

DATE OF MEETING: September 19, 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.

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

***Identifier: Introducing Local Law Amending Chapter 98 of the Village Code Entitled “Zoning” and Local Law No. 2 of 2016 of the Village of Pawling to Apply Provisional Status for Special Use Permits for Bed and Breakfast Uses to Purchasers***

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 19th day of September, 2016, at 7:00 p.m., Trustee Peters moved the following resolution, seconded by Trustee Burweger, to introduce the following proposed local law, to be known as Introductory Local Law No. 4 of 2016, entitled “A Local Law Amending Chapter 98 of the Village Code Entitled “Zoning” and Local Law No. 2 of 2016 of the Village of Pawling to Apply Provisional Status for Special Use Permits for Bed and Breakfast Uses to Purchasers;”

**NOW THEREFORE, BE IT ENACTED** by the Board of Trustees of the Village of Pawling as follows:

**Section 1.** Statement of Purpose and Intent. The purpose of this local law is to clarify that Section 4 of Local Law No. 2 of 2016 regarding the provisional status of special use permits for Bed and Breakfast establishments shall continue to apply to any purchaser of a Bed and Breakfast during the provisional period.

**Section 2.** Section 4 of Local Law No. 2 of 2016 shall be repealed and shall provide hereafter as follows:

**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. Such special use permit shall vest in the purchaser of such bed and breakfast property upon the closing of title subject to the discretion of the board of trustees to make such provisional special use permit permanent.

**Section 3.** 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 4.** This local law shall take effect immediately upon filing with the New York State Department of State.

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.4 of 2016, entitled "A Local Law Amending Chapter 98 of the Village Code Entitled "Zoning" and Local Law No. 2 of 2016 of the Village of Pawling to Apply Provisional Status for Special Use Permits for Bed and Breakfast Uses to Purchasers;"

**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 October 3, 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 October 3, 2016, at 7 o'clock p.m., Prevailing Time on Introductory Local Law No. 4 of 2016, entitled "A Local Law Amending Chapter 98 of the Village Code Entitled "Zoning" and Local Law No. 2 of 2016 of the Village of Pawling to Apply Provisional Status for Special Use Permits for Bed and Breakfast Uses to Purchasers;" ; and

**TAKE FURTHER NOTICE**, that copies of the aforesaid proposed 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; and

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

DATED: Pawling, New York  
September 19, 2016  
Jennifer Osborn

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

The resolution was adopted.

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

***Identifier: Introducing Local Law Amending Chapter 92 of the Village Code Entitled “Vehicles and Traffic” by adding new §§ 92- 15 entitled “Fire Zones”, “Double Parking Prohibited”, “Obstructing Fire Hydrants”, “Blocking Access to Driveways”, “Parking Against Traffic Prohibited”, “Parking Prohibited on Sidewalk”, “Crosswalks” and § 92-1 “Civilian Patrol Officer”.***

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 19<sup>th</sup> day of September, 2016, at 7:00 p.m., Trustee Mersand moved the following resolution, seconded by Trustee Peters, to introduce the following proposed local law, to be known as Proposed Local Law No. 5 of 2016, entitled “A Local Law Amending Chapter 92 of the Code of the Village of Pawling, entitled “Vehicles and Traffic”, Local Law 1 of 2005, Local Law 1 of 2014, Local Law 4 of 2014, and Local Law 5 of 2015 are hereby amended by adding new sections entitled “§ 92-15B. Fire Zones”, “§ 92-15C. Double Parking Prohibited”, “§ 92-15D. Obstructing Fire Hydrants”, “§ 92-15E. Blocking Access to Driveways”, “§ 92-15F. Parking Against Traffic Prohibited”, “§ 92-15G. Parking Prohibited on Sidewalk”, “§ 92-15H. Crosswalks” and “§ 92-1. Civilian Patrol Officer”, providing”

**NOW THEREFORE, BE IT ENACTED** by the Board of Trustees of the Village of Pawling as follows:

**Section 1.** Statement of Purpose. The Board of Trustees of the Village of Pawling wishes to provide for local enforcement of fire zones, double parking, fire hydrant parking, blocking driveways, parking against traffic, parking on sidewalks, and parking with crosswalks.

**Section 2. Section 2.** Article II of Chapter 92 of the Code of the Village of Pawling, entitled “Vehicles and Traffic”, Local Law 1 of 2005, Local Law 1 of 2014, Local Law 4 of 2014, and Local Law 5 of 2015 are hereby amended by adding new sections entitled “§ 92-15B. Fire Zones”, “§ 92-15C. Double Parking Prohibited”, “§ 92-15D. Obstructing Fire Hydrants”, “§ 92-15E. Blocking Access to Driveways”, “§ 92-15F. Parking Against Traffic Prohibited”, “§ 92-15G. Parking Prohibited on Sidewalk”, “§ 92-15H. Crosswalks” and “§ 92-1. Civilian Patrol Officer”, providing as follows:

“92-15B. Fire Zones”

No vehicle shall be parked or standing in any area designated as a fire zone. Any person violating the provisions of this section shall be subject to, upon conviction, the penalties set forth in Article VI, § 92-25 of this Chapter.

