



## AGENDA March 20, 2023

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### I. OPEN MEETING

### II. PUBLIC HEARING

- Proposed Local Law No. 1 of 2023 – Repealing Local Law No. 10 of 2022
- Proposed Local Law No. 2 of 2023 – Authorizing Municipal Cooperation Agreement for establishment of a Joint Ethics Board.

### III. NEW BUSINESS

- Approve minutes from February 6, 2023 and February 21, 2023
- Adopt proposed Local Law No. 1 of 2023 - Repealing Local Law No. 10 of 2022 (if applicable).
- Adopt Local Law No. 2 of 2023 - Authorizing Municipal Cooperation Agreement for establishment of a Joint Ethics Board (if applicable).
- Approve EFC reallocation of funds for EFC Project 16741 – Umscheid Wellfield.
- Discuss new water rates.
- Approve Village Green and Public Assembly Events Permit for the Eastern Dutchess Road Runners Club – Summer Warmup Run to be held on April 30, 2023 from 7 am – Noon.
- Approve Village Green and Public Assembly Events Permit for Harlem Valley Car Club for Wednesday nights, 5 pm – 8 pm running April 19, 2023 – September 27, 2023.
- Approve the Metro North Treasurer's Report for January 2023 and February 2023.

### IV. OLD BUSINESS

- Engineer's Report

### V. ADJOURNMENT

At a Meeting of the Village of Pawling Board of Trustees held at Village Hall, 9 Memorial Avenue, Pawling, New York, on the 20<sup>th</sup> day of March 2023, at 7:00 PM

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

**Identifier:** Local Law No. 1 of the year 2023: Repeal of Local Law No. 10 of the year 2022 entitled “2022 Amendments to Chapter 98 Zoning Law”

The meeting was called to order by Mayor Lauri Taylor and the following were:

**P R E S E N T:**

\_\_ Mayor Lauri Taylor  
\_\_ Trustee John Burweger  
\_\_ Trustee Gerald Locascio  
\_\_ Trustee Thomas Meyer

Trustee \_\_\_\_\_ moved the following resolution, seconded by Trustee \_\_\_\_\_, to adopt the following local law:

**Local Law No. 1 of the year 2023: Repeal of Local Law No. 10 of the year 2022 entitled “2022 Amendments to Chapter 98 Zoning Law” (“Local Law”).**

**WHEREAS**, at the Board of Trustees meeting held on February 21, 2023 the Local Law was introduced and the Board set the public hearing for March 20, 2023;

**WHEREAS**, pursuant to § 7-706 of the New York Village Law, at least ten (10) days notice of such public hearing was published in a paper of general circulation in the Village;

**WHEREAS**, a duly noticed public hearing was held on March 20, 2023 and interested parties were provided an opportunity to be heard;

**WHEREAS**, the Local Law has been referred to the Dutchess County Department of Planning and Development (DCDPD) pursuant to New York General Municipal Law § 239-m and the DCDPD has indicated that the adoption of this Local Law is a matter of local concern;

**WHEREAS**, the Board of Trustees has issued a Negative Declaration under SEQRA with respect to the Local Law;

**WHEREAS**, pursuant to § 7-706 of the New York Village Law, upon adoption of the proposed Local Law: (i) it shall be entered in the minutes of the Board of Trustees; (ii) a copy, summary or abstract thereof shall be published once in the Village's official newspaper; (iii) a copy of the Local Law shall be posted conspicuously at or near the main entrance to the office of the Village Clerk; and (iv) affidavits of the publication and posting thereof shall be filed with the Village Clerk;

NOW THEREFORE, BE IT ENACTED that the Board of Trustees of the Village of Pawling hereby adopts Local Law No. 1 of the year 2023 entitled "Repeal of Local Law No. 10 of the year 2022" with the text of such local law to be in the form attached 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:

	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>
Mayor Lauri Taylor	—	—	—
Trustee John Burweger	—	—	—
Trustee Gerald Locascio	—	—	—
Trustee Thomas Meyer	—	—	—
TOTAL	—	—	—

I hereby certify that the above is a true and correct copy of the Resolution passed by the Village of Pawling Board of Trustees at a meeting held on March 20, 2023.

Date: March 20, 2023

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Jennifer Osborn, Village Clerk

Exhibit "A"

Village of Pawling Local Law No. 1\_of the Year 2023

1. The purpose of this local law is to repeal Local Law No 10 of the year 2022.
2. Local Law No. 10 of the year 2022 is repealed.
3. This local law shall take effect immediately upon filing in the office of the New York State Secretary in accordance with the Municipal Home Rule Law.

**RESOLUTION OF SEQR DETERMINATION  
FOR LOCAL LAW NO. 1 OF 2023**

At a meeting of the Village Board of Trustees of the Village of Pawling (“Village Board”), held at the Village of Pawling Village Hall on the 20<sup>th</sup> day of March 2023, at 7:00 p.m., Village Mayor, Lauri Taylor called the meeting to order, and \_\_\_\_\_, seconded by Trustee \_\_\_\_\_, moved the following resolution, containing certain findings and determination under the New York State Environmental Quality Review Act (“SEQRA”).

