

DATE OF MEETING: April 18, 2022

PLACE OF MEETING: Village Hall, Pawling, New York

MEMBERS PRESENT: Mayor Lauri Taylor
Trustee Dan Peters
Trustee John Burweger
Trustee Jerry Locascio

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

The Public Hearing on the Tentative Budget was open from the previous meeting.

Mayor Taylor reported there is a decrease in the mil rate of 2.82%. She asked for any comments. There were no comments.

MOTION by Trustee Burweger to close the Public Hearing on the 2022-2023 Tentative Budget at 7:01 P.M. **SECONDED** by Trustee Peters. There was no discussion; all were in favor and the motion carried.

MOTION by Trustee Peters to approve the Tentative Budget for 2022-2023 as presented (see attached). **SECONDED** by Trustee Burweger. There was no discussion; all were in favor and the motion carried.

Mr. Dan Stone went over the SEQR for Local Law No. 2 of 2022 Building Code Administration and Enforcement Procedures.

MOTION by Trustee Peters to approve the following Resolution. **SECONDED** by Trustee Burweger.

Village of Pawling
New York State Environmental Quality Review Act (SEQRA)
Authorizing Review of Impacts and a Determination of Non-Significance
Chapter 10 Building Code and Zoning Administration and Enforcement Procedures Local
Law 2 of 2022

WHEREAS, the Village of Pawling, is proposing Chapter 10, Building Code and Zoning Administration and Enforcement Procedures as Local Law 2 of 2022. The Village and its duly authorized designees are lawfully vested in the administration and enforcement of the New York State Uniform Fire Prevention and Building Code (the Uniform Code), the State Energy Conservation Construction Code (the Energy Code), Chapter 98 Zoning of the Code of the Village of Pawling ("Zoning Law") and other state and local laws and regulations related to construction, development and/or use of buildings, structures and lots and/or other land within the Village. The proposed action will not directly result in ground disturbance, construction, or development.

WHEREAS, Chapter 10 provides administration and enforcement information relative to the applicability of the building code, building permits, relationship to Village local laws and other applicable laws, enforcement, violation, and penalty information, and certificate of occupancy administration and enforcement. In particular, the new chapter includes, but is not limited to, the following information:

- Defined terms (e.g., defining “violation”);
- Amendment to or repeal of previously approved local laws of the Village proposed to be superseded by the proposed new Chapter 10;
- Establishment of procedures for appointment or removal of one or more building inspectors or contracted inspectors and the powers of these authorized officers. Chapter 10 clarifies the role of the Village Clerk or any other officer of the Village when a contracted inspector fulfills the building inspector position;
- Stipulation of the conditions under which a building permit may be granted or for which an exemption applies, the application and issuance procedure, time limit, revocation and suspension policies and procedures, and applicable fee;
- Establishment of construction inspection requirements and stop-work order authorization and procedure;
- Determination, notification, and procedural aspects related to unsafe buildings and structures;
- Operating permit (e.g., public assembly) applicability and procedures;
- Fire safety and property maintenance inspection information;
- Procedural information related to complaints, recordkeeping, and reporting; and
- Procedural information related to the issuance and noticing of violations, including stop work order information and penalties.

WHEREAS, this Chapter is proposed to be adopted pursuant to § 10 of the Municipal Home Rule Law. Except as otherwise provided in the Uniform Code, other state law, or other sections of the Village Code, all buildings, structures, and lots and other land in the Village, regardless of use or occupancy, will be subject to the provisions of Chapter 10.

WHEREAS, the Village is seeking approval and adoption of Chapter 10 pursuant to § 10 of the Municipal Home Rule Law, Building Code and Zoning Administration and Enforcement Procedures as Local Law 2 of 2022 from the Village of Pawling Village Board.

WHEREAS, the adoption of a local law is classified as an Unlisted Action under the NYS Environmental Quality Review Act (hereinafter “SEQRA”) and a Short Environmental Assessment Form (EAF) has been completed.

NOW, THEREFORE, BE IT RESOLVED that, through a review of the Environmental Assessment Form and consideration of the criteria in 6 NYCRR § 617.7(c), the Village Board of Trustees concludes the action will not have a significant adverse impact on the environment and a corresponding Negative Declaration will be made, and

IT IS FURTHER RESOLVED that the Negative Declaration will be filed with all appropriate parties in accordance with 6 NYCRR § 617.12.

	Yea	Nay
Lauri Taylor, Mayor	X	
Dan Peters, Trustee	X	
John Burweger, Trustee	X	
Jerry Locascio, Trustee	X	
Tom Meyer, Trustee	Absent.	

**State Environmental Quality Review
NEGATIVE DECLARATION
Notice of Determination of Non-Significance**

Date: April 13, 2022

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The Village of Pawling as Lead Agency has determined that the proposed action described below will not have a significant adverse environmental impact and a Draft Environmental Impact Statement will not be prepared.

Name of Action: Chapter 10 Building Code and Zoning Administration and Enforcement Procedures Local Law 2 of 2022

SEQR Status: Unlisted Action

Conditioned Negative Declaration: No

Location of Action: Village of Pawling, NY

Description of Action:

The project sponsor, the Village of Pawling, is proposing Chapter 10, Building Code and Zoning Administration and Enforcement Procedures as Local Law 2 of 2022. The Village and its duly authorized designees are lawfully vested in the administration and enforcement of the New York State Uniform Fire Prevention and Building Code (the Uniform Code), the State Energy Conservation Construction Code (the Energy Code), Chapter 98 Zoning of the Code of the Village of Pawling ("Zoning Law") and other state and local laws and regulations related to construction, development and/or use of buildings, structures and lots and/or other land within the Village. The proposed action will not directly result in ground disturbance, construction, or development.

Chapter 10 provides administration and enforcement information relative to the applicability of the building code, building permits, relationship to Village local laws and other applicable laws, enforcement, violation, and penalty information, and certificate of occupancy administration and enforcement. In particular, the new chapter includes, but is not limited to, the following information:

- Defined terms (e.g., defining "violation");
- Amendment to or repeal of previously approved local laws of the Village proposed to be superseded by the proposed new Chapter 10;

- Establishment of procedures for appointment or removal of one or more building inspectors or contracted inspectors and the powers of these authorized officers. Chapter 10 clarifies the role of the Village Clerk or any other officer of the Village when a contracted inspector fulfills the building inspector position;
- Stipulation of the conditions under which a building permit may be granted or for which an exemption applies, the application and issuance procedure, time limit, revocation and suspension policies and procedures, and applicable fee;
- Establishment of construction inspection requirements and stop-work order authorization and procedure;
- Determination, notification, and procedural aspects related to unsafe buildings and structures;
- Operating permit (e.g., public assembly) applicability and procedures;
- Fire safety and property maintenance inspection information;
- Procedural information related to complaints, recordkeeping, and reporting; and
- Procedural information related to the issuance and noticing of violations, including stop work order information and penalties.

This Chapter is proposed to be adopted pursuant to § 10 of the Municipal Home Rule Law. Except as otherwise provided in the Uniform Code, other state law, or other sections of the Village Code, all buildings, structures, and lots and other land in the Village, regardless of use or occupancy, will be subject to the provisions of Chapter 10.

Approvals and Permits:

- Village of Pawling Village Board – Adoption of Chapter 10 pursuant to § 10 of the Municipal Home Rule Law, Building Code and Zoning Administration and Enforcement Procedures as Local Law 2 of 2022

List of Involved Agencies: Village of Pawling Village Board

Reasons Supporting This Determination:

A Part 1 Short Environmental Assessment Form was prepared for the project on April 13, 2022. The Lead Agency conducted its own independent review and analysis of the information provided and the potential environmental effects.

Per Section 617-7 of the SEQRA regulations, the following criteria were used to determine whether the proposed Unlisted action may have a significant adverse impact on the environment.

- (i) *A substantial adverse change in existing air quality, ground or surface water quality or quantity, traffic or noise levels; a substantial increase in solid waste production; a substantial increase in potential for erosion, flooding, leaching or drainage problems.*

Air Quality: As no developments are proposed, no significant adverse impacts to air quality will occur with the adoption of Chapter 10, Building Code and Zoning Administration and Enforcement Procedures or Local Law 2 of 2022. The proposed law will aid enforcement of legal land uses.

Groundwater/Surface Water Quality:

As no developments are proposed, no significant adverse impacts to groundwater/surface water quality will occur with the adoption of Chapter 10, Building Code and Zoning Administration and Enforcement Procedures or Local Law 2 of 2022.

Traffic Levels:

As no developments are proposed, no significant adverse impacts to traffic will occur with the adoption of Chapter 10, Building Code and Zoning Administration and Enforcement Procedures or Local Law 2 of 2022.

Noise Levels:

As no developments are proposed, no significant adverse impacts to noise will occur with the adoption of Chapter 10, Building Code and Zoning Administration and Enforcement Procedures or Local Law 2 of 2022. The proposed law will aid enforcement of legal land uses.

Solid Waste:

As no developments are proposed, no significant adverse impacts to solid waste will occur with the adoption of Chapter 10, Building Code and Zoning Administration and Enforcement Procedures or Local Law 2 of 2022. The proposed law will aid enforcement of legal land uses.

Erosion, Flooding, Leaching or Drainage:

As no developments are proposed, no significant adverse impacts related to erosion, flooding, leaching or drainage will occur with the adoption of Chapter 10, Building Code and Zoning Administration and Enforcement Procedures or Local Law 2 of 2022. The proposed law will aid enforcement of legal land uses and proper building techniques and site construction.

- (ii) *The removal or destruction of large quantities of vegetation or fauna; substantial interference with the movement of any resident or migratory fish or wildlife species; impacts on a significant habitat area; substantial adverse impacts on a threatened or endangered species of animal or plant, or the habitat of such a species; or other significant adverse impacts to natural resources.*

As no developments are proposed, no significant adverse impacts to flora or fauna will occur with the adoption of Chapter 10, Building Code and Zoning Administration and Enforcement Procedures or Local Law 2 of 2022.

- (iii) *The impairment of the environmental characteristics of a Critical Environmental Area as designated pursuant to subdivision 617.14(g) of this Part.*

The Great Swamp CEA covers approximately 6,000 acres of eastern Putnam and Dutchess Counties and was designated in 1992 because of its "benefit to human health." As no developments are proposed, no significant adverse impacts to the CEA will occur with the adoption of Chapter 10, Building Code and Zoning Administration and Enforcement Procedures or Local Law 2 of 2022. The proposed law will aid enforcement of legal land uses and proper building techniques and site construction.

- (iv) *The creation of a material conflict with a community's current plans or goals as officially approved or adopted.*

The proposed Building Code and Zoning Administration and Enforcement Procedures will ensure that the discretionary decisions made after careful consideration and analysis under the State's Environmental Quality Review Act (SEQRA) by the Village Board, Planning Board and Zoning Board of Appeals will be upheld and enforced to ensure that any relevant conditions are applied and that the intended benefits are realized. Furthermore, the need for building code and zoning provisions such as these are crucial in ensuring development within the Village is safe and that existing structures and construction practices are maintained and undertaken in a safe manner. With the improved administration and enforcement procedures in Chapter 10, the Village will safeguard the land use character of the Village.

The Village's Building Inspector enforces the Zoning Law for the Village. Without clear administration enforcement procedures, the Village's ability to protect against rogue construction and development procedures is limited. With Chapter 10, the Village is able to establish authorized officers and their respective powers to ensure the purpose of the Zoning Law and the actions of the Village Boards are followed as development moves through the construction phase.

For the reasons described above, the proposed action will not create a material conflict with the Village's Comprehensive Plan or Zoning Law. Similarly, Chapter 10 will not impair the character or quality of the existing community. Accordingly, no significant adverse impacts will occur with the adoption of Chapter 10, Building Code and Zoning Administration and Enforcement Procedures or Local Law 2 of 2022. Furthermore, Chapter 10, Building Code and Zoning Administration and Enforcement Procedures will positively impact the Village for the reasons described above.

- (v) *The impairment of the character or quality of important historical, archeological, architectural, or aesthetic resources or of existing community or neighborhood character.*

As no developments are proposed, no significant adverse impacts to the above will occur with the adoption of Chapter 10, Building Code and Zoning Administration and Enforcement Procedures or Local Law 2 of 2022. The proposed law will aid enforcement of legal land uses and proper building techniques and site construction.

- (vi) *A major change in the use of either the quantity or type of energy.*

As no developments are proposed, no significant adverse impacts to energy will occur with the adoption of Chapter 10, Building Code and Zoning Administration and Enforcement Procedures or Local Law 2 of 2022.

- (vii) *The creation of a hazard to human health.*

Chapter 10, Building Code and Zoning Administration and Enforcement Procedures will positively impact the Village. The Village works to protect the interests and safety of its residents, workers, and visitors and to this end has established comprehensive controls for the development of land, including the Zoning Law and the Comprehensive Plan. Like these, Chapter 10 is proposed to be enacted to promote and protect the health, safety, comfort, convenience, and the general welfare of the people.

