

DATE OF MEETING: April 6, 2009

PLACE OF MEETING: Village Hall, Pawling, New York

MEMBERS PRESENT: Mayor Robert Liffland
Trustee Tracy Durkin
Trustee Wayne Osborn
Trustee Robert Murphy
Trustee Colette Zito

The meeting was called to order at 7:00 P.M. with the Pledge of Allegiance.

MOTION by Trustee Durkin to close the regular session and go into the Public Hearing on the Tentative Budget for fiscal year 2009-2010. **SECONDED** by Trustee Murphy. There was no discussion; all were in favor and the motion carried.

Trustee Murphy gave a brief overview of some of the numbers. He said that after the review he was going to recommend the Board make some changes based on bills and revenue projections received over the past weeks.

Trustee Murphy said the budget called for a 4.9% tax increase over the last year. He said the budget of \$4,315,454.00 was an overall increase of 1.5% over the last year which was due to a revenue decline of 14%. He said the money needed to be raised by taxes compared to the previous year was 6.7% higher however the tax increase was lower because the assessed valuation went up and the tax base broadened a little bit. Trustee Murphy said the budget assumed a 3% salary increase for all employees with the exception of the Village Board, the Zoning and Planning Boards, the judge, who was receiving an increase of \$1,320.00, and the Code Enforcement Officer, who was getting an increase from \$20.00 an hour to \$25.00 an hour because he was recently certified as a Building Inspector. Trustee Murphy went over the budget lines (see attached).

Trustee Murphy made the following recommendations for the Board to discuss:

Lower Interest and Earnings from \$9,000.00 to \$4,500.00 due to lower interest rates

Lower Planning Board Fees from \$5,000.00 to \$2,500.00 due to less Planning Board activity

Raise Workman's Comp from \$17,650.00 to \$18,150.00

Raise Street Lighting from \$36,000.00 to \$37,000.00 due to the Village Green lighting bills having been sent to the Town of Pawling and that amount not being anticipated.

Trustee Murphy explained these changes would be a \$7,000.00 decrease in Revenue and a \$1,500.00 increase in Expenditures for an \$8,500.00 change in the budget which would increase the tax rate to 5.7%. He suggested paying off the truck BAN (\$10,000.00 for the principal payment and \$550.00 for the interest over 2 years) which would allow the Board to take out \$10,550.00 in expenditures from the budget and would reduce the tax rate from 4.9% to 4.7%. Trustee Murphy said in order for the Board to payoff the BAN it would need to receive some money which would tie into the water settlement money. He asked that the General Fund receive \$20,550.00 from the water settlement money and asked

that the Board discuss the topic. There was discussion on the process of paying off a BAN.

Trustee Durkin suggested lowering the Community Beautification line by \$1,000.00.

Trustee Zito suggested lowering the Celebration line by \$1,000.00. Trustee Murphy said that line item was over in the previous year. Trustee Durkin said the Celebration line was variable and with the Quadricentennial coming up the Board might need to spend money on that.

Mayor Liffland said he would agree to give the General Fund \$59,000.00 from the water settlement money. There was discussion on the Fund Balances for the different accounts. Trustee Durkin said for purposes of the Public Hearing the question was if the Board should payoff the BAN. Trustee Murphy said that was correct and the Board would make the revisions after the Public Hearing. Trustee Durkin said she would be in favor of paying off the BAN. Mayor Liffland agreed. Trustee Durkin said that would bring the tax rate lower than originally reported. Trustee Murphy said it would bring the rate to 4.6% because the overall changes would strengthen the budget.

Trustee Zito said she spoke with Trustee Murphy about the Street Lighting line because she had been working to change the street lights from mercury vapor to high pressure sodium and had been looking into the potential cost savings. She said the approximate numbers she received when speaking to NYSEG would be to possibly save \$800.00 to \$1,000.00. Mayor Liffland asked if that was per light. Trustee Zito said it was not per light – it could possibly be \$1,000.00 per year however she was being conservative with that estimate. Trustee Zito said that since she could not finalize the numbers before the adoption of the budget that any changes could be up for discussion for the Board. She said it made sense to her that maybe the changes could be made during next year's budget process. Trustee Durkin said the savings would also be eaten up by the addition of the lights that were not factored in over the past 15 months. Trustee Murphy said it would be important to see the actual savings.