**WHEREAS**, the Village of Pawling Village Board (“Village Board”) has introduced and is considering the enactment of a Local Law No. 1 of 2023 to repeal Local Law No. 10 of 2022; and

**WHEREAS**, the Village Board has prepared Part 1 of a Short Environmental Assessment Form (“EAF”), pursuant to the requirements of 6 NYCRR Part 617; and

**WHEREAS**, the Village has determined that enactment of this Local Law is an Unlisted Action under the New York State Environmental Quality Review Act (“SEQRA”); and

**WHEREAS**, the proposed Local Law has been referred to the Dutchess County Department of Planning and Development pursuant to New York General Municipal Law §239-m; and

**WHEREAS**, the Village Board has thoroughly reviewed and considered the Local Law; and

**WHEREAS**, the Village Board duly advertised, held and closed the public hearing on the Local Law during its meeting on March 20, 2023; and

**WHEREAS**, the Village Board, after the close of the public hearing during the meeting on March 20, 2023, conducted its SEQRA review by (1) considering the criteria contained in subdivision (c) of 6 NYCRR §617.7 to identify any relevant areas of environmental concern, (2)

thoroughly analyzing the identified relevant areas of environmental concern to determine if the action may have a significant adverse environmental impact and (3) completing Part 2 of the EAF and adopting Part 3 of the EAF, which includes a narrative articulating the reasons supporting the Village Board's SEQRA determination; and

**NOW, THEREFORE, BE IT RESOLVED** that the Village Board hereby determines that the enactment of Local Law No. 1 of 2023 is an Unlisted Action under SEQRA; and

**BE IT FURTHER RESOLVED**, that the Village Board shall serve as Lead Agency; and

**BE IT FURTHER RESOLVED**, that for the reasons set forth in Part 3 of the EAF, the enactment of the Local Law will result in no significant adverse impacts on the environment and, therefore, that an Environmental Impact Statement need not be prepared and a Negative Declaration therefore be issued.

The foregoing resolution was duly put to a vote which resulted as follows:

	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>
Mayor Lauri Taylor	—	—	—
Trustee John Burweger	—	—	—
Trustee Gerald Locascio	—	—	—
Trustee Thomas Meyer	—	—	—
TOTAL	—	—	—

The resolution was thereupon duly adopted on March 20, 2023.

DATED: Pawling, New York  
March 20, 2023

\_\_\_\_\_  
JENNIFER OSBORN, VILLAGE CLERK  
Village of Pawling

# Short Environmental Assessment Form

## Part 1 - Project Information

### Instructions for Completing

**Part 1 – Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

<b>Part 1 – Project and Sponsor Information</b>			
Village of Pawling Board of Trustees adoption of Local Law No. 1 for the year 2023			
Name of Action or Project: Adopt Local Law No. 1 for the year 2023			
Project Location (describe, and attach a location map): Village of Pawling New York			
Brief Description of Proposed Action: Adopt Local Law No. 1 for the year 2023 amending Chapter 98 of the Village Code entitled "Zoning" to repeal certain definitions and certain provisions related to density and floor area ratio pursuant to Local Law No. 10 of 2022, adopted by the Board of Trustees on November 7, 2022.			
Name of Applicant or Sponsor: Board of Trustees, Village of Pawling, New York		Telephone: 845-855-1122 E-Mail: josborn@villageofpawling.org	
Address: 9 Memorial Avenue			
City/PO: Pawling		State: New York	Zip Code: 12564
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>
			YES <input checked="" type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:			NO <input type="checkbox"/>
			YES <input type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		_____ n/a acres	
b. Total acreage to be physically disturbed?		_____ n/a acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		_____ n/a acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input checked="" type="checkbox"/> Other(Specify): n/a			
<input type="checkbox"/> Parkland			



	NO	YES	N/A
5. Is the proposed action,			
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	<input type="checkbox"/>	<input type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	<input type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	<input type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation services available at or near the site of the proposed action?	<input type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	<input type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ _____	<input type="checkbox"/>	<input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ _____	<input type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ _____	<input type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	<input type="checkbox"/>	<input type="checkbox"/>	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	<input type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	<input type="checkbox"/>	<input type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	<input type="checkbox"/>	<input type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____			



Project:

Date:

**Short Environmental Assessment Form  
Part 2 - Impact Assessment**

**Part 2 is to be completed by the Lead Agency.**

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing: a. public / private water supplies? b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Project:

Date:

### *Short Environmental Assessment Form Part 3 Determination of Significance*

For every question in Part 2 that was answered “moderate to large impact may occur”, or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

The Board of Trustees of the Village has determined that there are no significant adverse environmental impacts associated with the repeal of Local Law No 10 of 2022 because this law was intended to clarify provisions in the Village Zoning law which predated its adoption.