- (viii) *A substantial change in the use, or intensity of use, of land including agricultural, open space or recreational resources, or in its capacity to support existing uses.*

As no developments are proposed, no significant adverse impacts related to the use, or intensity of use, of land including agricultural, open space or recreational resources, or in its capacity to support existing uses will occur with the adoption of Chapter 10, Building Code and Zoning Administration and Enforcement Procedures or Local Law 2 of 2022. The proposed law will aid enforcement of legal land uses and proper building techniques and site construction.

- (ix) *The encouraging or attracting of a large number of people to a place or places for more than a few days, compared to the number of people who would come to such place absent the action.*

As no developments are proposed, the adoption of Chapter 10, Building Code and Zoning Administration and Enforcement Procedures or Local Law 2 of 2022 will not result in encouraging or attracting of a large number of people to a place or places for more than a few days, compared to the number of people who would come to such place absent the action.

- (x) *The creation of a material demand for other actions that would result in one of the above consequences.*

As no developments are proposed, the adoption of Chapter 10, Building Code and Zoning Administration and Enforcement Procedures or Local Law 2 of 2022 will not result in a material demand for other actions.

- (xi) *Changes in two or more elements of the environment, no one of which has a significant impact on the environment, but when considered together result in a substantial adverse impact on the environment.*

As no developments are proposed, the adoption of Chapter 10, Building Code and Zoning Administration and Enforcement Procedures or Local Law 2 of 2022 will not result in any significant adverse impacts when considering the combination of any of the described small impacts resulting from the proposed project.

- (xii) *Two or more related actions undertaken, funded or approved by an agency, none of which has or would have a significant impact on the environment, but when considered cumulatively would meet one or more of the criteria in this subdivision.*

There are no other actions being undertaken that are related to the proposed action.

Mr. David Daniels, a village attorney, went over the proposed Local Law.

Trustee Peters moved the following resolution, seconded by Trustee Locascio, to introduce the following proposed local law, to be known as Village of Pawling Local Law No. 2 for the Year 2022, entitled "Chapter 10-A Building Code and Zoning Administration and Enforcement Procedures" and to set a date for the public hearing on the said local law:

CHAPTER 10-A

BUILDING CODE ADMINISTRATION AND ENFORCEMENT PROCEDURES FOR BUILDINGS AND ZONING

§ 10-1. TITLE. This Local Law #2 for the Year 2022 shall be designated and referred to as "Chapter 10-A Building Code and Zoning Administration and Enforcement Procedures."

§ 10-2. PURPOSE AND INTENT.

- A. This Chapter provides for the administration and enforcement in the Village of the New York State Uniform Fire Prevention and Building Code (the Uniform Code), the State Energy Conservation Construction Code (the Energy Code), this Chapter, Chapter 98 Zoning of the Code of the Village of Pawling ("Zoning Law") and other state and local laws and regulations related to construction, development and/or use of Buildings, Structures and Lots and/or other land within the Village the enforcement of which is lawfully vested in the Village of Pawling or its duly authorized designees.
- B. This Chapter is adopted pursuant to § 10 of the Municipal Home Rule Law. Except as otherwise provided in the Uniform Code, other state law, or other sections of this Chapter, all Buildings, Structures, and Lots and other land in the Village, regardless of use or occupancy, are subject to the provisions this Chapter.

§ 10-3. DEFINITIONS. In this Chapter, the following terms shall have the meanings indicated:

APPLICANT — a Person applying for a Building Permit, a Certificate of Occupancy or an Operating Permit, as the case may be.

APPLICATION — an application submitted by an Applicant for a Building Permit, a Certificate of Occupancy or an Operating Permit, as the case may be.

AUTHORIZED OFFICER – means the Village Clerk or any other officer of the Village, other than the Building Inspector, who is authorized by the Mayor with the approval of the Board to take any one or more Officer Actions.

BOARD — The Board of Trustees of the Village.

BUILDING — Any Structure or series of connected Structures having a roof or roof supported by columns or by walls and intended for the shelter, housing or enclosure of persons, animals or chattel.

BUILDING INSPECTOR — The Building Inspector appointed pursuant to § 10-5.A of this Chapter.

BUILDING INSPECTOR DOCUMENT – has the meaning set forth in § 10-5.C(3)(a) of this Chapter.

BUILDING INSPECTOR QUALIFICATIONS – has the meaning set forth in § 10-5.B of this Chapter.

BUILDING PERMIT — A permit issued pursuant to § 10-6 of this Chapter. The term "Building Permit" shall also include a Building Permit which is renewed, amended or extended pursuant to any provision of this Chapter.

CERTIFICATE OF OCCUPANCY — A certificate issued pursuant to § 10-9.B of this Chapter.

CHAPTER — Means a Chapter of the Code and "this Chapter" means this Chapter 10-A of the Code.

CODE — the Code of the Village and any other local laws of the Village.

CONTRACTED INSPECTOR – has the meaning set forth in § 10-5.C of this Chapter.

CORRECTION DATE — has the meaning set forth in § 10-18.E of this Chapter.

DEMOLITION PERMIT — a Building Permit which involves the demolition of one or more Buildings or other Structures or no other Work for which a Building Permit is required under this Chapter.

ENERGY CODE — The State Energy Conservation Construction Code, as currently in effect and as hereafter amended from time to time.

LEGAL REQUIREMENT — any provision of the Uniform Code, the Energy Code, this Chapter, the Zoning Law, the Code and/or any other state or local law, ordinance or regulation related to construction, development and/or use of Buildings, Structures and Lots and other land within the Village, the administration and/or enforcement of which is lawfully vested in the Village, the Building Inspector, any Authorized Officer and/or any Contracted Inspector, as the case may be.

LOT — A parcel of land whose boundaries are established by some legal instrument such as a recorded deed or map and has been established in accord with applicable Legal Requirements as a separate parcel of land for the purposes of transfer of title.

NOTICE OF VIOLATION — means notice of a Violation issued by the Building Inspector to one or more Responsible Persons as provided in § 10-18 of this Chapter.

OFFICER ACTION – has the meaning set forth in § 10-5.C(3).

OPERATING PERMIT — A permit issued pursuant to § 10-12 of this Chapter. The term "operating permit" shall also include an operating permit which is renewed, amended or extended pursuant to any provision of this Chapter.

ORDER TO REMEDY — An order issued by the Building Inspector pursuant to § 10-16.A of this Chapter.

PERMIT HOLDER — The person to whom a Building Permit or Operating Permit, as the case may be, has been issued.

PERSON — Shall include an individual, corporation, limited liability company, partnership, limited partnership, business trust, estate, trust, association, or any other legal or commercial entity of any kind or description.

PREMISES IN VIOLATION — Any Lot, land, Building or Structure within the Village upon or with respect to which a Violation is occurring or has occurred and remains uncorrected.

RESPONSIBLE PERSON — “Responsible Person” means any of the following Persons: (i) the Violating Owner and/or any other Person that the Building Inspector has reasonable cause to believe has committed or materially participated in committing a Violation, either through act or omission. Without limiting the generality of the immediately preceding sentence, a Responsible Person may include without limitation a builder, architect, tenant, contractor, subcontractor, construction superintendent, or their agents, or any other person or entity taking part or assisting in either (i) the Work being performed at the Premises in Violation or (ii) any act or omission causing the Violation in whole or in part. Further if the Premises in Violation is owned by a Person who is not a natural person, a Responsible Person may include without limitation, the owner(s), shareholders, directors, members, managers and/or agents, as the case may be, of the Responsible Person who the Building Inspection determines is taking part or assisting in either (i) the Work being performed at the Premises in Violation or (ii) any act or omission causing the Violation in whole or in part.

STOP-WORK ORDER — An order issued pursuant to § 10-8 of this Chapter.

STRUCTURE — Anything constructed or erected on the ground or with a fixed location on the ground or attached to something having a fixed location on the ground, including but not limited to Buildings, walls, fences, radio towers, power-generating equipment such as freestanding windmills and solar panels, swimming pools, billboards, poster panels and signs.

TEMPORARY CERTIFICATE — A certificate issued pursuant to § 10-9.D of this Chapter.

UNCORRECTED VIOLATION — has the meaning set forth in § 10-18.E.

UNIFORM CODE — The New York State Uniform Fire Prevention and Building Code, as currently in effect and as hereafter amended from time to time.

UNSAFE STRUCTURE — has the meaning set forth in § 10-11.A.

VILLAGE — The Village of Pawling, New York.

VILLAGE CLERK — The Village Clerk of the Village.

VIOLATING OWNER — The owner of a Premises in Violation.

VIOLATION — “Violation” means any one or more conditions or activities found to exist in, on, or about any Building, Structure, Lot or other land located within the Village where any one or more of the following apply:

- a. Any Building or Structure is being erected, constructed, reconstructed, altered, repaired, converted, or maintained: (i) in violation of any one or more Legal Requirements or (ii) in the opinion of the Building Inspector in a dangerous or unsafe manner, in any case without regard to whether such work is or is not Work for which a Building Permit is required, and without regard to whether a Building Permit has or has not been issued for such work;
- b. Any Building or Structure is in violation of any one or more Legal Requirements or is dangerous or unsafe;
- c. Any condition or use of any Building, Structure, Lot or other land fails in any respect to comply with any one or more Legal Requirements;
- d. Any Lot or other land is divided into lots, blocks or sites in a manner which fails to comply with any one or more Legal Requirements, including without limitation Chapter 82, Subdivision of Land;
- e. Any Work which is being performed without the required Building Permit, or under a Building Permit that has become invalid, has expired, or has been suspended or revoked;
- f. Any Work which is not in conformity with either (i) the Building Permit; or (ii) any plans or specifications approved in connection therewith or in connection with an approved site plan.

If there is more than one Violation with respect to a given Building, Structure, Lot or Land, the term "Violation" shall be deemed to mean each such Violation.

WORK – Has the meaning set forth in § 10-6.A.

ZONING LAW — Local Law # 2 for the year 1995 entitled Chapter 98 Zoning Law.

§ 10-4. AMENDMENT OR REPEAL OF CERTAIN LOCAL LAWS OF THE VILLAGE.

- A. Local Law # 1 for the year 1979 entitled "Chapter 10 Building Construction" is hereby repealed.
- B. Local Law #1 for the year 2007 entitled "A local law providing for the administration and enforcement of the NYS Uniform Fire Prevention and Building Code and the State Energy Conservation Construction Code in this Village" is hereby repealed.
- C. The following Articles of the Zoning Law are repealed: Article VIII "Building Permits", Article IX Certificates of Occupancy and Article XI "Powers and Duties of the Building Inspector; Penalties". Articles VIII, IX and XI of the Zoning Law are reserved for future use.
- D. Local Law #14 for the Year 2015 entitled "Chapter 14 Unsafe Buildings Law of the Village of Pawling" is hereby repealed.

§ 10-5. BUILDING INSPECTOR AND CONTRACTED INSPECTORS; POWERS OF AUTHORIZED OFFICERS

- A. The Board of Trustees may appoint one or more Building Inspectors. The Building Inspector shall administer and enforce all the provisions of the Uniform Code, the Energy Code, this Chapter and shall enforce all provisions of the Zoning Law. The Building Inspector shall also administer and enforce other local laws of the Village to the extent provided for therein. To the extent that the provisions of this Chapter are in conflict with or are inconsistent with any provisions of the Zoning Law or any other local law of the Village, the provisions of this Chapter 10-A shall prevail and be controlling. The Building Inspector shall have the following powers and duties:

- (1) To receive, review, and approve or disapprove Applications for Building Permits, Certificates of Occupancy, temporary certificates and operating permits, and the plans, specifications and construction documents submitted with such Applications;
- (2) Upon approval of such Applications, to issue Building Permits, Certificates of Occupancy, temporary certificates and operating permits, and to include in Building Permits, Certificates of Occupancy, temporary certificates and operating permits such terms and conditions as the Building Inspector may determine to be appropriate;
- (3) To conduct construction inspections, inspections to be made prior to the issuance of Certificates of Occupancy, temporary certificates and operating permits, fire safety and property maintenance inspections, inspections related to enforcement of the Zoning Law, inspections incidental to the investigation of complaints, and all other inspections required or permitted under any provision of this Chapter; provided however, that unless the owner or owner's agent of a given property located in the Village consents to such inspection in writing or there is an emergency justifying an immediate inspection as provided in § 10-11.G of this Chapter or other applicable law authorizes an inspection or search without a search warrant, the Building Inspector, prior to conducting an inspection on such property, must obtain a search warrant from a court of competent jurisdiction.
- (4) To issue stop-Work orders, Notices of Violation and other notices and orders provided for in this Chapter;
- (5) In connection with any Application to interpret the Zoning Law to the full extent permitted by New York law, subject, however, to the Applicant's right to appeal such determination to the Zoning Board of Appeals pursuant to Village Law 7-712-b.¹
- (6) To review and investigate complaints;
- (7) To maintain records;
- (8) To collect fees provided for in this Chapter;
- (9) To pursue administrative enforcement actions and proceedings relating to any Violation;
- (10) In consultation with the Village Attorney and subject to the approval of the Board, to commence, pursue and prosecute such legal actions and proceedings as may be necessary to enforce the Uniform Code, the Energy Code, this Chapter, and any other local law of the Village which provides for enforcement by the Building Inspector or Code Enforcement Officer or to abate or correct any Violations, including without limitation, conditions not in compliance with the Uniform Code, the Energy Code, this Chapter, the Zoning Law;
- (11) To inspect all signs in the Village and to enforce all of the provisions of the Village's local law regulating signs;
- (12) The Building Inspector may request and shall receive, as far as may be necessary in the discharge of his duties, the assistance and cooperation of the police and fire officers and all other municipal officials exercising any jurisdiction

¹ See, Matter of Jamil v Village of Scarsdale Planning Bd., No. 2004-07764, 8452/03, 808 N.Y.S.2d 260, 261, 2005 N.Y. Slip Op. 09535, 2005 WL 3429454 (N.Y.A.D. 2 Dept., Dec. 12, 2005)(power to interpret the local zoning law is vested exclusively in the Building Inspector and the Zoning Board of Appeals).

over the construction, use or occupancy of buildings or the installation of equipment therein.

