

DATE OF MEETING: December 1, 2014

PLACE OF MEETING: Village Hall, Pawling, New York

MEMBERS PRESENT: Mayor Robert Liffland  
Trustee Stan Mersand  
Trustee John Burweger  
Trustee Brian Griffin  
Trustee Daniel Peters

**MOTION** by Trustee Peters to open the regular session at 7:03 P.M. **SECONDED** by Trustee Burweger. There was no discussion; all were in favor and the motion carried.

**MOTION** by Trustee Peters to close the regular session and go into the Public Hearing on the 2015 Garbage Budget. **SECONDED** by Trustee Burweger. There was no discussion; all were in favor and the motion carried.

Trustee Peters said the only change from the last meeting was the addition of 2 units which brought the increase to \$1.27 per unit - a 0.75% increase over the previous year.

Trustee Mersand said Trustee Peters was doing a good job.

Mr. Earl Slocum, a resident of East Main Street said Trustee Peters did a fine job.

Mayor Liffland said he thought it was the least expensive curbside pick up garbage district that there is. He said if people were to look into private carting it would cost \$300 - \$400 a month easy. The Mayor said the residents also get a yearly bulk pickup as well.

**MOTION** by Trustee Mersand to close the Public Hearing on the 2015 Garbage Budget and return to regular session. **SECONDED** by Trustee Peters. There was no discussion; all were in favor and the motion carried.

**MOTION** by Trustee Mersand to adopt the 2015 Garbage Budget as presented (see attached). **SECONDED** by Trustee Peters. There was no discussion; all were in favor and the motion carried.

Mr. Morgan, a village attorney, stated that proposed Local Law No. 8 of 2014 was a minor one and all it does is add to Section 98-22D to make it clear that the provisions of that paragraph only apply to property that is outside the B1 District which is consistent with Local Law No. 6 of 2014 that made changes to off-street parking only in the B1 District. He said the paragraph will remain in the Zoning Law and it will apply everywhere it was supposed to apply to previously except in the B1 Zoning District as requested by the Building and Planning Office. Mayor Liffland asked the Board if they had any questions. Trustee Griffin said the Local Law stated the spaces should be within a 100 foot distance of the principal approved site – was that just general language. Mr. Morgan said it would be determined by the Site Plan. Trustee Griffin asked if 100 feet was normal practice. Mr. Morgan replied it was an arbitrary number and someone probably figured out that was not too far a distance to walk. Mayor Liffland said that was always in the Code Book. Mayor Liffland said that the Planning Board had expressed that they liked the new code because it clears issues up and with proposed Local Law No. 8 it would really finalize things. There were no further comments.

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

***Identifier: Introducing Local Law Amending Chapter 98-22D of the Village Code Entitled "Zoning" to make the section inapplicable to properties located in the B-1 zoning district.***

At a regular meeting of the Board of Trustees of the Village of Pawling ("Village Board"), held at the Village of Pawling Village Hall on the 1st day of December, 2014, at 7:00 p.m., Trustee Mersand, seconded by Trustee Burweger, moved the following resolution, to introduce the following proposed local law, to be known as Local Law No. 8 of 2014, entitled "A Local Law Amending Chapter 98 Section 98-22D of the Code of the Village of Pawling, entitled "Zoning;"

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

**Section 1.** **Statement of Purpose and Intent.** The Village Board of Trustees has determined that §98-22D entitled "Location of required [parking] facilities" should be amended to not apply to parcels located in the B-1 zoning district. The section may remain to apply to properties not located in the B-1 zoning district. The amendment is prompted by the need to apply this section consistently with the recent enactment of LL No. 6 of 2014, repealing the off-street parking ratios limited to the B-1 zoning district (§98-22B). The building department requested this amendment.

**Section 2.** Chapter 98, §98-22D entitled "Location of required facilities" of the Village Code of the Village of Pawling is hereby amended to provide:

**§98-22D Location of required facilities. Except for parcels located within the boundaries of the B-1 zoning district, required accessory parking spaces, open or enclosed, may be provided upon the same lot as the use to which they are accessory, or elsewhere, provided that all spaces are located within 100 (100) feet walking distance of such lot. In all cases, such parking spaces shall conform to all the regulations of the district in which they are located, and in no event shall such parking spaces be located in any residence district unless the uses to which they are accessory are permitted in such districts. Such spaces shall be in the same ownership as the use to which they are accessory and shall be subject to deed restriction, filed with the County Clerk, binding the owner and his heirs and assigns to maintain the required number of spaces available, either throughout the existence of such use or until such spaces are provided elsewhere. Said deed restrictions shall be enforceable by the village or neighboring owners affected thereby.**

