

DATE OF MEETING: November 17, 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 7:00 P.M. with the Pledge of Allegiance.

MOTION by Trustee Burweger to close the regular session and go into the Public Hearing on Local Law No. 7 of 2014 Enacting a Local Law Amending Section 92-36 of the Village Code Entitled "Schedule VIII: Speed Limits" at 7:00 P.M. **SECONDED** by Trustee Mersand. There was no discussion; all were in favor and the motion carried.

There was discussion on the proposed Local Law. The board reported it has to have the State Legislature approve lowering the limit below 25 mph so they decided to hold the Public Hearing open until that was done.

There were no comments from the public.

MOTION by Trustee Mersand to keep the Public Hearing open for one more month. **SECONDED** by Trustee Burweger. There was no discussion; all were in favor and the motion carried.

MOTION by Trustee Mersand to return to regular session at 7:05 P.M. **SECONDED** by Trustee Burweger. There was no discussion; all were in favor and the motion carried.

Lt. Dampf of the Dutchess County Sheriff's Department was present. He reported the speed trailers were placed in the village and he was waiting on the data however he did not think that the average speed would not be as high as people thought. There was discussion on enforcement of the speed limit, placement of the speed trailers and discussing with the town their benefitting from the village patrol at no cost.

A RESOLUTION OF THE BOARD OF TRUSTEES OF THE VILLAGE OF PAWLING

Identifier: FINAL ACCEPTANCE OF CONVEYANCES OF SEWER LINE AND PUMP STATION SITUATE ON PREMISES KNOWN AS 24 DUTCHER AVENUE, PAWLING, NEW YORK

The following Resolution was proposed by Mayor Liffland, who moved its adoption, and seconded by Trustee Mersand.

WHEREAS, Frederick Brandt and Judith Brandt ("Property Owners") are the owners in fee of certain real property located at 24 Dutcher Avenue in the Village of Pawling, said Premises being known and designated on the Dutchess County Tax Map of the Village of Pawling as Tax Id No. 6956-08-930883: ("Premises"), and

WHEREAS, the Premises is improved with a structure which is used as a residence; and

WHEREAS, the Premises are located outside the confines of the Village of Pawling Sewer District No. 1, but are in the proximity of sewer lines owned by Sewer District No. 1 and administered by the Pawling Joint Sewer Commission located along Dutcher Avenue in the Village; and

WHEREAS, the Property Owners have installed the necessary sewer line and pump station on the Premises and have connected to the sewer lines located along Dutcher Avenue; and

WHEREAS, the Property Owners have executed a Bill of Sale transferring title to the sewer line and pump station situate on the Premises to the Village and an Easement providing the Village with the ability to enter the premises for the purpose of maintaining, repairing and/or replacing the sewer line and pump station; and

WHEREAS, the Premises is encumbered with a mortgage from Homestead Funding Corp., which was filed in the Dutchess County Clerk's Office on October 26, 2009 as document no. 01 2009 11150; and

NOW THEREFORE, BE IT RESOLVED, the Village Board hereby accepts the Easement dated the 14th day of June, 2012, and the Bill of Sale to the sewer line and pump station on the Premises dated the 14th day of June, 2014, all annexed to this Resolution as Exhibit "A"; and

BE IT FURTHER RESOLVED, the acceptance by the Village Board of the dedication of the sewer line and pump station as set forth above is contingent on the Property Owners providing proof, in the form acceptable to the Village Attorney, that the mortgage filed with the Dutchess County Clerk's Office as document no. 01 2009 11150 is subordinate to the Easement dated the 14th day of June, 2012.

The question of the foregoing Resolution was duly put to a vote, the Board of Trustees voting as follows:

	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>
Mayor Robert Liffland	X		
Trustee Daniel Peters	X		
Trustee John Burweger	X		
Trustee Brian Griffin	X		
Trustee Stan Mersand	X		
TOTAL	5	0	0

The resolution was adopted.

MOTION by Mayor Liffland to adopt the Resolution for NYS DOT Undertaking. **SECONDED** by Trustee Peters.

**RESOLUTION FOR UNDERTAKING WITH THE NEW YORK STATE DEPARTMENT OF
TRANSPORTATION**

WHEREAS, the Village of Pawling is required to enter into an undertaking with the New York State Department of Transportation (NYSDOT) for installation, obstruction, construction, maintenance and/or operation of facilities.

THEREFORE, BE IT RESOLVED, that the Pawling Village Board hereby approve the Motion to authorize the Undertaking with the NYS DOT.

FURTHER RESOLVED, that the Pawling Village Board agrees to the conditions in the NYSDOT PERM 1 dated 11/17/2014.