- (13) To exercise all other powers and fulfill all other duties conferred upon the Building Inspector by this Chapter.
- B. The Building Inspector may be appointed and removed from office from time to time by the Mayor with the approval of the Board. The Building Inspector's term of office shall be one (1) year from the date of appointment; provided, however, that the Board may by resolution provide for a shorter or longer term of appointment for the Building Inspector. The Building Inspector shall meet or exceed the "Building Inspector Qualifications". "Building Inspector Qualifications" means having background experience related to Building construction and fire prevention and complying with the minimum standards imposed on the Village for Building Safety Inspectors and Code Enforcement Officers as set forth in 19 NYCRR §1208(a) or (b), as the case may, as same may be amended from time to time. A copy of 19 NYCRR §1208(a) in effect as of the effective date of this local law is attached hereto as Schedule "A". The Board by resolution may from time to time amend or modify the Building Inspector Qualifications provided that such amendment or modification does not violate any applicable state or federal law.
- C. In addition to or in lieu of the appointment of a Building Inspector, the Board may from time to time employ or engage as an independent contractor one or more individuals, partnerships, corporations, LLCs or other entities to carry out some or all of the duties of the Building Inspector as provided in this Chapter (a "Contracted Inspector"), subject however, to the following:
- (1) Any such Contracted Inspector must at all times meet or exceed the Building Inspector Qualifications;
 - (2) Any such Contracted Inspector shall perform the duties and responsibilities of the Building Inspector in compliance with the terms and conditions of any applicable agreement between such Contracted Inspector and the Village; however in no event will a Contracted Provider take an "Officer Action".
 - (3) As used herein "Officer Action" means any one or more of the following actions:
 - (a) *Execution and issuance of any "Building Inspector Document". As used herein, Building Inspector Document" means any of the following: Building Permit, Certificate of Occupancy, operating permit, temporary certificate, stop Work orders, Notice of Violation and any other permit, certificate, order, notice or appearance ticket authorized to be issued under this Chapter by the Building Inspector and any documents suspending or revoking any such Building Inspector Document;*
 - (b) *Pursuing administrative enforcement actions and proceedings relating to any Uncorrected Violation and legal actions and proceedings to the extent of the Building Inspector's authority under this Chapter and/or other applicable law;*
 - (c) *any other action within the scope of the Building Inspector's power and authority as provided in this Chapter that a Contracted Provider is not permitted to take under applicable law.*
- D. Notwithstanding anything to the contrary set forth in this Chapter, during any time that the Village is employing or engaging a Contracted Inspector, as the case may be, any Officer Action may be taken by an Authorized Officer, but only if (i) such Officer Action has been recommended and approved by such Contracted Provider and (ii) such

Officer Action is within the scope of the authority granted to such Authorized Officer by the Mayor with the approval of the Board or by resolution approved by a majority of the Board with the Mayor voting in favor thereof.

- E. The compensation for the Building Inspector and any Contracted Inspector shall be fixed from time to time by the Board.

§ 10-6. BUILDING PERMITS.

- A. Building Permits required. Except as otherwise provided in § 10-6.C, a Building Permit shall be required for any Work. As used in this Chapter, "Work" means any work which is required to conform to the Uniform Code and/or the Energy Code, including, but not limited to, the construction, enlargement, alteration, improvement, removal, relocation or demolition of any Building or Structure or any portion thereof, and the installation of a solid-fuel-burning heating appliance, chimney or flue in any dwelling unit. No person shall commence any Work without first having obtained a Building Permit from the Building Inspector.
- B. **Conformance with Zoning and Other Laws Required; Frontage Required.**
 - (1) No Building Permit shall be issued for any proposed Work on any Building or Structure unless the proposed Work and use is in full conformance with the Zoning Law, and other applicable laws and regulations. Without limiting the generality of the foregoing, no Building Permit shall be issued for any use requiring a special permit, site plan approval and/or variance under the Zoning Law unless and until such permit, approval or variance, as the case may be, has been issued.
 - (2) No Building Permit shall be issued upon a Lot without access to either (i) a public street or (ii) a private street which is within a Subdivision approved by the Planning Board.
- C. **Exemptions.** No Building Permit shall be required for work in any of the following categories:
 - (1) Construction or installation of one story detached Structures associated with one- or two-family dwellings or multiple single-family dwellings (townhouses) which are used for tool and storage sheds, playhouses or similar uses, provided the gross floor area does not exceed 144 square feet (13.88 square meters);
 - (2) Installation of swings and other playground equipment associated with a one- or two-family dwelling or multiple single-family dwellings (townhouses);
 - (3) Installation of swimming pools associated with a one- or two-family dwelling or multiple single-family dwellings (townhouses) where such pools are designed for a water depth of less than 24 inches and are installed entirely above ground;
 - (4) Installation of fences which are not part of an enclosure surrounding a swimming pool;
 - (5) Construction of retaining walls unless such walls support a surcharge or impound Class I, II or IIIA liquids;
 - (6) Construction of temporary motion picture, television and theater stage sets and scenery;
 - (7) Installation of window awnings supported by an exterior wall of a one- or two-family dwelling or multiple single-family dwellings (townhouses);
 - (8) Installation of partitions or movable cases less than 5'-9" in height;
 - (9) Painting, wallpapering, tiling, carpeting, or other similar finish work;
 - (10) Installation of listed portable electrical, plumbing, heating, ventilation or cooling equipment or appliances;

- (11) Replacement of any equipment, provided that the replacement does not alter the equipment's listing or render it inconsistent with the equipment's original specifications; or
- (12) Repairs, provided that such repairs do not involve:
 - (a) *The removal or cutting away of a load-bearing wall, partition, or portion thereof, or of any structural beam or load-bearing component;*
 - (b) *The removal or change of any required means of egress, or the rearrangement of parts of a Structure in a manner which affects egress;*
 - (c) *The enlargement, alteration, replacement or relocation of any Building system; or*
 - (d) *The removal from service of all or part of a fire protection system for any period of time.*

D. **Exemption not deemed authorization to perform noncompliant Work.** The exemption from the requirement to obtain a Building Permit for work in any category set forth in § 10-6.C shall not be deemed an authorization for Work to be performed in violation of the Uniform Code or the Energy Code.

E. **Applications for Building Permits.** Applications for a Building Permit shall be made in writing on a form provided by or otherwise acceptable to the Building Inspector. The Application shall be signed by the owner of the property where the Work is to be performed or an authorized agent of the owner. The Application shall include such information as the Building Inspector deems sufficient to permit a determination by the Building Inspector that the intended Work complies with all applicable requirements of the Uniform Code and the Energy Code. The Application shall include or be accompanied by the following information and documentation:

- (1) A description of the proposed Work;
- (2) The Tax Map number and the street address of the premises where the Work is to be performed;
- (3) The existing and intended use and the occupancy classification of any existing or proposed Building(s) and/or Structures;
- (4) The number of dwelling units the Building is designed to accommodate;
- (5) Where applicable, a statement of special inspections prepared in accordance with the provisions of the Uniform Code; and
- (6) At least two sets of construction documents (drawings and/or specifications) which (i) define the scope of the proposed Work; (ii) are prepared by a New York State registered architect or licensed professional engineer where so required by the Education Law; (iii) indicate with sufficient clarity and detail the nature and extent of the Work proposed; (iv) substantiate that the proposed Work will comply with the Uniform Code and the Energy Code; and (v) where applicable, include a site plan that shows any existing and proposed Buildings and Structures on the site, the location of any existing or proposed well or septic system, the location of the intended Work, and the distances between the Buildings and Structures and the lot lines; provided, however, in the case of demolition Work, the site plan shall show the Buildings or other Structures to be demolished and the location and size of existing Buildings or other Structures that are to remain on the Lot.
- (7) Such other information with regard to the Building, the lot or neighboring lots as may be necessary to determine that the proposed construction will conform to the provisions of the Zoning Law
- (8) A statement that the Applicant consents to the Building Inspector conducting Construction Inspections of the Lot or other land, Building and/or Structure pursuant to § 10-6.E(8).

F. (Reserved)

G. **Construction documents.** Construction documents will not be accepted as part of an Application for a Building Permit unless they satisfy the requirements set forth in § 10-6.E(6). Construction documents which are accepted as part of the Application for a Building Permit shall be marked as accepted by the Building Inspector in writing or by stamp. One set of the accepted construction documents shall be retained by the Building Inspector, and one set of the accepted construction documents shall be returned to the Applicant to be kept at the Work site so as to be available for use by the Building Inspector. However, the return of a set of accepted construction documents to the Applicant shall not be construed as authorization to commence Work, nor as an indication that a Building Permit will be issued. Work shall not be commenced until and unless a Building Permit is issued.

H. **Issuance of Building Permits; Demolition Permits.**

- (1) An Application for a Building Permit shall be examined to ascertain whether the proposed Work is in compliance with the applicable Legal Requirements, including without limitation the requirements of the Uniform Code and Energy Code, this Chapter and the Zoning Law. The Building Inspector shall issue a Building Permit if the proposed Work is in compliance with the applicable requirements of the Uniform Code and Energy Code, the provisions of this Chapter and the Zoning Law. If a Building Permit is denied, the Building Inspector shall provide the Applicant with the reasons for such denial in writing.
- (2) A Building Permit which involves only the demolition of a Building or other Structure may be referred to in the Application and other applicable documentation as a Demolition Permit.

I. **Building Permits to be displayed.** Building Permits shall be visibly displayed at the Work site and shall remain visible until the authorized Work has been completed.

J. **Work to be in accordance with construction documents.** All Work shall be performed in accordance with the construction documents which were submitted with and accepted as part of the Application for the Building Permit. The Building Permit shall contain such a directive. The Permit Holder shall immediately notify the Building Inspector of any change occurring during the course of the Work. The Building Permit shall contain such a directive. If the Building Inspector determines that such change warrants a new or amended Building Permit, such change shall not be made until and unless a new or amended Building Permit reflecting such change is issued.

K. **Time limits.** Building Permits shall become invalid unless the authorized Work is commenced within twelve (12) months following the date of issuance. Building Permits shall expire twelve (12) months after the date of issuance. A Building Permit which has become invalid or which has expired pursuant to this § 10-6.K may be renewed upon Application by the Permit Holder, payment of the applicable fee, and approval of the Application by the Building Inspector.

L. **Revocation or suspension of Building Permits.** The Building Inspector is authorized to suspend or revoke a Building Permit in any one or more of the following cases:

- (1) The Building Inspector determines that a Building Permit was issued in error;
- (2) Because of materially incorrect, inaccurate or incomplete information submitted by the Applicant or the Applicant's representative(s) to the Village in connection with the Application for the Building Permit, including without limitation false statements or misrepresentations as to a material fact in the Application or in the plans, specifications or other documents submitted in support of the Application or in support of any site plan approval, special permit or variance that was required in order for the Building Permit to be issued;

- (3) The Building Inspector determines that the Work being performed under the Building Permit is not being carried out in accord with the Application, plans, specifications or other documents submitted by the Applicant or the Applicant's representative(s) in support of the Application or in support of any site plan approval, special permit or variance that was required in order for the Building Permit to be issued;
 - (4) Where the Person to whom a Building Permit has been issued fails or refuses to comply with a stop order issued by the Building Inspector.
 - (5) The Work for which a Building Permit was issued violates the Uniform Code or the Energy Code or otherwise constitutes a Violation.
- M. In the event that the Building Inspector revokes or suspends a Building Permit pursuant to § 10-6.L above, such revocation or suspension, as the case may be, the Building Inspector shall revoke the Building Permit or suspend the Building Permit until the Building Inspector determines that 1) all Work then completed is in compliance with all applicable provisions of the Uniform Code, the Energy Code, the Zoning Law and other applicable Legal Requirements, if any; and 2) all Work then proposed to be performed shall be in compliance with all such Legal Requirements.
- N. **Fee.** The fee specified in or determined in accordance with the provisions set forth in § 10-19 (Fees) of this Chapter must be paid at the time of submission of an Application for a Building Permit, for an amended Building Permit, or for renewal of a Building Permit.
- O. **Required Survey.**
- (1) Applications for the construction of new Buildings or additions to existing Buildings shall be accompanied by an accurate survey showing the exact location of any proposed new construction and all existing Structures to remain.
 - (2) The submission of an accurate survey may be waived by the Building Inspector in the case of an interior or exterior alteration to an existing Building or Structure.