Trustee Zito said she spoke with Trustee Murphy about the Contractual Expense Line for the Auditor and they discussed what the actual cost of an audit would be because she was in favor of lowering it. Trustee Murphy said he explained to Trustee Zito that he looks at the Audit Line with the Contractual Expense Line for the Treasurer because they serve almost the same purpose or function. He said the Contractual Expense Line for the Treasurer includes the Year End Report done by Sedore and O'Sullivan as well as other miscellaneous expenses. He said over the past few years the Contractual Expense Line for the Treasurer had been over and he had been increasing it a little each year however money from the Auditor line could be transferred over to it. He said he looked to see if there were like minded accounts because if they were relatively close one could stay a little bit high and one low because they would pay for one another. He said his concern about lowering the Auditor line so much was the fact that if the Contractual Expense for the Treasurer was over then the Board might be over in the two line items. Trustee Murphy said he explained to Trustee Zito that if she wanted to lower the Auditor number then he would transfer that money to the Contractual Expense - Treasurer Line because he only added \$1,000.00 to cover the expenses. Trustee Durkin said the Auditor's Line was very much a contingency line because it was something that could be anticipated but the Board was not sure if it was coming or not and if the Auditor Line was lowered it was just as appropriate to put it in the Contingency Line. Trustee Murphy said the budget was getting leaner and it did not hurt to have an account that if it was not used it could go to another line or to the Fund Balance. Trustee Zito asked if in prior years there was a year

when the Treasurer's Contractual Expense Line well exceeded the \$7,000.00. Trustee Murphy said there was – he said he had the 2008 budget and the actual expense was \$9,300.00. There was discussion about what fees come out of the Contractual Expense Line – Treasurer.

Trustee Zito said the other line she thought about cutting was the Office Supply Line because the office ran the leanest on office supplies. Trustee Murphy asked the Clerk if she planned on placing any large orders. The Clerk responded a large order had been placed that did not show up on the budget worksheet. Trustee Murphy said he would rather not lower it and need it. Trustee Zito said she thought there might be wiggle room. Trustee Murphy said the wiggle room would be about \$500.00 at most.

Trustee Zito asked about the adoption of the Stormwater Management Plan and the fees associated with it. She asked if there was any way to gain revenue from the fees however she did not have the documentation with her so she would raise the issue at the next meeting.

Trustee Durkin thanked Trustee Murphy on a good solid budget.

Trustee Murphy said the two biggest impacts on the budget were the Snow Removal Line with salt costs and the Building Department Line because enforcement comes with a cost. He said the 4 budgets (Water, Sewer, Garbage and General) had a pretty good year.

Mayor Liffland said it was a tough time and everyone would like to see it lower but the Board was scraping the bottom of the barrel and there was not much more to cut.

Mr. Sy Capalbo, a resident of Walnut Street, said the Board should write Metro North off the books.

Mr. Earl Slocum, a resident of East Main Street, thanked Trustee Murphy for working so hard. He said it was a wonderful budget that everyone could live with. He congratulated Trustee Murphy on a job well done.

Mr. Peter Cris, President of the Chamber of Commerce, thanked the Board for putting more money in the Beautification Line. Trustee Murphy said the results of the money were shown throughout the village.

MOTION by Trustee Durkin to close the Public Hearing on the Tentative Budget for fiscal year 2009-2010 and return to regular session. **SECONDED** by Trustee Osborn. There was no discussion; all were in favor and the motion carried.

MOTION by Trustee Murphy to:

- reduce the Planning Board Fees by \$2,500.00 to \$2,500.00
- reduce Interest and Earnings by \$9,000.00 to \$4,500.00
- increase the Workman's Comp Line Item from \$17,650.00 to \$18,150.00 (+\$500.00)
- increase the Street Lighting Account from \$36,000.00 to \$37,000.00 (+\$1,000.00)
- lower Beautification from \$7,000.00 to \$6,000.00 (-\$1,000.00)
- decrease the Transfer from Capital Projects by \$10,550.00.00.

SECONDED by Trustee Durkin. There was no discussion; all were in favor and the motion carried.

