

DATE OF MEETING: March 21, 2022

PLACE OF MEETING: Village Hall, Pawling, New York

MEMBERS PRESENT: Mayor Lauri Taylor
Trustee Dan Peters
Trustee John Burweger
Trustee Jerry Locascio
Trustee Tom Meyer – via conference call

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

MOTION by Trustee Peters to adopt a Resolution designating the Village of Pawling SEQR Lead Agency for the Lower Baxter Environmental Review. **SECONDED** by Trustee Burweger.

**RESOLUTION DESIGNATING THE VILLAGE OF PAWLING
SEQR LEAD AGENCY
THE VILLAGE OF PAWLING WATER SUPPLY PROJECT –
LOWER BAXTER ENVIRONMENTAL (SEQRA) REVIEW**

WHEREAS the Village of Pawling (the “Village”) is proposing to develop five water supply wells, a water treatment facility, and related utility line infrastructure on the Village's Water Supply lands at a site located at 50 Tyrell Road on Tax Parcel No. 6957-20-904187-0000, and

WHEREAS the remaining utility line infrastructure on the Village's Water Supply lands will make a connection through two parcels (134001-6957-16-937250-0000 and 134001-6957-16-868317-0000) and the New York State Electric and Gas Corporation (NYSEG) transmission corridor (by easement) to Grandview Avenue, and

WHEREAS the 50 Tyrell Road parcel is currently occupied by three existing and operational bedrock wells (known as the Baxter wells), existing test wells (whose permanent operation is part of this environmental analysis), existing Baxter Green Water Treatment Plant and associated structures, and

WHEREAS the proposed wells will be added to the Village's water supply system for which additional ground water supply is urgently needed pursuant to the terms of the Consent Order between the Dutchess County Department of Health and the Village. These wells will increase source capacity to enable the water supply system to sufficiently meet maximum daily demand, and

WHEREAS the proposed wells are proposed to operate in conjunction with the Umscheid water wells (located northwest of the site on parcel 134001-6957-16-868317-0000). With the Lower Baxter wells operational in conjunction with the Umscheid water wells, the maximum daily flow from the water treatment plant will be 432,000 gallons per day, and

WHEREAS the Village is seeking water treatment approval and design from the NYS Department of Health (NYSDOH), water treatment approval from the Dutchess County (DCDOH), financing and bonding approval from the Village of Pawling Board of Trustees, and a water withdrawal

permit and wetland permit from the NYS Department of Environmental Conservation (NYSDEC), and

WHEREAS, the Planning Board has determined the proposed action is an Unlisted Action, pursuant to the New York State Environmental Quality Review Act (SEQRA) 6 NYCRR Part 617, and that a coordinated review of the action will be undertaken, and

WHEREAS, the Village of Pawling has circulated the proposed action to all involved agencies for 30 days indicating their desire to be Lead Agency in accordance with 6NYCRR 617.6, and no objection was received,

THEREFORE BE IT RESOLVED, that the Village of Pawling Board of Trustees hereby establishes themselves as Lead Agency for review of the proposed action, pursuant to the requirements of the State Environmental Quality Review Act, 6NYCRR 617.6.

Mayor Taylor	Aye
Trustee Peters	Aye
Trustee Burweger	Aye
Trustee Locascio	Aye
Trustee Meyer	Aye.

Mr. David Daniels, a village attorney, went over a proposed Local Law – Revised Penalty Structure for Violations and updates to Chapter 10 of the Village Code (see proposed local law below). Mr. Daniels said this was a draft version that needs to be reviewed by the Board and that SEQR needs to be completed.

CHAPTER 10

Building Code Administration and Enforcement Procedures for Buildings and Zoning

§ 10-1. Title. This Local Law #1 for the Year 2022 shall be designated and referred to as “Chapter 10 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.

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.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 of the Code.

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

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.

INSPECTOR — An inspector appointed pursuant to § 10-5.D of this Chapter.

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 or its designee(s).

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.

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. §98 -5 "Definitions" of the Zoning Law is amended as follows:

(1) The definition of "Building" is amended to read as follows:

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.

(2) The definition of Lot" is amended to read as follows:

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.

(3) The following definition is added:

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.