§ 10-7. CONSTRUCTION INSPECTIONS.

- A. **Work to remain accessible and exposed.** Work shall remain accessible and exposed until inspected and accepted by the Building Inspector or by an Inspector authorized by the Building Inspector. The Permit Holder shall notify the Building Inspector when any element of Work described in § 10-7.B is ready for inspection.
- B. **Elements of Work to be inspected.** The following elements of the construction process shall be inspected, where applicable:
- (1) Work site prior to the issuance of a Building Permit;
 - (2) Footing and foundation;
 - (3) Preparation for concrete slab;
 - (4) Framing;
 - (5) Building systems, including underground and rough-in;
 - (6) Fire resistant construction;
 - (7) Fire resistant penetrations;
 - (8) Solid-fuel-burning heating appliances, chimneys, flues or gas vents;
 - (9) Energy Code compliance; and
 - (10) A final inspection after all Work authorized by the Building Permit has been completed.
- C. **Inspection results.** After inspection, the Work or a portion thereof shall be noted as satisfactory as completed, or the Permit Holder shall be notified as to where the Work fails to comply with the Uniform Code or Energy Code. Work not in compliance with any applicable provision of the Uniform Code or Energy Code shall remain exposed until

such Work shall have been brought into compliance with all applicable provisions of the Uniform Code and the Energy Code, reinspected, and found satisfactory as completed.

- D. **Fee.** The fee specified in or determined in accordance with the provisions set forth in § 10-19 (Fees) of this Chapter must be paid prior to or at the time of each inspection performed pursuant to this section.

§ 10-8. STOP-WORK ORDERS.

- A. **Authority to issue.** The Building Inspector is authorized to issue a stop-Work order pursuant to this section to halt any Violation(s).
- B. **Content of stop-Work orders.** Stop-Work orders shall:
 - (1) Be in writing;
 - (2) Be dated and signed by the Building Inspector;
 - (3) State the reason or reasons for issuance; and
 - (4) If applicable, state the conditions which must be satisfied before Work will be permitted to resume.
- C. **Service of stop-Work orders.** The Building Inspector shall attempt to cause the stop-Work order, or a copy thereof, to be served on the Violating Owner (and, if the Violating Owner is not the Permit Holder, on the Permit Holder) personally or by certified mail. The Building Inspector is also authorized but not required, to attempt to cause the stop-Work order, or a copy thereof, to be served on any other Responsible Person personally or by certified mail; provided, however, that failure to serve the Owner or any other Responsible Persons shall not affect the efficacy or validity of the stop-Work order as to the Owner or any other Responsible Person who has been served with such stop-Work order as provided in this § 10-8.C.
- D. **Effect of stop-Work order.** Upon the issuance of a stop-Work order, the Violating Owner, the Permit Holder and any other Person performing, taking part in or assisting in the Work shall immediately cease all Work which is the subject of the stop-Work order.
- E. **Remedy not exclusive.** The issuance of a stop-Work order shall not be the exclusive remedy available to address a Violation, and the authority to issue a stop-Work order shall be in addition to, and not in substitution for or limitation of, the right and authority to pursue any other remedy or impose any other penalty under § 10-18 (Violations; penalties for offenses) of this Chapter or under any other applicable local law or state law. Any such other remedy or penalty may be pursued at any time, whether prior to, at the time of, or after the issuance of a stop-Work order.

§ 10-9. CERTIFICATES OF OCCUPANCY.

- A. **Certificates of Occupancy required.** A Certificate of Occupancy shall be required for any Work and for all Structures, Buildings, or portions thereof which are converted from one use or occupancy classification or subclassification to another. Permission to use or occupy a Building or Structure, or portion thereof, for which a Building Permit was previously issued shall be granted only by issuance of a Certificate of Occupancy.
- B. **Issuance of Certificate of Occupancy.** The Building Inspector shall issue a Certificate of Occupancy if the Work which was the subject of the Building Permit was completed in accordance with each of the following: (i) the construction documents submitted by the Applicant as amended and approved by the Building Inspector; (ii) conditions or specifications of any applicable site plan or special permit approval; (iii) all applicable provisions of the Uniform Code and the Energy Code, this Chapter, the Zoning Law and any other applicable laws and regulations, and, (iv) if applicable, that the Structure, Building or portion thereof that was converted from one use or occupancy classification or subclassification to another complies with all applicable provisions of the Uniform

Code and Energy Code. The Building Inspector or an Inspector authorized by the Building Inspector shall inspect the Building, Structure or Work prior to the issuance of a Certificate of Occupancy. In addition, where applicable, the following documents, prepared in accordance with the provisions of the Uniform Code by such person or persons as may be designated by or otherwise acceptable to the Building Inspector, at the expense of the Applicant for the Certificate of Occupancy, shall be provided to the Building Inspector prior to the issuance of the Certificate of Occupancy:

- (1) A written statement of structural observations and/or a final report of special inspections; and
- (2) Flood hazard certifications.

C. **Contents of Certificate of Occupancy.** A Certificate of Occupancy shall contain the following information:

- (1) The Building Permit number, if any;
- (2) The date of issuance of the Building Permit, if any;
- (3) The name address and Tax Map number of the property;
- (4) If the Certificate of Occupancy is not applicable to an entire Building or Structure, a description of that portion of the Building or Structure for which the Certificate of Occupancy is issued;
- (5) The use and occupancy classification of the Building or Structure;
- (6) The type of construction of the Building or Structure;
- (7) The assembly occupant load of the Building or Structure, if any;
- (8) If an automatic sprinkler system is provided, a notation as to whether the sprinkler system is required;
- (9) Any special conditions imposed in connection with the issuance of the Building Permit; and
- (10) The signature of the Building Inspector issuing the Certificate of Occupancy and the date of issuance.

D. **Temporary certificate.** The Building Inspector shall be permitted to issue a temporary certificate allowing the temporary occupancy of a Building or Structure, or a portion thereof, prior to completion of the Work which is the subject of a Building Permit. However, in no event shall the Building Inspector issue a temporary certificate unless the Building Inspector determines 1) that the Building or Structure, or the portion thereof covered by the temporary certificate, may be occupied safely, 2) that any fire- and smoke-detecting or fire protection equipment which has been installed is operational, and 3) that all required means of egress from the Building or Structure have been provided. The Building Inspector may include in a temporary certificate such terms and conditions as he or she deems necessary or appropriate to ensure safety or to further the purposes and intent of the Uniform Code. A temporary Certificate shall be effective for a period of time, not to exceed six months, which shall be determined by the Building Inspector and specified in the temporary certificate. During the specified period of effectiveness of the temporary certificate, the Permit Holder shall undertake to bring the Building or Structure into full compliance with all applicable provisions of the Uniform Code and the Energy Code.

E. **Revocation or suspension of certificates.** If the Building Inspector determines that a Certificate of Occupancy or a temporary certificate was issued in error because of incorrect, inaccurate or incomplete information, and if the relevant deficiencies are not corrected to the satisfaction of the Building Inspector within such period of time as shall be specified by the Building Inspector, the Building Inspector is authorized to revoke or suspend such certificate.

- F. **Fee.** The fee specified in or determined in accordance with the provisions set forth in § 10-19 (Fees) of this Chapter must be paid at the time of submission of an Application for a Certificate of Occupancy or for a temporary certificate.

§ 10-10. NOTIFICATION REGARDING FIRE OR EXPLOSION.

The Chief of any fire department providing firefighting services for a property within this Village shall promptly notify the Building Inspector of any fire or explosion involving any structural damage, fuel-burning appliance, chimney or gas vent.

§ 10-11. UNSAFE BUILDING AND STRUCTURES.

- A. An "Unsafe Structure" means any Building or Structure which the Building Inspector determines: (i) to be structurally unsafe, insanitary or not provided with adequate egress, or to constitute a fire hazard or otherwise is dangerous to human life, or which in relation to existing use constitutes a hazard to safety or health by reason of inadequate maintenance, dilapidation, obsolescence or abandonment, are, severally.
- B. All Unsafe Structures are hereby declared to be illegal and shall be abated by repair and rehabilitation or by demolition in accordance with the procedure of this § 10-11.
- C. The Building Inspector shall inspect or cause to be inspected every Unsafe Structure of which the Building Inspector becomes aware and shall make a written record of such examination.
- D. Whenever the Building Inspector shall find any Building or Structure or portion thereof to be an Unsafe Structure, the Building Inspector shall issue a Notice of Violation in accordance with § 10-18.A.
- E. If the Building Inspector finds that there is actual and immediate danger of failure or collapse so as to endanger life, such notice shall also require the Building, Structure, or portion thereof to be vacated forthwith and not reoccupied until the specified repair and improvements are completed, inspected and approved by the Building Inspector. The Building Inspector shall cause to be posted at each entrance to such Building a notice: THIS BUILDING IS UNSAFE AND ITS USE OR OCCUPANCY HAS BEEN PROHIBITED BY THE BUILDING INSPECTOR. Such notice shall remain posted until the required repairs are made or demolition is completed. It shall be unlawful for any person, firm or corporation, or their agents or other persons, to remove such notice without written permission of the Building Inspector, or for any person to enter the Building except for the purpose of making the required repairs or of demolishing same.
- F. In case the owner, agent or person in control cannot be found within the stated time limit, or if such owner, agent or person in control fails, neglects or refuses to comply with the notice to repair, rehabilitate or demolish and remove said Building or Structure or portion thereof, the Village Attorney shall be advised of all the facts in the case and, subject to the approval of the Board, shall be authorized to institute an appropriate action in a court of competent jurisdiction to compel compliance.
- G. In cases of emergency which, in the opinion of the Building Inspector, involve imminent danger to human life or health, the Building Inspector shall promptly cause such Building, Structure or portion thereof to be made safe or to be removed. For this purpose, he may at once enter such Structure or Lot or other land on which it stands, or abutting Lot or other land or Structure, with such assistance and at such cost as may be necessary. He may vacate adjacent Structures and protect the public by appropriate barricades or such other means as may be necessary, and for this purpose may close a public or private way.
- H. Costs incurred under § 10-11.F and § 10-11.G, including reasonable attorney's fees of the Village's attorney, shall be paid out of the Village treasury on certificate of the

Building Inspector. Such costs shall be assessed against the Lot or other land on which said Building or Structure is located and shall be and become a lien on said Lot or other land, as the case may be, as of the date of such assessment. The lien of the Village for such cost and expenses shall have priority over all other liens and encumbrances, except the liens of taxes and assessments which constitute prior liens.

§ 10-12. OPERATING PERMITS.

- A. **Operation permits required.** Operating permits shall be required for conducting any activity listed in § 10-12.A(1), (2) or (3) below or operating any type of Building or Structure listed in § 10-12.A(4), or (5), below:
- (1) Manufacturing, storing or handling hazardous materials in quantities exceeding those listed in Tables 5003.1.1(1), 5003.1.1(2), 5003.1.1(3), 5003.1.1(4) of the 2015 Edition of the International Fire Code (a publication currently incorporated by reference in 19 NYCRR Part 1225);
 - (2) Hazardous processes and activities, including but not limited to, commercial and industrial operations which produce combustible dust as a by-product, fruit and crop ripening, and waste handling;
 - (3) Use of pyrotechnic devices in assembly occupancies;
 - (4) Buildings containing one or more areas of public assembly with an occupant load of 100 persons or more; and
 - (5) Buildings whose use or occupancy classification may pose a substantial potential hazard to public safety, as determined by resolution adopted by the Board of this Village. Any person who proposes to undertake any activity or to operate any type of Building listed in this § 10-12.A shall be required to obtain an operating permit prior to commencing such activity or operation.
- B. **Applications for operating permits.** An Application for an operating permit shall be in writing on a form provided by or otherwise acceptable to the Building Inspector. Such Application shall include such information as the Building Inspector deems sufficient to permit a determination by the Building Inspector that quantities, materials, and activities conform to the requirements of the Uniform Code. If the Building Inspector determines that tests or reports are necessary to verify conformance, such tests or reports shall be performed or provided by such person or persons as may be designated by or otherwise acceptable to the Building Inspector, at the expense of the Applicant. Such Application shall include a statement that the Applicant consents to the Building Inspector conducting inspections pursuant to § 10-12.C.
- C. **Inspections.** The Building Inspector or an Inspector authorized by the Building Inspector shall inspect the subject premises prior to the issuance of an operating permit.
- D. **Multiple activities.** In any circumstance in which more than one activity listed in § 10-12.A is to be conducted at a location, the Building Inspector may require a separate operating permit for each such activity, or the Building Inspector may, in his or her discretion, issue a single operating permit to apply to all such activities.
- E. **Duration of operating permits.** Operating permits shall be issued for such period of time, not to exceed one year in the case of any operating permit issued for an area of public assembly and not to exceed three years in any other case, as shall be determined by the Building Inspector to be consistent with local conditions. The effective period of each operating permit shall be specified in the operating permit. An operating permit may be reissued or renewed upon Application to the Building Inspector, payment of the applicable fee, and approval of such Application by the Building Inspector.
- F. **Revocation or suspension of operating permits.** If the Building Inspector determines that any activity or Building for which an operating permit was issued does not comply

with any applicable provision of the Uniform Code, such operating permit shall be revoked or suspended.