<input type="checkbox"/> Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.	
<input checked="" type="checkbox"/> Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.	
Board of Trustees of the Village of Pawling	
Name of Lead Agency	Date
Lauri Taylor	Mayor
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

**PRINT FORM**

At a Meeting of the Village of Pawling Board of Trustees held at Village Hall, 9 Memorial Avenue, Pawling, New York, on the 20<sup>th</sup> day of March, 2023, at 7:00 PM

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

***Identifier: Enacting Local Law No. 2 for the year 2023 entitled "Authorizing Municipal Cooperation Agreement for Establishment of a Joint Ethics Board"***

The meeting was called to order by Mayor Lauri Taylor and the following were:

**P R E S E N T:**

\_\_ Mayor Lauri Taylor  
\_\_ Trustee John Burweger  
\_\_ Trustee Gerald Locascio  
\_\_ Trustee Thomas Meyer

Trustee \_\_\_\_\_ moved the following resolution, seconded by Trustee \_\_\_\_\_, to adopt the following local law:

Local Law No. 2 for the year 2023, entitled "***Authorizing Municipal Cooperation Agreement for Establishment of a Joint Ethics Board***" ("Local Law")

**WHEREAS**, at the Board of Trustees meeting held on March 6, 2023, the Local Law was introduced and the Board set the public hearing for March 20, 2023;

**WHEREAS**, a duly noticed public hearing was held on March 20, 2023 and interested parties were provided an opportunity to be heard;

**NOW THEREFORE, BE IT ENACTED** that the Board of Trustees of the Village of Pawling hereby adopts the Local Law in the form attached hereto and made a part hereof as Exhibit "1".

\*\*\*\*\*

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 Lauri Taylor	—	—	—
Trustee John Burweger	—	—	—
Trustee Gerald Locascio	—	—	—
Trustee Tom Meyer	—	—	—
TOTAL	—	—	—

I hereby certify that the above is a true and correct copy of the Resolution passed by the Village of Pawling Board of Trustees at a meeting held on March 20, 2023.

Date: March 20, 2023

\_\_\_\_\_  
Jennifer Osborn, Village Clerk

Exhibit "1"

Village of Pawling Local Law No. 2 of the Year 2023

"Authorizing Municipal Cooperation Agreement for Establishment of a Joint Ethics Board"

**1. Purpose and intent.**

The purpose of this local law is to amend Chapter 26 of the Code of the Village of Pawling ("Village Code") to allow the Village of Pawling to enter into a Municipal Cooperation Agreement with one or more other Towns and Villages located in Dutchess County which agreement shall provide for the establishment of a Joint Board of Ethics.

The intention of this law is to improve the functioning of the Board of Ethics by expanding the pool of members to serve on such board and to promote the objectivity of the Board of Ethics.

**2. Amendment of Village Code Section 26-18.**

Section 26-18 is amended to add a subsection (c) which shall read as follows:

§ 26-18 (c). Notwithstanding anything contained in the Code to the contrary, pursuant to Article 5-G of the General Municipal Law, the Board is authorized from time to time to enter into a municipal cooperation agreement with one or more other Villages and/or Towns located within Dutchess County, New York ("MCA") which provides for the establishment and operation of a joint board of ethics ("JBOE"). Such MCA shall set forth the number of members of such JBOE; provided, however, that such JBOE shall consist of at least three (3) members, including at least one (1) member appointed by the Board. Such MCA may provide that such JBOE (i) shall only act with respect to officers, employees and/or agencies of the Village and other municipalities that have entered into such MCA; (ii) may authorize the JBOE to render advisory opinions to such officers, employees and/or agencies with respect to the Code and/or Article 18 of the General Municipal Law and (iii) may contain such as terms and conditions as deemed by the Board to be necessary or advisable including without limitation terms of office for such JBOE, educational requirements for such JBOE, removal of members of such JBOE, appointment of a chair of such JBOE, meeting procedures and requirements, allocation of costs and withdrawal from or termination of the MCA. To the extent that there is any inconsistency between this subsection 26-18 (c) and General Municipal Law § 808, the terms of this subsection shall control.

### **3. Severability, Savings Clause, Inconsistencies.**

If any section of this local law shall be held unconstitutional, invalid, or ineffective, in whole or in part, such determination shall not be deemed to affect, impair, or invalidate the remainder of this local law and Chapter 26.

In the event of any inconsistencies between this local law and other provisions of the Ethics Law or any other local law of the Village enacted prior to the effective date of this Chapter, the terms of this local law shall prevail and be controlling.

### **4. When effective.**

This Chapter shall take effect immediately upon filing in the office of the New York State Secretary of State in accordance with § 27 of the Municipal Home Rule Law.



At a Meeting of the Village of Pawling Board of Trustees held at Village Hall, 9 Memorial Avenue, Pawling, New York, on the 20<sup>th</sup> day of March, 2023 at 7:00 PM.

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

***Identifier: Proposed SEQR Resolution for Determination of Type II Action for Local Law No. 2 of 2023 entitled "Authorizing Municipal Cooperation Agreement for Establishment of a Joint Ethics Board"***

The meeting was called to order by Mayor Lauri Taylor and the following were:

**P R E S E N T:**

\_\_ Mayor Lauri Taylor  
\_\_ Trustee John Burweger  
\_\_ Trustee Gerald Locascio  
\_\_ Trustee Thomas Meyer

The following Resolution was proposed by Trustee \_\_\_\_\_, who moved its adoption, and seconded by Trustee \_\_\_\_\_.

WHEREAS, the Village of Pawling Board of Trustees ("Board") adopted a resolution on March 6, 2023, introducing Local Law No. 2 of 2023 and setting a public hearing; and

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

WHEREAS, the enactment of this proposed local law is a Type II action pursuant to 6 NYCRR 617.5(c)(27) "adoption of regulations, policies, procedures and local legislative decisions in connection with any action on this list," specifically 6 NYCRR §617.5(c)(26) "routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment" relating to the Village amending Chapter 26 of the Code of the Village of Pawling ("Ethics Law") to authorize a municipal cooperation agreement for the establishment of a joint ethics board;

NOW THEREFORE, BE IT RESOLVED, no further compliance with SEQRA is necessary.