MOTION by Trustee Murphy to approve a transfer of \$59,000.00, which was currently in the Water Fund, part of which was the water settlement monies for the MTBE, to the General Fund. **SECONDED** by Trustee Osborn. Trustee Durkin asked if they were deciding that half the water settlement money was going into the General Fund. Mayor Liffland agreed. Trustee Murphy said it was up for discussion. Trustee Durkin said she thought the Board was going to discuss it. There was no further discussion; all were in favor and the motion carried.

MOTION by Trustee Murphy to put \$20,550.00 from the Fund Balance into the Revenue to pay off the Bond Anticipation Note and interest for the truck. **SECONDED** by Trustee Osborn. Trustee Durkin asked if Trustee Murphy was talking about the current calendar year. Trustee Murphy said he was making it part of the budget. Trustee Durkin said she thought it was being paid off before the budget. Trustee Murphy said he thought it would be paid off as part of the budget because if it was paid off now the tax rate was going to change. Trustee Durkin said the \$10,550.00 should not have been taken out of the budget - it should be increased \$20,550.00 if he was going to pay it in the next budget year after June 1. She said he would need to reflect the transfer of \$20,550.00 into this budget which would not affect the mil rate but it would need to be reflected in this budget. Mayor Liffland said it becomes a wash but it should be shown. There was discussion. Trustee Durkin said Trustee Murphy already lowered the line \$10,550.00 and the Board needed to put that back and add an additional \$10,000.00 because they were anticipating the BAN pay out to be \$20,550.00. Trustee Durkin said the \$10,550.00 that was taken out had to be put back in plus an additional \$10,000.00 to cover that additional payment. Trustee Durkin said it would be a wash in the end. Trustee Murphy asked if it would be \$53,070.00. Trustee Durkin said it would be \$48,617.00 which was just an additional \$10,000.00. **Trustee Murphy amended the motion to transfer to Capital Projects \$48,617.00. SECONDED by Trustee Osborn.** There was no further discussion; all were in favor and the motion carried.

MOTION by Trustee Durkin to adopt the amended budget as presented. **SECONDED** by Trustee Osborn. There was no discussion; all were in favor and the motion carried.

MOTION by Trustee Durkin to schedule a Public Hearing on proposed Local Law #1 of 2009 to Amend the Village of Pawling Village Code by Amending Chapter 98, "Zoning", Section 98-77 "Senior Citizen Housing" for April 20, 2009. **SECONDED** by Trustee Osborn. Trustee Durkin reported that it had been an ongoing task to amend the Senior Citizen Housing to reflect the density bonus and incentive zoning for density among other things. She said Mike Hayes apologized for not making the document available earlier however most of it had been discussed previously. Trustee Durkin said there were actually three Local Laws – the incentive zoning, the architectural review process and the fees associated with any projects. She said she thought it struck a good balance between what the village had and the future of what housing was going to be and how to integrate it into the village. Mayor Liffland said a committee reviewed the local laws. Trustee Durkin said the committee was very diverse and took their job seriously, worked very hard and should be commended. Mayor Liffland said it was a two year process and there was a lot of hard work with a lot of back and forth. He said he thought they had finally reached a good agreement. There was no further discussion. The roll call vote was:

Mayor Liffland	Aye
Trustee Durkin	Aye
Trustee Murphy	Aye
Trustee Osborn	Aye
Trustee Zito	Aye.

The motion carried.

MOTION by Trustee Durkin to schedule a Public Hearing for proposed Local Law # 3 of 2009 to amend Sections 98-54(A) and 98-54(B) of the Village Zoning law to Include Fees and Expenses Incurred during the Architectural Review Process for the first meeting in May (May 4, 2009). **SECONDED** by Trustee Osborn. There was no discussion. The roll call vote was:

Mayor Liffland	Aye
Trustee Durkin	Aye
Trustee Murphy	Aye
Trustee Osborn	Aye
Trustee Zito	Aye.

The motion carried.

MOTION by Trustee Durkin to schedule a Public Hearing for proposed Local Law # 2 of 2009 to amend Sections 98-29, 98-34 and 98-65 of the Village Zoning Law to authorize the Architectural Review of Projects for Conformance with the Village's Site Plan Standards for the first meeting in May (May 4, 2009). **SECONDED** by Trustee Osborn. There was no discussion. The roll call vote was:

Mayor Liffland	Aye
Trustee Durkin	Aye
Trustee Murphy	Aye
Trustee Osborn	Aye
Trustee Zito	Aye.