- G. **Fee.** The fee specified in or determined in accordance with the provisions set forth in § 10-19 (Fees) of this Chapter must be paid at the time submission of an Application for an operating permit, for an amended operating permit, or for reissue or renewal of an operating permit.

§ 10-13. FIRE SAFETY AND PROPERTY MAINTENANCE INSPECTIONS.

- A. **Inspections required.** Fire safety and property maintenance inspections of Buildings and Structures shall be performed by the Building Inspector or an Inspector designated by the Building Inspector at the following intervals:

- (1) Fire safety and property maintenance inspections of Buildings or Structures which contain an area of public assembly shall be performed at least once every twelve (12) months.
- (2) Fire safety and property maintenance inspections of Buildings or Structures being occupied as dormitories shall be performed at least once every twelve (12) months.
- (3) Fire safety and property maintenance inspections of all multiple dwellings not included in § 10-13.A(1) or § 10-13.A(2), and all nonresidential Buildings, Structures, uses and occupancies not included in § 10-13.A(1); or § 10-13.A(2), shall be performed at least once every thirty six (36) months.

- B. **Inspections permitted.** In addition to the inspections required by § 10-13.A, a fire safety and property maintenance inspection of any Building, Structure, use, or occupancy, or of any dwelling unit, may also be performed by the Building Inspector or an Inspector designated by the Building Inspector at any time upon; the request of the owner of the property to be inspected or an authorized agent of such owner; receipt by the Building Inspector of a written statement alleging that conditions or activities failing to comply with the Uniform Code or Energy Code exist; or receipt by the Building Inspector of any other information, reasonably believed by the Building Inspector to be reliable, giving rise to reasonable cause to believe that conditions or activities failing to comply with the Uniform Code or Energy Code exist; provided, however, that nothing in this subsection shall be construed as permitting an inspection under any circumstances under which a court order or warrant permitting such inspection is required, unless such court order or warrant shall have been obtained.

- C. **OFPC inspections.** Nothing in this section or in any other provision of this Chapter shall supersede, limit or impair the powers, duties and responsibilities of the New York State Office of Fire Prevention and Control ("OFPC") and the New York State Fire Administrator under Executive Law § 156-e and Education Law § 807-b. Notwithstanding any other provision of this section to the contrary:

- (1) The Building Inspector shall not perform fire safety and property maintenance inspections of a Building or Structure which contains an area of public assembly if OFPC performs fire safety and property maintenance inspections of such Building or Structure at least once every twelve (12) months;
- (2) The Building Inspector shall not perform fire safety and property maintenance inspections of a Building or Structure occupied as a dormitory if OFPC performs fire safety and property maintenance inspections of such Building or Structure at least once every twelve (12) months;
- (3) The Building Inspector shall not perform fire safety and property maintenance inspections of a multiple dwelling not included in § 10-13.A(1) or § 10-13.A(2) if OFPC performs fire safety and property maintenance inspections of such

multiple dwelling at intervals not exceeding the interval specified in § 10-13.A(3); and

- (4) The Building Inspector shall not perform fire safety and property maintenance inspections of a nonresidential Building, Structure, use or occupancy not included in § 10-13.A(1) or § 10-13.A(2) if OFPC performs fire safety and property maintenance inspections of such nonresidential Building, Structure, use or occupancy at intervals not exceeding the interval specified in § 10-13.A(3).

- D. **Fee.** The fee specified in or determined in accordance with the provisions set forth in § 10-19 (Fees) of this Chapter must be paid prior to or at the time each inspection is performed pursuant to this section.

§ 10-14. COMPLAINTS.

- A. The Building Inspector shall review and investigate complaints which allege or assert the existence of conditions or activities that constitute a Violation. The process for responding to a complaint shall include such of the following steps as the Building Inspector may deem to be appropriate:

- (1) Performing an inspection of the conditions and/or activities alleged to be a Violation, and documenting the results of such inspection;
- (2) If a Violation is found to exist, providing the owner of the affected property and any other person who may be responsible for the Violation with a Notice of Violation and opportunity to abate, correct or cure the violation, or otherwise proceeding in the manner described in § 10-18 (Violations; penalties for offenses) of this Chapter;
- (3) If appropriate, issuing a stop-Work order;
- (4) If a Violation which was found to exist is abated or corrected, performing an inspection to ensure that the Violation has been abated or corrected, preparing a final written report reflecting such abatement or correction, and filing such report with the complaint.

§ 10-15. RESERVED.

§ 10-16. RECORDKEEPING.

- A. The Building Inspector shall keep permanent official records of all transactions and activities conducted by the Building Inspector and Inspectors including records of:

- (1) All Applications received, reviewed and approved or denied;
- (2) All plans, specifications and construction documents approved;
- (3) All Building Permits, Certificates of Occupancy, temporary certificates, stop-Work orders, and operating permits issued;
- (4) All inspections and tests performed;
- (5) All statements and reports issued;
- (6) All complaints received;
- (7) All investigations conducted;
- (8) All other features and activities specified in or contemplated by § 10-6 through § 10-14, inclusive, of this Chapter, including; and
- (9) All fees charged and collected.

- B. All such records shall be public records open for public inspection during normal business hours. All plans and records pertaining to Buildings or Structures, or appurtenances thereto, shall be retained for at least the minimum time period so required by state law and regulation.

- C. A record of all Certificates of Occupancy shall be kept in the office of the Village Clerk.

§ 10-17. PROGRAM REVIEW AND REPORTING.

- A. The Building Inspector shall annually submit to the Board Village a written report and summary of all business conducted by the Building Inspector and the Inspectors, including a report and summary of all transactions and activities described in § 10-16 (Recordkeeping) of this Chapter and a report and summary of all appeals or litigation pending or concluded. The Building Inspector shall also submit to the Board such additional reports at such time and in such form as may be requested by the Board from time to time.
- B. The Building Inspector shall annually submit to the Secretary of State, on behalf of this Village, on a form prescribed by the Secretary of State, a report of the activities of this Village relative to administration and enforcement of the Uniform Code.
- C. The Building Inspector shall, upon request of the New York State Department of State, provide to the New York State Department of State, from the records and related materials this Village is required to maintain, excerpts, summaries, tabulations, statistics and other information and accounts of the activities of this Village in connection with administration and enforcement of the Uniform Code.

§ 10-18. VIOLATIONS; PENALTIES FOR OFFENSES.

- A. **Notice of Violation.** Upon a finding by the Building Inspector that there is reasonable grounds to believe that a Violation exists, the Building Inspector is authorized to issue a Notice of Violation to any one or more Responsible Persons. Failure to issue a Notice of Violation to one or more Responsible Persons shall not invalidate any Notice of Violation issued to any other Responsible Person or Responsible Persons.
- B. **Contents of Notice of Violation.**
 - (1) The Notice of Violation shall be in writing, and shall:
 - (a) *be dated and signed by the Building Inspector;*
 - (b) *set forth the address and/or tax identification number of the Premises in Violation;*
 - (c) *specify the condition or activity that constitutes the Violation;*
 - (d) *specify the provision or provisions of the Uniform Code, the Energy Code, this Chapter, the Zoning Law or other Legal Requirement, as the case may be, that has been or is being violated;*
 - (e) *order that the Violation be corrected and specify the time period within which such correction must be completed. Including the following language in the Notice of Violation will satisfy this subparagraph (e):*
"The person or entity served with this Notice of Violation must completely remedy each violation of law or regulation as described in this Notice of Violation by _____ [specify date that the Building Inspector has determined is reasonably necessary to correct the Violation] ("Required Correction Date")"
 - (f) *specify the actions required to be taken in order to remedy the Violation ("Corrective Action");*
 - (g) *state that an action or proceeding to compel compliance with this Notice of Violation may be instituted if correction of the violation is not achieved on or before the Required Correction Date (including, but not limited to, the imposition of criminal or civil penalties hereunder).*
 - (h) *If the Violation includes that the Building or other Structure is an Unsafe Structure, then the Notice of Violation shall also state that, on or before*

the Correction Date, the Corrective Action must be completed or the Unsafe Structure must be demolished and all debris removed.

- (2) **Stop Work Order.** The Building Inspector is authorized to include in such Notice of Violation a stop-Work order as described in § 10-8 of this Chapter. This paragraph b. shall not be deemed to limit the authority of the Building Inspector to issue a stop Work orders under circumstances not requiring a Notice of Violation.
 - (3) The Building Inspector may include in the Notice of Violation provisions ordering the Responsible Person or Responsible Persons, as the case may be:
 - (a) *To begin to remedy the Violation described in the Notice of Violation immediately, or within some other specified period of time which may be less than time period specified for correction therein; to continue diligently to remedy such Violation until it is fully remedied; and, in any event, to complete the remedying of all such Violations within the time period specified in the Notice of Violation.*
 - (b) *To take such other protective actions (such as vacating the Building or barricading the area where the Violation exists) which are authorized by this Chapter or by any other applicable statute, regulation, rule, local law or ordinance, and which the Building Inspector may deem appropriate, during the period while such Violation are being remedied.*
 - (4) A Notice of Violation shall not be deemed defective so long as it substantially complies with the requirements of this § 10-18.
- C. **Manner of Service of Notice of Violation.** A Notice of Violation in order to be effective against a given Responsible Person shall be served upon such Responsible Person either personally or by certified mail. Failure to serve one or more Responsible Persons with a Notice of Violation shall not be deemed to invalidate service of such Notice of Violation upon any other Responsible Person or Responsible Persons.
- D. **Appearance Tickets.** For any Violation, the Building Inspector is authorized to issue appearance tickets to the Responsible Person or Responsible Persons, as the case may be, returnable in any court of competent jurisdiction.
- E. **Penalties.**² In the event that the Building Inspector determines that a Violation specified in a Notice of Violation has not been fully corrected on or before the date specified for such correction in the Notice of Violation ("Correction Date"), then such Violation shall be deemed to be an uncorrected violation ("Uncorrected Violation"). With respect to any Uncorrected Violation, each Responsible Person who has been served with a Notice of Violation with respect to Violation which becomes an Uncorrected Violation shall be guilty of a violation as provided in this Chapter shall for (a) a first offense be guilty of a violation as defined in Penal Law §55.10 (3) and subject to a fine of not less than \$500 and not more than \$2,000 or to imprisonment for up to fifteen (15) days, or both; (b) for a second offense be guilty of an unclassified misdemeanor as defined in Penal Law §55.10(2)(c) and subject to a fine of not less than \$1,000 and not more than \$4,000 or imprisonment for up to thirty (30) days, or both; and (c) for the third and all subsequent offenses be guilty of an unclassified misdemeanor and subject to a fine of not less than \$4,000 and not more than \$6,000

² See Municipal Home Rule Law §10(4)(b) (the legislative body of a local government shall have power: ...4. In the exercise of its powers to adopt and amend local laws, the legislative body of a local government shall have power:...(b) To provide for the enforcement of local laws by legal or equitable proceedings which are or may be provided or authorized by law, to prescribe that violations thereof shall constitute misdemeanors, offenses or infractions and to provide for the punishment of violations thereof by civil penalty, fine, forfeiture, community service,...)

or imprisonment for up to sixty (60) days, or both.³ Each and every day that any Uncorrected Violation continues beyond the Correction Date shall constitute a separate offense. In addition to the above penalties, the Responsible Person or Responsible Persons, as the case may be, shall be jointly and severally liable to the Village for all of its costs and expenses, including without limitation reasonable attorney's fees, incurred in determining, issuing and/or prosecuting such Uncorrected Violation, including without limitation, in any action or proceeding relating to an Uncorrected Violation which is initiated by the Village against one or more Responsible Persons, whether criminal and/or civil.

For the purposes of conferring jurisdiction upon courts and judicial officers generally, Violations which constitute a "violation", as such term is defined in Penal Law §55.10 (3) shall be deemed misdemeanors and for such purpose only all provisions of law relating to misdemeanors shall apply to such violations.