All were in favor and the motion carried.

RESOLUTION OF THE BOARD OF TRUSTEES OF THE VILLAGE OF PAWLING

Identifier: Approving promotion of James Greges to Working Supervisor of Street Department

The following Resolution was proposed by Mayor Liffland, who moved its adoption, and seconded by Trustee Peters.

WHEREAS, James Greges ("Employee") is currently employed by the Village of Pawling ("Village") as a member of the Street Department; and

WHEREAS, the "working supervisor" title for the street department is currently vacant, and the Board of Trustees wishes to provide for the Employee to be appointed to the vacant post; and

WHEREAS, the Rules for the Classified Civil Service of Dutchess County ("Rules") provide that the title of "working foreman" in villages has been eliminated and replaced with "Working Supervisor", which title is in the non-competitive class pursuant to Appendix "B" of the Rules; and

WHEREAS, Employee has served the Village for 12 years and has demonstrated the initiative, independent action and dedication to public service that the mayor and members of the board of trustees wish to promote in the ranks of the Village street department;

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of the Village authorizes the following actions by the mayor, as appointing authority pursuant to Village Law §4-400(1)(c) and the village clerk::

- a. Employee is put on temporary leave from his current title, until such time as the probationary period for the working supervisor title ends;
- b. Employee is appointed to the "working supervisor" title with a probationary period of six months commencing on November 18, 2014;
- c. Compensation for the title shall be a salary of \$50,000.00 per year paid bi-weekly during the probationary period;
- d. Employee will be evaluated during the probationary period by Trustee Peters and Trustee Mersand;

- e. At the end of the probationary period, if Employee, based on positive and above satisfactory evaluations, is offered the position on a permanent basis, the Board will discuss additional compensation.
- f. Employee's current title may be filled provisionally until such time as Employee successfully completes the probationary period for the title of working supervisor, at which time the provisional successor appointee to Employee's current title may be made permanent in the discretion of the board of trustees; and

BE IT FURTHER RESOLVED the mayor and the village clerk will complete such paperwork as required by the Dutchess County Department of Human Resources and shall file same; and mayor and the village clerk shall advise the board of trustees if any budget appropriation amendment is made necessary by this transaction; and

BE IT FURTHER RESOLVED the procurement policy of the Village is hereby amended to delete Working Foreman Doug Warren as an official authorized to make purchases on behalf of the Village, and to enter Working Supervisor James Greges as an officer of the Village authorized to make purchases on behalf of the Village effective November 18, 2014.

The question of the foregoing Resolution was duly put to a vote, the Board of Trustees voting as follows:

	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>
Mayor Robert Liffland	X		
Trustee Daniel Peters	X		
Trustee John Burweger	X		
Trustee Brian Griffin	X		
Trustee Stan Mersand	X		
TOTAL	5	0	0.

The resolution was adopted.

MOTION by Trustee Peters to approve the unpaid taxes in the amount of \$92,861.12 plus penalties to be sent to the Commissioner of Finance. **SECONDED** by Trustee Burweger. 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 October 2014. **SECONDED** by Trustee Peters. Mayor Liffland said he reviewed the report and saw that the Capital Reserve fund was at \$22,097.85. He said he would like to see the board purchase a machine to take credit cards and debit cards. He said he thought the price was approximately \$7,000. Trustee Griffin said when it was previously researched the cost was \$5,000 and it could be added to the existing machines. Mayor Liffland said he thought that could not be done. Trustee Griffin said he thought it could be done but it had been a while since it was researched. Trustee Griffin said he would have the Metro North Secretary research the cost. Trustee Burweger said to be cautious as to how the cards are processed because there was a lot of security precautions involved in it. Mayor Liffland suggested calling Metro North for information on what machines the other stations use. Trustee Griffin said Metro North would need to be contacted to approve the purchase as well. There was no further discussion; all were in favor and the motion carried.

MOTION by Trustee Griffin to approve the Metro North bills in the amount of \$223.48. **SECONDED** by Trustee Peters. There was no discussion; all were in favor and the motion carried.

MOTION by Trustee Mersand to adjourn the meeting and go into Public Comment at 7:26 P.M. **SECONDED** by Trustee Griffin. There was no discussion; all were in favor and the motion carried.

MOTION by Trustee Peters to open regular session and go into Executive Session to discuss Litigation at 7:28 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 8:26 P.M. **SECONDED** by Trustee Griffin. There was no discussion; all were in favor and the motion carried.

MOTION by Mayor Liffland to adjourn the meeting at 8:26 P.M. **SECONDED** by Trustee Burweger. There was no discussion; all were in favor and the motion carried.

Village Clerk