The motion carried.

MOTION by Trustee Murphy to approve the Farmer's Market within the village. **SECONDED** by Trustee Zito. Peter Cris said it would be held in the same location and might be slightly larger. Mayor Liffland asked if it was a Chamber Event. Mr. Cris said the Chamber supported the event. There was discussion. Trustee Durkin asked that a letter be submitted outlining the event for the Board to review. Trustee Murphy said something formal with a presentation would help the Board. He said the Board was ready to give them the go ahead but they were just looking for more information. The Board tabled the motion until the April 20, 2009 meeting.

Ms. Linda Puiatti gave a presentation on the Barrett Arts Center Pawling Paint Out. She explained the artists would go throughout Pawling and paint different things and then return to one location at the end of the day for an auction of the pieces. Ms. Puiatti said they were looking to hold the paint out on May 30th. The Board discussed the topic and came up with the possible locations of the Methodist Church, the Baptist Church or the Peale Center.

MOTION by Trustee Durkin to approve the Barrett Arts Center Pawling Paint Out on May 30, 2009 contingent upon location and with approval and encouragement. **SECONDED** by Trustee Zito. There was no discussion; all were in favor and the motion carried.

MOTION by Trustee Durkin to approve the Cornerstone Agreement for phone services. **SECONDED** by Trustee Zito. There was no discussion; all were in favor and the motion carried.

MOTION by Trustee Durkin to approve the Intermunicipal Cooperation Agreement for Preparation of a Multi-Hazard Mitigation Plan for Certain Dutchess County Communities

and to authorize Mayor Liffland to sign the Agreement. **SECONDED** by Trustee Zito. There was no discussion; all were in favor and the motion carried.

Trustee Osborn presented the Board with 2 state bids for a new mower. He said that one bid was in the amount of \$3,404.10 for a Toro mower however there was not a Toro dealer in the area. There was discussion on the topic. Trustee Osborn said the mower offered by Keil (a dealer in the area) was for a John Deere mower in the amount of \$4,323.64. Trustee Osborn said the Keil mower would be available in 10 days and the mower off of state bid could take up to 30 days to deliver. The Board decided to table the topic until Trustee Osborn could find out if Grassland Equipment and Irrigation Corp. could schedule repairs quickly for the state bid mower.

MOTION by Trustee Osborn to hire Matt Burdick at \$12.87 an hour and Mike Brown at \$12.25 an hour in the position of Seasonal Highway Worker. **SECONDED** by Trustee Durkin. There was no discussion; all were in favor and the motion carried.

MOTION by Trustee Osborn to approve Working Highway Foreman, Doug Warren's attendance at the Ithaca Training School on June 1, June 2 and June 3. **SECONDED** by Trustee Durkin. There was no discussion; all were in favor and the motion carried

MOTION by Trustee Durkin to approve the February 2, 2009 and February 23, 2009 minutes. **SECONDED** by Trustee Zito. There was no discussion; all were in favor and the motion carried.

MOTION by Trustee Durkin to approve the March bills in the amount of \$121,108.27. **SECONDED** by Trustee Zito. There was no discussion; all were in favor and the motion carried.

MOTION by Trustee Murphy to approve the March 13, 2009 pre-paids in the amount of \$5,683.23. **SECONDED** by Trustee Durkin. There was no discussion; all were in favor and the motion carried.

Trustee Zito went over the quotes received for the repairs to the roof and chimney. She reported the prices for the chimney repairs and a new copper hip were:

Precision Roofing	\$4,950.00	\$1,200.00		
Dalrymple Const Inc.	\$4,200.00	\$822.00		
Mr. Chimney	\$5,950.00			
Dutcher Ave Builders Inc.	\$6,600.00	\$2,200.00	\$850.00	\$4,500.00
Barrett	\$9,700.00			
Leed Industries, Corp.	\$19,600.00 and			
JTS Construction	\$4,303.00.			

Trustee Murphy said it might be easier to hire one contractor for the job. Trustee Zito asked if they were looking at JTS. Trustee Murphy said they appeared to be lowest bidder for the combined job. Trustee Zito said she did not know about JTS Construction's prior work because she had not had a chance to check his references. Trustee Murphy asked what JTS's time frame was. Trustee Zito said she told the contractors it had to be done by May 28th. Trustee Murphy said she should stress to the contractors that they would have to work around the DMV schedule. Trustee Zito said she spoke with the contractors about the scheduling and how to block off the DMV entrance. Trustee Zito reiterated to the Board that she was really in favor of an engineer review which had not been done.

