

DATE OF MEETING: March 7, 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 7:00 p.m. with the Pledge of Allegiance.

There were no representatives present to discuss pawlingtaxcut.org issues and solutions.

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

***Identifier: Amended Resol. authorizing and appropriating local match for EPG I&I grant #57022.***

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

**WHEREAS**, the Village of Pawling Board of Trustees (“Trustees”) has been awarded an EFC Engineering Planning Grant in the amount of \$100,000.00; and

**WHEREAS**, the Trustees will be responsible for the contracting for the I&I program through the Pawling Joint Sewer Commission (“PJSC”) to be funded by this Engineering Planning Grant; and

**WHEREAS**, the Trustees adopted a preliminary resolution on February 16<sup>th</sup>, 2016 to appropriate the local match, and this amended resolution states the updated dollar amount of the local match required by EFC regulation and the prior resolution is hereby superseded;

**NOW, THEREFORE, BE IT RESOLVED**, the Board of Trustees authorizes and appropriates a minimum of 20% of the total project cost as local match as required by the Engineering Planning Grant Program for the Inflow and Infiltration Mitigation project. The maximum local share is hereby appropriated, subject to any changes agreed to by PJSC Chairman Daniel Peters and/or Mayor Liffland, shall not exceed \$25,000.00 (cash or in kind) based on estimated total maximum project cost of \$125,000.00, of which 80 %, \$100,000.00 is EPG grant funding, including future increases; the Chairman or Mayor may increase this local match through the use of in-kind services without further approval from PJSC or the Village of Pawling.

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

Aye                      Nay                      Abstain

Mayor Robert Liffland	✓		
Trustee Dan Peters	✓		
Trustee John Burweger	✓		
Trustee Stan Mersand	✓		
Trustee Earl Slocum	✓		
TOTAL	5	0	0

The Resolution was adopted.

Mayor Liffland said he appointed Lou Musella to the ZBA Board.

**MOTION** by Mayor Liffland to allow the Pawling Community Foundation to run another Village Green brick campaign. **SECONDED** by Trustee Burweger. There was no discussion; all were in favor and the motion carried.

**MOTION** by Trustee Peters to approve the Bond Resolution dated March 7, 2016. **SECONDED** by Trustee Slocum.

**BOND RESOLUTION DATED MARCH 7, 2016**

**A RESOLUTION AUTHORIZING THE ISSUANCE OF \$58,000 SERIAL BONDS OF THE VILLAGE OF PAWLING, DUTCHESS COUNTY, NEW YORK TO PAY THE COST OF THE PURCHASE OF MACHINERY, EQUIPMENT AND VEHICLES FOR THE VILLAGE OF PAWLING, DUTCHESS COUNTY, NEW YORK, TO BE USED BY THE STREETS DEPARTMENT FOR WASTE MANAGEMENT PURPOSES, IN AND FOR SAID VILLAGE.**

**WHEREAS**, the Village of Pawling, Streets Department has recommended the acquisition of certain machinery, equipment and vehicles to be used for waste management purposes, in and for said village; now, therefore be it

**RESOLVED**, by the affirmative vote of not less than two-thirds of the total voting strength of the Board of Trustees of the Village of Pawling, Dutchess County, New York, as follows:

**SECTION 1.** The purchase for the Village of Pawling of certain machinery and apparatus for waste management purposes for use by its Streets Department, including preliminary costs and costs and expenses incidental thereto and financing thereof; is hereby authorized at a maximum estimated cost of \$58,000 and such amount is hereby appropriated therefore.

**SECTION 2.** It is hereby determined that the period of probable usefulness of the aforesaid object or purpose is described in Subdivision 26 of paragraph a of Section 11.00 of the Local Finance Law, and the probable usefulness of said purchase is 15 years.

**SECTION 3:** The plan for financing such maximum estimated cost is by the issuance of \$58,000 serial bonds of said Village hereby authorized to be issued therefor, pursuant to the provisions of the Local Finance Law.

