



AGENDA

February 6, 2023

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I. OPEN MEETING

II. NEW BUSINESS

- Selection of engineer for Lower Baxter project.
- Approve Pay Application No. 1 from American Pump Service, Inc. for Pawling Water Supply Project, Bid No: VP-BID-03, Contract 3 – Well Field Installation.
- Approve 2023 Public Water Supply Permit Application.
- Consent to Village of Pawling Planning Board serving as Lead Agency for the 28 Walnut Street Subdivision application.
- Approve Village Green and Public Assembly Events Permit Application received from the Town of Pawling for the Triathlon to be held on July 8, 2023.
- Approve Metro North Treasurer's Report for December 2022.

III. OLD BUSINESS

- Engineer's Report

IV. MOTION TO PAY BILLS

- January bills in the amount of \$273,330.21.
- EFC LT #1 in the amount of \$21,908.90.
- EFC LT #2 in the amount of \$15,576.90
- EFC LT #3 in the amount of \$92,085.40.

V. ADJOURNMENT

VI. EXECUTIVE SESSION - Litigation



January 13, 2023

Mayor Lauri Taylor
Village of Pawling
9 Memorial Avenue
Pawling, New York 12564

RE: Pawling Water Supply Project
Bid No.: VP-BID-03
Contract 3 – Well Field Installation
Project # 41848.00

Dear Mayor Taylor:

Please find enclosed Pay Application No. 1 in the amount of \$92,085.40 from American Pump Service, Inc., 100 Dugway Drive Pawling, New York 12564, for the period ending December 12, 2022, as summarized below:

Total Costs Incurred This Period:	\$ 96,932.00
Total Eligible Costs:	\$ 96,932.00
Total Change Order Requests (this period):	\$ 0.00
Minus Ineligible Costs:	\$ 0.00
Subtotal:	
Less Retainage (5% of completed work):	\$ 4,846.60
Total Amount of Request:	\$ 92,085.40

LaBella has examined and verified the amounts on the enclosed pay application and consider them to be an accurate and complete record of the work completed to date.

Should you have any questions, comments and/or concerns, do not hesitate to contact me at jfusillo@labellapc.com / (330) 518-6639.

LaBella Associates

Joseph M. Fusillo, PE
Senior Civil Engineer, Regional Leader

cc: Daniel W. Stone, PE
Jeffrey Liebowitz, EIT
Jennifer Osborn, Village of Pawling Clerk

Contractor's Application for Payment

Owner: <u>Michael Duffield</u>	Owner's Project No.: <u>VP-310-03</u>
Engineer: _____	Engineer's Project No.: <u>41848.03</u>
Contractor: <u>American Pump Service</u>	Contractor's Project No.: _____
Project: <u>Rawlins Water Supply</u>	
Contract: <u>VP-310-03</u>	
Application No.: <u>1</u>	Application Date: <u>12/20/23</u>
Application Period: From <u>10/14/2023</u> to <u>12/20/23</u>	

1. Original Contract Price	\$ 277,250.00
2. Net change by Change Orders	\$ 101,959.00
3. Current Contract Price (Line 1 + Line 2)	\$ 175,291.00
4. Total Work completed and materials stored to date (Sum of Column G Lump Sum Total and Column J Unit Price Total)	\$ 96,932.00
5. Retainage	
a. 5% X \$ 96,932.00 Completed	\$ 4,846.60
b. _____ X \$ 0.00 Stored Materials	\$ 0.00
c. Total Retainage (Line 5.a + Line 5.b)	\$ 4,846.60
6. Amount eligible to date (Line 4 - Line 5.c)	\$ 92,085.40
7. Less previous payments (Line 6 from prior application)	\$ 0.00
8. Amount due this application	\$ 92,085.40
9. Balance to finish, including retainage (Line 3 - Line 4)	\$ 78,359.00

Contractor's Certification

The undersigned Contractor certifies, to the best of its knowledge, the following:

(1) All previous progress payments received from Owner on account of Work done under the Contract have been applied on account to discharge Contractor's legitimate obligations incurred in connection with the Work covered by prior Applications for Payment;

(2) Title to all Work, materials and equipment incorporated in said Work, or otherwise listed in or covered by this Application for Payment, will pass to Owner at time of payment free and clear of all liens, security interests, and encumbrances (except such as are covered by a bond acceptable to Owner indemnifying Owner against any such liens, security interest, or encumbrances); and

(3) All the Work covered by this Application for Payment is in accordance with the Contract Documents and is not defective.