E. 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 Inspectors; Powers of Village Clerk.

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 and this Chapter and shall enforce all provisions of the Zoning Law. 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 and this Chapter, or to abate or correct any Violations, including without limitation, conditions not in compliance with the Uniform Code, the Energy Code, this Chapter and/or 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 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.

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).

- B. The Building Inspector shall be appointed by the Board. The Building Inspector shall possess background experience related to Building construction or fire prevention and shall, within the time prescribed by law, obtain such basic training, in-service training, advanced in-service training and other training as the State of New York shall require for code enforcement personnel, and the Building Inspector shall obtain certification from the Department of State pursuant to the Executive Law and the regulations promulgated thereunder.
- C. In the event that the Building Inspector is unable to serve as such for any reason, an individual shall be appointed by the Mayor, with the approval of the Board, to serve as Acting Building Inspector. The Acting Building Inspector shall, during the term of his or her appointment, exercise all powers and fulfill all duties conferred upon the Building Inspector by this Chapter.
- D. One or more Inspectors may be appointed by the Board to act under the supervision and direction of the Building Inspector and to assist the Building Inspector in the exercise of the powers and fulfillment of the duties conferred upon the Building Inspector by this Chapter. Each Inspector shall, within the time prescribed by law, obtain such basic training, in-service training, advanced in-service training and other training as the State of New York shall require for code enforcement personnel, and each inspector shall obtain certification from the Department of State pursuant to the Executive Law and the regulations promulgated thereunder.
- E. The compensation for the Building Inspector and Inspectors shall be fixed from time to time by the Board.
- F. **Authority of Village Clerk.** Without limiting the powers of the Building Inspector under this Chapter, where no Building Inspector has been appointed the Village Clerk*** is authorized upon receipt of either a recommendation from the Building Inspector or an Inspector or an authorization from the Board, to take any one or more of the following actions which the Building Inspector is authorized to take under this Chapter: (i) to execute, issue, suspend and revoke Building Permits, Certificates of Occupancy, operating permits, temporary certificates, stop Work orders, Notices of Violations and other notices provided for in this Chapter; and (ii) to pursue administrative enforcement actions and proceedings relating to any Uncorrected Violation including without limitation the issuance of appearance tickets; and (iii) to pursue legal actions and proceedings authorized by this Chapter to the same extent as the Building Inspector is authorized to do so under this Chapter. For the avoidance of doubt, nothing contained herein shall be deemed to limit the authority, powers and duties of the Village Clerk, the Mayor of the Village and/or Board under applicable law.

§ 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) public street or (ii) private street which is within a Subdivision which has been approved by the Planning Board and construction in accord with Chapter 82 Subdivision.

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 **Error! Reference source not found.**, 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 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 pursuant to this §98-59, whether criminal and/or civil.

For the purposes of conferring jurisdiction upon courts and judicial officers generally, violations of this Chapter 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 a 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 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,...)

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).

(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 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 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 Article X of the Zoning Law, as amended by 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 of this Village 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.

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.

§ 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.

Mayor Taylor presented the Tentative Budget for the Fiscal year 2022-2023 to the Board (see attached). She stated the tentative budget proposes a 1% tax increase. She set the Public hearing for April 4, 2022.

MOTION by Trustee Peters to approve the Village Green and Public Assembly Events Permit Application from the Pawling Free Library for children's programs to be held June 28, 2022 – September 2, 2022. **SECONDED** by Trustee Burweger. There was no discussion; all were in favor and the motion carried.

Mayor Taylor reminded everyone that the Library is holding their Centennial Gala on May 21st.

Mayor Taylor announced the village was live streaming the Village Board, Planning Board and ZBA meetings on YouTube. She said to go subscribe to the Village of Pawling YouTube channel for alerts. The Clerk said she would have a link on the village website.

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

MOTION by Trustee Locascio to approve the minutes from January 4, 2022, January 18, 2022, February 7, 2022 and March 7, 2022. **SECONDED** by Trustee Peters. There was no discussion; all were in favor and the motion carried.

Mr. Dan Stone, a representative from LaBella, gave the engineer's report and an update on the status of the water system.

MOTION by Trustee Peters to approve the Professional Services Agreement for Aerial Survey and Ground Control in the amount of \$15,000.00 (see attached). **SECONDED** by Trustee Burweger. There was no discussion; all were in favor and the motion carried.

