

DATE OF MEETING: May 16, 2016

PLACE OF MEETING: Village Hall, Pawling, New York

MEMBERS PRESENT: Mayor Robert Liffland
Trustee Stan Mersand
Trustee John Burweger
Trustee Dan Peters
Trustee Earl Slocum

The meeting was called to order at 7:01 p.m. with the Pledge of Allegiance and a moment of silence for the passing of Dr. George Coulter.

Mayor Liffland said that Dr. Coulter was great to the village and served on the Planning Board. Trustee Burweger said Dr. Coulter was a major force behind the Pawling Free Library. Trustee Mersand said he sat on the Planning Board with Dr. Coulter and he said Dr. Coulter's main interest was to better Pawling. Trustee Slocum said Dr. Coulter was the first person to step up to the plate to help anyone who needed it. Mayor Liffland said he would be missed and he thanked him for all he did in life.

MOTION by Trustee Burweger to discuss whether to grant or not grant an exception for the Affordable Housing unit at 33 Baxter Road. **SECONDED** by Trustee Mersand.

Ms. Catherine Sullivan, the potential buyer of the affordable housing unit at 33 Baxter Road, said she was only alerted to the fact it was an affordable housing unit after the title search was done 2 weeks ago. She said she submitted an application to Hudson River Housing and was denied based on her income level. Ms. Sullivan stated she knew that an exception was not going to be made from the village and she was present to obtain the official denial from the Village Board in order to get her down payment back.

Ms. Katherine Gray, the listing agent of the unit at 33 Baxter Road and a resident of the Baxter Green development, said the original listing had the affordable housing application attached. She said her biggest concern was that she sent a letter to the Board in March about the cost of living in Baxter Green and that the affordable situation does not work because a person could not survive on the maximum income in her opinion. She spoke about this topic. She said people live in the other affordable housing units that make over the income level. The Clerk stated there was a process that was followed to reach the people above the income level that was not followed with the 33 Baxter Road unit. There was discussion on the affordable housing process and the laws regarding affordable housing. The Mayor asked the prospective buyer if she had known that the house was an affordable housing unit at the beginning of the process would she have wanted the home. Ms. Sullivan said it was not disclosed and she would have liked to have been able to make that decision at the beginning of the process. Trustee Peters asked if that meant she did not want to move forward at all. Ms. Sullivan said it was not disclosed.

Mr. Rob Apple, the attorney representing the seller, said the seller had not gone through the vetting process to purchase the house. He asked for a clarification on what the motion was. Mayor Liffland said the motion was to discuss whether or not the board would grant the exception for 33 Baxter Road from the affordable housing regulations. Mr. Apple said the sale of the home being subject to the Affordable Housing Law was clearly in the Contract for Sale

that the purchaser signed. He said it would be difficult to find a buyer among the priority listings and the seller could no longer afford the house and needs to sell or she would default on her mortgage. He said there should be an exception in this case as there was in the past. He said according to the law Hudson River Housing was the agent for the village board and because they did not bring the listing to the village was their problem because the village's agent did not act properly.

Ms. Gray said she was not responsible to the buyer because she was the seller's agent.

Ms. Leilana Crapa, said she was one of the original buyers of the Baxter Green affordable housing units, and she was never vetted and never proved her income. The Clerk said she had Ms. Crapa's application upstairs which was her proving her income. Ms. Crapa said she could not live in the unit making under \$42,000. Ms. Crapa said she was given no information when she went through the process.

The buyer's attorney stated he had an email from Ms. Gray stating that "Please explain to Catherine that I did not tell her because I thought it would not be a problem and I could handle it without aggravating her." Ms. Gray said the information was attached to the listing. The buyer's attorney said Mr. Apple was correct and it was in the Contract for Sale however it was not 2 weeks later that it was found out and once Ms. Sullivan found out she applied through Hudson River Housing.

MOTION by Trustee Mersand to not grant an exception for the Affordable Housing unit at Baxter Road. **SECONDED** by Trustee Slocum. The roll call vote was:

Trustee Slocum	Aye
Trustee Burweger	Aye
Trustee Mersand	Aye
Trustee Peters	Aye
Mayor Liffland	Aye.

The motion carried.

MOTION by Trustee Mersand to approve the Tax Warrant. **SECONDED** by Trustee Burweger. There was no discussion; all were in favor and the motion carried.