- F. **Remedies Not Exclusive.** No remedy or penalty specified in this Chapter shall be the exclusive remedy or penalty available to address any Violation, and each remedy or penalty for any Uncorrected Violations as specified in this § 10-18 shall be in addition to, and not in substitution for or limitation of, the other remedies or penalties specified in this Chapter, in any other Articles of this Chapter, or under any other applicable law, including without limitation, the remedies specified in Village §7-714 and in Subdivision (2) of § 382 of the Executive Law or any regulations promulgated thereunder. Any remedy or penalty specified in this Chapter may be pursued at any time, whether prior to, simultaneously with, or after the pursuit of any other remedy or penalty specified in this Chapter or under any other applicable law. Without limiting the generality of the foregoing, the Village may simultaneously maintain an injunctive action in Supreme Court and a prosecution in Justice Court.
- G. Nothing contained herein shall be deemed to invalidate any Notice of Violation issued by the Building Inspector at any time prior to the effective date of this local law ("Prior Violation"); provided, however, that all of the Village's rights and remedies, including without limitation those specified in § 10-18.D through § 10-18.F shall fully apply to any such Prior Violation which has not been fully corrected prior to such effective date of this Chapter.
- H. **Injunctive relief.** An action or proceeding may be instituted in the name of this Village, in a court of competent jurisdiction, to prevent, restrain, enjoin, correct, or abate any Violation, and/or to obtain an order directing the removal of the Building or Structure or an abatement of the condition resulting in such Violation. No action or proceeding described in this subsection shall be commenced without the appropriate authorization from the Board.

§ 10-19. FEES.

A fee schedule applicable to permits and certificates issued and inspections made hereunder shall be established and may be amended from time to time by resolution of the Board pursuant to §98-53 of the Zoning Law as amended by Local Law #2 of the Year 2021 entitled "A Local Law regarding Reimbursement of Professional Fees incurred by the Village in Connection with Land use Applications". The fees set forth in, or determined in accordance with, such fee schedule or amended fee schedule shall be charged and collected for the submission of Applications, the issuance of Building Permits, amended Building Permits, renewed Building Permits, Certificates of

³ The NY Penal Law §80.05 (4) authorizes the Village to impose fines for violations of its local laws which exceed the maximum amount imposed by similar state law. See, *People v Karns*, 365 N.Y.S.2d 725, 735 (N.Y. City Ct., Mar. 18, 1975).

Occupancy, temporary certificates, operating permits, construction inspections, fire safety and property maintenance inspections, and other actions of the Building Inspector described in or contemplated by this Chapter. For the avoidance of doubt all provisions of Local Law #2 of the Year 2021, including provisions regarding reimbursement of professional fees shall also apply to permits, certificates, inspections and other actions hereunder.

§ 10-20. INTERMUNICIPAL AGREEMENTS.

The Board may, by resolution, authorize the Mayor to enter into an agreement, in the name of this Village, with other governments to carry out the terms of this Chapter, provided that such agreement does not violate any provision of the Uniform Code, the Energy Code, Part 1203 of Title 19 of the NYCRR, or any other applicable law.

§ 10-21. SEVERABILITY, SAVINGS CLAUSE, INCONSISTENCIES

If any section of this Chapter 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 Chapter.

In addition, to the maximum extent permitted by law, this Chapter shall be interpreted so as to comply with the requirements of 19 NYCRR Section 1203.3 (minimum features of a program for administration and enforcement of the Uniform Code) and any other state laws or regulations applicable to this Chapter.

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

§ 10-22. 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.

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 the following proposed local law for the Village of Pawling: Village of Pawling Local Law No. 2 for 2022, entitled “Chapter 10-A, Building Code Administration and Enforcement Procedures for Buildings and Zoning”

BE IT RESOLVED, that a public hearing be held in relation to the proposed Local Law 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 May 2, 2022 at 7 o'clock p.m., 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 May 2, 2022, at 7 o'clock p.m., on proposed Local Law No. 2 of 2022, entitled “Chapter 10-A, Building Code Administration and Enforcement Procedures for Buildings and Zoning”; 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
May 2, 2022
Jennifer Osborn, Village Clerk

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

Mayor Lauri Taylor	Aye
Trustee Daniel Peters	Aye
Trustee John Burweger	Aye
Trustee Gerald Locascio	Aye
Trustee Tom Meyer	Absent.

Mayor Taylor reported that the Planning Board would like to move forward with engaging an architect to review the changes that were made at 146 East Main Street. She said they requested that the Village Board engage an architect and they put forth an architect for the Village Board's consideration – Robert Orr, a recommendation of Duany who wrote the village's current Comprehensive Plan. Mr. Daniels said there is a Local Law from 2009 that specifically authorizes the Planning Board to request this and the Village Board is the appointing body.

MOTION by Trustee Peters to authorize the Mayor to reach out to Robert Orr and engage him for this purpose. **SECONDED** by Trustee Burweger. There was no discussion; all were in favor and the motion carried.

MOTION by Trustee Peters to authorize the Mayor to negotiate the contract with FBS for the parking ticket revenue with the final contract presented in 2 weeks. **SECONDED** by Trustee Locascio. There was no discussion; all were in favor and the motion carried.

MOTION by Trustee Burweger to approve the proposal for General Mapping – ArcGIS Online Training and On-Call Support (see attached). **SECONDED** by Trustee Locascio. There was no discussion; all were in favor and the motion carried.

MOTION by Trustee Locascio to approve payment for the Dutchess County Soil & Water Conservation District for annual membership dues for the Dutchess County MS4 Committee. **SECONDED** by Trustee Burweger. There was no discussion; all were in favor and the motion carried.

MOTION by Trustee Peters to approve the Village Green and Public Assembly Permit Application for the American Legion for the May 30, 2022 Memorial Day Ceremony. **SECONDED** by Trustee Burweger. There was no discussion; all were in favor and the motion carried,

MOTION by Trustee Burweger to approve the Metro North Treasurer's Report for March 2022. **SECONDED** by Trustee Locascio. There was no discussion; all were in favor and the motion carried.

Mr. Dan Stone, a village engineer, reported that Russell Urban Mead's report on Lower Baxter would be issued later in the week. He stated the source will produce 210 gpm with no adverse environmental effects.

MOTION by Trustee Locascio to approve payment of the April 5, 2022 prepaids in the amount of \$66.00. **SECONDED** by Trustee Burweger. There was no discussion; all were in favor and the motion carried.

MOTION by Trustee Burweger to approve payment of the Metro North bills in the amount of \$205.98. **SECONDED** by Trustee Peters. There was no discussion; all were in favor and the motion carried.

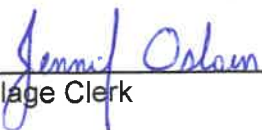
MOTION by Trustee Burweger to adjourn the meeting and go into Public Comment at 7:24 P.M. **SECONDED** by Trustee Peters. There was no discussion; all were in favor and the motion carried.

MOTION by Trustee Peters to return to regular session, close regular session and go into Executive Session for litigation at 7:30 P.M. **SECONDED** by Trustee Burweger. There was no discussion; all were in favor and the motion carried.

MOTION by Trustee Burweger to close Executive Session at 8:27 P.M. **SECONDED** by Trustee Locascio. There was no discussion; all were in favor and the motion carried.

MOTION by Trustee Burweger to open regular session at 8:28 P.M. **SECONDED** by Trustee Locascio. There was no discussion; all were in favor and the motion carried.

MOTION by Trustee Burweger to close the regular meeting at 8:28 P.M. **SECONDED** by Trustee Locascio. There was no discussion; all were in favor and the motion carried.


Village Clerk

Schedule "A"

19 NYCRR § 1208-2.2. Minimum standards for local governments, counties and State agencies

(a) General. Building Safety Inspectors and Code Enforcement Officials designated by Local Governments, counties or State agencies for administration and enforcement of the Uniform Code, Energy Code, or portions thereof, shall be certified pursuant to 1208-3.1 or 1208-5.4 of this Part. A local government, county or State agency responsible for administration and enforcement of the Uniform Code and/or the Energy Code shall provide the opportunity for training and certification for the designated building safety inspector and/or code enforcement official pursuant to this Part.

(b) Exceptions. Notwithstanding the provisions of section 1208-2.1 of this Subpart and subdivision (a) of this section:

(1) A person who has commenced, but not completed, the building safety inspector basic training program described in section 1208-3.2(b) of this Part may, during such person's basic training period (as that term is defined in paragraph (3) of this subdivision), perform building safety inspector enforcement activities on behalf of the local government, county or State agency by which such person is employed, provided that:

(i) such local government, county or State agency designates such person to perform building safety inspector enforcement activities on behalf of such local government, county or State agency; and

(ii) such person is progressing toward completion of the building safety inspector basic training program at a rate which, in the judgment of the local government, county or State agency by which such person is employed, will assure that such person will complete such program within such person's basic training period. If such person fails to complete the building safety inspector basic training program within his or her basic training period, he or she shall not be permitted to perform any building safety inspector enforcement activities until and unless he or she does successfully complete such program.

(2) A person who has commenced, but not completed, the code enforcement official basic training program described in section 1208-3.2(c) of this Part may, during the such person's basic training period (as that term is defined in paragraph (3) of this subdivision), perform code enforcement official enforcement activities on behalf of the local government, county or State agency by which such person is employed, provided that:

(i) such local government, county or State agency designates such person to perform code enforcement official enforcement activities on behalf of such local government, county or State agency; and

(ii) such person is progressing toward completion of the code enforcement official basic training program at a rate which, in the judgment of the local government, county or State agency by which such person is employed, will assure that such person will complete such program within such person's basic training period. If such person fails to complete the code enforcement official basic training program within his or her basic training period, he or she shall not be permitted to perform any code enforcement official enforcement activities until and unless he or she does successfully complete such program.

(3) For the purposes of paragraphs (1) and (2) of this subdivision, the term basic training period shall mean the period within which a person must complete a basic training course, as determined in accordance with section 1208-3.2(d) of this Part.

(4) If any local government or county establishes and maintains standards of code enforcement training which, in the opinion of the Secretary, are equal to or higher than those established by this Part, the Secretary may exempt building safety inspectors and/or code enforcement officials employed by such local government or county from satisfaction of the training requirements established by this Part, provided that such building safety inspectors and/or code enforcement officials satisfy the basic training requirements and continuing training requirements established by such local government or county. Any such exemption shall be in writing, signed by the Secretary or the Secretary's designee, and shall be subject to such terms and conditions as the Secretary may prescribe. Any such exemption may be revoked by the Secretary, in whole or in part, if, in the opinion of the Secretary, the standards of code enforcement training established and maintained by such local government or county are or become lower than those established by this Part.

(c) Other requirements. Nothing in this section shall be construed as negating or limiting the applicability of any other law, statute, rule, regulation or ordinance imposing any residency requirement or other requirement or limitation on the hiring of building safety inspectors and/or code enforcement officials.

(d) Other minimum standards. This section specifies only those minimum standards that relate to training of building safety inspectors and code enforcement officials. Nothing in this section shall be construed as limiting the applicability of any minimum standard set forth in Part 1201, Part 1202, Part 1203 and/or Part 1204 of Title 19 of the Official Compilation of Codes, Rules and Regulations of the State of New York.

**VILLAGE OF PAWLING
BUDGET FISCAL YEAR 2022-2023**

REVENUE

RAISED BY TAXES:	\$1,218,694
ESTIMATED REVENUE:	\$378,057
APPROPRIATED FUND BALANCE:	\$272,939
TOTAL REVENUE:	\$1,869,690

<u>EXPENDITURES</u>	\$1,869,690
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<u>ASSESSMENT</u>	\$84,857,711
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MIL-RATE for 2022-2023	0.014361617
MIL-RATE for 2021-2022	0.014779724

DIFFERENCE IN MIL-RATE	<0.000418107>
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DECREASE IN MIL-RATE:	<2.82%>
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MARCUS J. MOLINARO
COUNTY EXECUTIVE



HEIDI SEELBACH
COMMISSIONER
CATHERINE WEISSE
DIRECTOR

COUNTY OF DUTCHESS
DEPARTMENT OF FINANCE
REAL PROPERTY TAX SERVICES DIVISION

TO: Village of Pawling
FROM: Maggie Burns *MB*
Supervisor of Tax Services
RE: Village Taxable Assessed Value
DATE: February 28, 2022

This is the current taxable value for your Village from the 2021 assessment roll.
This value should be used when calculating your June 2022 Village tax rate.

