

DATE OF MEETING: August 3, 2009

PLACE OF MEETING: Village Hall, Pawling, New York

MEMBERS PRESENT: Mayor Robert Liffland
Trustee Tracy Durkin
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.

There was no comment.

MOTION by Trustee Durkin to close the Public Hearing and return to regular session. **SECONDED** by Trustee Murphy. There was no discussion; all were in favor and the motion carried.

Mayor Liffland stated that correspondence was received from Dutchess County Planning and Development regarding the proposed Local Law indicating it was a matter of local concern and Attorney Michael Hayes was drawing up the SEQRA documents for the August 17, 2009 meeting. He said the Board would be prepared to move forward with the proposed Local Law's adoption at the next meeting.

MOTION by Trustee Durkin to approve the proposal received from Insite Engineering for Construction Related Services for Phase 3 – Pawling Village Green. **SECONDED** by Trustee Zito. Trustee Durkin asked that the clause regarding the time frame for invoice payables be changed from 15 days to 30 days. The Clerk said she would take care of it. There was no further discussion; all were in favor and the motion carried.

MOTION by Trustee Murphy to approve the waiver of the penalty on Water Account #165 in the amount of \$12.03 due to a death in the family. **SECONDED** by Trustee Durkin. There was no discussion; all were in favor and the motion carried.

MOTION by Trustee Durkin to approve the minutes from July 6, 2009. **SECONDED** by Trustee Zito. There was no discussion; all were in favor and the motion carried.

MOTION by Trustee Durkin to approve moving forward on working with Dutchess County Planning on updating the Master Plan. **SECONDED** by Trustee Murphy. Mayor Liffland appointed Trustee Durkin Board liaison to the project. Trustee Durkin said she would speak with Ms. Jen Cocozza of Dutchess County Planning and Development about the update and about possible grant opportunities as well. There was no further discussion; all were in favor and the motion carried.

Trustee Murphy stated the Garden Club approached him about areas in the village to plant daffodils. He said the Board had approved a \$1,000.00 donation for the project as part of the budget. The President of the Garden Club went over different locations that had been discussed for the daffodils. The proposed locations were: adding plantings to the intersection of Routes 22 and 55, the area across from McGrath's, the Lakeside Park entrance, the edges of the road on Dutcher Avenue near Route 55 and more plantings at the intersection of Coulter Avenue and Route 22. There was discussion on the topic. There was discussion on the Garden Club donating a bench to the Village Green project. Mayor Liffland said he looked into how to handle the donation and found that a separate account would have to be set up to hold the money and he would get a figure for the cost of the bench because the amount had changed over the course of the project. A representative of Elm Street partners stated they owned the property at the Route 22/Route 55 interchange and would be happy to donate \$1,000.00 to the project.

Mayor Liffland said at the last meeting there was a little confusion and he wanted to set the record straight so he got the tape and the minutes out that were approved by the Board. He asked the Clerk to hand out the minutes from the May 4, 2009 meeting. He said he also wanted to play the tape to set the record straight. Mayor Liffland said it was the back page and he wanted to read a section into the minutes:

“Mayor Liffland said he was working on an Energy Efficiency Block Grant, an alternative fuel vehicle grant, an EFC loan and a DWSRF grant. He asked Trustee Zito to let him know what grants she was working on so that they were not duplicated.”

Mayor Liffland asked the Clerk to play the tape. The Clerk played the tape from the May 4, 2009 meeting for the audience (available for review with minutes). Mayor Liffland said he wanted the record to show that he does try to communicate and he wanted to make that clear. Trustee Zito said she wanted to respond. She said it was something that was discussed in May and there were several discussions and several meetings and as she said at the last Board meeting she held every meeting here right in Village Hall and attended...Mayor Liffland said he was never invited. Trustee Zito said Bob Murphy was and there was no attendance by Board members. Mayor Liffland said he was never invited. Mayor Liffland asked if Trustee Murphy was invited. Trustee Murphy said it should be clarified that he was invited after the meeting was in progress and he only happened to know that the meeting was going on because he walked in to check his mail. Trustee Murphy stated it was not to criticize Trustee Zito, that she is not allowed to have meetings but his purpose was that she has the meetings, which is fine, but she has the meetings and does not communicate the results of the meetings and he did not understand the whole purpose of why Mike [Hagarty – a grant writer] was there because he knew he was there because he writes grants but Trustee Murphy could not get a handle on the overall picture of what Trustee Zito was trying to achieve. Trustee Murphy said a little more background before Mike came so the Board could have been prepared would have been helpful. Trustee Murphy said as far as having meetings without notifying him that was fine but if Trustee Zito was going to have presentations based on the meetings it would be nice if the Board knew beforehand. Trustee Zito said it was requested and approved by the Mayor in emails that the grant writer was coming to the meeting for the purpose of bringing forward grants that were identified. Trustee Zito stated at prior meetings when solar panels were discussed, prior meetings when energy efficiency ideas were