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

	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>
Mayor Lauri Taylor	—	—	—
Trustee John Burweger	—	—	—
Trustee Gerald Locascio	—	—	—
Trustee Tom Meyer	—	—	—

I hereby certify that the above is a true and correct copy of the Resolutions passed by the Village of Pawling Board of Trustees at a meeting held on March 20, 2023.

Date: March 20, 2023

\_\_\_\_\_  
Jennifer Osborn, Village Clerk

At a Meeting of the Pawling Village Board of Trustees held at Village Hall, 9 Memorial Avenue, Pawling, New York, on the 20<sup>th</sup> day of March, 2023, at 7:00 PM.

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

*Identifier: Resolution regarding a municipal cooperation agreement providing for appointment of a Joint Board of Ethics empowered to serve as the Board of Ethics for each of the participating municipalities*

The meeting was called to order by Mayor Lauri Taylor and the following were:

**P R E S E N T:**

- Mayor Lauri Taylor
- Trustee John Burweger
- Trustee Gerald Locascio
- Trustee Thomas Meyer

The following Resolution was proposed by Trustee \_\_\_\_\_ who moved its adoption, and seconded by Trustee \_\_\_\_\_.

**WHEREAS**, the Board of Trustees desires to enter into a municipal cooperation agreement with one or more of the Towns of Pawling, Beekman, East Fishkill and Dover pursuant to Article 5G of the General Municipal Law, with such municipal cooperation agreement to provide inter alia for appointment of a Joint Board of Ethics empowered to serve as the Board of Ethics for each of these municipalities;

**WHEREAS**, the Board of Trustees has discussed that such Joint Board of Ethics would improve the functioning of the board of ethics created pursuant to the Village's Code of Ethics (Chapter 26 of the Code of the Village of Pawling) by expanding the pool of members to serve on and promoting objectivity of such board of ethics;

**NOW THEREFORE, BE IT RESOLVED** as follows:

- (i) The Village Board approves the municipal cooperation agreement in the form attached hereto and made a part hereof as Exhibit "A"; and

(ii) Mayor Lauri Taylor is authorized to negotiate and execute a final version of such municipal cooperation agreement, with such final version to contain terms and conditions which are consistent with the draft attached as Exhibit "A" in all material respects and to take such other actions as she deems convenient, necessary or advisable in order to effectuate the execution and implementation of the municipal cooperation agreement by the parties.

\*\*\*\*\*

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 Lauri Taylor	—	—	—
Trustee John Burweger	—	—	—
Trustee Gerald Locascio	—	—	—
Trustee Thomas Meyer	—	—	—
TOTAL	—	—	—

I hereby certify that the above is a true and correct copy of the Resolution passed by the Village of Pawling Board of Trustees at a meeting held on March 20, 2023.

Date: March 20, 2023

\_\_\_\_\_  
Jennifer Osborne, Village Clerk

**Exhibit "A"**  
Municipal Cooperation Agreement

1000 1000 1000

## INTERMUNICIPAL AGREEMENT

**THIS INTERMUNICIPAL AGREEMENT (“IMA”)** made as of the \_\_\_ day of February, 2023 by, between, and among the **Town of East Fishkill**, a municipal corporation with an address of 330 Route 376, Hopewell Junction, New York 12533; the **Town of Beekman**, a municipal corporation with an address of 4 Main Street, Poughquag, New York 12570; the **Town of Pawling**, a municipal corporation with an address of 160 Charles Colman Boulevard, Pawling, New York 12564; the **Village of Pawling**, a municipal corporation with an address of 9 Memorial Avenue, Pawling, New York 12564; and the **Town of Dover**, a municipal corporation with an address of 126 East Duncan Hill Road, Dover Plains, New York 12522. The Town of East Fishkill, the Town of Beekman, the Town of Pawling, the Village of Pawling, and the Town of Dover are collectively referred to hereinafter as the **“Parties”**.

### WITNESSETH

**WHEREAS**, the Parties are all municipal corporations with a history of intermunicipal cooperation; and

**WHEREAS**, each of the Parties have enacted Local Laws governing ethics; and

**WHEREAS**, the General Municipal Law allows communities to act jointly on various issues; and

**WHEREAS**, the Parties have many civic-minded members of their communities who participate in various organizations; and

**WHEREAS**, to handle ethics issues more objectively, a Joint Ethics Board is desired so that unbiased members of various communities can issue advisory opinions as to ethical inquiries;

**NOW, THEREFORE**, in consideration of ten dollars (\$10) and other good and valuable consideration, the receipt and legal sufficiency of which are hereby acknowledged, the Parties hereby covenant and agree as follows:

1. **Composition of Joint Ethics Board.** A Joint Ethics Board shall be formed consisting of five members. One member shall be a resident of and appointed by the Town Board of the Town of East Fishkill. One member shall be a resident of and appointed by the Town Board of the Town of Beekman. One member shall be a resident of and appointed by the Town Board of the Town of Pawling. One member shall be a resident of and appointed by the Board of Trustees of the Village of Pawling. One member shall be a resident of and appointed by the Town Board of the Town of Dover. An alternate shall also be appointed by the community which provides the Chair of the Joint Ethics Board.