Contractor: American Pump Service

Signature: [Signature] Date: 12/20/23

<p>Recommended by Engineer</p> <p>By: <u>[Signature]</u> Joseph M. Fusillo, PE, ENV SP</p> <p>Title: <u>Senior Civil Engineer, Regional Civil Leader</u></p> <p>Date: <u>1/13/2023</u></p>	<p>Approved by Owner</p> <p>By: _____</p> <p>Title: _____</p> <p>Date: _____</p>
<p>Approved by Funding Agency</p> <p>By: _____</p> <p>Title: _____</p> <p>Date: _____</p>	<p>By: _____</p> <p>Title: _____</p> <p>Date: _____</p>

Progress Estimate - Unit Price Work

Contract 3 - Well Field Installation

American Pump Service, Inc.
100 Dugway Drive, Pawling, NY 12564

Contractor's Application

For (Contract): Pawling Water Supply Project
Bid VP-BID-03

Application Number: 1

Application Period: 10/14/22-12/21/22

Application Date: 12/21/2022

A	B	C			D		F	G	H	I	
		Contract Information			Work Completed						
Bid Item No.	Description	Item Quantity	Units	Unit Price	Total Value of Item (\$)	(D + E) From Previous Application	This Period	Materials Presently Stored (not in D or E)	Work Completed and Stored to Date (D + E + F)	% of Scheduled Value (G / C)	Balance to Finish (C - G)
1	MOBILIZATION	1	LS	\$3,000.00	\$ 3,000.00	-	\$ 3,000.00	\$ -	\$ 3,000.00	100.0%	\$ -
2	REMOVE EXISTING FENCE & INSTALL PERMANENT FENCE AT PW1/PW2	1	LS	\$17,000.00	\$ 17,000.00	-	\$ -	\$ -	\$ -	0%	\$ 17,000.00
3	INSTALL PERMANENT CHAIN-LINK FENCE & SLIDE-GATE AT ENTRANCE	1	LS	\$33,000.00	\$ -	-	\$ -	\$ -	\$ -	-	\$ -
4	INSTALL SILT FENCE	1	LS	\$500.00	\$ 500.00	-	\$ 500.00	\$ -	\$ 500.00	100.0%	\$ -
5	ELECTRICAL INSTALLATION	1	LS	\$75,291.00	\$ 75,291.00	-	\$ 50,182.00	\$ -	\$ 50,182.00	66.7%	\$ 25,109.00
6	EXCAVATE & INSTALL PW1	1	LS	\$25,500.00	\$ 25,500.00	-	\$ 25,500.00	\$ -	\$ 25,500.00	100.0%	\$ -
7	EXCAVATE & INSTALL PW2	1	LS	\$25,500.00	\$ 25,500.00	-	\$ 12,750.00	\$ -	\$ 12,750.00	50.0%	\$ 12,750.00
8	OVERLAND PIPE REMOVAL	1	LS	\$5,000.00	\$ 5,000.00	-	\$ 5,000.00	\$ -	\$ 5,000.00	100.0%	\$ -
9	REMOVE SILT FENCE & SITE RESTORATION	1	LS	\$500.00	\$ 500.00	-	\$ -	\$ -	\$ -	0%	\$ -
10	DEMOLITION	1	LS	\$3,000.00	\$ 3,000.00	-	\$ -	\$ -	\$ -	0%	\$ 3,000.00
11	CONTINGENCY ALLOWANCE	1	LS	\$20,000.00	\$ 20,000.00	-	\$ -	\$ -	\$ -	0%	\$ 20,000.00
Add Work #1	Additional Work #1	1	LS	\$68,959.00	\$ -	-	\$ -	\$ -	\$ -	-	\$ -
Totals					\$175,291.00		\$ 96,932.00	\$ -	\$ 96,932.00	55.3%	\$ 78,359.00

Note: Bid Items #3 and Add Work #1 Removed from Project w/ CO #1

WILLIAM F.X. O'NEIL
COUNTY EXECUTIVE



LIVIA SANTIAGO-ROSADO, MD, FACEP
COMMISSIONER

ANTHONY J. RUGGIERO, MPA
ASSISTANT COMMISSIONER

COUNTY OF DUTCHESS

DEPARTMENT OF BEHAVIORAL & COMMUNITY HEALTH

January 9, 2023

RECEIVED JAN 17 2023

RE: Public Water Supply Permit Renewal – 2023

Dear Sir or Madam:

In order to be compliant with Section 5.7 of the Dutchess County Sanitary Code, a Public Water Supply (PWS) Permit is required on an annual basis. On October 20, 2022, the Dutchess County Board of Health passed a resolution increasing the annual permitting fee to \$150.00 annually. As part of this increase *the cost of sampling conducted by Dutchess County to evaluate your Public Water Supply treatment efficiency or finished water quality for compliance with the New York State Sanitary Code will now be fully covered by the permit fee.*

Additionally, the Department of Behavioral and Community Health is migrating to an electronic billing/payment system in 2023. To ensure a smooth transition, we are asking for you to confirm key pieces of information.

