

DATE OF MEETING: July 23, 2007

PLACE OF MEETING: Village Hall, Pawling, New York

MEMBERS PRESENT: Mayor Robert Liffland  
Trustee Tracy Durkin  
Trustee Wayne Osborn  
Trustee Allen Rundall  
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 said the Senior Housing Committee had picked dates to meet with Roger Akeley to go over the Code change. Trustee Murphy asked how the process would work. Mayor Liffland said the committee would discuss the change with Mr. Akeley and bring their proposal back to the Village Board.

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

**MOTION** by Trustee Durkin to approve the transfer of \$46,285.84 from the Fund Balance to the Village Green Engineering Line as of May 31, 2007. **SECONDED** by Trustee Murphy. Trustee Murphy explained the transfer cleaned up some of the accounting from the prior year. He said the money was part of the village's obligation for construction services for the Village Green project. There was no further discussion; all were in favor and the motion carried.

**MOTION** by Trustee Osborn to approve the Pawling Fire Department's parade route for August 3, 2007. **SECONDED** by Trustee Durkin. Trustee Rundall said he felt there was an injustice done to the village by changing the parade route (Haight Street – right onto Coulter Avenue – left onto East Main Street – right onto South Street – to Fire House) and eliminating the core of the Village of Pawling. Mayor Liffland stated the parade helped the merchants and allowed newcomers to the village to see the downtown area. Mayor Liffland asked if it was too late to ask the Fire Department to change the route. Trustee Rundall said it was not too late to change the route. He said he felt the Board should approve the parade but they should voice their displeasure to the Fire Department. Trustee Murphy said someone should ask the President why the route was changed and ask them if something could be done to change it. Trustee Durkin said she agreed with everything said. She commented that for approval of such a substantial parade the Fire Department should send in a letter earlier. Mayor Liffland said he would speak with the President of the Fire Company. Trustee Durkin amended the motion to say

that if the Fire Department was willing to change the parade route the Board would be willing to authorize that new parade route and would give the Mayor the authority to authorize the new parade route after talking to the Fire Chief. **SECONDED** by Trustee Murphy. There was no further discussion; all were in favor of the original and the amended motions, both motions carried.

**MOTION** by Trustee Durkin to approve the Pawling High School's Homecoming parade route for October 5, 2007. **SECONDED** by Trustee Rundall. There was no discussion; all were in favor and the motion carried.

Trustee Rundall stated the Village Board had been trying for at least three years to gain access to a residence within the Village of Pawling in order to check or read the water meter. He explained that the homeowner had been refusing entry. Mayor Liffland said a certified letter should be sent to the homeowner requesting entry and asking to change the meter. Trustee Rundall said he would see to it that a certified letter would be sent and if at that point entry was still refused the Board had two options. He said the Board could turn off the water or the Board could increase the bill up to a point. Trustee Durkin said a certified letter should be sent and compliance by a certain date should be specified or penalties would be incurred. There was discussion on the topic.

**MOTION** by Trustee Rundall that a certified letter be drafted by the attorney and sent to the individual, with return receipt requested, and if there was no action then the next legal steps should be taken so that access could be gained to the residence. **SECONDED** by Trustee Osborn. Trustee Durkin suggested giving the resident 10 days to act from receipt of the letter. Trustee Rundall added that to the motion. There was no further discussion; all were in favor and the motion carried.

**MOTION** by Trustee Durkin to approve the time extension request received from 58A JVD Industries Ltd. **SECONDED** by Trustee Murphy. Trustee Murphy stated he could understand extending the time for completion of the job because of the light poles and fixtures but he wondered if that could be separated from the rest of the work. Mayor Liffland agreed. Trustee Murphy said that anything that could be completed and was not being held up should be completed in a timely manner. Trustee Murphy stated representatives from the Pawling Community Foundation spoke with a landscaper who would be willing to do the work if JVD did not do it in a timely manner. He stated if the Board set a date (perhaps the end of the week) and the work was not done the Board should accept the PCF offer and then try to recoup the money from JVD. Trustee Durkin amended the motion to grant the extension to anything pertaining to the light poles and fixtures but expressly not anything else. **SECONDED** by Trustee Murphy. There was no further discussion; all were in favor of the original and the amended motions, both motions carried.

