

DATE OF MEETING: September 4, 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.

The Mayor asked Mr. John Del Bene, President of 58A JVD Industries, Inc., contractor for the Village Green Phase I Project, the status of the job. Mr. Del Bene answered that the lights were set to be delivered on September 7, 2007 and the panel would be delivered on September 11, 2007. He said the lights were ordered in December of 2006 and the problems were due to the light company, King Luminaire. Mr. Del Bene said his company responded promptly to rectify any problems however there was nothing he could do regarding the light poles. The Mayor asked what was happening with the electric. Mr. Del Bene said the electric was in and everything was waiting on the poles. There was discussion on the lights.

Mayor Liffland asked Michael Hayes, a village attorney, what the status was of the Village Green/Metro North Agreement. Mr. Hayes said he sent a letter to Metro North on August 3, 2007 regarding revisions they submitted. He said he was unable to get the main revision he wanted which was a commitment that for 50 years or more the Village Green would be protected from any decision from Metro North to reclaim that land. Mr. Hayes said the revision did not contain any express consent for the village to build the Village Green but he felt that was a draftsmanship error. He said another defect was with making the rights Metro North reserved for the parking area on the East Side equally applicable to the Village Green. Mr. Hayes said they were waiting to hear back from Metro North regarding these comments. Mayor Liffland said he would set up a meeting with Metro North representatives to discuss the issues.

MOTION by Trustee Durkin to approve the Community Tag Sale for September 8, 2007.
SECONDED by Trustee Rundall. There was no discussion; all were in favor and the motion carried.

Mr. Earl Slocum gave a presentation on Stop signs within the village and within other municipalities. He said people were not stopping for the sign at Willets and Charles Colman as well as the sign in front of Key Bank. Mr. Slocum said he took pictures in New Milford where there were no stop signs at the crosswalks and drivers yielded to pedestrians. He stated Barbara Corcoran, a Real Estate guru, said you should not buy a house near a Stop sign because of the sound of the traffic stopping and going. Mr. Glenn Carey sent a letter stating that per the NYS Traffic Claiming Law that Stop signs should be used to control the flow of traffic and not as speed controls or pedestrian safety devices. Mr. Slocum asked the Village Board to consider removing the Stop sign and put up a Yield to Pedestrian sign. Trustee Durkin said the sign came to be as part of the Pathway Project. She asked Mr. Hayes for his recommendation on how to remove the sign if that was the Board's decision. Mr. Hayes said his strong recommendation was to commission a traffic study before removing the sign in order to protect the village against potential lawsuits. Mr. Hayes said the Board should review the results of the traffic study before making any decisions. The Board asked the Clerk to look into getting proposals for a traffic study.

Mayor Liffland said applications for the Community Development Block Grant were due on October 5, 2007. He suggested that the village enter into an intermunicipal agreement with the town for well development and apply for the grant jointly. The Board discussed the topic.

The Board was in general agreement that even if the town and village were not able to jointly apply for the grant for well development that the village should apply for the project.

MOTION by Trustee Rundall to make an application for a Community Development Block Grant for the purpose of developing wells for the village water system and if possible working with the town as the Board moves down the road. Trustee Murphy said the Board could not decide that until the Public Hearing. The Board discussed when to hold the Public Hearing. Trustee Rundall rescinded his motion.

MOTION by Trustee Rundall to hold a Public Hearing to use the CDBG for the development of wells for the village water system. **SECONDED** by Trustee Durkin. Trustee Murphy said the Board might want to just schedule the Public Hearing and solicit public comment. Trustee Rundall said the application forms said to hold a Public Hearing to discuss the intended use of the funds which would be for the water. Trustee Durkin said the application was well placed to find sources of water given the village's situation and the village also tapped out some of the sidewalk projects. She said from an income standpoint the village was phased out from a lot of those projects so they were better served by doing something to benefit the whole community. Trustee Durkin said it was a short date to work with the town although in the future it would be well worthwhile to pursue funding for a joint project. There was no further discussion; all were in favor and the motion carried.

Mayor Liffland said the village received \$1,500.00 from the Dutchess County DMV to be used towards installing lights in the back of the Village Hall. The Board asked the Clerk to solicit proposals for running power out to the new lighting area. The Board discussed different types of lighting fixtures and where to get them from.

Trustee Murphy reported he called 5 awning companies for prices to put a new awning up over the DMV entrance at the back of the Village Hall. He said 2 companies did not do re-covers. He said he received a price of \$1,050.00 from Awning FX and \$894 from Durkin's Awning Company. Trustee Murphy explained the third company never showed up for their appointment.

