

DATE OF MEETING: April 7, 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 7:02 P.M. with the Pledge of Allegiance.

**MOTION** by Trustee Mersand to close the regular session and go into the Public Hearing on Local Law No. 2 of 2014 Amending Chapter 95 of the Village Code Entitled "Water".  
**SECONDED** by Trustee Burweger. There was no discussion; all were in favor and the motion carried.

Mr. Brian Morgan, a Village Attorney, went over the proposed Local Law which essentially changes the rate for quarterly use exceeding 60,000 gallons to \$3.50/thousand gallon.

Trustee Mersand said he thought it was a necessity.

Trustee Burweger said the village needs to conserve water.

Trustee Griffin said he agreed with the other Board members and there had not been a rate increase in a number of years. He asked if the annual income for the rate increase had been calculated. Treasurer Shedd said it was calculated at \$15,000 per year.

Trustee Peters said he agreed because the Board needs to encourage water conservation and there had not been a rate change in a very long time.

Mayor Liffland said he wanted to hold the Public Hearing open until the next meeting to allow for a letter to be sent to all the large water users to alert them to the rate change.

**MOTION** by Mayor Liffland to table the topic until the next meeting. **SECONDED** by Trustee Mersand. There was no discussion; all were in favor and the motion carried.

**MOTION** by Trustee Peters to keep the Public Hearing open and go into regular session.  
**SECONDED** by Trustee Griffin. There was no discussion; all were in favor and the motion carried.

Mr. John Sullivan, President of Pawling Little League, asked the Board if the Opening Day Parade could be held within the village on April 26th. The parade would start at the parking lot of Joe Pietryka, march down Charles Colman Boulevard, make a left onto East Main Street to Coulter Avenue and end at the Pawling Elementary School.

**MOTION** by Trustee Burweger to accept the parade route. **SECONDED** by Trustee Peters. There was no discussion; all were in favor and the motion carried.

Mayor Liffland went over the Tentative Budget for 2014/2015. He said there was a 1% increase to the budget. (See attached)

Mr. Dan Panzer, a resident of Elm Street, stated he thought the Board should rework the numbers and have a 0% increase.

Mr. Earl Slocum, a resident of East Main Street, said he knows how hard the Board worked on the numbers and a 1% increase was super.

**MOTION** by Trustee Mersand to schedule a Public Hearing on the proposed budget for April 21, 2014. **SECONDED** by Trustee Peters. There was no discussion; all were in favor and the motion carried.

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

***Identifier: ACCEPTANCE OF OFFER OF DEDICATION FOR ROADS AT BAXTER GREEN; BAXTER RD., TYRELL RD., KATE LANE NKA JEM LANE, RHONE RIDGE DRIVE AND NEIGHBORHOOD GREEN AREA, TAX MAP ID 134001-6957-20-801160***

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

**WHEREAS**, Baxter Green Associates, LLC, ("Grantor") is the owner in fee of certain real property located in the Village of Pawling, consisting of 4.319 acres of land, designated as the "Proposed Roadways," known as Baxter Road, Tyrell Road, Kate Lane (now known as Jem Lane), Rhone Ridge Drive and the "Neighborhood Green Area" ("Proposed Roadways" and "Premises"), said Premises being known and designated on the Dutchess County Tax Map of the Village of Pawling as Tax Id No.: 134001-6957-20-801160, and as shown on a certain map entitled, "Final Subdivision Plat of property being Baxter Green, prepared for Baxter Green Associates, LLC", filed in the Dutchess County Clerk's Office on December 10, 1999 as Map #10936 (hereinafter the "Subdivision Plat"), and

**WHEREAS**, the Village of Pawling Planning Board granted the Subdivision Plat conditional final subdivision approval conditioned, among other things, upon the Grantor satisfactorily completing certain improvements to the 4.319 acre parcel of land consisting of the Proposed Roads, designated as Baxter Road, Tyrell Road, Kate Lane (now known as Jem Lane), and Rhone Ridge Drive and the Neighborhood Green Area as shown on the Subdivision Plat; and

