

DATE OF MEETING: September 1, 2020
PLACE OF MEETING: Village Hall, Pawling, New York
MEMBERS PRESENT: Mayor Robert Liffland
Trustee Dan Peters
Trustee Earl Slocum
Trustee John Burweger
Trustee Lauri Taylor

The meeting was called to order at 7:00 P.M. with the Pledge of Allegiance.

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

WHEREAS, the Village of Pawling Board of Trustees (“Trustees”) is the governing board of the Village of Pawling; and

WHEREAS, on or about July 31, 2020 the Clerk of the Village of Pawling received a Petition for Local Government Consolidation filed pursuant to General Municipal Law §757(1). (the “Petition”) and

WHEREAS, on or about August 7, 2020 the Clerk of the Village of Pawling determined pursuant to General Municipal Law §757(6) that the number of signatures on the Petition was sufficient; and

WHEREAS, pursuant to General Municipal Law §757(7) within thirty (30) days of the determination that the Petition contained the sufficient number signatures the Trustees must enact a resolution calling for a referendum on the proposed consolidation by the electors in each of the entities and set a date for such referendum; and

WHEREAS, pursuant to General Municipal Law §758(1) the referendum on the proposed consolidation by the electors must be held not less than sixty (60) or more than ninety (90) days after the enactment of a resolution calling for such referendum; and

NOW, THEREFORE, it is:

RESOLVED the following referendum question shall be placed before the electors of the Village of Pawling on November 30, 2020 as follows:

“Shall the Village of Pawling be consolidated with the Town of Pawling?
Yes___ or No___”, and be it further,

RESOLVED: that the referendum shall be conducted in accordance with General Municipal Law §758, a copy of which is annexed hereto and made a part hereof as Exhibit A.

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

Mayor Robert Liffland

Aye

Trustee Daniel Peters	Aye
Trustee John Burweger	Aye
Trustee Lauri Taylor	Aye
Trustee Earl Slocum	Aye.

MOTION by Trustee Taylor that the Village Board moves forward in partnership with the town on using Laberge to work on the interim study. **SECONDED** by Trustee Burweger. Trustee Peters said the Village Board agrees to pay 1/3 of the costs. There was no further discussion; all were in favor and the motion carried.

MOTION by Trustee Taylor to go with a 7 year Bond schedule for the Charles Street Emergency Loan and Reservoir Improvement Project Serial Bond. **SECONDED** by Trustee Peters. There was no discussion; all were in favor and the motion carried.

MOTION by Trustee Taylor to increase the water rates by 2.9%. **SECONDED** by Trustee Burweger. There was no discussion; all were in favor and the motion carried.

MOTION by Trustee Peters to adopt the Resolution regarding the RFP and bidding for the Replacement and Extension of Elm Street and Charles Colman Boulevard Sidewalk Project (see attached). **SECONDED** by Trustee Burweger. There was no discussion; all were in favor and the motion carried.

MOTION by Trustee Peters to approve the Resolution for Engineering Planning Grant Number 91875 – Village of Pawling Trunk Sewer East Sewer Inflow and Infiltration Study (see attached). **SECONDED** by Trustee Burweger. There was no discussion; all were in favor and the motion carried.

MOTION by Trustee Peters to approve the Resolution for Engineering Planning Grant Number 91876 – Village of Pawling Sewer Inflow and Infiltration Study (see attached). **SECONDED** by Trustee Taylor. There was no discussion; all were in favor and the motion carried.

MOTION by Trustee Peters to approve hiring NY Leak Detection to provide leak detection services for the Village of Pawling water distribution system (proposal dated August 28, 2020). **SECONDED** by Trustee Burweger. There was no discussion; all were in favor and the motion carried.

There was discussion regarding people fishing at the reservoir. The Board decided to see what signs were up and to make sure they were worded correctly to prevent trespassing.

