AND THE BOARD OF ASSESSMENT REVIEW

Respondents,

BOARD OF EDUCATION OF THE PAWLING  
CENTRAL SCHOOL DISTRICT

Respondent-Intervenor,

For Review of a Tax Assessment Under  
Article 7 of the Real Property Tax Law.

-----X

In the Matter of the Application of:

Index # 2024-52899

JUCCA COMPANY,

Petitioner,

-against-

THE ASSESSOR AND THE BOARD OF ASSESSMENT  
REVIEW OF THE TOWN OF PAWLING

Respondents,

BOARD OF EDUCATION OF THE PAWLING  
CENTRAL SCHOOL DISTRICT

Respondent-Intervenor,

For Review of a Tax Assessment Under  
Article 7 of the Real Property Tax Law.

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Proceedings having been brought by JUCCA COMPANY, the Petitioner herein, to review the assessments by the Respondents for the purpose of taxation upon certain parcels of real property, known as 15 Akindale Road, Pawling, New York, Tax Map ID: 7056-00-695137-0000, for Assessment Years 2023 (“23/24”) and 2024 (“24/25”) the Petitioner herein by their attorneys, FORCHELLI DEEGAN TERRANA, LLP, and the Respondents, Town of Pawling, by their attorney, HOGAN, ROSSI & LIGUORI, and Respondent-Intervenor Pawling Central School District, by their attorney THOMAS DROHAN WAXMAN PETIGROW & MAYLE, LLP, having entered into this agreement settling the above-captioned proceedings, which Stipulation is to be filed herewith and due deliberation having been had,

NOW, on motion of FORCHELLI DEEGAN TERRANA, LLP, attorneys for the Petitioner, it is

ORDERED, DIRECTED and AGREED that the 2023 (“23/24”) assessment remains unchanged, with no refunds being due to petitioner.

ORDERED, DIRECTED and AGREED that the assessment of the Petitioner's real property upon the assessment roll of the Town of Pawling be corrected and reduced to read as follows:

Tax Map ID: 7056-00-695137-0000:

<u>Tax Year</u>	<u>Original Assessed Valuation</u>	<u>Amount of Reduction AV</u>	<u>Final (Settlement) Assessed Valuation</u>
2024 ("24/25")	\$ 563,500	\$ 218,540	\$ 344,960

ORDERED, DIRECTED and AGREED that the assessment for this property will remain at \$344,960 for tax years 2025 ("25/26"), 2026 ("26/27"), and 2027 ("27/28") with the provisions of Section 727 of the Real Property Tax to apply to said tax years, except that if there is a revaluation or update, the fair market value of the subject property cannot exceed \$1,100,000 for the 2025, 2026, and 2027 assessment rolls.

ORDERED, DIRECTED and AGREED that Petitioner will not file a petition for the review of the assessment of the subject property for assessment years 2025 ("25/26"), 2026 ("26/27"), and 2027 ("27/28") if the assessed value for these tax years shall be \$344,960, or in the event of a reval or update, the fair market value does not exceed \$1,100,000.

ORDERED, DIRECTED and AGREED that if a Court Order implementing this Stipulation is not filed in time to permit the assessment on Petitioner's property on the 2024 Assessment Roll to be revised before any tax bills are issued, Petitioner shall pay taxes based upon the unrevised 2024 assessment and shall thereafter be entitled to a refund, within 60 days of Petitioner's service of the Court Order on the taxing authority, of taxes paid on the difference in value between the unrevised 2024 assessment and the revised 2024 assessment.

ORDERED, DIRECTED and AGREED that if the 2025, 2026 and/or 2027 tax rolls do not reflect the settlement values set forth in this Consent Order, Petitioner shall pay taxes based upon the unrevised assessment and shall thereafter be entitled to a refund, within 60 days of Petitioner's service of the Court Order on the taxing authority, of taxes paid on the difference in value between the unrevised assessment and the revised assessment.

ORDERED, DIRECTED and AGREED that upon compliance with the terms of this Order, the above captioned proceedings be, and the same hereby are discontinued without costs to either party as against the other.

ORDERED, DIRECTED and AGREED that this agreement may be executed in counterparts.

Date:

E N T E R:

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J.S.C.

Entry of the foregoing Order  
is hereby consented to:

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BY: NICOLE S. FORCHELI, ESQ.  
Forchelli Deegan Terrana, LLP  
Attorneys for Petitioner  
333 Earle Ovington Boulevard, Suite 1010  
Uniondale, New York 11553  
[NForchelli@ForchelliLaw.com](mailto:NForchelli@ForchelliLaw.com)

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BY: JAMIE SPILLANE, ESQ.  
Hogan, Rossi & Liguori  
Attorneys for Respondent  
3 Starr Ridge Road, Suite 200  
Brewster, New York 10509  
[jspillane@hrlawyers.com](mailto:jspillane@hrlawyers.com)

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BY: DANIEL PETIGROW, ESQ.  
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Attorneys for Intervenor-Respondent  
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