discussed, information that had to do with retro-fitting or energy and electric surge and many different Board meetings where she brought forward different ideas in which to conserve electricity, energy there were a multiple of Board meetings where she presented research along the way. Trustee Zito said there were emails where it was definitely understood and approved by the Mayor that she was bringing forward the grant writer that evening. She said with all the emails and the meetings open... Mayor Liffland said it was a last minute thing and he figured he did not have a problem and it was approved and put on the agenda. Trustee Zito said it was not a last minute thing it was approximately... at least she could get the email... Mayor Liffland said it was Friday. Mayor Liffland said when he saw Mike at the meeting he thought it was because he spoke with him 2 weeks earlier and told him to come to a Board meeting. Trustee Zito said Mike told her he spoke with the Mayor and she did not think it was such a surprise to him. Mayor Liffland said he did not know what happened but a phone call from Trustee Zito or Mike... Trustee Zito said she did send an email. Mayor Liffland said he wanted everyone to know that he did communicate and this proved it. Trustee Zito said she wanted to say that she was communicating that multiple grants with a professional grant writer was the definite direction to take in her opinion because it was a competitive area and there were multiple... Mayor Liffland said nobody ever denied that or said that it wasn't. Trustee Zito said then the Board was interested in her moving forward with Mr. Hagarty. Mayor Liffland said like the Board told Mr. Hagarty, before Trustee Zito walked off, to please give the Board a proposal. Trustee Zito said he wasn't going to give a proposal until as a Board they were definitive on hiring him. Mayor Liffland said the Board asked him, after Trustee Zito left, to give the Board a resume about himself and a list of grants that were out there that the Board could look for and if Trustee Zito had not left she would have heard that. Trustee Zito said she ended up staying in the back of the room. Mayor Liffland said she came back but did not hear that part. Trustee Zito said she heard all that but... Mayor Liffland said he did not think so. Trustee Zito asked what his point was about hiring... Mayor Liffland said the Board wants to hire a grant writer and whether Mike was that grant writer he was asked for a proposal for the Board. Trustee Zito said with the permission, with a motion perhaps, and a vote to move forward to bring Mr. Hagarty's proposal and all the grants he had identified so that the Board, as a group, could apply for multiple grants for energy conservation, solar panels and many other ideas she brought forward. Trustee Zito said she could also bring forward another grant writer for comparison that she had been working with and if the Board so pleased she would do that. Trustee Zito said if the Board was in favor of it then she would move forward with it. Mayor Liffland said the Board told Mike to move forward with it and they were still waiting to hear from him. Trustee Durkin said the Board told him to provide them with some information. Trustee Zito said since she had been working with him and seems to be a [inaudible] and again if she needed to show emails and times in which she met with him to discuss this she could do it, but if the Board would take her word for it she had been discussing it with him for months... Mayor Liffland stated for months? Trustee Zito said she had been preparing and bringing forward all these thoughts and ideas and discussing with Mr. Hagarty how best they could set up the village in a competitive market and one of the discussions was the NYSERDA Energy Audit so as the Board could see there were many different pieces to the puzzle that she was simultaneously working with on the advice of a professional grant writer that had success in awarding receiving the funds and as she was pulling it all together her next step was to present it to the Board without going another step further since the energy audit was complete, the site visit was

