

DATE OF MEETING: August 20, 2007

PLACE OF MEETING: Village Hall, Pawling, New York

MEMBERS PRESENT: Mayor Robert Liffland
Trustee Tracy Durkin
Trustee Allen Rundall
Trustee Robert Murphy

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

Mr. Joe Zarecki, a village engineer, explained that the DOH requires the village to test for radio-nucleides in the wells. He stated if 4 quarter averages are exceeded a notice must be sent to the public which was what the Village Board was getting ready to send. He said the maximum contaminant level is five and at entry point number one for Libby Lane wells #1 and #2 the level was six. Mr. Zarecki said there were different ways to handle the well – one way was to treat the well, another possible solution was to find a new source of water or to blend the water. Mr. Zarecki said the well that was producing the higher amount of radium had been shut down so there was no more radium going into the system. He said the next steps were to produce the notice, continue monitoring and work with the DOH to see whether the blending that was occurring in the system was sufficient. Mayor Liffland said he contacted the one resident on Libby Lane and was told they have a private well – he asked if the Board would be in agreement to allow the resident to use his private well. There was discussion on the topic as well as the NYSEG station located on Libby Lane.

MOTION by Trustee Rundall that the village have the well tested at the private residence on Libby Lane and if it meets all the requirements that it be hooked in to their residence and the village buy bottled water for the two garages that are on the facility until the problem can be resolved. Mayor Liffland said it could be bottled water or a cooler. **SECONDED** by Trustee Durkin. Trustee Murphy asked who would do the work. Trustee Rundall said Severn Trent would do the work. There was no further discussion; all were in favor and the motion carried.

Mayor Liffland said the Board would be discussing the SAFETEA-LU grants and he told Mr. Zarecki that drawings and specifications would be needed as part of the grant process. Trustee Murphy asked Mr. Zarecki to keep things simple to keep costs down. Mr. Zarecki said the specs would include length, width and specifics that would be generic in order to meet requirements for Public Bidding. Trustee Murphy said there was not a lot of money allocated in the budget for the engineering costs.

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 the first committee meeting would be held on September 11, 2007 with Roger Akeley. He said after the meeting the committee would report back to the Board of Trustees.

MOTION by Trustee Rundall to leave the Public Hearing open and return to regular session. **SECONDED** by Trustee Durkin. 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 the discontinuation of the paved area used to make right turns from East Main Street to South Street in the village. **SECONDED** by Trustee Murphy. There was no discussion; all were in favor and the motion carried.

Mayor Liffland said at the last meeting the Board chose Option B for the East Main Street Sidewalk Project. He said the biggest hurdle the Board had to face so far was because the pine tree had been dedicated to the village by the boy scouts. Mayor Liffland opened the topic up to the public.

Mr. Earl Slocum, a resident of East Main Street, said he hoped the Board would do it. He said Ms. McCarthy, the woman who raised concerns over the removal of the tree at the previous meeting, would not chain herself to the tree however she wanted the tree's dedication brought to the Board's attention.

Mr. Drew Nicholson, a resident of Valley Drive, said the Board should think about replanting a tree at another location to serve as a substitute.

Trustee Rundall said he did not have a problem with the project but he wondered if there was a way that the engineers could see if they could implement Option B while leaving the tree there. There was discussion.

Mayor Liffland said he agreed with Mr. Nicholson. He said he felt that in the future dedications should have a plaque. Trustee Durkin said the Board should look closely at any gifts of live things such as trees and plantings because of the maintenance and how they may impede future projects.

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

MOTION by Trustee Rundall that the Village Board declares itself the Lead Agency and declares a negative declaration. **SECONDED** by Trustee Durkin. There was no further discussion; all were in favor and the motion carried.

MOTION by Trustee Durkin to ratify the Resolution regarding the discontinuation of the paved area used to make right turns from East Main Street to South Street in the village, adopted on August 6, 2007. **SECONDED** by Trustee Murphy. There was no discussion; all were in favor and the motion carried.

MOTION by Trustee Rundall to approve Resolution 08200701 authorizing the implementation and funding in the first instance 100% of the federal-aid and State "Marchiselli" Program-aid eligible costs, of a transportation federal-aid project and appropriating funds therefore for the Grandview Avenue SAFETEA-LU project, PIN 8760.14. **SECONDED** by Trustee Durkin. Trustee Murphy explained it was a resolution that the village would pay for any engineering services in relation to the project. Mayor Liffland said he liked the idea of renting equipment. Trustee Murphy responded the Board could look into that option. Trustee Rundall said the Board could save thousands of dollars on the rental of equipment and getting the blacktop off of State Bid but he was unsure if it was allowed under the grant. There was no further discussion; all were in favor and the motion carried.

MOTION by Trustee Durkin Approve Resolution 08200702 authorizing the implementation and funding in the first instance 100% of the federal-aid and State

"Marchiselli" Program-aid eligible costs, of a transportation federal-aid project and appropriating funds therefore for the Reservoir Road SAFETEA-LU project, PIN 8760.15. **SECONDED** by Trustee Murphy. There was no further discussion; all were in favor and the motion carried.

MOTION by Trustee Durkin to hold the Public Hearing on a Local Law to Establish Minimum Stormwater Management Requirements and Controls at the second meeting in September. **SECONDED** by Trustee Rundall. There was no discussion; all were in favor and the motion carried.

The Board discussed amending section 11(a)(3) of Chapter 10 of the Code of the Village of Pawling dealing with the inspection time period for fire safety and property maintenance inspections per a recommendation from the Building Department.