The following described locations are hereby designated as fire zones:

A. Specific locations:

Location

Kalyto Plaza

- B. Areas that are paved or unpaved that permit firefighting equipment to come close to a building and/or areas around a fire hydrant or standpipe connection. Fire zones and lanes are identified by paint on pavement or curbs or by posted signs. Lack of marking will not relieve a violator of responsibility for obeying this Section.

“92-15C. Double Parking Prohibited”

No person shall stop, stand or park a vehicle on the roadway side of any vehicle stopped, standing or parked at the edge or curb of a street. A violation of the provisions of this section shall be subject to, upon conviction, the penalties set forth in Article VI, § 92-25 of this Chapter.

“92-15D. Obstructing Fire Hydrants”

No person shall stop, stand or park a vehicle within 15 feet of a fire hydrant except when such vehicle is attended by a licensed operator or chauffeur who is seated in the front seat and who can immediately move such vehicle in case of emergency, unless a different distance is indicated by official signs, markings or parking meters. A violation of the provisions of this section shall be subject to, upon conviction, the penalties set forth in Article VI, § 92-25 of this Chapter.

“92-15E. Blocking Access to Driveways”

No vehicle shall be parked or put in place or let remain or be left standing in front of or so near either side of any private driveway on the street or parts of any street in the village as to render the use of such driveway for vehicles impracticable. Any vehicle parked or put in place or let remain or left standing in violation of this section shall be subject to, upon conviction, the penalties set forth in Article VI, § 92-25 of this Chapter.

“92-15F. Parking Against Traffic Prohibited”

Wherever the pavement or curb of any street or highway is marked or painted or signs are placed to indicate spaces permitting angled parking, every vehicle stopped,

standing or parked wholly upon a roadway shall be so parked within the space or spaces indicated such that the vehicle shall be facing in the direction of authorized traffic movement on that portion of the roadway in which the vehicle rests. Any vehicle parked or put in place or let remain or left standing in violation of this section shall be subject to, upon conviction, the penalties set forth in Article VI, § 92-25 of this Chapter.

**“92-15G. Parking Prohibited on Sidewalks”**

It shall be unlawful for any person to operate any vehicle or to allow any vehicle to be parked, put in place or let remain on any sidewalk.

**“92-15H. Crosswalks”**

No person shall stop, stand or park a vehicle on a crosswalk. A violation of this section shall be subject to the penalties set forth in Article VI, § 92-25 of this Chapter.

**“92-1. Civilian Patrol Officer”**

From time to time, the village shall employ a Civilian Patrol Officer to enforce applicable sections of this Chapter. Such Civilian Patrol Officer is authorized to undertake all duties described in the Civil Service Job Description for the Civilian Patrol Officer applicable to villages according to the Dutchess County Rules for the Classified Service.

**Section 3.** Effective date. This local law will be effective upon filing with the Department of State of the State of New York.

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.

Trustee Mersand offered the following resolution, which was seconded by Trustee Peters, to move its adoption:

**WHEREAS**, Trustee Mersand has introduced this proposed local law for the Village of Pawling, to be known as Village of Pawling Proposed Local Law No. 5 of 2016, entitled “A Local Law Amending Chapter 92 of the Code of the Village of Pawling, entitled “Vehicles and Traffic”, Local Law 1 of 2005, Local Law 1 of 2014, Local Law 4 of 2014, and Local Law 5 of 2015 are hereby amended by adding new sections entitled “§ 92-15B. Fire Zones”, “§ 92-15C. Double Parking Prohibited”, “§ 92-15D. Obstructing Fire Hydrants”, “§ 92-15E. Blocking Access to Driveways”, “§ 92-15F. Parking Against Traffic Prohibited”, “§ 92-15G. Parking Prohibited on Sidewalk”, “§ 92-15H. Crosswalks” and “§ 92-1. Civilian Patrol Officer”;

**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 October 3, 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 five (5) 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 October 3, 2016, at 7 o'clock p.m., Prevaling Time on Proposed Local Law No. 5 of 2016, entitled "A Local Law Amending Chapter 92 of the Code of the Village of Pawling, entitled "Vehicles and Traffic", Local Law 1 of 2005, Local Law 1 of 2014, Local Law 4 of 2014, and Local Law 5 of 2015 are hereby amended by adding new sections entitled "§ 92-15B. Fire Zones", "§ 92-15C. Double Parking Prohibited", "§ 92-15D. Obstructing Fire Hydrants", "§ 92-15E. Blocking Access to Driveways", "§ 92-15F. Parking Against Traffic Prohibited", "§ 92-15G. Parking Prohibited on Sidewalk", "§ 92-15H. Crosswalks" and "§ 92-1. Civilian Patrol Officer"; and

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

DATED: Pawling, New York  
September 19, 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

The resolution was adopted.

