

DATE OF MEETING: October 20, 2014

PLACE OF MEETING: Village Hall, Pawling, New York

MEMBERS PRESENT: Mayor Robert Liffland
Trustee Stan Mersand
Trustee John Burweger
Trustee Brian Griffin
Trustee Daniel Peters

The meeting was called to order at 7:01 P.M. with the Pledge of Allegiance.

The Board went over proposed Local Law No. 6 of 2014 regarding Chapter 98 of the Village Code entitled "Zoning" to set site plan application fees and set a Public Hearing for November 3, 2014.

MOTION by Trustee Mersand to set the Public Hearing on proposed Local Law No. 6 of 2014 for November 3, 2014. **SECONDED** by Trustee Burweger. There was no discussion; all were in favor and the motion carried.

John McIvor gave a presentation on the Village Historian's office display cases he will create and install in the Village Hall for his Eagle Scout project.

There was discussion on a proposed Resolution to authorize a change order to the STES water system operator's agreement to install a new water main on Memorial Avenue. Trustee Peters said the Board discussed paving Memorial Avenue and it was brought to his attention that the water main underneath was galvanized and had to be patched 10 – 12 times over the past 2 years. He stated the main would need to be replaced before the road could be paved. He said Michael Batz, a representative from Severn Trent, worked out a schedule and pricing for replacing the main that was doable and much less expensive than any other way. Mayor Liffland asked Trustee Peters to explain where he was getting the money for the project. Trustee Peters stated there was a line in the F Fund labeled "Transfer to Capital Projects" with \$31,000 in it that would be a good start towards completing the project. Trustee Peters said the proposal from Severn Trent is based on how much work can be completed per day with a rate of \$72.00 a foot. He said if there are no obstacles they can do 100 – 150 feet per day and the worst case scenario would be 50 feet a day. He said the Board could complete as much as possible with the money available and stop when all was expended. Trustee Griffin asked if the \$31,000 was the full annual amount. Trustee Peters said it was and that in previous years it had not been touched. Mr. Batz said it was the same type of project as the Arch Street project from 3- 4 years ago. He explained that the pricing came out of the contract and the village DPW would do the excavating and supply the equipment which would provide a substantial savings for the village. Trustee Griffin said the Board was setting aside \$31,000 in the Capital Project fund however the project cost is \$59,000 so he wanted to make sure the Board was aware of the difference. Trustee Peters said the price could dramatically change if the project could be completed in a few days. Mayor Liffland said perhaps the Board could wait to do the project next year and use both this year's budget amount and next year's budget amount to complete the entire project. He suggested purchasing the materials this year and doing the work next year. Mr. Batz said a lot of the timing of the project would be dependent on when the Health Department approves the design. He said the Board would have to officially allow him to contact the Village Engineer to start the process.

MOTION by Trustee Mersand to authorize the purchase of the materials for the construction work on Memorial Avenue and to officially retain the services of the engineer for Department of Health purposes. **SECONDED** by Trustee Peters. There was no discussion; all were in favor and the motion carried.

The Board discussed a proposed Resolution directing that the water usage bill for the Town of Pawling Water District No. 1 commence bearing the surcharge for meter upgrades required in the 1981 Water Agreement with the District section "FIRST". Mr. Brian Morgan, village attorney, stated that per the contract for the supply of water to District No. 1 there was to be a \$7.00 quarterly charge per user collected by the Town to be accumulated to pay for water meter upgrades, meter replacements or that kind of thing. He said there was no money collected since 1981, as far as he was aware of, so there was no money to pay for the meter upgrades required in Local Law No. 3 of 2014. He said the village took the position that somehow there needs to be a resolution that the meters really need to be changed as part of the Water Supply Application that was submitted to the DEC and the Department of Health. He said the conservation requirements include improvements in metering and recording water usage. Mr. Morgan said the issue needs to be dealt with and there were a few requests to the town with not much response other than that they do not have the money to upgrade with. He said there needs to be a joint meeting of the two Boards which needs to happen relatively soon. He stated the village is estimating usage which would not fly with the DEC and the DOH. Mr. Morgan said there are other steps the Board can take if the joint meeting does not work out.

MOTION by Trustee Mersand to authorize the Mayor and the Village Clerk to set up a joint meeting with the Town Board to resolve the issue. **SECONDED** by Trustee Burweger. There was no discussion; all were in favor and the motion carried.