MOTION by Trustee Rundall to authorize Durkin's to replace the awning at the back of the Village Hall for \$894.00. **SECONDED** by Trustee Murphy. Mayor Liffland asked if Durkin's gave a warranty. Trustee Durkin said it was probably a manufacturer's warranty. She said the Clerk would have to contact the company about the village not being able to put a deposit down. There was no further discussion; all were in favor and the motion carried.

Trustee Murphy went over the budget report. He said for the first quarter there was really nothing major out of the ordinary. He said it was a tight budget and he would have to track anything that looked unusual. He said the garbage and water budgets were tracking well. He stated the sewer O&M was \$1,500 over and the debt portion usually came in on target.

MOTION by Trustee Rundall to approve the adjustment to Water Account #170A in the amount of \$11.08 due to a misplaced bill. **SECONDED** by Trustee Murphy. 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 \$74,215.39. **SECONDED** by Trustee Rundall. There was no discussion; all were in favor and the motion carried.

Trustees' Reports

Tracy Durkin

Trustee Durkin said she was going to find an arborist to provide guidelines for taking care of the Memorial Avenue trees. She stated she was also trying to speak with a representative from Network Support regarding the contract renewal for the computer system.

Robert Murphy

Trustee Murphy stated he spoke with a member of the Garden Club and they decided to plant the 1,100 daffodils in the large field on Coulter Avenue. The Board was in favor of the location. He said the Clerk was researching different recycling bins. The Board discussed what could be done until new cans were purchased. Trustee Murphy said he would speak with Doug Warren, Working Highway Foreman. He said he met with Mary Heubel, Secretary to the Building Department, regarding fees and she said Larry Tomasso, Building Inspector, would draft a memo with his recommendations.

Allen Rundall

Trustee Rundall said there was a water leak by the Chamber Building that was taken care of in an efficient manner. He said Karl Sundblum was almost done with reading the water meters. Trustee Rundall said he spoke with Tom Standard of NYSEG and he indicated the street lights for the Baxter Green development would be installed shortly. Trustee Rundall said he sent NYSEG a list of street lights that were out in the village

Mayor's Comments

Mayor Liffland said the air conditioners in the Dutcher House were secure. He said the County Executive proclaimed that August 31, 2007 was Welcome Home Troop Day in Dutchess County. Mayor Liffland said the Comcast franchise renewal was back on the table and he asked for the Board's wish list. He said he would have the attorney review the draft franchise agreement.

Historian's Report

Drew Nicholson reported the interview with George Coulter was 2/3 done. He said at the next meeting there would be a display available for people to look at.

Public Comment

Wendy Isbister, a resident of Baxter Green, commented on the long term parking at the Metro North parking lot. Ms. Isbister thanked the Board for the street signs in the Baxter Green development. She asked about when the streets would be finished. There was discussion.

Mr. Bonavenia explained he purchased the trailer that was at the Baxter Green location and was going to use it during construction on the houses he purchased. There was dialogue.

Ms. Isbister said there were holes left when the street signs were removed. Mr. Bonavenia said he would have the holes filled in.

Ms. Isbister said the grass for the green needed to be mowed. There was discussion. Mayor Liffland said the Building Department was informed of the situation and correspondence was sent to Mr. Berelson.

There was discussion on snow removal at the Baxter Green Development.

There was discussion about the sewer pump station, the water lines, the curbing, driveways, the green and services for the taxpayers at the Baxter Green development.

Residents from the Baxter Green development were speaking over one another about their concerns.

Mr. Gregg Felice, a resident of Baxter Green, said they would have to file a Class Action Lawsuit.

A resident said the Board should look at pulling the Bond. There was much yelling and arguing.

Mr. Felice said the Board was forcing them to say they had no other recourse other than to say if the Board could not help them then collectively they would have to figure out a way to go back against the village for a really bad business deal.

Mayor Liffland said the conversation would end because the residents were talking about possible litigation so he would not comment any more.

Ms. Marie Stewart thanked the village and the Clerk for their support for the Tag Sale.

Trustee Durkin asked everyone involved with the Baxter Green development to keep a level head and asked for a little bit more patience.

A resident asked about the water notice she received and if the Baxter Green well was affected. Trustee Rundall said it was not. Trustee Durkin said the sample was pulled from the entry point of the well and would get mixed into the whole system.

MOTION by Trustee Rundall to adjourn the meeting at 9:11 p.m. **SECONDED** by Trustee Murphy. 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 Rundall. There was no discussion; all were in favor and the motion carried.

MOTION by Trustee Rundall to close Executive Session and return to regular session. **SECONDED** by Trustee Durkin. 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 9:35 P.M. **SECONDED** by Trustee Durkin. There was no discussion; all were in favor and the motion carried.

Village Clerk