Other items covered by Mr. Stone were:

Update on waterline installation project at the Umscheid well location &
Lower Baxter SEQR process.

MOTION by Trustee Burweger to approve the Mero North bills in the amount of \$584.20. **SECONDED** by Trustee Locascio. There was no discussion; all were in favor and the motion carried.

Mayor Taylor reported she was still working on the new website going live.

MOTION by Trustee Burweger to adjourn the meeting at 7:30 P.M. and go into Public Comment. **SECONDED** by Trustee Locascio. There was no discussion; all were in favor and the motion carried.


Village Clerk

Date: 02/17/2022

Time: 3:03:12PM

Annualized Planning Budget Report

User: LIZ

Page: 1

VILLAGE OF PAWLING

For Fiscal Year: 2023

TENTATIVE BUDGET

ACCOUNT	TENTATIVE	CURRENT YEAR 2023 BUDGET	2022 BUDGET	2022 ACTUAL	2021 BUDGET	2021 ACTUAL
ACCOUNT DESCRIPTION						
A0.0599.001						
Appropriated Fund Balance	233,944		122,703.00		168,929.00	
A0.1001.000						
Real Property Taxes	1,257,689		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		6,000.00	3,025.41	9,000.00	5,564.03
A0.1120.000						
Distribution By Cnty-SALES TAX/QTLY	90,000		70,000.00	28,801.86	50,000.00	87,986.04
A0.1170.000						
Franchises-CABLE	21,500		21,500.00	12,876.63	20,000.00	21,830.49
A0.1260.000						
Persnrl Fees-Health	35,000		29,000.00	20,059.63	31,000.00	30,723.67
A0.1540.000						
Fire Inspection Fees	1,800		4,000.00	300.00	5,000.00	1,750.00
A0.1603.000						
VITAL STATISTICS FEE	500		300.00	830.00	600.00	260.00
A0.2110.000						
Zoning Fees	1,500		2,100.00	1,050.00	500.00	3,250.00
A0.2115.000						
Planning Board Fees	5,000		12,200.00	1,570.00	8,000.00	11,400.00
A0.2300.000						
SAL REIMB FROM MTA	—				3,000.00	
A0.2401.000						
Interest & Earnings	1,250		1,500.00	877.44	850.00	1,766.16
A0.2410.000						
HAIR SALON RENTAL	14,533		14,533.00	10,758.34	13,534.00	13,533.36
A0.2411.000						
PJSC/WATER/GARBAGE RENTAL	12,000		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		45,000.00	31,734.12	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		25.00	1,550.00	50.00	25.00
A0.2610.000						
Fines/Forfeited Bail-COURT/MONTHLY	3,000		11,000.00	5,228.00	11,500.00	3,020.00
A0.2650.000						
SALE OF SCRAP & EXCESS MATERIALS	500		75.00		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
A0.2750.000						
AIM-Related Payments	10,805		8,644.00		10,805.00	10,805.00

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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					
A0.2770.000					
Misc Revenue	—		717.18		212.75
A0.3005.000					
Mortgage Tax-BI-ANNUAL	18,000	16,000.00		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	86,028.00	138,763.19	60,000.00	
A0.3501.010					
NYS AID - PAVENY	20,858	13,000.00	34,764.21	13,000.00	
A0.3501.020					
NYS AID - Extreme Winter Recovery	16,921	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	1,746,744.00	1,547,933.75	1,746,435.00	1,620,088.89
A0.1010.100					
Personal Services-BOARD	25,500	23,500.00	15,666.72	21,500.00	21,241.87
A0.1010.400					
Contractual Expenses-BOARD	1,500	400.00		400.00	
A0.1110.100					
Personal Services - JUSTICE	—	37,500.00	4,958.31	37,500.00	31,549.22
A0.1110.400					
Contractual Expenses-JUSTICE	—	12,500.00	3,760.93	14,500.00	11,723.26
A0.1210.100					
Personal Services-MAYOR	12,500	12,000.00	8,000.00	11,500.00	11,499.96
A0.1210.400					
Contractual Expenses-MAYOR	1,500	1,400.00	958.78	650.00	
A0.1320.400					
Contractual Expenses-AUDITOR	2,000	2,000.00		2,000.00	
A0.1325.100					
Personal Services-TREASURER	58,000	55,000.00	38,499.92	50,000.00	50,346.22
A0.1325.400					
Contractual Expenses-TREASURER	12,000	12,000.00	9,105.36	10,000.00	8,046.29
A0.1345.400					
PURCHASING -Office Supplies	3,200	3,200.00	2,583.57	3,000.00	3,426.52
A0.1362.400					
Tax Advertising/Exps	1,000	975.00	896.88	975.00	1,203.24
A0.1380.400					
Fiscal Agent Fees	50	75.00		200.00	22.00
A0.1410.100					
Personal Services-CLERK	71,000	68,000.00	47,599.92	65,000.00	65,342.30
A0.1410.400					
Contractual Expenses-CLERK	700	625.00	269.22	625.00	726.81
A0.1420.400					
Contractual Expenses-LAW	250,000	100,000.00	94,076.53	225,000.00	239,256.94