complete, the report would be here in approximately six weeks and she thought as a Board they had plenty of time to decide a multiple of next steps and considerations and that was why Mr. Hagarty was there. Trustee Zito asked if the Board was interested in multiple grants - was the Board interested in Colette Zito moving forward with Mr. Hagarty because she would. Mayor Liffland asked moving forward in which way? Trustee Zito said with bringing forth a proposal from Mr. Hagarty about a professional grant writer and with him presenting to the Board all the grants that he and she had been working on, identifying all the pieces from the solar panel to retrofitting points and issues for this building and the garage given that she was also present at the site visit and when NYSERDA was there - there are many areas in which the Board could look very competitive with a grant given the way she had been putting all the areas together and again they had approximately six weeks before the energy audit was even complete and she could bring forward another grant writer if Mr. Hagarty was not of the pleasure of the Board. Mayor Liffland said he thought it was better to look at multiple grant writers. Trustee Zito asked if she could move forward with both - bringing Mr. Hagarty's proposal forward....Mayor Liffland said hopefully he had that done since the Board asked him last month to get that done for them so hopefully it was done. Trustee Zito asked if he meant two weeks ago when he was out. Mayor Liffland agreed. Trustee Zito said she would bring that forward to the Board and the Board was considering Mr. Hagarty as a grant writer. Trustee Murphy said yes - they were willing to look at his proposal and if he had suggestions on possible grants. Trustee Murphy said Trustee Zito said the village would be competitive for grants but that did not mean a whole lot to him without specifics like how would the village be competitive - is the village competitive in [inaudible] bills or what did she mean by competitive, what was the criteria for being competitive. Trustee Zito said in working with Mr. Hagarty, in answer to Trustee Murphy's question, one of the areas that she backed and slowed the boat if you would was the NYSERDA energy audit - by showing the village was first conserving energy before going for an energy grant was definitely a plus in the category of the village's competitiveness meaning that if a grant went out and an assessment was taken and we have the windows open and the air conditioning on or the windows open and the heat up the odds are that we are not conserving energy. She said since we don't do that, leave our windows open and our air conditioning on, she said let us go through the steps of what energy report and one example that is in answer to being competitive is by showing you are taking pro-active steps before applying for these grants to show the village has a plan in place in which the Board can pick and choose from solar panels to selling back to the grid to reducing the village's energy electric costs to also putting in retrofits that will be reimbursed for the high cost of \$200.00 for the energy audit because as each time the village implements or retrofits the village would be reimbursed on the audit and that was the criteria that was really competitive according to grant writers she had been speaking with. Trustee Zito asked if that answered the question. Trustee Murphy asked if Trustee Zito was saying that the Board would get some of the criteria they would need from the \$200.00 energy audit. Trustee Zito said she was saying it was part of the big puzzle and it was a good portion and it was a very supportive part from the grant writer's opinion that it was the best first step to take. Trustee Zito said the considerations were multiple on how many ways the Board could not only conserve money but save tax dollars on a multiple set of criteria for not just Village Hall but also for the garage. Trustee Durkin said that was true but a lot of it, quite frankly, without having seen the audit which would not be prepared for a while, and was discussed last week, what was the audit going to actually give the

Board other than fairly common sense measures in terms of storm windows and weather caulking your windows and making sure the buildings were draft free and not opening the windows when air conditioning was on, which were all very important and would save money and energy, but was also fairly basic. Trustee Durkin said she thought it was probably worth the \$200.00 it would cost and was very minimal and Trustee Zito said it was reimbursable but it was only reimbursable to the extent of the \$200.00. Trustee Zito agreed. Trustee Durkin said she was also interested in the other Energy Efficiency Grant that was being proposed by a private contractor that would give the Board some cost benefit analysis and return on investments to see the buy-back time on certain technologies installed in the Village Hall was and what they would provide and would be a more extensive audit. Trustee Durkin said she was not familiar with all the grants so she could not speak from experience or expertise but she would think that a lot of the grants from NYSERDA and others would want to know what return on the technology investments would be and she would be very interested to see both come back because they would both be very valuable going forward. Trustee Durkin said the retention of Mike Hagarty as a grant writer, and the last meeting was the first time it was discussed to retain someone for that position, and having Mike specifically, and she liked Mike very much, she would like to do some due diligence about investigating what other people have to offer. Trustee Zito said there were several others....Trustee Durkin said there were many other people out there. Trustee Zito asked if the deadline for the grant for the private energy audit was June 25th. The Clerk responded that was correct. Trustee Zito asked what the time frame was for a response on that and how far out would the Board know if they would receive the money in order to hire. Mayor Liffland said they did not give a time. The Clerk said it takes months because they have to receive all the grants in first before they would give a timeline and it was on a rolling basis. Trustee Zito asked to backup and said the deadline and the village paperwork was in and the Clerk placed the paperwork in on June 25th. The Clerk said it was all filed, yes. Trustee Zito said there was no date for a response. Mayor Liffland said they do not give a date. The Clerk said it was a rolling grant and as the grants come in they are competitively ranked and they are basically receiving all the grants. The Clerk said it was a federal grant with hundreds of thousands of grants. Trustee Zito said it was a rolling grant and wanted to know when there would be some sort of a timeline because the Board was bouncing around doing both or if the Board had the deadline for the grant for NYSERDA...The Clerk said NYSERDA was announced recently and asked Trustee Zito if she knew the deadline for that one. Trustee Zito said there were many of them and she did not have it with her because she did not come prepared because she did not know it would be discussed because it was not on the agenda. The Clerk agreed and said she would have to look through her paperwork as well to find out when the deadline was. Trustee Zito said there was no deadline that she...The Clerk said she would have to look at her paperwork - she would have to grab that paperwork. Trustee Zito said the Clerk said it was a rolling grant...The Clerk said meaning they were taking the applications in and getting them. Trustee Zito said then there was no deadline. The Clerk said the 25th was the deadline. Trustee Durkin said there were multiple deadlines – you can get them in by a certain date for processing and then they would release that. Trustee Zito said there was a deadline but no deadline. Trustee Durkin said there were multiple deadlines you could meet and if you met a certain deadline you would find out by a certain time and if you miss that deadline then you go into the next roll and you would not find out until the next deadline. Trustee Zito said the Board would find out whether or

