

DATE OF MEETING: June 15, 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 continuation of the Public Hearing on proposed Local Law No. 1 of 2009 entitled "A Local Law Amending the Village Zoning Law relating to Incentive Zoning in New Subdivisions, by Amending sections 98-5, 98-15 and the Schedule of Uses of the Village Zoning Law, and by Adding a new section 98-18A". **SECONDED** by Trustee Murphy. There was no discussion; all were in favor and the motion carried.

Mr. Robert Marvin, attorney for Rudy Umscheid, stated he attended a prior meeting at which he raised concerns over the proposed affordable housing percentage. Mr. Marvin submitted a letter from Trinity Financial, a developer in the Boston area, which explained that the affordable housing percentage at 10% would be financially feasible (see attached). He asked the Board to consider reducing the affordable housing requirement from 15% to 10%. Mr. Marvin reiterated he would also like to see the clause in Section One re-worded from "may" to "will" and would like to see the credit for sewer hook-ups. Mayor Liffland said the Board agreed to change the wording in Section One. Trustee Murphy said the hook-up fee would be all encompassing minus the costs associated with professional services. There was discussion on the sewer hook up fees. There was discussion on particulars on the Umscheid property.

Ms. Diane Cretella said her property directly faced the Umscheid property and asked if the Planning Board would seriously look at the impact of traffic and the impact of the development on property values. Trustee Murphy stated the Planning Board would look into the different impacts the development would have however Ms. Cretella should attend the meetings for the development and ask her questions then as well.

Mr. Gerry Locasio, a resident of Baxter Road, asked if the affordable housing numbers would come into play only if a developer decided to go for the density bonus. Mr. Marvin said that was correct. There was discussion on the formula used to come up with the number of allowable units.

Mr. Drew Nicholson stated there was a graveyard on the Umscheid property which he would need to deal with when the development moved forward.

**MOTION** by Trustee Durkin to leave the Public Hearing open and go back into regular session. **SECONDED** by Trustee Murphy. There was no discussion; all were in favor and the motion carried.

**MOTION** by Trustee Durkin to approve Karl Pfister as the MS4 Code Enforcement Officer. **SECONDED** by Trustee Osborn. There was no discussion; all were in favor and the motion carried.

Trustee Durkin read a letter into the minutes regarding an insurance settlement offer for water damage in the Court chamber (see attached). Mayor Liffland asked Trustee Zito to give an update on the progress of the claim. Trustee Zito stated she had been playing phone tag with Mr. Koch, a representative of the contractor's insurance company, and once she spoke with him she told him she needed a findings report. She said she spoke with Mr. Koch that day and was told there was no way to conclusively concur where the water traveled from. Trustee Zito said she told Mr. Koch she wanted something in writing to present to the Board because of all the discussions on the materials used to cover the core samples. Trustee Zito stated on the day the leak occurred she met Mr. Thomsen of Dutcher Avenue Builders and saw him pulling off the seals that were on the three squares which was recorded in the report from the asbestos sampler to Mr. Koch. Trustee Zito said she was trying to get all of this in writing however Mr. Koch stated he did not have it in writing which was why he was offering the 50% settlement. Mayor Liffland said he could not see the Board settling for 50%. Trustee Zito said she could follow up with a phone call to Mr. Coffey of NYMIR, the village's insurance company. Mayor Liffland asked how much the estimates were. Trustee Zito said the village has an additional supply of ceiling tiles but the \$275.00 for the carpet in the Court Chamber was on hold. Mayor Liffland said the village estimated the total cost was approximately \$1,136.00. Trustee Zito said one decision she made with assistance from the Board was to pull up the carpet and to preserve the air quality. Mayor Liffland said he was reading that the cost was \$1,136 and the insurance company was offering \$548. Trustee Zito said that was correct. Mayor Liffland said he could not see accepting that. Trustee Murphy suggested waiting until Trustee Zito could get more information.

**MOTION** by Trustee Murphy to table the issue until Trustee Zito could gather more information. **SECONDED** by Trustee Durkin. Trustee Durkin asked Trustee Zito who she was going to contact. Trustee Durkin said she was going to contact Mr. Coffey of NYMIR. There was no further discussion; all were in favor and the motion carried.

**MOTION** by Trustee Durkin to approve the Metro North Treasurer's Reports for January, March, April and May of 2009. **SECONDED** by Trustee Osborn. There was no discussion; all were in favor and the motion carried.

**MOTION** by Trustee Osborn to approve the Metro North bills in the amount of \$3,749.25. **SECONDED** by Trustee Durkin. There was no discussion; all were in favor and the motion carried.

**MOTION** by Trustee Durkin to adjourn the meeting at 7:35 p.m. and go into Public Comment. **SECONDED** by Trustee Osborn. There was no discussion; all were in favor and the motion carried.

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Village Clerk