~~A0.1820.400~~

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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 A0.1620.400					
Contractual Expenses-BUILDINGS	58,000	47,000.00	30,143.21	32,000.00	32,028.90
A0.1670.400					
Contractual Expenses-POSTAGE	5,250	4,400.00	1,742.23	5,000.00	3,639.18
A0.1680.400					
Computers and Technology	24,000	24,000.00	1,321.48	21,500.00	21,396.79
A0.1910.400					
Unallocated Insuranc	25,000	25,000.00	-16,047.08	23,552.00	37,387.32
A0.1920.400					
Municipal Assoc Dues	2,000	2,500.00	1,912.00	3,200.00	1,507.00
A0.1990.400					
Contngt Accnt-Budget	90,000	18,800.69			
A0.3120.100					
Personal Services- Cross Grd.	3,120	3,120.00	2,184.00	3,120.00	3,064.07
A0.3120.400					
Contractual Expenses-SHERIFF'S	250,000	250,000.00	99,002.58	234,000.00	231,071.18
A0.3320.100					
Personal Services - PARKING ENFORCEMENT	13,600	10,312.00	5,415.00	11,228.00	5,340.00
A0.3320.400					
Contractual Expenses - PARKING ENFORCEME	1,000	1,200.00		1,200.00	
A0.3620.100					
Personal Services- BLDG INSP	26,000	25,960.00	15,028.20	46,718.00	40,210.04
A0.3620.400					
Contractual Expenses- BLDG INSP	49,000	49,000.00	88,576.56	6,000.00	31,961.68
A0.3620.410					
Contractual Exp Bldg Insp 146 E Main St	—	15,000.00	19,629.75		6,672.10
A0.4020.400					
REGISTRAR of Vital Statistics - contractual	800	830.00	830.00	600.00	210.00
A0.5110.100					
Personal Services- ST. MAINT.	100,813	100,333.00	76,838.73	100,978.00	88,238.75
A0.5110.200					
Equipment- St. Maint.	1,000	2,000.00		2,000.00	611.42
A0.5110.400					
Contractual Expenses- St. Maint.	12,000	38,000.00	9,511.75	16,000.00	11,490.67
A0.5112.200					
CHIPS	115,619	153,243.63	153,243.63	60,000.00	55,508.17
A0.5132.100					
Personal Services- GARAGE	53,207	55,033.00	43,397.04	49,525.00	45,688.05
A0.5132.200					
Equipment- GARAGE	2,500	4,200.00		2,500.00	9,407.25
A0.5132.400					
Contractual Expenses- GARAGE	55,000	55,000.00	27,084.54	62,000.00	49,643.15
A0.5142.100					
Personal Services- SNOW REMOVAL	22,403	24,219.00	10,614.77	22,262.00	18,911.82
A0.5142.200					
Equipment- SNOW REMOVAL	3,000	5,000.00		5,000.00	
A0.5142.400					
Contractual Expenses- SNOW REMOVAL	25,000	50,000.00	15,066.66	55,000.00	48,810.77
A0.5182.400					