**SECTION 4:** It is hereby determined that each of the aforesaid purposes constitutes a Type II action as defined under the State Environmental Quality Review Act 6 NYCRR Part 617, which the Village has determined under SEQRA not to have a significant impact on the environment.

**SECTION 5:** It is hereby determined that the maximum maturity of the serial bonds herein authorized will exceed five (5) years.

**SECTION 6:** The faith and credit of said Village of Pawling, Dutchess County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property in said Village of tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

**SECTION 7:** Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such note, is hereby delegated to the Village Treasurer, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner as may be prescribed by said Village Treasurer, consistent with the provisions of the Local Finance Law.

**SECTION 8:** All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue serial bonds with substantially level or declining annual debt service, shall be determined by the Village Treasurer, the chief fiscal officer of such Village. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Village Treasurer shall determine consistent with the provisions of the Local Finance Law.

**SECTION 9:** The validity of such bonds and bond anticipation notes may be contested only if:

1. Such obligations are authorized for an object or purpose for which said Village is not authorized to expend money, or
2. The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit, or proceeding contesting such validity is commenced within twenty (20) days after the date of publication, or
3. Such obligations are authorized in violation of the provisions of the constitution.

**SECTION 10:** This resolution, shall be published in summary form in the Poughkeepsie Journal, which is hereby designated as the official newspaper of said Village for such purpose together with a notice of the Village Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

**SECTION 11:** This resolution is subject to permissive referendum.

**ROLL CALL:**

TRUSTEE, JOHN BURWEGER	VOTING	Aye
TRUSTEE, STAN MERSAND	VOTING	Aye
TRUSTEE, EARL SLOCUM	VOTING	Aye
TRUSTEE, DAN PETERS	VOTING	Aye
MAYOR, ROBERT LIFFLAND	VOTING	Aye

The resolution was thereupon declared duly adopted.

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

***Identifier: Introducing Local Law Adding New Chapter 87 of the Village Code Entitled "Tax Levy Limit Override" and Overriding the Tax Levy Limit for Fiscal Year 2016-2017***

At a regular meeting of the Board of Trustees of the Village of Pawling ("Village Board"), held at the Village of Pawling Village Hall on the 7th day of March, 2016, at 7:00 p.m., Trustee Peters moved, seconded by Trustee Slocum, a resolution introducing the following proposed local law, to be known as Introductory Local Law No. 1 of 2016, entitled "A Local Law Adding a New Chapter 87 of the Code of the Village of Pawling, entitled 'Tax Levy Limit Override' and Overriding the Tax Levy Limit for Fiscal Year 2016-2017", providing

BE IT ENACTED by the Board of Trustees of the Village of Pawling as follows:

**SECTION 1. AUTHORITY.** This local law is enacted pursuant to General Municipal Law Sec. 3-c (the "Property Tax Cap Law"), which expressly authorizes the board of trustees of a village to override the tax levy limit by the adoption of a local law approved by vote of sixty percent (60%) of the members of the board of trustees.

**SECTION 2. PURPOSE.** The purpose of this local law is to permit the board of trustees to override the tax levy limit on the amount of property taxes that may be levied by the Village of Pawling pursuant to the Property Tax Cap Law, and to allow the Village to adopt a budget for Fiscal Year 2016-2017 that requires a real property tax levy increase in excess of the "tax levy limit" as defined by the Property Tax Cap Law. Such override is necessary and in the best interests of the Village of Pawling.

**SECTION 3. TAX LEVY LIMIT OVERRIDE.** The Code of the Village of Pawling is hereby amended by adding a new Chapter 87, entitled "Tax Levy Limit Override", to provide as follows:

## CHAPTER 87. TAX LEVY LIMIT OVERRIDE.

Section 87-1. The Board of Trustees hereby makes this new Chapter 87 to provide a place for tax cap legislation to be recorded, and hereby authorizes the Village of Pawling Board of Trustees to override the Tax Levy Limit established pursuant to General Municipal Law Sec. 3-c for Fiscal Year 2016-2017, and to adopt a budget for Fiscal Year 2016-2017 that requires a real property tax levy in excess of the amount otherwise permitted by General Municipal Law Sec. 3-c.