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

***Identifier: Introducing Local Law Amending Chapter 92 of the Village Code Entitled "Vehicles and Traffic" by adding a new §92-20B to provide for the designation of handicapped parking spaces.***

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 19<sup>th</sup> day of September, 2016, at 7:00 p.m., Trustee Peters moved the following resolution, seconded by Trustee Burweger,

to introduce the following proposed local law, to be known as Proposed Local Law No. 6 of 2016, entitled “A Local Law Amending Chapter 92 of the Code of the Village of Pawling, entitled “Vehicles and Traffic, by adding a new §92-20B entitled “Handicapped Parking,” providing:

**NOW THEREFORE, BE IT ENACTED** by the Board of Trustees of the Village of Pawling as follows:

**Section 1.** Statement of Purpose. The Board of Trustees of the Village of Pawling wishes to provide for local enforcement of handicapped parking laws as permitted by statute.

**Section 2.** Article III of chapter 92 of the Code of the Village of Pawling, entitled “Vehicles and Traffic”, is hereby amended by adding a new §92-20B, providing as follows:

§92-20B. The locations described in Schedule XVI (§92-44) attached to and made a part of this chapter, are hereby designated as handicapped parking areas, and only those vehicles displaying valid handicapped parking permits or valid state handicapped license plates may park in the designated handicapped parking spaces.

A new Schedule XVI entitled “Handicapped Parking” is enacted and shall be added to Section 92-44 of this Code as Schedule XVI: Handicapped Parking, providing as follows:

In accordance with the provisions of §92-20B, the following described locations are hereby designated as handicapped parking areas:

A. Specific locations.

<u>Name of Street</u>	<u>Side Location</u>
Broad Street	Front of Karate Dojo (#56)
Broad Street	Front of Post Office (#10)
Broad Street	Front of Library (#11)
Charles Colman Blvd.	Front of Cleanery (#48)
Charles Colman Blvd.	Front of Morrison Building (#36)
Charles Colman Blvd.	Front of Parrino’s Florist (#178)
Charles Colman Blvd.	Front of Great Wall Restaurant (#60) (2 spaces)
East Main Street	Front of Church (#39)
Memorial Avenue	Front of Village Hall (#9)
Memorial Avenue	West side of street, across from #9
Metro North Parking Lot	7 spaces

Kalyto Plaza  
East Main Street

1 fire zone  
Village Parking Lot next to Village Hall  
Rear Entrance

- B. Handicapped parking spaces as designated in the parking areas of a hospital, school, office building or office building complex, place of public assembly, parking area of a shopping center, parking areas of facilities owned or leased by a not-for-profit corporation or government agency, driveways and private streets or roadways of a private apartment house complex, private condominium complex or cooperative apartment complex, roadways or driveways of mobile home parks or manufactured home parks, a fire station, an industrial park or complex and parking lots for railroad facilities

**Section 3.** Effective date. This local law will be effective upon filing with the Department of State of the State of New York.

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.

Trustee Peters offered the following resolution, which was seconded by Trustee Burweger, to move its adoption:

**WHEREAS**, Trustee Peters has introduced this proposed local law for the Village of Pawling, to be known as Village of Pawling Proposed Local Law No. 6 of 2016, entitled “A Local Law Amending Chapter 92 of the Code of the Village of Pawling, entitled “Vehicles and Traffic”, adding a new Section 92-20B entitled “Handicapped Parking;”

**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 October 3, 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 five (5) 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 October 3, 2016, at 7 o'clock p.m., Prevailing Time on Proposed Local Law No. 6 of 2016, entitled “A Local Law Amending Chapter 92 of the Code of the Village of Pawling, entitled “Vehicles and Traffic”, which local law provides for the designation of handicapped-reserved parking spaces in the Village of Pawling; and

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

DATED: Pawling, New York  
September 19, 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

The resolution was adopted.

**MOTION** by Trustee Mersand acknowledging that the required examination was conducted on the village court records and dockets by the auditing board. **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 August 1, 2016, August 15, 2016 and September 6, 2016. **SECONDED** by Trustee Slocum. There was no discussion; all were in favor and the motion carried.

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

**MOTION** by Trustee Mersand to adjourn the meeting and go into Public Comment at 7:06 P.M. **SECONDED** by Trustee Peters. There was no discussion; all were in favor and the motion carried.

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Village Clerk