not the grant was awarded. Trustee Durkin said by getting it in by a certain day you would find out by a certain date. Trustee Zito said that was what she was asking for what was that certain day. Mayor Liffland said they don't give that to you. Trustee Durkin said the roll was then there was another wave and then another wave. Trustee Zito said it was an unknown date as to when the Board would hear back about the funding. The Clerk said that was correct. Trustee Zito said that would be accurate without any paperwork because she did not have paperwork as well. The Clerk said it was federal money and was not just a couple of counties within a state so there was billions of dollars so it would take a while its not just \$2,000.00. Trustee Zito said multiple grants was definitely the way to go from what she was hearing. The Clerk responded that was what was said at the last meeting but the problem had been that it was not communicated to Trustee Zito and that was what the Mayor was going back to. Trustee Durkin said she thought the information the Board could get from a private energy audit would be valuable for other grants because that was the information they would want to know – if the return on the investment was very high that would put the village in a better competitive position than – it was all well and good and she was certainly for alternative sources of energy – but if the village never got the return on the investment then you could put millions of dollars worth of technology in the building but if the village never realized anything from that except some sort of feel good why would the grant be awarded to the village and not to some other municipality that was going to prove that it was going to not only take care of their energy needs but provide additional energy from some other source - if the Board did not have that information then it put them at a disadvantage which was what she was saying. Trustee Durkin said she thought it was valuable information. Trustee Zito stated as was the NYSERDA audit or did Trustee Durkin not see that as valuable information. Trustee Durkin said depending on what Trustee Zito was actually applying for she saw it – if Trustee Zito was talking about putting up solar panels and stuff like that she would want the return on that investment because that was a very high buy-in with a – for some of these technologies they are so new it was not clear what the return would be and what the break even point was going to be. Trustee Durkin said if Trustee Zito was talking about putting in programmable thermostats throughout the building – which the hall has – which was a fairly small investment of capital but would give a very large return on that investment that was something that an energy audit would substantiate because it would tell the Board what the energy savings would be by doing all the common sense measures – it was also a very low buy – in that the \$100.00 or \$200.00 the village would get back would make a lot of sense. Trustee Zito said that was exactly some of the ideas she brought forward at prior meetings. Trustee Durkin responded absolutely...Trustee Zito said starting in a building...Trustee Durkin said absolutely but Trustee Zito was seeing what she was saying as far as additional technology and more advanced technology the Board would want a more extensive analysis. Trustee Zito said that was what she was saying and was working with...Mr. Sy Capalbo, a resident of Walnut Street, asked the Mayor if the Board could get on with the meeting because he was sure the Board could handle the discussion in private session because it was eating up a lot of time on things that did not pertain to the audience. Trustee Durkin apologized to Mr. Capalbo. Mayor Liffland said it was a lot of work – was Trustee Zito talking about water modulars or electric modulars because that would have to be made clear to the program and not for nothing he was certified because it was his business and he made his living doing that and...Trustee Zito said she also identified the same qualified and certified individuals to work with her on those

matters that were brought up. Mayor Liffland said the thing was that she had to qualify what type of energy she wanted to use there. Trustee Zito said she understood that and it was just another piece of the puzzle. Mayor Liffland said in dealing with NYSERDA that was a whole different program she would have to get involved with and there was a lot to qualify for that program – it was not an easy application and he wanted Trustee Zito to be aware of that. Trustee Zito said she understood that and had been through the process...Mayor Liffland asked Trustee Zito if she had been through a NYSERDA form. Trustee Zito said like Mayor Liffland was discussing she would go through a NYSERDA application and process and the Board was in agreement with that which was why she moved forward with that. Mayor Liffland said like Trustee Durkin was saying with the money Trustee Zito would have to look at the whole investment. Trustee Zito said that was exactly the direction she was heading. Mayor Liffland said she would have to look at what exactly would be the pay back and he thought the whole Board wanted to be green.