TAXABLE TOTAL - 84,857,711

SPECIAL DISTRICT TOTAL -

OMITTED TAXES -

(omitted taxes, if any, should be deducted from the amount of levy to be raised by taxes before figuring the tax rate)

NYS - Real Property System
 County of Dutchess
 Town of Pawling - 1340
 Village of V. Pawling
 SWIS Code - 134001

File Totals - 2021 - Prior Year File
 Roll Section Summary
 (Town Partially Designated For School Purposes)

RPS960V04/L002

R/S	Name	# Parcels	Land Assessed Value	Total Assessed Value	County	Town/City	School	Village
1	Taxable	692	12,980,837	83,905,212	82,218,246	82,273,766	82,744,037	82,273,766
5	Special Franch.	4	0	634,069	634,069	634,069	634,069	634,069
6	Utility	13	217,304	1,949,876	1,949,876	1,949,876	1,949,876	1,949,876
8	Wholly Exempt	54	3,012,500	36,302,250	0	0	0	0
Village Totals:		763	16,210,641	122,791,407	84,802,191	84,857,711	85,327,982	84,857,711

Date: 04/13/2022

Time: 9:22:54AM

Annualized Planning Budget Report

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VILLAGE OF PAWLING

For Fiscal Year: 2023

ACCOUNT ACCOUNT DESCRIPTION	CURRENT YEAR BUDGET	2022 BUDGET	2022 ACTUAL	2021 BUDGET	2021 ACTUAL
A0.0599.001 Appropriated Fund Balance	272,939.00	122,703.00		168,929.00	
A0.1001.000 Real Property Taxes	1,218,694.00	1,245,236.00	1,223,761.33	1,245,236.00	1,245,236.17
A0.1090.000 Interest & Penalties on Real Prop Taxes	5,000.00	6,000.00	3,025.41	9,000.00	5,564.03
A0.1120.000 Distribution By Cnty-SALES TAX/QTLY	90,000.00	70,000.00	95,578.93	50,000.00	87,986.04
A0.1170.000 Franchises-CABLE	21,500.00	21,500.00	12,876.63	20,000.00	21,830.49
A0.1260.000 Persnnl Fees-Health	35,000.00	29,000.00	25,256.47	31,000.00	30,723.67
A0.1540.000 Fire Inspection Fees	1,800.00	4,000.00	300.00	5,000.00	1,750.00
A0.1603.000 VITAL STATISTICS FEE	500.00	300.00	950.00	600.00	260.00
A0.2089.000 Other Culture & Recreation Income			20.00		
A0.2110.000 Zoning Fees	1,500.00	2,100.00	1,400.00	500.00	3,250.00
A0.2115.000 Planning Board Fees	5,000.00	12,200.00	4,570.00	8,000.00	11,400.00
A0.2300.000 SAL REIMB FROM MTA				3,000.00	
A0.2401.000 Interest & Earnings	1,250.00	1,500.00	940.79	850.00	1,766.16
A0.2410.000 HAIR SALON RENTAL	14,533.00	14,533.00	13,308.34	13,534.00	13,533.36
A0.2411.000 PJSC/WATER/GARBAGE RENTAL	12,000.00	12,000.00	9,083.33	12,000.00	12,000.00
A0.2412.000 DMV RENTAL				12,456.00	7,266.00
A0.2555.000 Bldg & Sign permits	42,000.00	45,000.00	38,592.82	35,000.00	86,008.43
A0.2555.010 B/P -146 E Main St - Main Corner Properties LL		15,000.00	280.00		29,000.00
A0.2555.020 B/P -Hudson Valley Plastics -Colman Union Prop			13,550.00		
A0.2590.000 PERMITS, OTHER	50.00	25.00	1,550.00	50.00	25.00
A0.2610.000 Fines/Forfeited Bail-COURT/MONTHLY	3,000.00	11,000.00	5,228.00	11,500.00	3,020.00
A0.2650.000 SALE OF SCRAP & EXCESS MATERIALS	500.00	75.00	614.40	75.00	1,017.30
A0.2683.000 Self Insurance Recoveries					1,439.34
A0.2701.000 REF PRIOR YR EXP			1,701.41		13.52

Date: 04/13/2022

Time: 9:22:54AM

Annualized Planning Budget Report

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VILLAGE OF PAWLING

For Fiscal Year: 2023

ACCOUNT	CURRENT YEAR	2022	2022	2021	2021
ACCOUNT DESCRIPTION	BUDGET	BUDGET	ACTUAL	BUDGET	ACTUAL
A0.2750.000					
AIM-Related Payments	10,805.00	8,644.00		10,805.00	10,805.00
A0.2770.000					
Misc Revenue			1,046.18		212.75
A0.3005.000					
Mortgage Tax-BI-ANNUAL	18,000.00	16,000.00	11,414.27	15,000.00	35,202.28
A0.3089.000					
NYS AID - OTHER					1,328.10
A0.3089.100					
NYS AID - COURT GRANTS					6,410.00
A0.3501.000					
NYS AID - HWY (CHIPS)	77,840.00	86,028.00	138,763.19	60,000.00	
A0.3501.010					
NYS AID - PAVENY	20,858.00	13,000.00	34,764.21	13,000.00	
A0.3501.020					
NYS AID - Extreme Winter Recovery	16,921.00	10,900.00	6,651.67	10,900.00	
A0.5031.000					
INTERFUND TRANSFERS				10,000.00	3,041.25
Total for Revenue	1,869,690.00	1,746,744.00	1,645,227.38	1,746,435.00	1,620,088.89
A0.1010.100					
Personal Services-BOARD	25,500.00	23,500.00	19,583.40	21,500.00	21,241.87
A0.1010.400					
Contractual Expenses-BOARD	1,500.00	400.00	66.00	400.00	
A0.1110.100					
Personal Services - JUSTICE		11,676.08	4,958.31	37,500.00	31,549.22
A0.1110.400					
Contractual Expenses-JUSTICE		12,500.00	4,004.07	14,500.00	11,723.26
A0.1210.100					
Personal Services-MAYOR	12,500.00	12,000.00	10,000.00	11,500.00	11,499.96
A0.1210.400					
Contractual Expenses-MAYOR	1,500.00	1,400.00	958.78	650.00	
A0.1320.400					
Contractual Expenses-AUDITOR	2,000.00	2,000.00		2,000.00	
A0.1325.100					
Personal Services-TREASURER	58,000.00	55,000.00	46,961.44	50,000.00	50,346.22
A0.1325.400					
Contractual Expenses-TREASURER	12,000.00	12,000.00	10,680.88	10,000.00	8,046.29
A0.1345.400					
PURCHASING -Office Supplies	3,200.00	3,200.00	2,794.59	3,000.00	3,426.52
A0.1362.400					
Tax Advertising/Exps	1,000.00	975.00	896.88	975.00	1,203.24
A0.1380.400					
Fiscal Agent Fees	50.00	75.00		200.00	22.00
A0.1410.100					
Personal Services-CLERK	71,000.00	68,000.00	58,061.44	65,000.00	65,342.30
A0.1410.400					
Contractual Expenses-CLERK	700.00	625.00	269.22	625.00	726.81
A0.1420.400					

Date: 04/13/2022

Time: 9:22:54AM

Annualized Planning Budget Report

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VILLAGE OF PAWLING

For Fiscal Year: 2023

ACCOUNT	CURRENT YEAR BUDGET	2022 BUDGET	2022 ACTUAL	2021 BUDGET	2021 ACTUAL
ACCOUNT DESCRIPTION					
Contractual Expenses-LAW	250,000.00	100,000.00	94,076.53	225,000.00	239,256.94
A0.1440.400					
ENGINEER-CONT EXPENSE			-270.00		
A0.1620.400					
Contractual Expenses-BUILDINGS	58,000.00	47,000.00	43,121.48	32,000.00	32,028.90
A0.1670.400					
Contractual Expenses-POSTAGE	5,250.00	4,200.00	2,111.48	5,000.00	3,639.18
A0.1680.400					
Computers and Technology	24,000.00	24,000.00	6,439.86	21,500.00	21,396.79
A0.1910.400					
Unallocated Insuranc	25,000.00	25,000.00	-16,047.08	23,552.00	37,387.32
A0.1920.400					
Municipal Assoc Dues	2,000.00	2,500.00	2,012.00	3,200.00	1,507.00
A0.1990.400					
Contngt Acct-Budget	90,000.00				
A0.3120.100					
Personal Services- Cross Grd.	3,120.00	3,120.00	2,664.00	3,120.00	3,064.07
A0.3120.400					
Contractual Expenses-SHERIFF'S	250,000.00	250,000.00	151,724.77	234,000.00	231,071.18
A0.3320.100					
Personal Services - PARKING ENFORCEMENT	13,600.00	10,312.00	6,390.00	11,228.00	5,340.00
A0.3320.400					
Contractual Expenses - PARKING ENFORCEME	1,000.00	1,200.00		1,200.00	
A0.3620.100					
Personal Services- BLDG INSP	26,000.00	25,960.00	18,445.20	46,718.00	40,210.04
A0.3620.400					
Contractual Expenses- BLDG INSP	49,000.00	88,576.56	102,499.45	6,000.00	31,961.68
A0.3620.410					
Contractual Exp Bldg Insp 146 E Main St		19,629.75	20,819.75		6,672.10
A0.4020.400					
REGISTRAR of Vital Statistics - contractual	800.00	830.00	950.00	600.00	210.00
A0.5110.100					
Personal Services- ST. MAINT.	100,813.00	100,333.00	90,802.96	100,978.00	88,238.75
A0.5110.200					
Equipment- St. Maint.	1,000.00	14,635.22	12,635.22	2,000.00	611.42
A0.5110.400					
Contractual Expenses- St. Maint.	12,000.00	25,364.78	9,672.73	16,000.00	11,490.67
A0.5112.200					
C H I P S	115,619.00	153,243.63	153,243.63	60,000.00	55,508.17
A0.5132.100					
Personal Services- GARAGE	53,207.00	55,033.00	50,770.11	49,525.00	45,688.05
A0.5132.200					
Equipment- GARAGE	2,500.00	4,200.00		2,500.00	9,407.25
A0.5132.400					
Contractual Expenses- GARAGE	55,000.00	55,000.00	49,432.26	62,000.00	49,643.15
A0.5142.100					
Personal Services- SNOW REMOVAL	22,403.00	24,219.00	14,869.42	22,262.00	18,911.82
A0.5142.200					

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VILLAGE OF PAWLING

For Fiscal Year: 2023

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ACCOUNT	CURRENT YEAR BUDGET	2022 BUDGET	2022 ACTUAL	2021 BUDGET	2021 ACTUAL
ACCOUNT DESCRIPTION					
Equipment- SNOW REMOVAL	3,000.00	5,000.00		5,000.00	
A0.5142.400					
Contractual Expenses- SNOW REMOVAL	25,000.00	50,000.00	33,459.61	55,000.00	48,810.77
A0.5182.400					
Contractual Expenses- ST LIGHTING	38,000.00	38,000.00	35,738.93	38,000.00	38,399.89
A0.5182.410					
Repairs & Supplies - ST LIGHTING	2,500.00	5,500.00		6,058.00	6,057.53
A0.5410.400					
Contractual Expenses- SIDEWALKS	40,000.00	28,679.08	123,659.08	60,000.00	59,363.86
A0.6410.400					
Contractual Exp- PUBLICITY		1,500.00		1,500.00	
A0.7110.400					
Contractual Expenses - PARKS	10,000.00	4,296.00	4,296.00	6,000.00	5,310.00
A0.7510.400					
VILLAGE HISTORIAN- Contractual Expenses				500.00	
A0.7550.400					
Contractual Expenses- CELEBRATIONS	12,000.00	2,000.00	407.72	5,300.00	501.11
A0.8010.100					
Personal Services - ZONING	10,400.00	8,298.00	7,148.50	2,694.00	2,251.14
A0.8010.400					
Contractual Expenses- ZONING	20,200.00	20,200.00	3,401.30	20,320.00	7,130.86
A0.8020.100					
Personal Services - PLANNING	10,400.00	8,800.00	7,480.00	9,418.00	7,249.35
A0.8020.400					
Contractual Expenses- PLANNING	20,200.00	20,200.00	7,505.01	21,700.00	7,176.86
A0.8170.100					
Personal Services-ST CLEANING	2,800.00	1,311.00	16.25	586.00	963.45
A0.8170.200					
Equipment- ST CLEANING	1,000.00	2,400.00	2,050.00	1,000.00	655.14
A0.8170.400					
Contractual Expenses- ST CLEANING	7,000.00	3,122.30	3,122.30	6,500.00	2,003.00
A0.8510.400					
Community Beautifications	3,000.00	3,400.00	2,000.00	5,000.00	
A0.8540.100					
Personal Services - DRAINAGE	1,067.00	1,067.00		1,067.00	
A0.8540.400					
Contractual Expenses - DRAINAGE	3,000.00	4,000.00	1,105.17	11,000.00	1,887.97
A0.9010.800					
NY State Retirement	36,179.00	47,852.00	47,852.00	39,902.00	40,570.25
A0.9030.800					
Social Security	25,471.00	26,534.00	20,924.47	27,863.00	24,229.42
A0.9035.800					
Medicare Tax	5,967.00	6,206.00	4,893.61	6,517.00	5,666.37
A0.9040.800					
Workmans Compensatn	21,695.00	28,104.00	20,099.93	27,712.00	18,504.93
A0.9050.800					
UNEMPLOYMENT INSURANCE	2,500.00	4,000.00		9,700.00	
A0.9060.800					