Please send an email to publicwatersupply@dutchessny.gov and include the following:

- PWS Name
- PWS Number (ex. NY1302023)
- Contact Name and Telephone Number
- Valid Email Address

A blank copy of your Public Water Supply application is attached for your reference and use, should any changes need to be made to your information. Should you have any questions, please contact Robert Cicilioni at publicwatersupply@dutchessny.gov.

Clean, safe water is the foundation to a healthy community, and we appreciate your cooperation with this process.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert Cicilioni".

Robert Cicilioni, Associate Public Health Sanitarian
Dutchess County Department of Behavioral & Community Health

LEAD AGENCY NOTICE

PROJECT NAME: 28 Walnut Street Subdivision
-----X

**PROPOSED LEAD AGENCY DECLARATION BY
VILLAGE OF PAWLING PLANNING BOARD FOR
SUBDIVISION APPLICATION OF 28 Walnut Street**
-----X

RESPONSE TO REQUEST THAT THE ABOVE NAMED AGENCY SERVE AS LEAD AGENCY FOR THE ABOVE ACTION/APPLICATIONS

ON BEHALF OF **Village of Pawling Board of Trustees**, WE ACKNOWLEDGE RECEIPT OF THE LEAD AGENCY NOTICE IN THIS MATTER, the Environmental Assessment Form filed by Applicant and supporting SEQRA filings, upon which the involved agency designated below held a regular or special meeting, with requisite notice of same, and upon a resolution moved and seconded and a majority of the members of the involved agency voting for the motion, authorized this response to the Notice of Lead Agency.

THE ABOVE NAMED AGENCY:

- CONSENTS TO THE DESIGNATION OF THE VP **PLANNING BOARD** AS LEAD AGENCY FOR THESE APPLICATIONS, AND REQUESTS THAT THE LEAD AGENCY CONTINUE TO NOTIFY THE UNDERSIGNED INVOLVED AGENCY OF SEQR DETERMINATIONS AND PROCEEDINGS FOR SUCH APPLICATIONS.
- DOES NOT CONSENT TO THE ABOVE NAMED INVOLVED AGENCY (**PLANNING BOARD**) TO SERVE AS LEAD AGENCY.

DATED: _____

- PLANNING BOARD

BY: _____
SIGNATURE OF AUTHORIZED MEMBER

TITLE

PLEASE HAND DELIVER OR RETURN BY EMAIL TO
VIVIAN NIKOLATOS
PLANNING BOARD SECRETARY
9 MEMORIAL AVENUE
PAWLING, NY 12564
pbsecy@villageofpawling.org

LEAD AGENCY NOTICE

PROJECT NAME: 28 Walnut Street Subdivision

**NOTICE TO INTERESTED and INVOLVED AGENCIES REGARDING
DESIGNATION OF LEAD AGENCY**

THIS NOTICE IS ISSUED PURSUANT TO PART 617 OF THE IMPLEMENTING REGULATIONS FOR ARTICLE 8 (STATE ENVIRONMENTAL QUALITY REVIEW ACT) OF THE ENVIRONMENTAL CONSERVATION LAW TO DESIGNATE A LEAD AGENCY FOR THIS PROJECT REVIEW.

THE PROJECT SPONSOR: Brian & Jean Senno (Jordan Strack/Engineer)

PROJECT DESCRIPTION

Subdivide existing lot into two parcels. Existing structure consists of a multi family residence with two units and a detached garage. The purpose of the subdivision is to construct a single family residence on the new parcel. This property is in the R3 Zoning District.

LEAD AGENCY DESIGNATION

Under the applicable standards of Title 6 NYCRR §617.6(b)(3), the Village of Pawling Planning Board has determined that it should be the Lead Agency in the environmental review of the proposed action. This notice is being sent to interested and involved agencies with the request that your involved agency consent to the designation of the Village of Pawling Planning Board as Lead Agency. If your involved agency declines to consent, you are referred to the procedures outlined in 6 NYCRR §617.6(b)(5).