2. **Term of Office.** Each member shall be appointed to a term of one year, and the Parties agree to appoint a member to the Joint Ethics Board during each municipal corporation’s reorganizational meeting.

3. **Education.** Each member of the Joint Ethics Board shall be required to take a course each year in ethics offered by the Association of Towns, Association of Mayors, or another similar organization within one year of appointment.

4. **Removal.** A member can be removed for truancy or for other just cause for reasons presented by a participating municipality's attorney. To remove a member of the Ethics Board, at least three (3) of the Parties' legislative bodies must vote in favor of a resolution removing the member. A Party's member can also be removed by a majority vote of the legislative body that appointed that member.

5. **Chair of the Joint Ethics Board.** The member appointed by the Town of East Fishkill shall be the first Chair of the Joint Ethics Board. The second year, the Chair shall be the member appointed by the Town of Beekman. The third year, the Chair shall be the member appointed by the Town of Pawling. The fourth year, the Chair shall be the member appointed by the Village of Pawling. The fifth year, the Chair shall be the member appointed by the Town of Dover. The selection of the Chair shall continue in this order. The Vice Chair shall be the member who is to be the Chairperson during the following year.

6. **Meetings.** The Board shall meet annually and upon request of one of the Parties.

7. **Location of Meetings.** All meetings shall take place in the community that has requested the meeting.

8. **Quorum.** No meeting can take place without a quorum of the Joint Ethics Board (i.e. at least three members present).

9. **Advisory Opinions.** After receiving an inquiry from a member of one of the participating communities, the Joint Ethics Board shall conduct a hearing and review all submitted documentation. Each Party shall adopt its own ethics code and the standard for each hearing shall be based on the Code of the municipality that received the complaint. All complaints reviewed by the Board shall be received in writing. Anonymous complaints will not be reviewed. An advisory opinion shall be issued in writing by the attorney from the community from which the complaint originated within one month of the hearing.

10. **Costs.** 100% of the costs shall be borne by the municipality that the complaint originated from.

11. **Withdrawal from the IMA.** A Party may withdraw from this IMA by a majority vote of its legislative body upon three (3) months' notice to the other Parties. Withdrawal shall take place 30 days after the vote, unless the Ethics Board is conducting a review for the municipality that wishes to withdraw. In this case, the Ethics Board shall conclude the open matter before the municipality may withdraw. Any Party may also withdraw at the end of the term of this Agreement.

12. **Governing Law.** This Agreement and the rights and duties of the Parties hereunder shall be governed by and shall be construed, enforced and performed in accordance with the laws of the State of New York. Venue for any legal proceeding shall be the Supreme Court in Dutchess County. All meetings shall be held in conformance with Robert's Rules of Order. For procedures on advisory opinions and complaints, see the addendum annexed hereto as Exhibit "A".

13. **Severability.** If any term or provision of this Agreement or the application thereof to any persons or circumstances shall, to any extent be invalid or unenforceable, the remainder of this Agreement or the application of such term or provision to persons or circumstances other than those to which it is held invalid or unenforceable shall not be affected thereby, and each term and provision of this Agreement shall be valid and enforceable to the fullest extent permitted by law.

14. **No Modification.** This Agreement may not be effectively amended, changed, modified, altered or terminated unless such an amendment, change, modification, alteration or termination is in writing, intended for such purpose, and executed by all Parties hereto.

15. **Counterparts.** This Agreement may be executed in counterparts, each of which shall be deemed an original and all of which shall constitute one and the same instrument. The Parties agree that a scanned or electronically reproduced copy or image of this Agreement bearing the signatures of the Parties hereto shall be deemed an original and may be introduced or submitted in any action or proceeding as competent evidence of the execution, terms and existence of this Agreement notwithstanding the failure or inability to produce or tender an original, executed counterpart of this Agreement and without the requirement that the unavailability of such original, executed counterpart of this Agreement first be proven.

16. **Joint Workproduct.** This Agreement shall be considered the workproduct of all Parties hereto, and, therefore, no rule of strict construction shall be applied against any Party.

17. **Authorization to Sign.** All signatories are legally authorized to sign on behalf of the respective legal entity that he or she signs for.

18. **Term.** This Agreement shall be effective for three (3) years, and shall renew automatically unless terminated by a majority of the Parties to this agreement.

19. **Entire Agreement.** This Agreement constitutes the entire agreement of the Parties regarding the subject matter of this Agreement and all prior or contemporaneous agreements, understandings, representations and statements, oral or written, are hereby merged herein.



IN WITNESS WHEREOF, the Parties have caused this instrument to be duly executed the day and year as first above written.