**SECTION 4. SEVERABILITY.** If any clause, sentence, paragraph, section or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance, shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to said clause, sentence, paragraph, section or part of this Local Law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such order or judgment shall be rendered.

**SECTION 5. EFFECTIVE DATE.** This local law shall take effect immediately upon its filing with the Secretary of State as provided in section twenty-seven of the Municipal Home Rule Law.

Mayor Liffland advised the Village Board that, pursuant to the Municipal Home Rule Law of the State of New York, it is necessary to hold a public hearing upon this proposed local law.

**WHEREAS,** Trustee Peters has introduced this proposed local law for the Village of Pawling, to be known as Village of Pawling Introductory Local Law No. 1 of 2016, entitled "A Local Law Adding a New Chapter 87 of the Code of the Village of Pawling, entitled 'Tax Levy Limit Override' and Overriding the Tax Levy Limit for Fiscal Year 2016-2017;"

**BE IT RESOLVED,** that a public hearing be held in relation to the proposed amendments 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 March 21, 2016, 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 ten (10) 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 March 21, 2016, at 7 o'clock p.m., Prevailing Time on Introductory Local Law No. 1 of 2016, entitled "A Local Law Adding a New Chapter 87 of the Code of the Village of Pawling, entitled 'Tax Levy Limit Override' and Overriding the Tax Levy Limit for Fiscal Year 2016-2017;" which local law is enacted pursuant to General Municipal Law Sec. 3-c (the "Property Tax Cap Law"), which expressly authorizes the board of trustees of a village to override the tax levy limit by the adoption of a local law approved by vote of sixty percent (60%) of the members of the board

of trustees;

**TAKE FURTHER NOTICE**, copies of the aforesaid introductory local law 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.

**TAKE FURTHER NOTICE**, all persons interested shall have an opportunity to be heard on said proposal at the time and place aforesaid.

DATED: Pawling, New York  
March 7, 2016  
Jennifer Osborn, Village Clerk

The foregoing resolution was voted upon with all members voting as follows:

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

Mayor Liffland stated he did not plan on using the override however he needed to be fiscally responsible and have the option available. The Resolution was adopted.

**MOTION** by Trustee Slocum to approve hiring Pride Lawn Care for weekly care to the Charles Colman Boulevard median. **SECONDED** by Trustee Peters. There was no discussion; all were in favor and the motion carried.

**MOTION** by Trustee Peters to authorize Daniels, Porco & Lusardi to submit an answer to the Flood motion (2/3/16) on behalf of the village. **SECONDED** by Trustee Mersand. There was no discussion; all were in favor and the motion carried.

**MOTION** by Trustee Mersand to approve waiving the penalty for Water Account No. 154 in the amount of \$23.68. **SECONDED** by Trustee Peters. There was no discussion; all were in favor and the motion carried.

**MOTION** by Trustee Peters to approve the minutes from February 16, 2016. **SECONDED** by Trustee Burweger. There was no discussion; all were in favor and the motion carried.

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

**MOTION** by Trustee Slocum to approve payment of the February bills on the amount of \$120,269.17. **SECONDED** by Trustee Burweger. There was no discussion; all were in favor and the motion carried.

**MOTION** by Trustee Peters to approve payment of the Metro North bills in the amount of \$272.68. **SECONDED** by Trustee Slocum. There was no discussion; all were in favor and the motion carried.

**MOTION** by Trustee Peter to adjourn the meeting and go into Public Comment at 7:26 p.m. **SECONDED** by Trustee Slocum. There was no discussion; all were in favor and the motion carried.

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Village Clerk