**WHEREAS**, the Grantor shall deliver a valid policy of title insurance to the Village to insure the Village's title to the Premises that is to be conveyed to the Village before the recording of the Deed, and has paid to the Village such sums as required in the Stipulation of Settlement concluding the matter of *Village of Pawling against Baxter Green Associates, LLC*, Index No. 2013/2346, being held in escrow pending the final acceptance of the Roadway Improvements and Neighborhood Green Area, and the Defendants in the said suit have executed general releases in favor of the Village, including Grantor, being held in escrow pending the acceptance of the attached offer of dedication by the Village Board; and

**WHEREAS**, the Grantor has filed a formal irrevocable Offer of Dedication of the Premises, and the Deed, (which are annexed to this resolution as Exhibit "A"), with the Village Clerk, for the Premises, being the 4.319 acre parcel of land consisting of the Proposed Roadways designated as Baxter Road, Tyrell Road, Kate Lane (now known as Jem Lane), and Rhone Ridge Drive as designated on the Subdivision Plat, to the Village of Pawling for highway purposes as well as dedicating the Neighborhood Green Area as shown on the Subdivision Plat to the Village of Pawling as open space in compliance with the provisions of the Village of Pawling Code, the Village Law §6-610 and §6-614 and the Resolution of Conditional Final Subdivision Approval of the Village of Pawling Planning Board; and

**WHEREAS**, the Village Board is required to hold a public hearing by Article 6 of the Village Law prior to final acceptance of the dedication of Proposed Roadways and Neighborhood Green Area;

**NOW THEREFORE, BE IT RESOLVED**, that the Village Board finds the Proposed Action of acceptance of the Offer of Dedication and fee simple title to the Proposed Roadways and Neighborhood Green Area and easements will have no significant environmental impact, and that the SEQR compliance for this action was resolved on August 26, 1998 when the planning board as Lead Agency adopted a negative declaration pursuant to 6 NYCRR §617(a)(2); and

**BE IT FURTHER RESOLVED**, the Village Board hereby accepts delivery of the Offer of Dedication and Deed of conveyance of fee title to the Proposed Roadways and Premises described in the said Offer of Dedication executed by Baxter Green Associates, LLC, dated the 26<sup>th</sup> day of March, 2014, and described further in the Bargain and Sale Deed with Covenants from Baxter Green Associates, LLC as Grantor to the Village of Pawling as Grantee, dated the 26<sup>th</sup> day of March, 2014, annexed to this Resolution as Exhibit "A", and hereby authorizes the mayor, the village clerk and the attorney to the Village to prepare the necessary documents of acceptance of the conveyance and the laying out of the Proposed Roadways subject to the public hearing ordered herein and final resolution of acceptance to be adopted after the close of the public hearing. The attorneys for the Village will thereupon be authorized to release funds held in escrow and general releases held in escrow upon the recording of the deed after the hearing is closed and the final resolution is adopted, and to record the Deed;

**BE IT FURTHER RESOLVED**, that in accordance with the provisions of Section 6-610 and 6-614 of the Village Law of the State of New York, consent will be given upon the adoption of the final resolution of acceptance that the Mayor or Street Department Supervisor of the Village of Pawling make an order laying out the aforesaid Proposed Roadways described in the said Offer of Dedication as delineated upon the aforesaid Subdivision Plat and releases.

**BE IT FURTHER RESOLVED**, that a public hearing be held in relation to the Offer of Dedication as set forth in the form of notice, hereinafter provided, at which hearing parties in interest shall have an opportunity to be heard, to be held at the Village Hall on April 21, 2014, at 7 o'clock p.m., Prevailing Time, and that notice of said hearing shall be published in the official newspaper of general circulation in the Village of Pawling by the Village Clerk, at least seven (7) days before such hearing and that such notice shall be in the following form:

NOTICE OF PUBLIC HEARING

**TAKE NOTICE** that the Board of Trustees of the Village of Pawling will hold a public hearing at the Village Hall, 9 Memorial Avenue, Pawling, New York on April 21, 2014, at 7 o'clock p.m., Prevaling Time on Proposed Resolution, entitled "**ACCEPTANCE OF OFFER OF DEDICATION FOR ROADS AT BAXTER GREEN; BAXTER RD., TYRELL RD., KATE LANE NKA JEM LANE, RHONE RIDGE DRIVE AND NEIGHBORHOOD GREEN AREA, TAX MAP ID 134001-6957-20-801160**";