**TOWN OF EAST FISHKILL**

By: \_\_\_\_\_  
Nicholas D'Alessandro  
Town Supervisor

**TOWN OF BEEKMAN**

By: \_\_\_\_\_  
Name:  
Title:

**TOWN OF PAWLING**

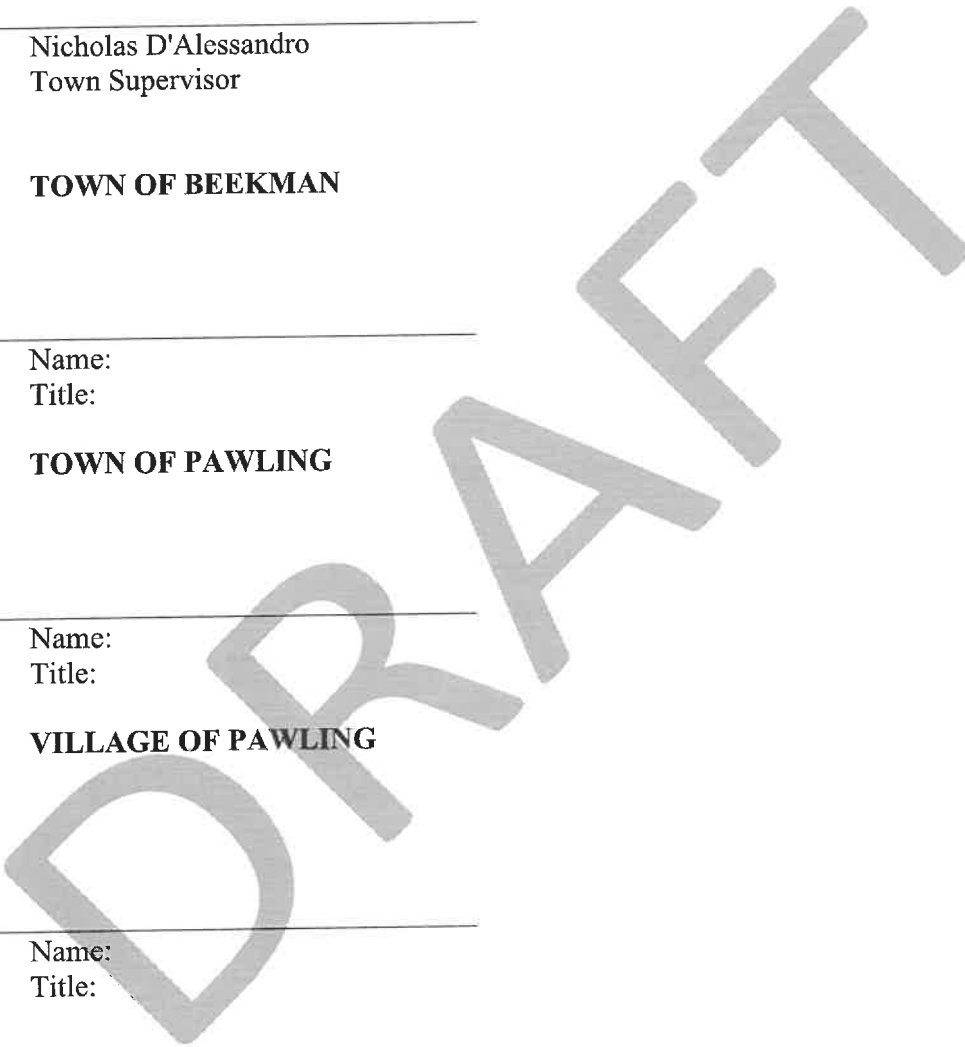
By: \_\_\_\_\_  
Name:  
Title:

**VILLAGE OF PAWLING**

By: \_\_\_\_\_  
Name:  
Title:

**TOWN OF DOVER**

By: \_\_\_\_\_  
Name:  
Title:



March 16, 2023

Lauri Taylor, Mayor  
Village Board  
Village of Pawling  
9 Memorial Avenue  
Pawling, New York 12564

**RE: EFC Project 16741**  
Umscheid Wellfield  
Labella DPC(Formerly Chazen Approved contract amounts)  
Village of Pawling, Dutchess County, New York

Dear Mayor Taylor and Village of Pawling Board

The purpose of this letter is to request permission to reallocate previously approved funds from LaBella's Basic Service Proposal and Contract to LaBella's Umscheid Construction Administration proposal and Contract. This reallocation is necessary as the Umscheid construction period has stretched from an estimated period of about 8 months to 12 months and still counting.

Currently, the Basic Service Contract has residual funds of \$50,266.92 which I propose to reduce by \$42,000 and retain \$8,266.92 to pay for costs associated with project Finance closeout.

I am requesting that the \$42,000 be allocated as follows to the Umscheid Construction project budget as follows:

1. Task 100 increase the authorized cost ceiling by \$10,000 to \$70,000
2. Task 200 increase the authorized cost ceiling by \$30,000 to \$55,000
3. Task 300 Increase the authorized cost ceiling by \$2,000 to \$17,000

Please advise if this proposed reallocation is acceptable.