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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 A0.5182.400					
Contractual Expenses- ST LIGHTING	38,000	38,000.00	24,411.35	38,000.00	38,399.89
A0.5182.410					
Repairs & Supplies - ST LIGHTING	2,500	5,500.00		6,058.00	6,057.53
A0.5410.400					
Contractual Expenses- SIDEWALKS	40,000	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	4,000.00	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	2,000.00	298.74	5,300.00	501.11
A0.8010.100					
Personal Services - ZONING	10,400	8,298.00	5,771.50	2,694.00	2,251.14
A0.8010.400					
Contractual Expenses- ZONING	20,200	20,200.00	3,341.30	20,320.00	7,130.86
A0.8020.100					
Personal Services - PLANNING	10,400	8,800.00	6,103.00	9,418.00	7,249.35
A0.8020.400					
Contractual Expenses- PLANNING	20,200	20,200.00	7,098.45	21,700.00	7,176.86
A0.8170.100					
Personal Services-ST CLEANING	2,800	1,311.00	16.25	566.00	963.45
A0.8170.200					
Equipment- ST CLEANING	1,000	2,400.00		1,000.00	655.14
A0.8170.400					
Contractual Expenses- ST CLEANING	7,000	3,000.00	3,122.30	6,500.00	2,003.00
A0.8510.400					
Community Beautifications	3,000	3,400.00	2,000.00	5,000.00	
A0.8540.100					
Personal Services - DRAINAGE	1,067	1,067.00		1,067.00	
A0.8540.400					
Contractual Expenses - DRAINAGE	3,000	4,000.00	219.70	11,000.00	1,887.97
A0.9010.800					
NY State Retirement	36,179	47,852.00	47,852.00	39,902.00	40,570.25
A0.9030.800					
Social Security	25,471	26,534.00	17,331.92	27,863.00	24,229.42
A0.9035.800					
Medicare Tax	5,957	6,206.00	4,053.39	6,517.00	5,666.37
A0.9040.800					
Workmans Compensatr	21,695	28,104.00	20,099.93	27,712.00	18,504.93
A0.9050.800					
UNEMPLOYMENT INSURANCE	2,500	4,000.00		9,700.00	
A0.9060.800					
Hospital/Med Insurmc	175,000	177,421.00	111,463.85	173,580.00	174,630.76
A0.9710.600					
SERIAL BOND-PRINCIPLE	—			30,000.00	30,000.00
A0.9710.700					

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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
SERIAL BOND INTEREST	—			563.00	562.50
A0.9730.600					
BAN PRINCIPAL	43,200	10,800.00	10,800.00	26,500.00	26,500.00
A0.9730.700					
BAN INTEREST	859	345.60	345.60	1,242.00	1,237.90
Total for Expense	1,869,690	1,746,744.00	1,204,155.55	1,746,435.00	1,648,035.23
Excess of Revenue for Fund: A0 - GENERAL		0.00	0.00	343,778.20	0.00
					-27,946.34



Professional Services Agreement

Agreement made the 28th day of February, 2022
between

LaBella Associates, D.P.C.
(“LaBella”)

•

and

Village of Pawling
(“Client”)

for services related to the following Project:

Village of Pawling 2020
Aerial Survey and Ground Control
(“Project”)

LaBella and Client hereby agree as follows:

1. **Description of Services:** LaBella shall perform the services set forth and described in LaBella’s proposal, dated February 28, 2022, a copy of which is attached as *Exhibit A*, in accordance with the terms and conditions of this contract attached as *Exhibit B*.
2. **Compensation for Services:** Client shall compensate LaBella for its professional services as set forth in LaBella’s proposal. LaBella shall submit invoices for services rendered on a monthly basis. Client shall make payment to LaBella no later than thirty (30) days after the date of each invoice.
3. **Term:** LaBella shall commence performing its services when Client gives notice to proceed. This Agreement shall terminate when LaBella’s services are completed, or as otherwise provided in this Agreement.



4. **Insurance:** LaBella shall maintain, at its own expense, throughout the term of this Agreement and until the expiration of all applicable statutes of limitation, the following insurance coverages:

- Comprehensive general liability insurance with policy limits of not less than \$1,000,000 each occurrence and \$2,000,000 in the aggregate for bodily injury and property damage;
- Automobile liability insurance covering owned, non-owned, rented and hired vehicles operated by LaBella with policy limits of not less than \$1,000,000 combined single limit and aggregate for bodily injury and property damage;
- Umbrella liability insurance with policy limits of not less than \$10,000,000 each occurrence and \$10,000,000 in the aggregate;
- Worker's compensation insurance at statutory limits and employer's liability insurance with a policy limit of not less than \$1,000,000 for all employees engaged in the rendering of professional services under this Agreement; and
- Professional liability insurance with policy limits of not less than \$5,000,000 per claim and \$5,000,000 in the aggregate.

