

Deputy supervisor/councilman James McCarthy opened the regular meeting of the town board of the Town of Pawling at 6:00 PM November 13, 2024 at the Pawling town hall, 160 Charles Colman Blvd., Pawling, New York. Present were councilwomen Snow and Pitt, Councilman Mygan, Nancy Tagliaferro, town attorney and approximately 15 interested citizens. Supervisor Schmitt was absent.

## **PAWLING COMMUNITY GARDEN**

Gabrielle Semel and Angela Jobe were present to discuss the Pawling Community Garden. The Pawling Community Garden has been discussed in the past and clarification was needed regarding the lease, and if there would be a rent stipulation, and what that would be. They are a not for profit and don't anticipate having any employees. There will be 44 plots and they will be offered at approximately \$16.00 per plot. They will be completely funded by grants and private donations, including memberships. They plan on offering the garden to Pawling residents. There was discussion regarding water for the garden, and it was agreed that Wendel Weber, supervisor of buildings and grounds would check into how long hoses would have to be to reach the garden from the building. The water issue still needed to be worked out, and they asked that the grass around the outside of the fence be mowed by the buildings and grounds department. This would again be discussed at the first meeting in December.

## **RESOLUTIONS**

### **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.

**MOTION:** Councilman McCarthy

**SECOND:** Councilwoman Pitt

Following discussion on resolution 2024-135, councilman McCarthy made a motion to table this resolution in order to gather additional information, seconded by councilwoman Snow, motion passed unanimously. This solution would be discussed at the next meeting.

### **RESOLUTION 2024-136 Amend Handbook to Recommend Training for Town Board Members**

WHEREAS, the Town Board wishes to amend the Town of Pawling Employee Handbook to include a new recommendation, as best practice, that Town Board Members take 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 recommendations. Each member of the Town Board may

complete, 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 recommendations 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 recommended 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 recommendation.

**MOTION:** Councilman McCarthy

**SECOND:** Councilwoman Snow

**ROLL CALL VOTE:**

Councilwoman Pitt – “AYE”

Councilman Mygan – “AYE”

Councilman McCarthy – “AYE”

Councilwoman Snow - “AYE”

Supervisor Schmitt – “ABSENT”

**RESOLUTION 2024-145**  
**Appointing a Health Insurance Broker**

WHEREAS, in an effort to reduce expenditures, the Town Board of the Town of Pawling wishes to appoint Steve Murphy as Health Insurance Broker to assist the Town in soliciting proposals to provide Health Insurance to eligible Town Employees and Elected Officials; and

WHEREAS, Mr. Murphy has agreed to provide such service to the Town at no expense regarding MVP EPO Silver Plan HRA card;

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Pawling does hereby appoint Steve Murphy as Health Insurance Broker for the Town of Pawling; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Pawling hereby ratifies and affirms any actions here to taken by Town Employees and Officials in connection with this matter.

**MOTION:** Councilman McCarthy

**SECOND:** Councilwoman Pitt

**ROLL CALL VOTE:**

Councilwoman Pitt – “AYE”

Councilman Mygan – “AYE”

Councilman McCarthy – “AYE”

Councilwoman Snow - “AYE”

Supervisor Schmitt – “ABSENT”

**RESOLUTION 2024-146**  
**Setting Employee Health Insurance Contribution Rate for MVP EPO Silver Plan**

WHEREAS, as set forth in Section 706 of Town of Pawling Employee Handbook (the “Handbook”), the Town Board may determine the amount of the insurance premium an employee or Elected Official is required to contribute by resolution; and

WHEREAS, in an effort to reduce expenditures, the Town Board approved the MVP EPO Silver Plan by Resolution No. 80 on May 1, 2024 and wishes to set the insurance premium contributions as follows for MVP EPO Silver Plan: (i) commencing on January 1, 2025, five (5%) percent for

all current non-union employees employed by the Town, and (ii) ten (10%) percent for all non-union employees as of July 1, 2025 and (iii) fifteen (15%) for all non-union employees as of January 1, 2026; and

WHEREAS, any new employees hired after today, November 13<sup>th</sup>, 2024 will contribute twenty (20%) percent, and

WHEREAS, the Town Board of the Town of Pawling will provide an HRA card to the employees to cover the entire cost of the deductible with the assistance of Steve Murphy, and

WHEREAS, the MVP EPO Silver monthly rates are as follows:

- |                        |            |
|------------------------|------------|
| 1. Single Plan         | \$1,050.07 |
| 2. Employee + Spouse   | \$2,102.14 |
| 3. Employee + Children | \$1,786.82 |
| 4. Family Plan         | \$2,995.55 |

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Pawling does hereby approve the following insurance premium contributions:

- (i) commencing on January 1, 2025, five (5%) percent for all current non-union employees employed by the Town, and
- (ii) ten (10%) percent for all non-union employees as of July 1, 2025, and
- (iii) fifteen (15%) percent for all non-union employees as of January 1, 2026, and

BE IT FURTHER RESOLVED, that a copy of this resolution shall be attached to the current Town of Pawling Handbook and distributed to each current Town employee and elected official, and

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately.

