

DATE OF MEETING: March 5, 2007

PLACE OF MEETING: Village Hall, Pawling, New York

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

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 proposed Local Law to amend the Village of Pawling Village Code by amending Chapter 98, "Zoning", Section 98-77 "Senior Citizen Housing". **SECONDED** by Trustee Murphy. There was no discussion; all were in favor and the motion carried.

Mayor Liffland reported that Roger Akeley, Commissioner of Dutchess County Planning and Development, would be out sometime in April to do a presentation on the topic.

Sy Capalbo, a resident of Walnut Street, asked questions regarding the age limit, the rent price, how many rooms the units were, who was entitled, the price, the location, the start date, if local contractors would do the work, how many units would be on a parcel and if it would be hooked up to water and sewer. Mayor Liffland answered Mr. Capalbo's questions.

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

MOTION by Trustee Durkin to close the regular session and go into the Public Hearing on a Proposed Local Law Providing for the Administration and Enforcement of the New York State Uniform Fire Prevention and Building Code. **SECONDED** by Trustee Murphy. Michael Hayes, a village attorney, pointed out to the Board that when they last looked at the proposed Local Law the Building Department had recommended that people have a period of 6 months to commence construction on an open Building Permit and if no work commenced within the 6 month period then the Building Permit would expire but if work had commenced people would have up to a year to complete the project without having to re-apply. Mr. Hayes said late last week the Building Department asked to revise the recommendation on one point and instead give people up to one year to commence construction on the Building Permit rather than the 6 months. Mr. Hayes said he made the change to Section 4 (i). Mayor Liffland asked how the fee would be structured. Mr. Hayes said there was no pro-rata distribution and people would have to get the work done in the year or pay another year's fee. He said it would provide an incentive to people to get the work done. Trustee Murphy asked if a fee structure should be separate from the Local Law. Mr. Hayes said that would be his recommendation. Trustee Murphy suggested the Board look into setting up a fee schedule. There was no further discussion; all were in favor and the motion carried.

There were no comments from the public.

MOTION by Trustee Durkin to leave the Public Hearing open until March 19, 2007 and return to regular session. **SECONDED** by Trustee Murphy. There was no discussion; all were in favor and the motion carried.

MOTION by Trustee Durkin to close the regular session and go into Executive Session to discuss Personnel. **SECONDED** by Trustee Murphy. There was no discussion; all were in favor and the motion carried.

MOTION by Trustee Durkin to close Executive Session and go back into regular session at 8:50 P.M. **SECONDED** by Trustee Murphy. There was no discussion; all were in favor and the motion carried.

MOTION by Trustee Durkin to deny the rescission of James Brill's resignation to the Village of Pawling. **SECONDED** by Trustee Murphy. Mayor Liffland asked Mr. Hayes to go over the context for the motion. Mr. Hayes stated that on March 1st James Brill, a Highway Department employee, submitted his resignation to the village which was received at the Village Clerk's office at 8:30 A.M. He said later that day the village received a verbal request to have permission to withdraw the resignation which was later followed by a written request. Mr. Hayes said the law in this area was that once a written resignation is submitted to the Village Board the members have the discretion whether to allow the resignation to be withdrawn or not. He said his understanding was that there was a motion before the Village Board to not allow this employee to withdraw his resignation. Mayor Liffland said that was correct. Mr. Hayes said it was based, in part, on the general policy that once someone submits a resignation it should be final for purposes of general management of village affairs. He said it was also due to the understanding that there was an event which occurred prior to the submission of the resignation in which Mr. Brill was operating a backhoe at a time when he was not assigned the task and at which Mr. Brill dismissed a flagman from the area who was there for safety purposes and after dismissing the flagman backed into a motor vehicle causing property damage. Mr. Hayes went on to say Mr. Brill had two prior incidents with motor vehicles owned by the village that caused property damage in the preceding 18 months. He reported that based on all those factors there was a motion pending before the Village Board to decline to allow Mr. Brill to withdraw his resignation. There was no further discussion; all were in favor and the motion carried.

There was discussion on the retaining wall located at the Orchard Street intersection and a site distance problem. Mayor Liffland said he spoke with Trustee Osborn about the situation and he felt that if one layer of the blocks was taken down it would alleviate the issue. There was some public comment. The Board asked Doug Warren, Working Highway Foreman, to check into how the one layer of blocks could be removed and in the meantime they would look into putting up a caution sign with cones/sawhorse or a temporary stop sign.

MOTION by Trustee Durkin to approve the Final Pay Request to 58A JVD Industries LTD for the Charles Colman Sidewalk Project in the amount of \$18,867.45 pending engineer approval. **SECONDED** by Trustee Murphy. There was no discussion; all were in favor and the motion carried.

Trustee Murphy went over the current and next year's budget. There was discussion about using left over Bond money for the MS4 project contingent on the Bonding attorney's approval.

MOTION by Trustee Durkin to change the April meeting dates to April 3, 2007 and April 17, 2007. **SECONDED** by Trustee Murphy. There was no discussion; all were in favor and the motion carried.

MOTION by Trustee Durkin to approve the minutes from December 18, 2006, January 8, 2007 and January 22, 2007. **SECONDED** by Trustee Osborn. There was no discussion; all were in favor and the motion carried.

MOTION by Trustee Osborn to approve the February bills in the amount of \$104,400.34. **SECONDED** by Trustee Murphy. There was no discussion; all were in favor and the motion carried.

MOTION by Trustee Durkin to approve the February 20, 2007 prepaids in the amount of \$5,607.48. **SECONDED** by Trustee Murphy. 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 \$683.93. **SECONDED** by Trustee Durkin. There was no discussion; all were in favor and the motion carried.

MOTION by Trustee Osborn to approve the Metro North Treasurer's Report for the month of January 2007. **SECONDED** by Trustee Durkin. There was no discussion; all were in favor and the motion carried.

Trustees' Reports

Tracy Durkin

Trustee Durkin reported that the scanner was in the village office and the staff would start scanning documents to put on the webpage.

Wayne Osborn

Trustee Osborn stated the Highway Crew did a very good job with the storms.

Robert Murphy

No report.

Mayor's Comments

Mayor Liffland read thank you letters for Doug Warren and the highway department from the Chamber of Commerce and Pawling Corporation. Mayor Liffland reported the village was awarded the Community Development Block Grant for the East Main Street Sidewalk Project.

MOTION by Trustee Durkin to adjourn the meeting at 8:23 P.M. and go into Public Comment. **SECONDED** by Trustee Murphy. There was no discussion; all were in favor and the motion carried.

Village Clerk