MOTION by Trustee Murphy to amend section 11(a)(3) of Chapter 10 of the Code of the Village of Pawling. **SECONDED** by Trustee Durkin. Trustee Durkin asked if the motion would be enough to amend the law. Trustee Murphy asked the Clerk to check with the attorney. **MOTION** by Trustee Murphy to approve the change to section 11(a)(3) of Chapter 10 of the Code of the Village of Pawling subject to attorney approval. **SECONDED** by Trustee Durkin. There was no discussion; all were in favor and the motion carried. The Board voted all Ayes on the amended motion.

MOTION by Trustee Rundall to authorize the Building Department to begin litigation on 29 Memorial Avenue. **SECONDED** by Trustee Durkin. There was no discussion; all were in favor and the motion carried.

Mayor Liffland said he looked at the oak trees on Memorial Avenue and noticed a lot of dead limbs. He stated he spoke with tree experts and was told the trees were not getting enough water and needed to be fed. Trustee Durkin said she would contact Lou Sebesta.

MOTION by Trustee Rundall to authorize Trustee Durkin to proceed with the process concerning the Memorial Avenue trees. **SECONDED** by Trustee Murphy. There was no discussion; all were in favor and the motion carried.

Trustee Rundall reported the developer for the Dorex Project on Pine Drive asked for permission to drill a well at the site for irrigation. Trustee Murphy said he had a problem with it because the Water Department was losing out on a source of revenue simply because the village does not have enough water. He said he was aware irrigation systems for landscaping purposes could put a stress on the water supply but if the village had enough water it would not be an issue. There was dialogue on the subject.

MOTION by Trustee Rundall to send a letter giving the Board's permission to Dorex to drill a well for irrigation purposes only for their property. **SECONDED** by Trustee Durkin. Trustee Murphy asked if in lieu of drilling a well maybe the Board could ask the developer to maintain the sidewalk and the grassy area on Pine Drive because it would be one less thing the village crew would have to do. Mayor Liffland said it already was the property owner's responsibility. There was no further discussion; all were in favor and the motion carried.

Mayor Liffland reported that the contractor finished grading the lawns on Charles Colman Boulevard that were disturbed during the sidewalk project. Trustee Durkin said they had only fixed one lawn because her lawn had not been taken care of. Mayor Liffland said he showed the contractor what needed to be done and he would have to go

out and see what was and was not done. There was discussion on the type of grass that was put down, how it was put down, when the lights for the Village Green project would be in, a parking space in front of Downey's, testing of the water lines and the removal of the light poles.

The Board discussed different options for the Memorial Avenue Sidewalk project to use the entire \$150,000.00 CDBG money.

MOTION by Trustee Rundall to authorize the Mayor to look into extending and improving the sidewalk project on Memorial Avenue. **SECONDED** by Trustee Durkin. There was no discussion; all were in favor and the motion carried.

Trustee Durkin stated she did research on the Stop sign at Charles Colman Boulevard and Willets Avenue. She said the Stop sign was provided as a safety measure in the Pathway Project design report which was approved in June 2004. She commented if the Board wanted to take the Stop sign down they could ask the attorney to become involved to give action steps. The Board discussed the issue and decided to speak with the attorney to see what would need to be done to remove the stop sign if that was what the Board wanted to do.

MOTION by Trustee Rundall to approve the July 23, 2007 minutes. **SECONDED** by Trustee Durkin. There was no discussion; all were in favor and the motion carried.

MOTION by Trustee Durkin to approve the August bills in the amount of \$57,996.49. **SECONDED** by Trustee Murphy. There was no discussion; all were in favor and the motion carried.

MOTION by Trustee Rundall to approve the Metro North Treasurer's Report for July. **SECONDED** by Trustee Murphy. 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 \$1,702.63. **SECONDED** by Trustee Durkin. There was no discussion; all were in favor and the motion carried.

Historian's Report

Mr. Drew Nicholson said he was asked to prepare an article for inclusion in the new Guidebook.

Trustees' Reports

Tracy Durkin

No Report

Allen Rundall

Trustee Rundall said he put in a request to NYSEG to repair half a dozen street lights around the village.

Robert Murphy

Trustee Murphy stated he still needed to talk to Mrs. Heubel about the Building Department fees. He said he was getting estimates for the awning in the back. Trustee Murphy said he was reviewing different recycling containers. He said only \$28,000 was spent through the month of June for trash hauling and the Board was on track to spend \$65,000 which was significantly less than budgeted so garbage rates could probably be reduced next year.

Mayor's Comments

Mayor Liffland said the village was going to go with the State Bid for fuel oil. He commented there would be a meeting on August 30th involving the Town Planning Board, Town Board, the Dover Town Council Board and the Dover Planning Board regarding a resort on West Dover Road. Mayor Liffland said the CDBG application would be sent out and he knew the Board spoke about applying for monies toward the water department. He suggested entering into an Intermunicipal Agreement with the Town of Pawling to further the project.

Public Comment

Mr. Earl Slocum, a resident of East Main Street, said he was happy about the turnoff on East Main Street but he was unhappy about the Stop sign. Mayor Liffland said the Stop sign was still a topic the Board was working on.

Mr. Bart Clark, a village engineer, said the YMCA youth group and the Dutchess County Soil and Water District Conservation wanted to put together a booth for the tag sale and they wondered if the village could pay the fee. Mayor Liffland said the village could not give a gift but he said he would give them the \$20.00. Mr. Clark said the next big task for the MS4 program was the Illicit Discharge Detection and Elimination Program which involved adopting a new Local Law.

MOTION by Trustee Durkin to adjourn the meeting. **SECONDED** by Trustee Rundall. There was no discussion; all were in favor and the motion carried.

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

There were no decisions made in Executive Session.

MOTION by Trustee Rundall to close the meeting at 9:17 P.M. **SECONDED** by Trustee Durkin. There was no discussion; all were in favor and the motion carried.

Village Clerk