MOTION by Trustee Peters to appoint Michael Mersand to the ZBA. **SECONDED** by Trustee Burweger. There was no discussion; all were in favor and the motion carried.

MOTION by Trustee Burweger to approve the Chazen Proposal to serve as Pawling Village Planner dated July 31, 2020. **SECONDED** by Trustee Taylor. There was no discussion; all were in favor and the motion carried.

MOTION by Trustee Peters to approve the Metro North Treasurer's Report for July 2020. **SECONDED** by Trustee Taylor. There was no discussion; all were in favor and the motion carried.

MOTION by Trustee Taylor to approve the minutes from August 17, 2020. **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 August bills in the amount of \$108,797.65. **SECONDED** by Trustee Taylor. 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 \$558.38. **SECONDED** by Trustee Taylor. There was no discussion; all were in favor and the motion carried.

MOTION by Mayor Liffland to close regular session and go into Public Comment at 7:33 P.M. **SECONDED** by Trustee Taylor. There was no discussion; all were in favor and the motion carried.

MOTION by Trustee Peters to return to regular session and close to go into Executive Session to review the Draft Vulnerability Assessment for the Village of Pawling Water Supply and to review the Draft Water Supply Emergency Response Plan for Village of Pawling Water Supply to make a determination as to what portions, if any, of the Emergency Response Plan are required to be kept confidential and for obtaining legal advice from Daniels, Porco and Lusardi, LLP, and its agents, in connection with the aforementioned documents at 7:34 P.M. **SECONDED** by Trustee Burweger. There was no discussion; all were in favor and the motion carried.

MOTION by Trustee Taylor to leave Executive Session at 8:09 PM. **SECONDED** by Trustee Burweger. There was no discussion; all were in favor and the motion carried.

MOTION by Trustee Taylor to return to regular session at 8:09 P.M. **SECONDED** by Trustee Peters. There was no discussion; all were in favor and the motion carried.

MOTION by Trustee Peters to adopt the Resolution of the Pawling Village Board Accepting the Vulnerability Assessment and Emergency Action Plan and Authorizing Submission to Dutchess County Department of Behavioral and Community Health. **SECONDED** by Trustee Burweger.

Whereas 10NYCRR5-1 requires Suppliers of Water serving more than 3300 people to prepare Vulnerability Assessments and Emergency Action Plans, and

Whereas the Dutchess County Department of Behavioral and Community Health (DCDBCH) and the NYSDOH encourage all Suppliers of Water to prepare Vulnerability Assessments and Emergency Action Plans, and

Whereas the Pawling Water Supply Source capacity meets average daily demand with water use restrictions in place, but does not meet 10NYCRR5-1 requirements for source redundancy and capacity to supply Maximum Daily Flow with its largest well out of service, and

Whereas, the limited well capacity challenges Village Water Plant Operators to keep the distribution Storage Reservoir full or near full, and

Whereas the Village caused a Vulnerability Assessment and an Emergency Action Plan to be prepared for review by the Village Board.

Now therefore be it resolved:

1. The Village Board has reviewed the Vulnerability Assessments and Emergency Action Plans and find them acceptable, and

2. The Village Board Approves the submission of the Vulnerability Assessments and Emergency Action Plans to the DCDBCH, and
3. The Village Board Requests that the DCDBCH accept or approve the Vulnerability Assessments and Emergency Action Plans at its earliest convenience.

All were in favor and resolution was approved.

MOTION by Trustee Taylor to adjourn the meeting at 8:10 P.M. **SECONDED** by Trustee Peters. There was no discussion; all were in favor and the motion carried.

Village Clerk

**REPLACEMENT AND EXTENSION OF THE ELM
STREET AND CHARLES COLMAN BLVD SIDEWALK**

**VILLAGE OF PAWLING, DUTCHESS COUNTY, NY
VP-BID-01**

Resolution

Resolution, on motion by Trustee Peters, seconded by Trustee Burweiger, the following resolution was put up for consideration and adoption;

WHEREAS, that the Village of Pawling Board of Trustees is authorized to execute the solicitation for a Request For Proposal of the Replacement and Extension of the Elm Street and Charles Colman Blvd Sidewalk Construction and any and all other contracts, documents, and instruments necessary to bring about the project through receipt of State and Municipal Facilities Program (SAM) and Community Development Block Group (CDBG) grant funding.