MOTION by Trustee Durkin to approve the Train Station Proposal in the amount \$1,645.00 received from Native Landscapes, Inc. **SECONDED** by Mayor Liffland. There was no discussion; all were in favor and the motion carried.

Mayor Liffland said he wanted to discuss moving forward with getting costs through the Sheriff's Department on surveillance cameras throughout the village and he wanted to get the Board's input. Trustee Zito said she had been speaking with residents and merchants and it was an absolutely positive response to the leadership of the Board for bringing in surveillance cameras from residents to merchants there was absolute interest and recently over the weekend a resident or two asked if the Board was considering the cameras in the parks as well. Trustee Zito told the residents it had not been brought up or discussed. Mayor Liffland asked what parks residents were talking about. Trustee Zito said Murrow Park and Lakeside Park and was that on the table for discussion and she responded no – initial discussions and presentations with Sergeant Monaco was the center of the village and specifically areas she reviewed with them. Trustee Durkin said there was another reason why the Board would not put them in the park – Trustee Murphy said the parks were in the town which would be the town's responsibility. He said the village residents should not pay for cameras in the town. Trustee Zito said right – but would the Board want to bring it forward to the Town Board as a working together perhaps since the Board was doing and have done as far as the presentation on the surveillance cameras working together with the town on that idea since the borderlines are what they are and we really are all one Pawling. Mayor Liffland said it wouldn't hurt but the cameras that would be able to be put up through the village right now had space on the server to connect to. Mayor Liffland said if the town wanted to come along and do that they...Trustee Zito said if residents wanted to weigh in on – it was one or two residents who brought it up to her and asked if she would be their voice at the meeting and she said she would because it was a great idea and she thought Pawling village and town could work together on the possibility of that idea. Mayor Liffland said he would not want it to hold up the village. Trustee Murphy said not only that but before the Village Board approached the Town Board on it the Town Board might want to consider it and maybe broach the subject to town residents about how they felt. Trustee Murphy said he was getting a lot of positive feedback as well and he was sure it might be the same but the town should have a chance to speak with town residents. Trustee Zito said she could talk to the Town Board to see if they had discussions on it.

Trustee Durkin said while it was an admirable idea she thought the best thing the Village Board could do would be to move forward on what they discussed and success breeds enthusiasm and if the village had success then selling it in other critical areas in the town would be an easy thing to do but if the Village Board took care of what they had discussed up to that point they would be leading the way rather than going off into grander projects. Trustee Durkin said she would personally like to see the board do what they initially discussed. Trustee Murphy said the village was further along than the town and he did not want to hold it up due to the town because they had to consider it. Trustee Murphy asked if the Board was looking at the prices for the initial proposal or were they going to get prices for 4 or 5 cameras. Mayor Liffland said he would get a hold of the Sergeant and get different prices – he said the last price he received was only for budgetary purposes. Trustee Zito asked if they were talking about 6 to 8 cameras. Mayor Liffland said he would have the Sergeant look into all options because if the Board was going to do it they should do it. Trustee Murphy said he mentioned 3 or 4 because that was a good starting point but ultimately it would be more. Mayor Liffland said if the Board was in favor he would contact the Sheriff's Department and move forward.

MOTION by Trustee Durkin to allow Mayor Liffland to contact the Sheriff's Department and move forward with the project. **SECONDED** by Trustee Murphy. There was no discussion. The vote was:

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

The motion carried.

MOTION by Trustee Murphy to approve payment of the July bills in the amount of \$68,383.47. **SECONDED** by Trustee Durkin. There was no discussion; all were in favor and the motion carried.

MOTION by Trustee Murphy to approve payment of the July 24, 2009 pre-pays in the amount of \$2,928.47. **SECONDED** by Trustee Durkin. There was no discussion; all were in favor and the motion carried.

MOTION by Trustee Murphy to adjourn the meeting at 7:38. **SECONDED** by Trustee Durkin. There was no discussion; all were in favor and the motion carried.

Village Clerk