Respectfully submitted,

  
LaBella Associates

Dan Stone  
Senior Civil Engineer

# Proposed Pawling Water Rates based on Service Charge plus O&M Charge March 2023

Apply a quarterly service charge to all customers (Village, Town WD #1 and Town Contract users for water services

	Charge per quarter , \$	Annual Charge , \$
Vacant Properties with Frontage on Streets with sewers	25	100
Single family residential units	30	120
Small Commercial Users under 20,000/Q	60	240
Two-Family Residential Units	60	240
Three-family residential units	90	360
Other Small Commercial Users 20001/Q > 100,000/Q	150	600
Large Commercial Quarterly flow 100,100 >	300	1200
Apartments 2-5	90	360
Apartments 6-10	150	600
Apartments 11-20	300	1200
Apartments 21-30	500	2000
Apartments 31-40	700	2800
Apartments 41-50	850	3400
Apartments Greater than 50	1000	4000
Industrial	400	1600
Public Schools	850	3400
Non-Public non-Residential Schools	400	1600
Residential Schools	1500	6000

Apply a Use charge to all customers based on quarterly use

Water Rate first 500,000 per quarter	\$6.50/1000 gal
Water Rate for flow between 500,001 and 1,000,000	\$5.00/1000 gal
Water Rate for flow above 1,000,001	\$3.50/1000 gal

If the Minimum Quarterly flow is 5000 gal or less a minimum quarterly Use charge will be \$32.5 plus the appropriate quarterly service charge.

A single family using the minimal volume can expect on an Annual basis that these charges will be \$130 for O&M plus \$120 Service Charge for a single family total of \$250.

A Penalty Bill as calculated below will apply to all users who refuse, after two notices, to allow the Village to install or upgrade the user's water service. The customers Quarterly Bill shall be calculated based on a flow of 5000 gallons of use at the rate of \$6.50/1000gal; to this calculation will be added the customer's assigned quarterly Service Charge. The customers Quarterly Bill shall then be multiplied by 2.5 and the resultant shall be the Penalty Bill.

PAWLING VILLAGE GREEN AND PUBLIC ASSEMBLY EVENTS PERMIT  
APPLICATION FOR PERMISSION TO USE PUBLIC PROPERTY WITHIN THE VILLAGE

The purpose of this application form is to aid in the application and review process. However, it is not designed to cover every possible circumstance. The Village Board may require additional information in order to approve an application.

Application Date 1/31/2023 (application must be filed at least 60 days prior to the event)

Name of Entity "Applicant" requesting permission Eastern Dutchess Road Runners Club  
Contact Person Allison Fitzpatrick Connection with the event Race Director for Summer Warmup Run  
Address PO Box 163, Pleasant Valley, NY 12569  
Phone 207-929-0261  
Email aaf96@icloud.com

Event Date 4/30/23 Event Time and Duration 7am-12  
Event Purpose Raise money for the club  
The purpose of the requesting entity  for-profit  non-profit  political  other \_\_\_\_\_

Expected number of participants 75 Will the event be open to the general public?  Yes  No  
If not, who are the expected participants? Runners  
NOTE: non-participating members of the public may not be excluded from the Green or other public areas

Will there be entertainment or a speaker?  Yes  No. If so, describe \_\_\_\_\_

Will food or beverages be served?  Yes  No. If so describe \_\_\_\_\_  
Food vendors must have all applicable health department permits.  
NOTE: no alcoholic beverages may be consumed on the Village Green or other public areas without specific approval of the Village Board of Trustees.

Please describe any other activities taking place during the event \_\_\_\_\_

Will there be supplemental illumination or other electrical equipment?  Yes  No  
If so, describe items and power source \_\_\_\_\_  
NOTE: permission must be obtained from the Village to use public power sources - \$20 fee

Will there be signage used?  Yes  No. If so, describe form and content \_\_\_\_\_

What provisions will be made to handle litter or refuse resulting from the event?  
yes

What provisions will be made to handle proper sanitation for the event?  
porta potty at Lakeside Park

Are there any structures, tents, booths, tables or other large objects planned as part of the event? Yes  No  not in town  
If so, describe the size, material, location, use, the method (if any) by which they are fixed in place, and how long they will be in place before and after the event. Draw your plan on the attached map.  
NOTE: public walkways and seating may not be obstructed

**The Village Board grants permission for** the above named Entity to hold the above named Event on the above named Date.

Village Clerk: \_\_\_\_\_ Date \_\_\_\_\_  
Printed Name \_\_\_\_\_ Date \_\_\_\_\_  
Entity Representative \_\_\_\_\_ Date \_\_\_\_\_  
Printed Name \_\_\_\_\_

By signing this application, Applicant agrees to all of the terms and conditions of the **Village Green and Public Assembly Events Policy**.

PAWLING VILLAGE GREEN AND PUBLIC ASSEMBLY EVENTS PERMIT  
APPLICATION FOR PERMISSION TO USE PUBLIC PROPERTY WITHIN THE VILLAGE

The purpose of this application form is to aid in the application and review process. However, it is not designed to cover every possible circumstance. The Village Board may require additional information in order to approve an application.

Application Date 3/5/23 (application must be filed at least 60 days prior to the event)

Name of Entity "Applicant" requesting permission HARLEM VALLEY CAR CLUB  
Contact Person CHAD HENKE Connection with the event PRESIDENT  
Address P.O. BOX 876 WINGDALE NY 12594  
Phone 845.803.5120  
Email harlemvalleycarclub@gmail.com

Event Date 4/19 -> 9/27 Event Time and Duration WEDNESDAY NIGHTS 5:00-8:00, THURSDAY RESONATE  
Event Purpose INFORMAL GATHERING OF AUTO ENTHUSIASTS  
The purpose of the requesting entity  for-profit  non-profit  political  other

Expected number of participants 60+ Will the event be open to the general public?  Yes  No  
If not, who are the expected participants?