**MOTION:** Councilman McCarthy

**SECOND:** Councilwoman Pitt

Following discussion, councilman McCarthy made a motion to table resolution 146 until December, seconded by councilman Mygan, motion passed unanimously.

#### **RESOLUTION 2024-148**

#### **Lakeside Boathouse – General Contract Change Order No. 2**

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. 2 provides for an additional cost of \$32,358.00, and

WHEREAS, Laberge Group has prepared Change Order No. 2 reflecting the proposed changes in the work, 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:** Councilman McCarthy

**SECOND:** Councilwoman Pitt

#### **ROLL CALL VOTE:**

Councilwoman Pitt – “AYE”

Councilman Mygan – “AYE”

Councilman McCarthy – “AYE”

Councilwoman Snow - “AYE”

Supervisor Schmitt – “ABSENT”

#### **RESOLUTION 2024-149**

#### **Lakeside Boathouse – Electrical Contract 2 Change Order No. 1**

WHEREAS, the Town of Pawling entered into an agreement with RLJ Electric for the Lakeside

Boathouse Improvements contract, and

WHEREAS, the Change Order No. 1 provides for an Owner's Allowance credit amount of \$10,000.00, and

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

**MOTION:** Councilman McCarthy

**SECOND:** Councilwoman Pitt

**ROLL CALL VOTE:**

Councilwoman Pitt – "AYE"

Councilman Mygan – "AYE"

Councilman McCarthy – "AYE"

Councilwoman Snow - "AYE"

Supervisor Schmitt – "ABSENT"

**RESOLUTION 2024-150**

**Lakeside Boathouse – Plumbing Contract 3 Change Order No. 1**

WHEREAS, the Town of Pawling entered into an agreement with Lumar Plumbing & Heating for the Lakeside Boathouse Improvements contract, and

WHEREAS, the Change Order No. 1 provides for and Owner's Allowance credit amount of \$10,000.00, and

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

**MOTION:** Councilman McCarthy

**SECOND:** Councilwoman Pitt

**ROLL CALL VOTE:**

Councilwoman Pitt – "AYE"

Councilman Mygan – "AYE"

Councilman McCarthy – "AYE"

Councilwoman Snow - "AYE"

Supervisor Schmitt – "ABSENT"

**RESOLUTION 2024-152**

**Facilities Use Request**

WHEREAS, the Town of Pawling operates facilities that from time to time will be used by the public for events other than the Town's own usage, and

WHEREAS, the Recreation Director will periodically receive request for special considerations once all application and insurance requirements are met, and

WHEREAS, the Town Board of the Town of Pawling sets the fees for the use of facilities, and

NOW THEREFORE BE IT RESOLVED, that the following waiver(s) have been authorized by the Town Board: Eastern Dutchess Road Runners – Alcohol Waiver, Alcohol Control Plan.

**MOTION:** Councilman McCarthy

**SECOND:** Councilwoman Pitt

**ROLL CALL VOTE:**

Councilwoman Pitt – "AYE"

Councilman Mygan – "AYE"