This notice is being mailed or personally delivered on the date shown below. Please complete the attached RESPONSE TO REQUEST THAT THE ABOVE NAMED AGENCY SERVE AS LEAD AGENCY FOR THE ABOVE ACTION/APPLICATIONS consenting to the designation of the Village of Pawling Planning Board as Lead Agency and return it by personal delivery to the Planning Board Secretary located at 9 Memorial Ave., Pawling, NY 12564 or by email to **Vivian Nikolatos at pbsecy@villageofpawling.org** on or before 30 days after the date of this Notice to Interested and Involved Agencies. Failure to return a response within the 30 day time period is deemed to be a waiver of objection by the involved agency and constitutes a consent by such involved agency to the requested designation as Lead Agency.

The involved agencies will continue to be notified of SEQRA determinations and subsequent SEQRA proceedings, and SEQRA documents will be made available to you.

Dated: January 11, 2023

Village of Pawling Planning Board

By: ROBERT PFISTER, CHAIRMAN

**STATE OF NEW YORK: COUNTY OF DUTCHESS
VILLAGE OF PAWLING**

**PAWLING VILLAGE GREEN AND PUBLIC ASSEMBLY EVENTS PERMIT
APPLICATION FOR PERMISSION TO USE PUBLIC PROPERTY WITHIN THE VILLAGE**

The purpose of this application form is to aid in the application and review process. However, it is not designed to cover every possible circumstance. The Village Board may require additional information in order to approve an application.

Application Date 1/23/23 (application must be filed at least 60 days prior to the event)

Name of Entity "Applicant" requesting permission Town of Pawling (Rec Dept)
 Contact Person Robyn Priano Connection with the event Rec Director / Event Director
 Address 2 Lakeside Drive Pawling NY
 Phone 845 855 1131
 Email RWOLLEY@PAWLING.ORG

Event Date 7/8/23 Event Time and Duration 8 am - 11:30 am (3.5 hours)
 Event Purpose Triathlon
 The purpose of the requesting entity for-profit non-profit political other _____

Expected number of participants 300 Will the event be open to the general public? Yes No
 If not, who are the expected participants? _____

NOTE: non-participating members of the public may not be excluded from the Green or other public areas

Will there be entertainment or a speaker? Yes No. If so, describe _____

Will food or beverages be served? Yes No. If so describe _____
 Food vendors must have all applicable health department permits.

NOTE: no alcoholic beverages may be consumed on the Village Green or other public areas without specific approval of the Village Board of Trustees.

Please describe any other activities taking place during the event Triathlon will take place at lakeside
Run/Bike will be on the roads.
Run goes thru village.

Will there be supplemental illumination or other electrical equipment? Yes No
 If so, describe items and power source _____

NOTE: permission must be obtained from the Village to use public power sources - \$20 fee

Will there be signage used? Yes No. If so, describe form and content Road signs will be
put out directing
racers

What provisions will be made to handle litter or refuse resulting from the event?
N/A

What provisions will be made to handle proper sanitation for the event?
N/A

Are there any structures, tents, booths, tables or other large objects planned as part of the event? Yes No
 If so, describe the size, material, location, use, the method (if any) by which they are fixed in place, and how long they will be in place before and after the event. Draw your plan on the attached map.

NOTE: public walkways and seating may not be obstructed

The Village Board grants permission for the above named Entity to hold the above named Event on the above named Date.

Village Clerk: _____ Date _____
 Printed Name _____ Date _____
 Entity Representative _____ Date _____
 Printed Name _____

By signing this application, Applicant agrees to all of the terms and conditions of the **Village Green and Public Assembly Events Policy.**

Treasurer's Report December 1, 2022 – December 31, 2022

November 30, 2022		
Checking	\$120.88	
Money Market	\$6,278.06	
	Total	\$6,398.94
Receipts		
Dec. 6 - Permits	\$658.01	
Interest earned		
	Total Receipts	\$658.01
Disbursements:		
Dec. 6 - November 21, 2022 Vouchers	\$4,798.98	
Dec. 6 – 3 rd Quarter Cap Rsv Transfer	\$218.63	
	Total Disbursements	\$5,017.61
Cash Balance – December 31, 2022		
Location of Funds –		
Checking	\$120.88	
Money Market	\$2,039.34	
	Total	\$2,160.22

Metro North Operating Exp Cash Balance 11/30/2022	\$13,078.85
Plus Interest Earned	\$4.19
Metro North Operating Expense Cash Balance 12/31/2022	\$13,083.04
Metro North Cap. Rsv Cash Balance 11/30/2022	\$27,679.62
December 6 – 3rd Quarter Transfer	\$218.63
Metro North Cap. Rsv Cash Bal 12/31/2022	\$27,898.25
Metro North Merchant Account 11/30/2022	\$14,064.38
Dec. 2022 – Deposits	\$944.00
Dec. 2022 - Merchant Svcs Charge	-\$53.47
Metro North Account Balance 12/31/2022	\$14,954.91