WHEREAS, the Village of Pawling with assistance for professional engineering services provided by The Chazen Companies has prepared Construction Bid Documents that include the construction of concrete sidewalk and curbing on Elm Street and Charles Colman Blvd located in the Village of Pawling.

WHEREAS, the Village of Pawling would like to communicate with adjacent property owners of the upcoming construction.

NOW THEREFORE, BE IT RESOLVED by the Board of Trustees of the Village of Pawling, Dutchess County, New York, as follows:

- 1 The Village of Pawling authorizes The Chazen Companies to notify adjacent property owners of the tentative construction schedule.
- 2 The Village of Pawling authorizes the Village Clerk to advertise for response of the replacement and extension of the Elm Street and Charles Colman Blvd concrete sidewalk.
- 3 Bidding Documents for VP-BID-01 will be available in electronic PDF format and may be obtained from Village of Pawling by contacting and arranging for pick up the Village Clerk.
- 4 A non-mandatory pre-bid meeting will be held at the intersection of Elm Street and Oak Street in the Village of Pawling at 9:00 am, on September 16, 2020.
- 5 The Village Clerk is to receive sealed bid responses until 12 Noon October 6, 2020 at which time office will publicly open and read aloud responses. Sealed bids are to be provided to the Village Clerk located at 9 Memorial Ave, Pawling, NY.

The question of the adoption of the forgoing resolution was duly put to vote on a roll call, which resulted as follows:

This Resolution shall take effect immediately.

Robert Liffland, Mayor	VOTING	Aye
Dan Peters, Trustee	VOTING	Aye
John Burweger, Trustee	VOTING	Aye
Earl Slocum, Trustee	VOTING	Aye
Lauri Taylor, Trustee	VOTING	Aye

The foregoing resolution was thereupon declared duly adopted on September 1, 2020, filed and recorded in the Village Clerk’s Office of the Village of Pawling, County of Dutchess on September 1, 2020.

Jennifer Osborn, Village Clerk

Engineering Planning Grant Number 91875

Village of Pawling Trunk Sewer East Sewer Inflow and Infiltration Study

Resolution

Authorization for Representative to Execute Grant Agreement

NOW, THEREFORE, BE IT:

RESOLVED that the Village of Pawling Board of Trustees is authorized to execute a Grant Agreement with the NYS Environmental Facilities Corporation and any and all other contracts, documents, and instruments necessary to bring about the project and to fulfill the Village of Pawling obligations under the Grant Agreement.

Authorization and Appropriation of Local Match

EPG: local match is a minimum of 20% of the EPG grant award.

NOW, THEREFORE, BE IT:

RESOLVED that the Village of Pawling authorizes and appropriates a minimum 20% local match as required by the Engineering Planning Grant Program for the Village of Pawling Trunk Sewer East Sewer Inflow and Infiltration Study. Under the (GIGP/EPG) program, this local match must be at least 20% of the EPG grant award of up to \$30,000. The source of the local match, and any amount in excess of the required match, shall be no more than \$8,100 in services and/or funds provided through the Pawling Joint Sewer Commission and/or Village of Pawling.

SEQR Determination (Type II)

WHEREAS, Title 6 of the New York Code of Rules and Regulations (6 NYCRR) Section 617.5 under the State Environmental Quality Review Act (SEQR) provides that certain actions identified in subdivision (c) of that section are not subject to environmental review under the Environmental Conservation Law;

NOW, THEREFORE, BE IT:

RESOLVED that the Village of Pawling Board of Trustees hereby determines that the proposed Village of Pawling Trunk Sewer East Sewer Inflow and Infiltration Study is a Type II action in accordance with 6 NYCRR Section 617.5(c) (27) which constitute(s) the conducting concurrent environmental, engineering, economic, feasibility and other studies and preliminary planning and budgetary processes necessary to the formulation of a proposal for action, provided those activities do not commit the agency to commence, engage in or approve such action and is therefore not subject to further review under 6 NYCRR Part 617.