NOTE: non-participating members of the public may not be excluded from the Green or other public areas

Will there be entertainment or a speaker?  Yes  No. If so, describe

Will food or beverages be served?  Yes  No. If so describe  
Food vendors must have all applicable health department permits.

NOTE: no alcoholic beverages may be consumed on the Village Green or other public areas without specific approval of the Village Board of Trustees.

Please describe any other activities taking place during the event PLAYING OF OLDIES MUSIC

Will there be supplemental illumination or other electrical equipment?  Yes  No LOWER POWER MUSIC  
If so, describe items and power source LIGHT DUTY MUSIC EQUIPMENT - EXISTING OUTLET BY COMMERCE BUILDING  
NOTE: permission must be obtained from the Village to use public power sources - \$20 fee WILL BE ADEQUATE

Will there be signage used?  Yes  No. If so, describe form and content

What provisions will be made to handle litter or refuse resulting from the event?  
EXISTING WILL BE ADEQUATE.

What provisions will be made to handle proper sanitation for the event?  
EXISTING WILL BE ADEQUATE.

Are there any structures, tents, booths, tables or other large objects planned as part of the event? Yes  No   
If so, describe the size, material, location, use, the method (if any) by which they are fixed in place, and how long they will be in place before and after the event. Draw your plan on the attached map.  
NOTE: public walkways and seating may not be obstructed

The Village Board grants permission for the above named Entity to hold the above named Event on the above named Date.

Village Clerk: \_\_\_\_\_ Date \_\_\_\_\_  
Printed Name \_\_\_\_\_ Date \_\_\_\_\_  
Entity Representative Chad Henke Date 3/5/23  
Printed Name CHAD HENKE

By signing this application, Applicant agrees to all of the terms and conditions of the Village Green and Public Assembly Events Policy.

## Treasurer's Report January 1, 2023 – January 31, 2023

December 31, 2022		
Checking	\$120.88	
Money Market	\$2,039.34	
	<b>Total</b>	<b>\$2,160.22</b>
<b>Receipts</b>		
Interest earned		
	<b>Total Receipts</b>	<b>\$0.00</b>
<b>Disbursements:</b>		
	<b>Total Disbursements</b>	<b>\$0.00</b>
Cash Balance – January 31, 2023		
Location of Funds –		
Checking	\$120.88	
Money Market	\$2,039.34	
	<b>Total</b>	<b>\$2,160.22</b>

<b>Metro North Operating Exp Cash Balance 12/31/2022</b>	<b>\$13,083.04</b>
<b>Plus Interest Earned</b>	<b>\$4.45</b>
<b>Metro North Operating Expense Cash Balance 1/31/2023</b>	<b>\$13,087.49</b>
<b>Metro North Cap. Rsv Cash Balance 12/31/2022</b>	<b>\$27,898.25</b>
<b>Metro North Cap. Rsv Cash Bal 1/31/2023</b>	<b>\$27,898.25</b>
<b>Metro North Merchant Account 12/31/2022</b>	<b>\$14,954.91</b>
<b>Jan. 2023 – Deposits</b>	<b>\$1,080.75</b>
<b>Jan. 2023 - Merchant Svcs Charge</b>	<b>-\$111.01</b>
<b>Metro North Account Balance 1/31/2023</b>	<b>\$15,924.65</b>

## Treasurer's Report February 1, 2023 – February 28, 2023

February 1, 2023		
Checking	\$120.88	
Money Market	*****\$1,918.46	
	<b>Total</b>	<b>\$2,039.34</b>
<b>Receipts</b>		
Permit Sales	\$592.88	
Permit Sales	\$11,670.42	
Transfer from Metered PayByPhone Sales	\$10,000.00	
Interest earned		
	<b>Total Receipts</b>	<b>\$22,263.30</b>
<b>Disbursements:</b>		
Feb 21, 2023 - Vouchers	\$2,064.46	
	<b>Total Disbursements</b>	<b>\$2,064.46</b>
Cash Balance – February 28, 2023		
Location of Funds –		
Checking	\$120.88	
Money Market	\$22,117.30	
	<b>Total</b>	<b>\$22,238.18</b>

<b>Metro North Operating Exp Cash Balance 1/31/2023</b>	<b>\$13,087.49</b>
<b>Plus Interest Earned</b>	<b>\$4.01</b>
<b>Metro North Operating Expense Cash Balance 2/28/2023</b>	<b>\$13,091.50</b>

<b>Metro North Cap. Rsv Cash Balance 1/31/2022</b>	<b>\$27,898.25</b>
<b>Metro North Cap. Rsv Cash Bal 2/28/2023</b>	<b>\$27,898.25</b>

<b>Metro North Merchant Account 1/31/2022</b>	<b>\$15,924.65</b>
<b>Feb. 2023 – Deposits</b>	<b>\$998.55</b>
<b>Feb. 2023 - Merchant Svcs Charge</b>	<b>-\$122.08</b>
<b>Feb, 24, 2023 – Transfer to Savings</b>	<b>-\$10,000.00</b>
<b>Metro North Account Balance 1/31/2023</b>	<b>\$6,801.12</b>

\*\*\*\*\* Balance incorrect beginning in December 2022. Changed to reflect the correct amount.