**TAKE FURTHER NOTICE** that the Proposed Roadways, Open Space and Easements to be accepted by the Village of Pawling are located on the Premises of the Baxter Green Subdivision, Tax Map Identification Number 6957-20-801160, are comprised of 4.319 acres, and are shown on the Subdivision Plat No. 10936, filed in the Office of the Dutchess County Clerk on 12/10/1999, entitled *Final Subdivision Plat of Property Being Baxter Green, Baxter Green Associates, LLC*; and

**TAKE FURTHER NOTICE**, that copies of the aforesaid proposed Resolution, Offer of Dedication and Deed will be available for examination at the Village of Pawling Village Hall, 9 Memorial Avenue, Pawling, New York, during normal business hours on all business days between the date of this notice and the date of the public hearing.

Dated: April 7, 2014  
JENNIFER OSBORN, VILLAGE CLERK

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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 Brian Griffin | ✓          |            |                |
| Trustee Stan Mersand  | ✓          |            |                |
| TOTAL                 | 5          |            |                |

The Resolution passed.

Karl Pfister, Code Enforcement Officer, presented information regarding generators and possible permitting requirements. There was discussion. Mr. Pfister said he would write something up for the Board to review.

Trustee Griffin gave a Parking Committee update and presentation on the proposed plan. He said three important items were establishing delivery zones, customer friendly parking areas and merchant parking. There was discussion on the village taking over the lot on Dutcher Avenue from the Town of Pawling.

**MOTION** by Trustee Griffin to notify and inform the Town Board and the Town and Village attorneys to go ahead and pursue conveyance of the lot on Dutcher Avenue for the purposes of furthering the parking plan in the village and for them to start conveying that property through title, deed and property search. **SECONDED** by Trustee Peters. There was no discussion; all were in favor and the motion carried.

Trustee Griffin showed the Board what the Merchant Parking signs would look like. He said his time frame for the merchant parking would be:

April 16 – Public Forum from 6 p.m. – 7 p.m.

April 21 – Final Board Approval

May 1 – Implement parking plan  
(30 day grace period)

June 1 – Full Implementation.

Trustee Griffin said the Parking Committee will continue to meet quarterly to address any concerns.

Mayor Liffland appointed Kevin Denton as Acting Village Justice.

**MOTION** by Trustee Mersand to approve the renewal of domain names for the Village of Pawling ([villageofpawling.com](http://villageofpawling.com) & [villageofpawling.org](http://villageofpawling.org)) in the amount of \$104.00.

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

**MOTION** by Trustee Mersand to approve the Application for a Partial Refund of Real Property Taxes in the amount of \$199.53 for 19 Spring Street. **SECONDED** by Trustee Peters. There was no discussion; all were in favor and the motion carried.

**MOTION** by Trustee Mersand to approve the insurance renewal for 2014-2015 with Selective Insurance Company in the amount of \$26,356.08 (an increase of 2.7% over the previous year). **SECONDED** by Trustee Burweiger. There was no discussion; all were in favor and the motion carried.

**MOTION** by Trustee Peters to approve the minutes from March 17, 2014. **SECONDED** by Trustee Griffin. There was no discussion; all were in favor and the motion carried.

**MOTION** by Trustee Mersand to approve the March bills in the amount of \$93,409.56.

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

**MOTION** by Trustee Griffin to approve the Metro North bills in the amount of \$3,331.98.

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

**MOTION** by Trustee Mersand to adjourn the meeting at 8:11 p.m. and go into Public

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

**MOTION** by Trustee Mersand to open regular session and go into Executive Session to discuss Personnel at 8:20 p.m. **SECONDED** by Trustee Burweger. There was no discussion; all were in favor and the motion carried.

**MOTION** by Trustee Mersand to close Executive Session and return to regular session at 9:34 p.m. **SECONDED** by Trustee Peters. There was no discussion; all were in favor and the motion carried.

**MOTION** by Trustee Mersand to close the meeting at 9:34 p.m. **SECONDED** by Trustee Peters. There was no discussion; all were in favor and the motion carried.

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Village Clerk