

DATE OF MEETING: August 15, 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.

MOTION by Trustee Peters to go into the Public Hearing on proposed Local Law No. 2 of 2016 amending Chapter 98 of the Village Code entitled “Zoning” to eliminate the requirement for “Bed and Breakfast” establishments to be owner-occupied at 7:03 P.M. **SECONDED** by Trustee Slocum. There was no discussion; all were in favor and the motion carried.

Mayor Liffland said all of the Board was in agreement with the proposed Local Law. He said it was an asset to the community and he was in favor of passing it that evening. Trustee Peters agreed with the Mayor. Trustee Mersand said he was in favor of passing the local law and he would be voting for it but thought the Board needed to add an addendum to the one year test period requiring it be applied to any new owners. He said if the people purchasing the B&B decide to sell in 6 months that the one year test period should begin again. Trustee Slocum stated he thought that was in there. Trustee Mersand said it was supposed to be in there but it was not. He said he spoke with the Clerk and she suggested passing the local law as presented and adding an addendum at the next meeting. Trustee Burweger said he agreed with Trustee Mersand.

Ms. Deb DeWinter, owner of the B&B, stated she was concerned that the local law be codified that evening because the closing was contingent on it. Mayor Liffland said it was not a problem. Ms. DeWinter said she had a deep appreciation for the Board in making the change because it had been difficult for her to find a buyer and she felt the couple purchasing the B&B would be a wonderful asset to the village. Trustee Mersand thanked Ms. DeWinter for creating the B&B in the village. Ms. DeWinter said she believed the buyers would take the B&B to a whole new level and they would market it to benefit the village.

MOTION by Trustee Mersand to close the Public Hearing and return to regular session at 7:07 P.M. **SECONDED** by Trustee Burweger. 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: Proposed SEQR Resolution for Determination of Non-Significance for Local Law 2 of 2016 Bed and Breakfast Owner Occupancy Amendment

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

WHEREAS, the Village of Pawling Board of Trustees ("Board") adopted a resolution on August 1, 2016, introducing Local Law 2 of 2016 and setting a public hearing date; and

WHEREAS, the public hearing was duly convened and closed; and

WHEREAS, the Board has reviewed the Short Environmental Assessment Form ("SEAF") bearing the date August 15, 2016, (Exhibit A"); and

BE IT RESOLVED, the enactment of this proposed local law is a Type II action pursuant to 6 NYCRR §617.5(c) (26) and (27), as this action involves extending a special permit for operation of a Bed and Breakfast to new owner/operators of the existing business, without material changes of the special permit conditions, and so further SEQR review is not required; and

BE IT RESOLVED, the SEAF confirms that on the merits, the enactment of this local law will not have a significant impact on the environment; and

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

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

The resolution was adopted.

RESOLUTION OF THE BOARD OF TRUSTEES OF THE VILLAGE OF PAWLING

Identifier: Resolution to Enact Local Law #2 of 2016 entitled "Zoning" to eliminate the requirement for "Bed & Breakfast" Establishments to be owner-occupied.

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

WHEREAS, on August 1, 2016 the Village of Pawling Board of Trustees adopted a resolution introducing a proposed local law and scheduling a public hearing for August 15, 2016 at 7pm, such proposed local law being entitled "A Local Law Amending Chapter 98-5 of the Code of the Village of Pawling, entitled 'Zoning', to eliminate the requirement for "Bed & Breakfast" Establishments to be owner-occupied"; and

WHEREAS, notice of said public hearing has been duly published and posted, the hearing was opened to take public comment and then closed; and

WHEREAS, the Local Law is an Unlisted action pursuant to the State Environmental Quality Review Act (SEQRA) 6 NYCRR Part 617, and the Village of Pawling Board of Trustees adopted a resolution determining the action will result in no significant environmental impacts,

NOW, THEREFORE, BE IT ENACTED by the Board of Trustees of the Village of Pawling, Local Law No. 2 of 2016 as follows:

VILLAGE OF PAWLING LOCAL LAW NO. 2 OF 2016

Section 1. Statement of Purpose and Intent. The purpose of this local law is to eliminate the owner-occupancy requirement created by Local Law No. 1 of 2006 of the Village of Pawling, it being the judgment of the Board of Trustees of the Village of Pawling that supervision of a Bed and Breakfast establishment by a non-owner manager during daytime business hours on days when guests are registered will be sufficient to protect the property and monitor the conduct of registered guests.

Section 2. Section 98-5 of the Zoning Law of the Village of Pawling is hereby amended to read as follows.

BED AND BREAKFAST- A single, detached residential building affording overnight accommodations to transient guests in not more than six (6) guest rooms. The owner or a non-owner manager must be present on the premises during daytime business hours, on days when registered guests are in occupancy, to protect the building and grounds, as determined by the owner of the Bed and Breakfast to be advisable.

Section 3. Section 98-5 "Bed and Breakfast" definition shall be deemed to apply to all Bed and Breakfast establishments operating with a valid special use permit at the time this local law is enacted, without the necessity of an amendment of the said special use permit.

Section 4. A special use permit for a Bed and Breakfast use that is deemed to be continued pursuant to Section 3 above shall be provisionally continued to permit operation by an owner or manager for a term of one year from the date of enactment of this local law, and upon the expiration of such one year term, if the Board of Trustees finds that there have been no violations of law arising on such premises during such provisional time, the continuation of the special use permit shall become permanent, as ordered by the Board of Trustees.

Section 5. This local law shall be deemed to amend such parts of Local Law No. 1 of 2006 of the Village of Pawling as are in conflict with this enacted local law.

Section 6. This local law shall take effect immediately upon filing with the New York State Department of State.

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 Burweiger	✓		

Trustee Stan Mersand	✓		
Trustee Earl Slocum	✓		
TOTAL	5	0	0

The resolution was adopted.

MOTION by Trustee Mersand to approve the purchase of a new lawn mower in the amount of \$7,599.20 from Cutting Edge Equipment. **SECONDED** by Trustee Slocum. There was no discussion; all were in favor and the motion carried.

MOTION by Trustee Mersand to approve payment of the Metro North bills in the amount of \$700.29. **SECONDED** by Trustee Burweger. There was no discussion; all were in favor and the motion carried.

MOTION by Trustee Peters to adjourn the meeting and go into Public Comment at 7:10 P.M. **SECONDED** by Trustee Burweger. There was no discussion; all were in favor and the motion carried.

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

MOTION by Trustee Burweger to close Executive Session and return to regular session at 8:04 P.M. **SECONDED** by Trustee Mersand. There was no discussion; all were in favor and the motion carried.

MOTION by Trustee Peters to close the meeting at 8:04 P.M. **SECONDED** by Trustee Mersand. There was no discussion; all were in favor and the motion carried.

Village Clerk