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VILLAGE OF PAWLING

For Fiscal Year: 2023

ACCOUNT	CURRENT YEAR	2022	2022	2021	2021
ACCOUNT DESCRIPTION	BUDGET	BUDGET	ACTUAL	BUDGET	ACTUAL
Hospital/Med Insurnc	175,000.00	177,421.00	140,926.25	173,580.00	174,630.76
A0.9710.600					
SERIAL BOND-PRINCIPLE				30,000.00	30,000.00
A0.9710.700					
SERIAL BOND INTEREST				563.00	562.50
A0.9730.600					
BAN PRINCIPAL	43,200.00	10,800.00	10,800.00	26,500.00	26,500.00
A0.9730.700					
BAN INTEREST	859.00	345.60	345.60	1,242.00	1,237.90
Total for Expense	1,869,690.00	1,746,744.00	1,452,830.51	1,748,435.00	1,848,035.23
Excess of Revenue for Fund: A0 - GENERAL	0.00	0.00	192,396.87	0.00	-27,946.34

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VILLAGE OF PAWLING

For Fiscal Year: 2023

ACCOUNT ACCOUNT DESCRIPTION	CURRENT YEAR BUDGET	2022 BUDGET	2022 ACTUAL	2021 BUDGET	2021 ACTUAL
CL.0599.001 Appropriated Fund Balance				16,178.00	
CL.2130.000 Refuse and Garbage	227,205.00	222,987.00	181,464.95	203,889.00	213,023.19
CL.2401.000 INTEREST ON EARNINGS			117.96		189.21
Total for Revenue	227,205.00	222,987.00	181,582.91	220,067.00	213,212.40
CL.1990.400 Contingency Account	5,000.00	4,470.80		4,525.00	
CL.8160.100 Personal Services- GARBAGE	78,500.00	69,990.00	62,985.19	62,444.00	75,266.06
CL.8160.400 Contractual Expenses- GARBAGE	128,199.00	119,776.00	70,589.24	126,450.00	97,415.29
CL.9010.800 NYS RETIREMENT	9,500.00	11,621.20	11,621.20	9,691.00	9,852.78
CL.9030.800 Social Security	4,867.00	4,340.00	3,888.24	3,872.00	4,642.10
CL.9035.800 Medicare Tax	1,139.00	1,015.00	909.37	906.00	1,085.67
CL.9730.600 B.A.N. - Principal		11,600.00		11,600.00	11,600.00
CL.9730.700 B.A.N. - Interest		174.00		579.00	173.52
Total for Expense	227,205.00	222,987.00	149,993.24	220,067.00	200,035.42
Excess of Revenue for Fund: CL - REFUSE & GARBAGE	0.00	0.00	31,589.67	0.00	13,176.98

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VILLAGE OF PAWLING

For Fiscal Year: 2023

ACCOUNT ACCOUNT DESCRIPTION	CURRENT YEAR BUDGET	2022 BUDGET	2022 ACTUAL	2021 BUDGET	2021 ACTUAL
F0.0599.001					
Appropriated Fund Balance	125,855.00	91,598.00		9,938.00	
F0.2140.000					
Metered Water Sales	395,578.00	354,000.00	284,334.01	350,000.00	354,608.54
F0.2144.000					
WATER HOOKUP CHARGES					1,000.00
F0.2401.000					
Interest & Earnings	400.00	200.00	352.38	500.00	238.84
Total for Revenue	521,833.00	445,798.00	284,686.39	360,438.00	355,847.38
F0.1380.400					
Fiscal Agent Fees	50.00	50.00		66.00	
F0.1420.400					
Contractual Expenses- Law	10,000.00	12,000.00	3,637.00	14,000.00	273.50
F0.1910.400					
UNALLOCATED INSURANCE	10,600.00	11,432.00		10,991.00	9,941.08
F0.1990.400					
Contingent Account	30,000.00	11,937.80			
F0.8310.400					
Contractual Exp- Water Administration	130,000.00	90,000.00	83,521.00	87,459.00	64,227.22
F0.8320.200					
Equipment- SOURCE OF SUPPLY	8,000.00	20,000.00		2,000.00	
F0.8320.400					
Contractual Exp- SOURCE OF SUPPLY, POWE	150,000.00	200,000.00	212,234.19	159,000.00	239,551.36
F0.8320.410					
Contractual Exp -Baxter Lower Well water sourc			138,991.65		
F0.8340.100					
Personal Services- TRANS & DISTRBTN	16,803.00	13,500.00	6,514.11	11,441.00	15,295.66
F0.8340.200					
Equipment- TRANS & DISTRBTN	1,000.00	1,000.00		1,000.00	
F0.8340.400					
Contractual Exp- TRANS & DISTRBTN	35,000.00	45,000.00	25,291.38	32,000.00	43,928.43
F0.9010.800					
RETIREMENT	1,034.00	1,367.20	1,367.20	1,141.00	1,159.15
F0.9030.800					
Social Security	1,042.00	837.00	400.70	710.00	941.47
F0.9035.800					
Medicare Tax	244.00	196.00	93.70	166.00	220.18
F0.9710.600					
Serial Bond-Principi	40,000.00	36,000.00	36,000.00		
F0.9710.700					
Serial Bond-Interest	2,268.00	2,478.00	1,283.75	4,852.00	1,233.83
F0.9730.600					
B A N - Principal	63,000.00			33,700.00	13,700.00
F0.9730.700					
B A N - Interest	22,792.00			1,912.00	239.09
F0.9901.900					
INTERFUND TRANSFER					29,275.58

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VILLAGE OF PAWLING

For Fiscal Year: 2023

ACCOUNT ACCOUNT DESCRIPTION	CURRENT YEAR BUDGET	2022 BUDGET	2022 ACTUAL	2021 BUDGET	2021 ACTUAL
Total for Expense	521,833.00	445,798.00	509,334.68	360,438.00	419,986.55
Excess of Revenue for Fund: F0 - WATER	0.00	0.00	-224,648.29	0.00	-64,139.17

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VILLAGE OF PAWLING

For Fiscal Year: 2023

ACCOUNT ACCOUNT DESCRIPTION	CURRENT YEAR BUDGET	2022 BUDGET	2022 ACTUAL	2021 BUDGET	2021 ACTUAL
G0.2374.000 sewer Svcs-Other Gv	100,671.00	87,800.00	57,327.30	88,907.00	102,823.05
G0.2392.000 DEBT SERVICE OTR GVT	297,912.00	292,947.00		1,315,864.00	345,668.26
G0.2401.000 INTEREST & EARNINGS					0.81
Total for Revenue	398,583.00	380,747.00	57,327.30	1,404,771.00	448,487.12
G0.1380.400 Fiscal Agent Fees	25.00	25.00		300.00	99.07
G0.8110.100 Personal Services- SEWER	74,000.00	61,400.00	53,034.88	74,706.00	87,300.39
G0.9010.800 NYS RETIREMENT	5,685.00	7,177.00	7,519.60	5,963.00	6,375.33
G0.9030.800 Social Security	4,588.00	3,807.00	3,287.77	4,760.00	5,524.59
G0.9035.800 Medicare Tax	1,073.00	891.00	768.89	1,114.00	1,292.20
G0.9060.800 HEALTH INSURANCE	15,300.00	14,500.00		2,064.00	2,063.64
G0.9710.600 Serial Bonds-Princpl	297,912.00	292,947.00		342,982.00	342,982.00
G0.9710.700 Serial Bonds-Intrest				2,682.00	2,681.27
G0.9730.600 B A N - Principal				970,200.00	470,200.00
Total for Expense	398,583.00	380,747.00	64,611.14	1,404,771.00	918,518.49
Excess of Revenue for Fund: G0 - SEWER	0.00	0.00	-7,283.84	0.00	-470,031.37

April 10, 2022

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

Re:

*General Mapping - ArcGIS Online Training & On-Call Support
Proposal #PM19-184*

Dear Mayor Taylor and Board of Trustees:

This proposal provides training support to Village Highway, Water and Wastewater Operators and administrative personnel on the TDC 600 Handheld data collection units. The proposal also includes customized data acquisition and entry forms as identified and requested by the Village and finally provides on-call services to the Village for enhanced training or entry form development.

Data collected by the Village will be stored and managed with a geographic information system (GIS) using ESRI's ArcGIS's Field Maps application, and real time connection to the ArcGIS Online 'cloud based' mapping platform. This technology will allow the Village to acquire, store, retrieve and present facility inventory and attendant operational data.

It is contemplated that the Village will separately acquire access to ESRI's ARCGIS application and services as provided in a previously submitted quote for a software license. This license will host the Village AMP GIS and will be maintained under this proposal by Chazen/Labela.

Background

Previously, Village facility inventory has been stored on paper systems that were not scalable. Operational data storage by the Village's departments was determined on a department-by-department basis with no interdepartmental coordination. Recently, the Village authorized the production of a scalable three-dimensional rectified orthophoto map of the entire Village. Data acquired through the use of the TDC 600 will be compatible with the Orthophoto data when available.

The proposed training will allow Village personnel to record physical and operational attributes for Village infrastructure such as: sewer manholes, sewer pipes, force mains, water pipes, water valves, hydrants and drainage facilities.

Future additions (not included in this base proposal) to the system will allow acquisition of additional information such as sidewalks, roads, street lights and any other physical attribute that the Village determines that it needs.

Project Approach

New York: Hudson Valley • Capital District • North Country • Westchester
Tennessee: Nashville • Chattanooga **Oregon:** Portland

Infrastructure inventory and maintenance of operational data should be thought of as an ongoing constantly evolving management tool. The value of the system will only be realized if data are regularly entered and updated. This proposal provides the initial step of training Village Staff in the use of the TDC 600 handheld system. This proposal also allocates additional time for additional training and modification of data input tables to reflect needs that are identified by Village personal.

The initial training is proposed as a lump sum training task.

Additional work will only commence upon separate authorization by the Village. When Village staff identify the need for additional development or training, those needs will be discussed with the Mayor and a request will be made to Chazen/LaBella to provide a description of the services needed to satisfy the request. Upon authorization of those additional services, Chazen/LaBella will provide them.

Please also note that the services in this proposal will be provided concurrently with services provided under a companion proposal to the Pawling Joint Sewer Commission.

Scope of Services

Task 0100 – Field Data Collection Training & Support

Scope – Chazen/Labella will meet with Village staff to provide initial GIS training and a walkthrough for mapping of existing assets. Upon completion of this initial training Village staff will have the skills to use the TDC 600 to input locational and operational data for the following facilities:

- Wastewater and Stormwater Manholes
- Distribution System Valves and Hydrants
- Catch basins and stormwater outfalls

As Village Staff identify the need to add additional facility information to the system, those system modifications will be the subject of subsequent proposals.

Limitations – The TDC 600 is considered a mapping-grade GPS with variable accuracy generally measured as plus or minus several feet. The previously discussed rectified Aerial photo will have an accuracy of +/- 1 foot. Data acquired by the TDC 600 is compatible with the rectified orthophoto data.

Task 0200 – On-Call Support

Scope – Chazen/LaBella will provide on-call support as needed to assist in the mapping and data collection process and help resolve potential technology issues and concerns. We will review the field data after it is imported to ArcGIS Online. Alterations to the collection process or additional training if needed, will be provided on a Time & Materials basis after separate authorization.

Limitations – The Village is responsible for payment of the \$1,200 annual ESRI Online GIS license.

Professional Services Fee Schedule

Chazen/LaBella proposes to bill each task as indicated in the following Fee and Time Schedule Summary. Invoices will be issued monthly for all services performed during that month and are payable upon receipt.

Lump Sum tasks will be billed commensurately with the percentage of the task which has been completed. Time and Materials tasks will be separately authorized and billed based on the actual hours and reimbursable expenses incurred. Fees listed for Time and Materials tasks are estimates only.

Please also note that this proposal represents 50% of the total and assumes that Pawling Joint Sewer Commission concurrently approves its companion proposal.

Fee and Time Schedule Summary

Fee and Time Schedule Summary

Tasks		Fee Estimates		Proposed Schedules
Task No.	Task Description	Time and Materials Estimate	Lump Sum	Duration
0100	Field Data Collection Training & Support		\$750.	1-2 Days
0200	On-Call Support	\$1,000		As Needed
Total T&M and Lump Sum		\$1750		

Closing

Please feel free to contact me at 845-486-1539 if you have any questions or require clarification of the proposed scope of services offered. We would be glad to meet with you and the Village Board to further discuss our approach if deemed appropriate.

If you find this proposal acceptable, and as our authorization to proceed, please review and execute this document. Chazen/LaBella looks forward to the opportunity of working with the Village on this project.

Sincerely,



Seth Erlich, P.E.
Project Engineer

Authorization:

Name (Printed)

Date