**RESOLUTION 2024-154  
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:

ACCOUNT DESCRIPTION	ACCOUNT NUMBER	CURRENT BUDGET	INCREASE	DECREASE	REVISED BUDGET	DESCRIPTION
Expenditures						
Attorney.contractual	SW2.1420.4	0	1000		1000	Create Attorney Budget
Transmission & Dist	SW2.8340.4	30000		-1000	29000	Adj to create Attorney line
Source of Supply	SW2.8320.4	20,000	2,000		22,000	District Maintenance
Fiscal Agent Fees	SW2.1380.4	5,000		-2,000	3,000	Offset for SW2.8320.4
		<u>25,000</u>	<u>2,000</u>	<u>-2,000</u>	<u>25,000</u>	
ACCOUNT DESCRIPTION	ACCOUNT NUMBER	CURRENT BUDGET	INCREASE	DECREASE	REVISED BUDGET	DESCRIPTION
Expenditures						
Bldg, Maint Cont.	A.1620.415	38,000	4,500		42,500	Extra Cleaning
Bldg, Vehicle gas & main	A.1620.424	18,000	1,500		19,500	Inc. Gas cost
Bldg. Wages	A.1620.1	292,795		-6,000	286,795	decrease for 415 & 424
Bldg Equipment	A.1620.2	26,005	4,835		30,840	Tank & Pump Town Hall
Bldg Wtr/Swr	A.1620.418	3,000	1,500		4,500	Inc. Wtr/Swr cost
Bldg Fuel Oil/Propane	A.1620.416	50,000		-6,335	43,665	decrease for .2 & .418
Parks Wages	A.7110.1	101,245	1,800		103,045	added Safety Off. stipends
Park Electric	A.7110.417	4,000		-1,800	2,200	decrease for .1
Golf Course Electric	A.7250.417	3,000	250		3,250	Electric Increases
Golf Course Training	A.7250.401	825		-250	575	To offset electric increase
Central Data Processing	A.1680.4	34,500	1,100		35,600	Computer Support
Garage Equipment	A.5132.200	13,600	200		13,800	Garage Doors additional
Central Data Processing	A.1680.2	7,365		-1,300	6,065	Offset for 1680.4 & 5132.2
		<u>592,335</u>	<u>15,685</u>	<u>-15,685</u>	<u>592,335</u>	
ACCOUNT DESCRIPTION	ACCOUNT NUMBER	CURRENT BUDGET	INCREASE	DECREASE	REVISED BUDGET	DESCRIPTION
Revenues						
Mortgage Tax	A.3005	245,685		-15,685	230,000	Mortgage Tax Decrease
Sale of Equipment	A.2665	2,205	12,000		14,205	Inc for Mort Tax Reduction
Int & Pen on Prop Taxes	A.1090	18,000	3,685		21,685	Inc for Mort Tax Reduction
		<u>265,890</u>	<u>15,685</u>	<u>-15,685</u>	<u>265,890</u>	
ACCOUNT DESCRIPTION	ACCOUNT NUMBER	CURRENT BUDGET	INCREASE	DECREASE	REVISED BUDGET	DESCRIPTION
Expenditures						
Machinery Contractual	DB.5130.4	80,000	10,000		90,000	Equipment loss
		<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	
ACCOUNT DESCRIPTION	ACCOUNT NUMBER	CURRENT BUDGET	INCREASE	DECREASE	REVISED BUDGET	DESCRIPTION
Revenues						
Insurance Recoveries	DB.2680	0	10,000		10,000	Insurance to cover losses
		<u>0</u>	<u>10,000</u>		<u>10,000</u>	

**MOTION:** Councilman McCarthy

**SECOND:** Councilwoman Pitt

**ROLL CALL VOTE:**

Councilwoman Pitt – “AYE”

Councilman Mygan – “AYE”

Councilman McCarthy – “AYE”

Councilwoman Snow - “AYE”

Supervisor Schmitt – “ABSENT”

**RESOLUTION 2024-155**  
**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 20241350 through 20241508, 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 \$1,313,765.22.

**MOTION:** Councilman McCarthy

**SECOND:** Councilwoman Snow

**ROLL CALL VOTE:**

Councilwoman Pitt – “AYE”

Councilman Mygan – “AYE”

Councilman McCarthy – “AYE”

Councilwoman Snow - “AYE”

Supervisor Schmitt – “ABSENT”

**DISCUSSION**

**MYGAN**

Councilman Mygan said he felt what was proposed last week regarding health insurance was unreasonable. He felt there should be some middle ground, as the board has a fiduciary duty to the taxpayer, but also needed to keep employees in the building. As for the ethics board, he said the town attorney has prepared a draft ethics local law for the board’s review, and he asked the board to review and comment on it.

Councilman McCarthy made a motion to schedule a public hearing on the proposed ethics local law for December 11, 2024, seconded by councilman Mygan, motion passed unanimously.

**SNOW**

Councilwoman Snow reminded everyone that Gather Round the Table will be holding their event on Sunday, November 24<sup>th</sup> at Lakeside Park, registration is required. They are nearing their goal of 250 people to attend. She thanked Tom Stevens from Iron and Wine for doing all of the turkeys for the event.

**PITT**

Councilwoman Pitt said in order to create the joint ethics committee, the work done by the town attorney was not covered under their retainer and the cost for that was approximately \$10,000.00. So, if the board decides to have an ethics committee, it should be done right.

**MCCARTHY**

Councilman McCarthy said the bathrooms at Lakeside Park should be done by the end of the month. He said transfer station permits will go on sale November 18<sup>th</sup>.

The motion to adjourn was made by councilman McCarthy at 7:00 PM, seconded by councilwoman Snow, motion passed unanimously.

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Town Clerk