**MOTION** by Trustee Murphy that if the medians were not cleaned up in a timely manner, such as July 27, 2007, that the Village Board accept the Pawling Community Foundation's offer to contract out for the cleaning up of the median and to deduct the money from JVD. **SECONDED** by Trustee Durkin. Trustee Durkin said the attorney should be contacted regarding the village's legal standing as far as

charging the contractor back for any work done. There was no further discussion; all were in favor and the motion carried.

**MOTION** by Mayor Liffland to send a letter to the contractor regarding the clean up on Charles Colman Boulevard saying that if the clean up was not done the village would hire a contractor to come in and clean up with a deadline date of August 6, 2007. **SECONDED** by Trustee Rundall. Trustee Durkin suggested asking the attorney about the village's legal rights regarding recouping the money from the contractor on this item as well. There was no discussion; all were in favor and the motion carried.

The Board discussed the East Main Street Sidewalk project. Mayor Liffland said the Board talked about removing the strip of road at the South Street triangle and widening the other section of road as part of the project (see attached). Trustee Murphy spoke with the Chamber of Commerce's Beautification Committee to try to site everything. There was dialogue on the topic.

**MOTION** by Trustee Rundall that the Board proceed with Option B for the little extension and to authorize the Mayor to approve the bid schedule. **SECONDED** by Trustee Durkin. There was no discussion; all were in favor and the motion carried.

**MOTION** by Trustee Rundall to approve the use of the \$85,000.00 grant received from Senator Leibell's office for the Village Green Phase II sidewalk extension along the Lumelite property line. **SECONDED** by Trustee Durkin. Mayor Liffland said it was another extension that would connect the sidewalk further into the village. Trustee Rundall said it would distinguish the Lumelite parking lot and the traveled portion of Charles Colman Boulevard. There was no further discussion; all were in favor and the motion carried.

Trustee Murphy said there was a request received from the Planning and Zoning Boards asking for an increase to their budget lines by \$5,000.00 however he would not recommend approving the request because it was not budgeted for. Trustee Murphy said the Boards should not authorize professional services unless there was an escrow account set up. The Mayor called for a motion to increase the budgets for the Planning Board and the Zoning Board by \$5,000.00. There was no motion made.

**MOTION** by Trustee Rundall to approve July bills in the amount of \$33,786.02. **SECONDED** by Trustee Durkin. There was no discussion; all were in favor and the motion carried.

**MOTION** by Trustee Rundall to approve the Metro North bills in the amount of \$2,258.45. **SECONDED** by Trustee Osborn. There was no discussion; all were in favor and the motion carried.

**MOTION** by Trustee Durkin to approve the Metro North Treasurer's Reports from April, May and June 2007. **SECONDED** by Trustee Murphy. There was no discussion; all were in favor and the motion carried.

## **Historian's Report**

Drew Nicholson said that cabinets became available for the meeting room. He stated he looked at the websites. Mr. Nicholson said there was a geodetic marker directly in front of the National Bank and he wanted to know if he could ask the bank to expose it. He asked about the Explore 400 Resolution. Mr. Nicholson asked about the draft Village stationary he submitted. Mayor Liffland said Trustee Durkin would be looking into updating the stationary.

## **Trustees' Reports**

### **Tracy Durkin**

Trustee Durkin stated she spoke with Jay Morales about the letterhead. She reported she would be working on the website. Trustee Durkin said she researched the issue of the stop sign on Charles Colman Boulevard and Willets Drive. She said Kealy Solomon from the PDCTC was going to review its location and get back to the Board. Trustee Durkin said it was not a DOT directive and she was trying to find out when and why it was put into the plans.

### **Robert Murphy**

Trustee Murphy said the final Bonding process was begun for the Allison Dykeman BAN #1 and 2 and the Charles Colman Bridge. He said he spoke with the Garden Club about the daffodil planting and Steve Parrino recommended the club put the daffodils in the small triangle by the light. Trustee Murphy said he spoke with John Dacy from M&T Bank about the overnight accounts and the rate the village was getting on the CDs was comparable. He stated the lettering was done on the front of the Municipal Building. Trustee Murphy said he wanted to look into purchasing an awning for behind the building.

### **Wayne Osborn**

Trustee Osborn reported the Reservoir Road project had started. He said a tree fell on Coulter Avenue. He stated the MS4 project mapping was coming along. Trustee Osborn said 22 catch basins were cleaned and more would be done on Wednesday. It was decided that Trustee Osborn would speak to someone from Trinity Pawling regarding the soccer field runoff.