SEQR Determination of Negative Declaration and Resolution of Lead Agency (Type I or Unlisted Action)

NOW, THEREFORE, BE IT:

RESOLVED that the Village of Pawling, is Lead Agency, and hereby determines that the proposed project will not have a significant adverse effect on the environment and hereby issues a Negative Declaration pursuant to the provisions of the State Environmental Quality Review Act for the reasons set forth in the attached Notice of Determination of Non-Significance as follows:

RESOLVED that the Village of Pawling Board of Trustees is authorized to take all actions reasonable and necessary to file the Negative Declaration and discharge the Village's responsibility as lead agency for this action.

Motion by Trustee Peters to approve the above resolution. Seconded by Trustee Burweger. All were in favor and the resolution was adopted.

Dated: September 1, 2020

Engineering Planning Grant Number 91876

Village of Pawling Sewer Inflow and Infiltration Study

Resolution

Authorization for Representative to Execute Grant Agreement

NOW, THEREFORE, BE IT:

RESOLVED that the Village of Pawling Board of Trustees is authorized to execute a Grant Agreement with the NYS Environmental Facilities Corporation and any and all other contracts, documents, and instruments necessary to bring about the project and to fulfill the Village of Pawling obligations under the Grant Agreement.

Authorization and Appropriation of Local Match

EPG: local match is a minimum of 20% of the EPG grant award.

NOW, THEREFORE, BE IT:

RESOLVED that the Village of Pawling authorizes and appropriates a minimum 20% local match as required by the Engineering Planning Grant Program for the Village of Pawling Sewer Inflow and Infiltration Study. Under the (GIGP/EPG) program, this local match must be at least 20% of the EPG grant award of up to \$30,000. The source of the local match, and any amount in excess of the required match, shall be no more than \$6,000 in services and/or funds provided through the Pawling Joint Sewer Commission and/or Village of Pawling.

SEQR Determination (Type II)

WHEREAS, Title 6 of the New York Code of Rules and Regulations (6 NYCRR) Section 617.5 under the State Environmental Quality Review Act (SEQR) provides that certain actions identified in subdivision (c) of that section are not subject to environmental review under the Environmental Conservation Law;

NOW, THEREFORE, BE IT:

RESOLVED that the Village of Pawling Board of Trustees hereby determines that the proposed Village of Pawling Sewer Inflow and Infiltration Study is a Type II action in accordance with 6 NYCRR Section 617.5(c) (27) which constitute(s) the conducting concurrent environmental, engineering, economic, feasibility and other studies and preliminary planning and budgetary processes necessary to the formulation of a proposal for action, provided those activities do not commit the agency to commence, engage in or approve such action and is therefore not subject to further review under 6 NYCRR Part 617.

SEQR Determination of Negative Declaration and Resolution of Lead Agency (Type I or Unlisted Action)

NOW, THEREFORE, BE IT:

RESOLVED that the Village of Pawling, is Lead Agency, and hereby determines that the proposed project will not have a significant adverse effect on the environment and hereby issues a Negative Declaration pursuant to the provisions of the State Environmental Quality Review Act for the reasons set forth in the attached Notice of Determination of Non-Significance as follows:

RESOLVED that the Village of Pawling Board of Trustees is authorized to take all actions reasonable and necessary to file the Negative Declaration and discharge the Village's responsibility as lead agency for this action.

Motion by Trustee Peters to approve the above resolution. Seconded by Trustee Taylor. All were in favor and the resolution was adopted.

Dated: September 1, 2020