MOTION by Trustee Mersand to approve the MS4 Annual Report. **SECONDED** by Trustee Peters. There was no discussion; all were in favor and the motion carried.

RESOLUTION OF THE BOARD OF TRUSTEES OF THE VILLAGE OF PAWLING

Identifier: Resolution to Reject all Bids for WWTP Expansion

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

WHEREAS, the Village of Pawling ("Village") has proposed an expansion of the wastewater treatment plant (the "WWTP Expansion") in the Village, financed through the issuance of bond anticipation notes ("BANs") and serial bonds pursuant to the local finance law; and

WHEREAS, the Village gave notice to bidders and opened bids for the WWTP expansion project on May 6, 2016; and

WHEREAS, the spreadsheet annexed hereto as Exhibit “A” is a tabulation of the bids received and opened on May 6, 2016, showing that all possible combinations of the bids for contracts 1 through 4 exceed the Maximum Estimated Cost of the Project of \$6,500,000.00 stated in the bond resolution adopted by the Board of Trustees of the Village on January 29, 2014; and

WHEREAS, the projection of the debt service based on the bids received and opened exceeds what the Board of Trustees believes in the exercise of good judgment to be reasonable; and

WHEREAS, Section 5-520(1) of the Village Law provides that a public works contract may not be entered into by a Village if funding for the contract is not sufficient as approved by a bond resolution; and

WHEREAS, the Pawling Joint Sewer Commission (“PJSC”) adopted a resolution at its May 12, 2016 meeting to recommend that the Board of Trustees reject all bids; and

WHEREAS, the project engineers recommend that all bids shall be rejected and no re-advertisement of a new invitation to bidders shall be published at this time until a revised financing plan and project design is adopted by the Board of Trustees and PJSC;

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of the Village directs the project engineers to evaluate project design options and project financing options available to the Board of Trustees of the Village to provide essential sewage treatment capacity to the customers of the Village and the Town of Pawling; and

BE IT FURTHER RESOLVED that all persons who submitted bids shall be sent notice of this resolution in the same manner that addenda were delivered by the PJSC to bidders; and

BE IT FURTHER RESOLVED that the Board of Trustees adopts the recommendation of the project engineers and the PJSC to reject all bids and to not publish a re-advertisement of a new invitation to bidders at this time.

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	✓		
Trustee Daniel Peters	✓		
Trustee John Burweger	✓		
Trustee Stan Mersand	✓		
Trustee Earl Slocum	✓		
TOTAL	5	0	0.

The resolution was adopted.

It was decided to table the renewal of electricity pricing through MEGA/Constellation and the Clerk was directed to get prices from other electric supply companies for the next meeting.

MOTION by Trustee Slocum to approve the Metro North Treasurer's Report for April 2016. **SECONDED** by Trustee Burweger. There was no discussion; all were in favor and the motion carried.

MOTION by Trustee Slocum to approve the minutes from May 2, 2016. **SECONDED** by Trustee Burweger. There was no discussion; all were in favor and the motion carried.

MOTION by Trustee Mersand to approve the Metro North bills in the amount of \$18,960.87. **SECONDED** by Trustee Burweger. There was no discussion; all were in favor and the motion carried.

MOTION by Trustee Peters to authorize Mayor Liffland signing the contract with Municipal Solutions, Inc. for submission of a New York State Clean Water Infrastructure Grant application for the Village's Joint Wastewater Treatment Plant Improvement project. **SECONDED** by Trustee Mersand. There was no discussion; all were in favor and the motion carried.

There was discussion on hiring a Parking Enforcement Officer/Constable.

MOTION by Mayor Liffland that Trustee Slocum heads up the parking issues in Pawling and works with Frank Lansing. **SECONDED** by Trustee Burweger. There was no discussion. The vote was:

Trustee Slocum	Aye
Trustee Burweger	Aye
Trustee Mersand	Abstain
Trustee Peters	Aye
Mayor Liffland	Aye.

The motion carried.

MOTION by Trustee Mersand to approve the quote received from Pride Lawn Care to replace 2 trees in the Metro North parking lot in the amount of \$680. **SECONDED** by Trustee Burweger. There was no discussion; all were in favor and the motion carried.

MOTION by Trustee Mersand to adjourn the meeting at 7:59 p.m. and go into Public Comment. **SECONDED** by Trustee Peters. There was no discussion; all were in favor and the motion carried.

Village Clerk