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

**Section 4.** This local law is a Type II action pursuant to 6 NYCRR 617.5(c) 20 and 27.

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Mayor Liffland advised the Village Board that, pursuant to the Municipal Home Rule Law of the State of New York, it was necessary to hold a public hearing upon this proposed local

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

**WHEREAS**, Trustee Mersand has introduced this proposed local law for the Village of Pawling, to be known as Village of Pawling Local Law No. 8 of 2014, entitled "A Local Law Amending Chapter 98 §98-22D of the Code of the Village of Pawling, entitled "Zoning" to limit the applicability of the said section to lots not within the boundaries of the B-1 zoning district, an amendment requested by the building department to make the said section consistent with recently enacted LL No. 6 of 2014 that repealed the off-street parking ratios applicable to parcels within the boundaries of the B-1 zoning district provided in former §98-22B; now therefore, be it

**RESOLVED**, that a public hearing be held in relation to the proposed amendment 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 December 15, 2014, at 7 o'clock p.m., Prevailing Time, and that notice of said hearing shall be published in the official newspaper of general circulation in the Village of Pawling by the Village Clerk, at least ten (10) days before such hearing and that such notice shall be in the following form:

#### NOTICE OF PUBLIC HEARING

TAKE NOTICE that the Board of Trustees of the Village of Pawling will hold a public hearing at the Village Hall, 9 Memorial Avenue, Pawling, New York on December 15, 2014, at 7 o'clock p.m., Prevailing Time on Proposed Local Law No. 8 of 2014, entitled "A Local Law Amending Chapter 98 of the Code of the Village of Pawling, entitled "Zoning", which local law amends §98-22D of the zoning law entitled "Location of required [parking] facilities" to make the said section not applicable to parcels located within the B-1 zoning district of the Village of Pawling. The section provides for requirements for off-street parking facilities to be within 100 feet of the parcel where the principal use is located, requires off-site parking to be subject to deed restrictions requiring permanent use of the facility for parking and provides that such off-site parking facilities may not be located in residential zoning districts.

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  
December 1, 2014  
Jennifer Osborn, Village Clerk

The foregoing resolution was voted upon with all members voting as follows:

Mayor Liffland	Aye
Trustee Burweger	Aye
Trustee Peters	Aye
Trustee Mersand	Aye
Trustee Griffin	Aye.

**MOTION** by Trustee Mersand to approve the Village Green and Public Assembly Events application received from Rabbi Zalman Sandhaus pending approval from the village's insurance agent. **SECONDED** by Trustee Peters. There was no discussion; all were in favor and the motion carried.

**MOTION** by Trustee Peters to approve the minutes from October 20, 2014, November 3, 2014 and November 17, 2014. **SECONDED** by Trustee Mersand. There was no discussion; all were in favor and the motion carried.

**MOTION** by Trustee Mersand to approve the November bills in the amount of \$149,664.93. **SECONDED** by Trustee Burweger. Trustee Griffin said he did not have a chance to review the bills and would abstain from voting. The rest of the Board was in favor of approving the bills. The motion carried.

**MOTION** by Trustee Mersand to approve the Metro North bills in the amount of \$19.93. **SECONDED** by Trustee Burweger. There was no discussion; all were in favor and the motion carried.

**MOTION** by Trustee Peters to adjourn the meeting at 7:15 P.M. and go into Public Comment. **SECONDED** by Trustee Burweger. There was no discussion; all were in favor and the motion carried.

**MOTION** by Trustee Mersand to go back into regular session and go into Executive Session to discuss litigation at 7:15 P.M. **SECONDED** by Trustee Burweger. There was no discussion; all were in favor and the motion carried.

**MOTION** by Trustee Mersand to close Executive Session and re-enter regular session at 7:53 P.M. **SECONDED** by Trustee Peters. There was no discussion; all were in favor and the motion carried.

Ms. Terry Deegan-Crowe gave a presentation on the Farmer's Market.

**MOTION** by Trustee Mersand to close regular session and go into Executive Session at 8:17 P.M. **SECONDED** by Trustee Burweger. There was no discussion; all were in favor and the motion carried.

**MOTION** by Trustee Mersand to close Executive Session and return to regular session and close the meeting at 8:50 P.M. **SECONDED** by Trustee Burweger. There was no discussion; all were in favor and the motion carried.

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Village Clerk