The Board discussed lowering the speed limit from 30 to 15 miles per hour and presenting it to the NYS Legislature in Albany. Trustee Griffin said the proposed streets were listed in the resolution and the purpose for going to the Legislature was because the Board does not have the ability to lower the speed limit below 25 mph without State Legislature approval. Trustee Griffin said he was asking the Board to consider the 15 mph limit for the downtown proper area and also move forward with asking the Assemblyman or Senator to move it to the floor in Albany. Mayor Liffland asked how much it would cost to implement the speed limit changes. Trustee Griffin said less than \$1,000.

MOTION by Mayor Liffland to move forward with the approval. **SECONDED** by Trustee Mersand. There was no discussion; all were in favor and the motion carried.

Trustee Griffin said he noticed some things the Board should look at regarding the Procurement Policy. He said when the Board awards a contract there is no language about subcontractors. He said if a job is subcontracted there are no provisions to see if they have the proper insurances, whether they are paying prevailing wages and following all applicable federal and state laws. Trustee Griffin stated that while he thought the Board had a decent Procurement Policy for awarding a contract there was nothing to address a subcontractor. Mayor Liffland said he thought the contractor was responsible for the subcontractor. Mr. Morgan said the contractor was responsible if the subcontractor does not perform and also the byproduct is that the subcontractor has no obligation to the village only the contractor. He said the other aspect was that the village has no liability to a subcontractor if something goes wrong with the contract which was like another wall of insulation between the subcontractor and the village. He stated in most cases that would preclude the village from being an additional insured on a

subcontractor's insurance however there were other things to standardize the kind of relationship that the village has with a contractor and a subcontractor. Trustee Peters asked if Mr. Morgan thought the language in the Procurement Policy should be changed. Mr. Morgan replied that he did think it should be looked at.

MOTION by Trustee Griffin to authorize counsel to look at the current Procurement and contract Policy and adjust it accordingly based on the Board's needs and legal requirements.

SECONDED by Trustee Peters. There was no discussion; all were in favor and the motion carried.

MOTION by Trustee Griffin to approve the 2015 Metro North Parking Management Plan and rates. **SECONDED** by Trustee Peters. There was no discussion; all were in favor and the motion carried.

Trustee Peters said a computer was left by the previous operator of the Sewer Plant (purchased by the PJSC) and he wanted the village to purchase it for use at the Highway Department. He said he was going to discuss the price and bring it to the next Board Meeting.

The Board discussed the Fuel Tank and Fuel Distribution Agreement between the Village of Pawling and Town of Pawling. Mayor Liffland said he did not agree with the 2% increase and he wanted the attorney to review the document.

MOTION by Trustee Peters to approve the renewal of the extended maintenance on the water meter handheld and software through Ti Sales in the amount of \$1,758.00. **SECONDED** by Trustee Burweger. There was no discussion; all were in favor and the motion carried.

MOTION by Trustee Peters to approve the renewal of the retainer agreement with The Network Support Company at a rate of \$122.00 per hour at 4 hours for a monthly installment of \$488.00. **SECONDED** by Trustee Mersand. There was no discussion; all were in favor and the motion carried.

MOTION by Trustee Griffin to approve the Metro North Treasurer's Report for September 2014. **SECONDED** by Trustee Peters. There was no discussion; all were in favor and the motion carried.

MOTION by Trustee Peters to approve the Metro North bills in the amount of \$815.00. **SECONDED** by Trustee Mersand. There was no discussion; all were in favor and the motion carried.

MOTION by Trustee Peters to adjourn the meeting at 8:08 P.M. and go into Public Comment. **SECONDED** by Trustee Griffin. There was no discussion; all were in favor and the motion carried.

MOTION by Trustee Burweger to close Public Comment and return to regular session at 8:17 P.M. **SECONDED** by Trustee Peters. There was no discussion; all were in favor and the motion carried.

MOTION by Mayor Liffland to authorize Trustee Griffin to get three bids or whatever is appropriate for the completion of the bus shelters. **SECONDED** by Trustee Peters. There was no discussion; all were in favor and the motion carried.

MOTION by Trustee Peters to close regular session and go into Executive Session to discuss Personnel at 8:17 P.M. **SECONDED** by Trustee Burweger. There was no discussion; all were in favor and the motion carried.

MOTION by Trustee Peters to close Executive Session and return to regular session at 9:02 P.M. **SECONDED** by Trustee Burweger. There was no discussion; all were in favor and the motion carried.

MOTION by Trustee Peters to authorize hiring Jay Gruendle on a part/time basis at a rate of \$135.00 per day. **SECONDED** by Trustee Mersand. There was no discussion; all were in favor and the motion carried.

MOTION by Trustee Mersand to adjourn the meeting at 9:02 P.M. **SECONDED** by Trustee Burweger. There was no discussion; all were in favor and the motion carried.

Village Clerk