### **Allen Rundall**

Trustee Rundall reported that the tank was completely full. He said the leak detection company from the Rural Water Works Association was scheduled to come out to the village. He stated the water meter repairs and installations were continuing and there were only 6-8 houses left without new meters. Trustee Rundall said there were two dead trees on Elm Street that needed to be removed. He received a quote from Allen's Tree Service in the amount of \$875.00 to take down both trees and grind out the stumps.

**MOTION** by Mayor Liffland to authorize Allen's Tree Service to remove the two trees for \$875.00. **SECONDED** by Trustee Rundall. Mayor Liffland said it was an average of \$250.00 for a company to grind a stump. Mayor Liffland said it was a good price because the removal of one tree could cost \$875.00. Trustee Murphy agreed but said it was above the procurement policy. Trustee Rundall said he did not think the Village Crew should take the trees down for safety reasons. Trustee Durkin asked how difficult it would be to get one more quote. Trustee Rundall said he could certainly get another quote. He asked if the Board could authorize going with Allen's Tree Service if that was the lowest price. Mayor Liffland rescinded his motion.

**MOTION** by Trustee Rundall that the Board awards the low bidder with the job of removing the 2 trees on Elm Street after receiving 1 -2 more bids. **SECONDED** by Trustee Murphy. There was no discussion; all were in favor and the motion carried.

Trustee Rundall said he was still tracking the street lights that were out within the village. Mayor Liffland said one of the reasons the water meters were put in was to comply with tracking issues within the Consent Order. Trustee Rundall said it also helped tracking sewer usage as well. Trustee Murphy said the Board received correspondence from Supervisor Coursen regarding assisting the village with implementing wells. Trustee Murphy suggested asking Supervisor Coursen to the next meeting. There was discussion on the topic of implementing new wells.

### **Mayor's Comments**

Mayor Liffland said he received a note from Mrs. Shortt thanking the Highway Department for the great job they did removing the tree that fell on Coulter Avenue. He reported the village received PINs for the SAFETEA-LU projects. Mayor Liffland said he attended a Town Meeting a while back and the Board wanted to talk about the size of stores on Route 22. He said he wanted to make it clear that he said a lot of time and effort went into the Master Plan and the reasoning as to why no building in the Town could be less than 3,500 square feet was researched. He commented he wanted to make sure the Town Board reviewed the logic of why the 3,500 square foot number was used because part of it was to protect the village merchants. He said he hoped the Town Board would review these issues before making any decisions.

### **Public Comment**

Mr. Earl Slocum asked if someone could look into having the blue travel signs removed for businesses that were no longer in existence. He thanked the Board for the decision they made regarding the East Main Street project. Mr. Slocum said he had a tour of the Pawling House and it was amazing. He said the doorbell was spectacular.

Ms. Lucy Watson had a question regarding the Fire Department parade route.

Mr. Dave Watson asked questions regarding the town zoning question Mayor Liffland discussed during his Mayor's Comments. Mr. Watson said he agreed with the Mayor about the square footage issue.

Ms. Sharon Haley thanked the Board for the work done to the wall at Orchard Street because the visibility was much better and it was much safer.

Mr. Darrell Haley stated he agreed with his wife about the wall at Orchard Street. He stated there was still debris that needed to be cleaned up at the location. He asked when the clock on Charles Colman Boulevard was going to be fixed. Mayor Liffland explained they were waiting on the contractor. Mr. Haley said he was against the Stop sign on Charles Colman Boulevard.

Mr. Drew Nicholson said the top of Valley Drive washed out and he asked if anybody could do anything about it. Mayor Liffland said Trustee Osborn would look into it.

**MOTION** by Trustee Rundall to adjourn the meeting at 8:39 P.M. **SECONDED** by Trustee Osborn. There was no discussion; all were in favor and the motion carried.

**MOTION** by Trustee Rundall to open the meeting and go into Executive Session to discuss Personnel. **SECONDED** by Trustee Durkin. There was no discussion; all were in favor and the motion carried.

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

**MOTION** by Trustee Osborn to return to regular session. **SECONDED** by Trustee Rundall. There was no discussion; all were in favor and the motion carried.

**MOTION** by Trustee Rundall to adjourn the meeting at 9:15 P.M. **SECONDED** by Trustee Osborn. There was no discussion; all were in favor and the motion carried.

---

Village Clerk