

DATE OF MEETING: June 18, 2018

PLACE OF MEETING: Village Hall, Pawling, New York

MEMBERS PRESENT: Mayor Robert Liffland  
Trustee Dan Peters  
Trustee John Burweger  
Trustee Earl Slocum  
Trustee Lauri Taylor

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

**MOTION** by Trustee Burweger to close the meeting and go into the Public Hearing on Introductory Local Law 1 of 2018 Amending Chapter 98 Schedule B of the Village Code Entitled “Zoning” and Village of Pawling Local Law No. 4 of 1994 to set maximum building height and permit limited residential occupancy on ground floors in Type 1 Urban Regulation for Shopfront mixed use buildings in the B-1 District, and amending Village of Pawling Local Law No. 4 of 1994 Comprehensive Plan Update §14 of Addendum to Comprehensive Plan and the Amendment of Comprehensive Plan (Village of Pawling Local Law No. 4 of 1994 Comprehensive Plan Update §14 of Addendum to Comprehensive Plan). **SECONDED** by Trustee Peters. There was no discussion; all were in favor and the motion carried.

Brian Morgan, a village attorney, said there were two public hearings – one for the local law and one for the amendment to the Comprehensive Plan.

Mayor Liffland said both hearings were open.

Mr. Morgan and Curt Johnson, architect for the update of the Comprehensive Plan, went over the Local Law and the amendment to the Comprehensive Plan.

Trustee Slocum said he wanted to make sure that the commercial space on the first floor could not be used as an apartment. Mr. Johnson said that the zoning code would say apartments could not be out in the front of those units and if an illegal apartment was put in that it would be an enforceable issue.

Trustee Burweger said he was pretty comfortable with the proposal.

Trustee Taylor asked about the recent Senior Housing proposal. Mr. Johnson said it cannot have apartments in the front of the building but that apartments could be considered in the back of the building. Trustee Taylor asked if a Special Use Permit could trump how the local law was set up. Mr. Morgan said changes could be made to address Trustee Taylor’s concerns because the Public Hearing would be held open until the next meeting.

Mr. Cerny said he was in favor of the concept but was also a little leery of having first floor apartments in the B-1. He said he was glad it was revised to make it a Special Use Permit because it requires the Planning Board to make a finding that retail and commercial uses are unfavorable in that location for that particular building and because of that the Planning Board would consider allowing first floor apartments. He said he thought one of the factors that should be considered in the Planning Board’s Special Use Permit is the size of the apartments (too

small put in behind commercial spaces). He said overall he supports it but suggested some minor tweaking of the Special Use Permit.

**MOTION** by Trustee Peters to close the Public Hearings at 7:26 and schedule the next Public Hearings for the first meeting in July. **SECONDED** by Trustee Burweger. There was no discussion; all were in favor and the motion carried.

Trustee Peters, seconded by Trustee Burweger, moved the following resolution, to introduce the following proposed local law, to be known as Introductory Local Law No. 2 of 2018, entitled "A Local Law Amending Chapters 98 of the Code of the Village of Pawling, entitled "Zoning" and Ch. 92 entitled "Vehicles and Traffic";

**Section 1. Statement of Purpose and Intent.** It is the purpose and intent of the board of trustees to clarify the authority of the civilian patrol officer to issue appearance tickets for certain zoning and parking ticket offenses to strengthen the enforcement capability of these local regulations and to afford an emergency back-up for the building inspector for commencing enforcement actions for violations of no parking in front yard previously enacted by Village of Pawling Local Law No. 6 of 2014 sec. 2.

**Section 2. Grant of authority.** Pursuant to the authority vested by Municipal Home Rule Law Section 10(4)(a), the non-competitive civil service title of Civilian Patrol Officer for the Village of Pawling is hereby authorized to issue and serve appearance tickets in connection with enforcement proceedings for zoning matters arising pursuant to Chapter 98 of the Village of Pawling Code, entitled "Zoning" and Chapter 92, entitled "Vehicles and Traffic", provided that issuance of appearance tickets for zoning matters shall be limited to offenses against Village of Pawling Local Law No. 6 of 2014 sec. 2 parking vehicles on front lawns, and shall be subject to the request of the mayor of the Village of Pawling for such issuance and issuance and service of appearance tickets shall be under the supervision of the Village of Pawling Court special prosecutor and shall conform to applicable law.

