



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*

Wednesday, November 6th, 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) Public Hearing
 - 1. 2025 Town Budget
- d) Acknowledgment of Minutes
 - 1. October 1, 2024
 - 2. October 8, 2024
- e) Privilege of the Floor with respect to Agenda Items only
- f) Discussion
 - 1. Ethics Board
- 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) Adjournment

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.

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.

RESOLUTION 2024-143

Revised Capital Project Budget for the Paving of Lakeside and Town Hall Parking Lots

WHEREAS, a Capital Project Budget for the paving of Lakeside Park and Town Hall Parking Lots 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 and Town Hall paving project:

Park & Town Hall Paving	Cash H.0201	Original	11/6/2024
Capital Project		Budget	Revised
Description	Account	Amount	Budget Amt
Revenue			
Interest	H.2401	0	
NYS Crest Grant (Pavil & Parking)	H.3097	\$14,000	\$14,000
NYS SAM Grant (ADABTHR &PAV)	H.3097	\$4,000	\$4,000
ARPA Funds	H.5031	\$50,000	\$70,000
Hoffman Funds	H.5031	\$25,000	\$25,000
Rec Development Funds	H.5031	\$40,000	\$40,000
Recreation Rev & Approp Adj*	H.5031	\$38,000	\$18,000
Appropriated Fund Balance (A Fund)	H.5031	\$85,000	\$85,000
Bond # 1 (Bldg Imp in H)***	H.5031	\$30,000	\$30,000
Bond #2 (Bldg Imp2 in H)***	H.5031	\$34,000	\$34,000
	TOTAL	\$320,000	\$320,000
Expenditures			
Paving Project	H.7110.2	\$320,000	\$320,000
	TOTAL	\$320,000	\$320,000

RESOLUTION 2024-144**Accepting Health Insurance Proposal**

WHEREAS, in an effort to reduce expenditures, the Town Board solicited and received proposals for health insurance for eligible Town Employees and Elected Officials, and

WHEREAS, the Town Board wishes to accept the MVP Silver 8 EOP Plan (the “MVP Plan”) for providing health insurance to eligible Town Employees and Elected Officials, and

WHEREAS, as of January 1, 2025, new eligible Town Employees and Elected Officials will only be eligible for the MVP plan, and

WHEREAS, an HRA card will be provided to employees by the Town to cover the entire cost of the deductible, and

WHEREAS, current employees and Elected Officials as of December 31, 2024 who choose to continue with the current NYSHIP plan for health insurance (the “NYSHIP Plan”) must (i) pay any difference above the MVP Plan, and (ii) pay any required contribution at the MVP Plan rate; and

WHEREAS, this resolution will take effect on July 1, 2024, and

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Pawling hereby accepts the MVP Plan for new eligible Town Employees and Elected Officials as of November 13, 2024, and

BE IT FURTHER RESOLVED, that current eligible Town Employees and Elected Officials as of December 31, 2024 who choose to continue with the current NYSHIP plan for health insurance (the “NYSHIP Plan”) must:

- (i) pay any difference above the MVP Plan, and
- (ii) pay any required contribution at the MVP Plan rate.

BE IT FURTHER RESOLVED, that the Town Board hereby authorizes the Town Supervisor to take any steps and execute any documentation necessary to give effect to this resolution.

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;

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.

RESOLUTION 2024-146

Setting Employee Health Insurance Contribution Rate

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 wishes to set the insurance premium contributions as follows: (i) commencing on July 1, 2025, fifteen (15%) percent for all current non-union employees employed by the Town as of December 31, 2024, and (ii) twenty (20%) percent for all non-union employees hired as of January 1, 2025; and

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 July 1, 2025, fifteen (15%) percent for all current non-union employees employed by the Town as of December 31, 2024, and
- (ii) twenty (20%) percent for all non-union employees hired as of January 1, 2025

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.

RESOLUTION 2024-147

**Approval of Use of ARPA Funds for
Lakeside Park and Town Hall Paving Project**

WHEREAS, the Town of Pawling received a partial payment of American Rescue Plan Act (ARPA) funds from the federal government, and

WHEREAS, ARPA funds may be used on IT improvements, infrastructure improvements such as capital improvements to the Town of Pawling, and

WHEREAS, the Town Board plans to use the funds to complete a variety of projects throughout the Town of Pawling, and

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Pawling hereby approves the use of ARPA funds for:

1. Lakeside Park and Town Hall Parking Lot Paving \$20,000

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.

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.

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.

RESOLUTION 2024-151

Restoration Bond Reduction - ASPCA

WHEREAS, in connection with ASPCA’s request to reduce a Restoration Bond of \$544,000.00, the Town Board is in receipt of the recommendation of the Planning Board in which it was determined that a reduction is warranted following site inspection, and

WHEREAS, the Planning Board requests that the Town Board of the Town of Pawling reduces the bond 47.6% or \$259,600.00 leaving an amount of \$284,900.00, and

NOW THEREFORE BE IT RESOLVED, the Town Board of the Town of Pawling hereby sets the Restoration Bond reduction amount of \$259,600.00.

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.

RESOLUTION 2024-153

Adopting 2025 Budget

WHEREAS, on November 6, 2024 the Town Board of the Town of Pawling duly held a public hearing on the Preliminary Budget for the fiscal year 2025, at which time the public was invited to attend and be heard, and

WHEREAS, the Town Board heard all persons desiring to be heard in the matter, and the matter of the budget for the Town for said fiscal year was fully discussed and considered by the Town Board, and

NOW THEREFORE BE IT RESOLVED that the Final Budget, as incorporated herein and made a part hereof, is hereby adopted as the annual budget of the Town of Pawling for the fiscal year beginning the 1st day of January, 2025 and that such budget as so adopted be entered in the minutes of the Town Board, and

BE IT FURTHER RESOLVED that the Town Clerk of the Town of Pawling, Catherine Giordano, shall prepare and certify in duplicate, copies of said annual budget as adopted by this Town Board, and deliver one copy thereof to the Town Supervisor James Schmitt.