MOTION by Trustee Murphy to go with JTS Construction for the chimney repair, the slate roof and the copper flashing. **SECONDED** by Trustee Durkin. Trustee Murphy asked Trustee Zito to check the references and to explain the schedule to the contractor. Trustee Zito said she would review the schedule with the contractor. There was discussion about the noise the project might generate. There was no further discussion. The vote was:

Trustee Durkin	Aye
Trustee Osborn	Aye
Trustee Murphy	Aye
Trustee Zito	Nay
Mayor Liffland	Aye.

The motion carried.

Trustee Zito said the next topic was the copper hip. Trustee Durkin and Mayor Liffland said the Board just voted on that. Trustee Zito said that was right the Board voted on the whole thing.

Historian's Report

Mr. Drew Nicholson stated he went to a seminar entitled Magnetizing Downtowns and he went over a few topics that were discussed.

Trustees' Reports

Tracy Durkin

Trustee Durkin said she spoke with a representative from Red Cedar and they recommended doing a feeding for the Memorial Avenue trees in the fall. She stated she spoke with the Judge and Court Clerk about the fines and fees and found it was very hard to estimate certain things such as court fines because you would never know what was going to happen. Trustee Durkin said the Judge has some discretion as to the range of fines he could assign and that there were other ways of charging under Local Laws rather than State Laws whenever applicable so that some of the money would be retained within the village. She said they were working towards closing the budget gap a little bit. Trustee Durkin volunteered to work on the Parking Committee to sign the streets properly in order to allow the Deputies to write more tickets.

Wayne Osborn

Trustee Osborn said the street sweeper would be out on April 16th and April 17th. He said the bulk pickup on April 25th would begin at 6 a.m. He said the highway crew was doing a good job.

Robert Murphy

No report.

Colette Zito

Trustee Zito went over the bids received for the Court chamber floor. The bids received were:

Kenny Carpet One	\$275.75
R&D Flooring	\$309.00

Empire Today

\$339.00.

MOTION by Trustee Zito that for \$275.75 Kenny Carpet One supplies the commercial carpet with a pad for the Court chamber. **SECONDED** by Trustee Durkin. There was no discussion; all were in favor and the motion carried.

Trustee Zito reported she was able to research the idea of having the Village Board meetings broadcast on the public access channel. She said Mr. Carmen Carozza volunteered to tape the meetings and they had gone through training. She said the equipment was not that large and could be borrowed from ComCast. Trustee Zito said she was told they could begin taping the meetings as of the next meeting (April 20) at no cost to the village. The Board was in agreement to begin taping the meetings. She said there was a form available to fill out that any non-profit organization or not for profit organization could fill out and have their community minded events posted on the community bulletin on ComCast for free.

Trustee Zito said she attended a meeting on March 26, 2009 for the All Hazard Mitigation Plan. She said they were at the stage where an interim document was presented with data that identified hazards and defined mitigation issues and plans.

MOTION by Trustee Murphy to approve Trustee Zito attending the New Officials conference held by NYCOM for approximately \$95.00 on May 1st. **SECONDED** by Trustee Durkin. There was no discussion; all were in favor and the motion carried.

Trustee Zito stated that when Allen Thomsen came out to repair the roof when the court was having leaks he only covered specific areas and not the entire roof. She submitted a quote from Allen Thomsen for covering over the entire roof for \$7,000.00.

Trustee Zito reported on the next Household Hazardous Waste Disposal day.

Mayor's Comments

Mayor Liffland stated the attic door alarm was moved to the Mayor's Office touchpad. He said he met with Stantec to discuss the Village Green project. Mayor Liffland spoke with a representative of 58A JVD Industries and came to an agreement on fixing the brick pavers and the sidewalks at the north end of the project. He reported he met with Congressman John Hall to discuss the Federal Stimulus money available to the village.

MOTION by Trustee Durkin to adjourn the meeting at 9:45 p.m. **SECONDED** by Trustee Osborn. There was no discussion; all were in favor and the motion carried.

Village Clerk