Client shall be named as an additional insured on a primary and non-contributory basis under the CGL, Automobile and Umbrella insurance policies. LaBella shall provide to the Client certificates of insurance evidencing compliance with the requirements of this Agreement. The certificates shall contain a provision that at least thirty (30) days prior written notice shall be given to Client in the event of cancellation, non-renewal, or reduction of the insurance.

5. **Indemnification:** To the fullest extent permitted by law, LaBella shall indemnify and hold the Client and its officers and employees harmless from and against liabilities, damages, losses and judgments, including reasonable attorneys' fees and expenses recoverable under applicable law, but only to the extent they are caused by the negligent acts or omissions of LaBella, its employees and its consultants in the performance of professional services under this Agreement. Client agrees that LaBella's financial responsibility for any and all liabilities, damages, losses, judgments, expenses and attorneys' fees shall be limited to the lesser of \$15,000 or the available proceeds of LaBella's insurance coverage.

LaBella Associates, D.P.C.

Client Name

By: _____

By: _____

Name _____

Name _____

Title _____

Title _____

Date: _____

Date _____



Exhibit A

LaBella's Proposal



February 11, 2022

Mayor Lauri Taylor
Village of Pawling
9 Memorial Avenue
Pawling, NY 12564
Via email: ltaylor@villageofpawling.org

**RE: Village of Pawling
Aerial Survey and Ground Control**

Dear Mayor Taylor

Labella Associates thanks you for the opportunity to present this proposal for Professional Services for the Village of Pawling.

Scope of Services

The following represents the tasks that you have requested, and that we believe are necessary to accomplish your desired objectives. Please refer to the Fee and Time Schedule Summary table near the end of this proposal for the costs and time schedules associated with each task.

Task 0100 – Aerial Survey and Ground Control

Scope – LaBella will complete an aerial survey of the Village of Pawling. The flight will occur at a 3.5cm GSD in order to have data to support a 1 foot contour spec for future mapping. The flight plan will be executed at 80% forward, 50% side, 6 lines 166 exposures to produce a “true orthophoto” of the village rectified (remove any lean) of vertical structures. Labella will set 20-25 survey control points on the ground to support the flight and subsequent orthophoto creation. This work will provide a base aerial survey platform from which survey grade topographic and existing conditions planimetric mapping of selected locations throughout the Village can be derived on a case by case basis.

Project Site



Assumptions & Limitations- Cost itemized herein are for those tasks specifically mentioned and do not include the following:

- Mapping

Task RE00 – Reimbursable Expenses

This cost estimate includes only the cost for the preparation of the work as outlined above and does not include our direct expenses, such as mileage, overnight mailings, and extensive photocopying and map reproductions.

Deliverables – The client will be furnished rectified orthophotography of the entire Village of Pawling.

Professional Services Fee Schedule

Chazen 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 according to milestone completions for each deliverable, or commensurately with the percentage of the task which has been completed.



Fee and Time Schedule Summary

Tasks		Fee Estimates		Proposed Schedules
Task No.	Task Description	Lump Sum Fee Bill	Time and Materials Estimate	Projected Start / End Dates
0100	Aerial Survey and Ground Control	\$15,000	—	Start: upon authorization End: within 8 weeks
RE00	Reimbursable Expenses	—		
	Total Estimated Cost	\$15,000		

Agreement

Attached please find a copy of our Standard Agreement. Receipt of an executed copy of this Agreement will be our authorization to schedule the performance of this work. Please be aware that the projected task start and completion dates are based upon timely receipt of the signed Agreement retainer by March 14, 2022. A delay in returning the necessary documents may require modification of the proposed task start and completion dates as described herein. This proposal is valid for 30 days from the date hereof.

Please feel free to contact me at (845) 486-1586 if you have any questions whatsoever. Chazen looks forward to working with you on this project.

Respectfully Yours,

A handwritten signature in blue ink, appearing to read 'David H. Dippel', is written over a light blue circular background.

LaBella Associates
David H. Dippel, PLS
Survey Manager