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

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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.

**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 July 2, 2018, 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 July 2, 2018, at 7 o'clock p.m., Prevailing Time on Introductory Local Law No. 2 of 2018, entitled "A Local Law Amending Chapter 98 of the Code of the Village of Pawling, entitled "Zoning"" and Chapter 92 entitled

“Vehicles and Traffic”, which local law authorizes the civilian patrol officer to issue appearance tickets for parking offenses and zoning offenses affecting parking and storage of vehicles in front yards of residential properties with two or more dwelling units;

**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  
June 18, 2018  
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 Slocum	Aye
Trustee Taylor	Aye.

The Resolution was adopted.

***Identifier: Resolution approving 4th amendment of engagement letter dated October 29, 2014 for legal services for the sewer treatment plant expansion and upgrade project***

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

**WHEREAS**, the Board of Trustees of the Village of Pawling has been awarded funds by the New York State Environmental Facilities Corporation (“EFC”) for financing of capital costs for the necessary expansion and upgrade of the Wastewater Treatment Plant (“WWTP”) owned by the Village of Pawling; and

**WHEREAS**, the scope of the upgrade and expansion project has expanded, including but not limited to restructuring the engineering function for the Project, submission to a consent order and compliance therewith and rebidding of the Project necessitating an increased Project legal service budget; and

**WHEREAS**, the legal services budget for the EFC funding of the WWTP project must be increased by \$55,000.00, for a total estimated project budget for legal services to be set at \$294,900.00; therefore,

**BE IT RESOLVED** the mayor is authorized to execute an amended engagement letter to approve a \$55,000.00 increase in the legal budget for this WWTP project, annexed hereto as Exhibit “A”, with the remaining provisions of the original engagement letter dated October 29, 2014 remaining unchanged.

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 Earl Slocum	Aye
Trustee Lauri Taylor	Aye.

The Resolution was adopted.

**MOTION** by Trustee Peters to approve Mayor Liffland signing the Dutchess County Sheriff's Department Extension and Amendment Agreement. **SECONDED** by Trustee Slocum. There was no discussion; all were in favor and the motion carried.

**MOTION** by Trustee Slocum to approve Mayor Liffland signing Agreement with Dutchess County for a Shared Services Procurement Specialist. **SECONDED** by Trustee Taylor. There was no discussion; all were in favor and the motion carried.

**MOTION** by Trustee Peters to approve Mayor Liffland signing Easement with NYSEG for new underground electric service at 37 Corbin Road. **SECONDED** by Trustee Slocum. There was no discussion; all were in favor and the motion carried.

**MOTION** by Trustee Slocum to approve the Pawling Farmer's Market Village Green and Public Assembly Events Permit Application. **SECONDED** by Trustee Burweger. There was no discussion; all were in favor and the motion carried.

**MOTION** by Trustee Peters to appoint J.P. Pirrello as Village Architect. **SECONDED** by Trustee Taylor. There was no discussion; all were in favor and the motion carried.

**MOTION** by Trustee Burweger to approve the Metro North Treasurers Report for May 2018. **SECONDED** by Trustee Peters. There was no discussion; all were in favor and the motion carried.

**MOTION** by Trustee Peters to approve payment of the May bills in the amount of \$47,820.36, EFC Draw No. 10 in the amount of \$2,888.59, USDA Payment Request No. 2 in the amount of \$4,686.86 and the Metro North bills in the amount of \$406.75. **SECONDED** by Trustee Burweger. There was no discussion; all were in favor and the motion carried.

Mayor Liffland reported the village received approvals for the Water Filtration Project.

Mr. Peter Cris announced Pawling Community Day scheduled for July 1, 2018 at Lakeside Park.

Mr. Curt Johnson said he met with a representative of Dutchess County Planning and Development to go over the Master Plan Update Project.

**MOTION** by Trustee Burweger to adjourn meeting at 7:42 P.M. and go into Public Comment.  
**SECONDED** by Trustee Peters. There was no discussion; all were in favor and the motion carried.

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Village Clerk