

Supervisor James Schmitt opened the Regular Meeting of the Town Board of the Town of Pawling at 6:00 PM October 14, 2020 at the Lathrop building, 2 Lakeside Drive, Pawling, New York. Present were Councilmen McCarthy, Johnson, Councilwoman Snow, Town Attorney Jamie Spillane and approximately 14 interested citizens. Councilman DeRosa was absent. The meeting was also broadcast live on Facebook on the town Facebook page at [www.pawling.org](http://www.pawling.org). The Board took comments in person, through Facebook and by email. Due to Covid 19 restrictions, there was a limited capacity of 48 persons maximum allowed in the building. Social distancing and masks were required. Registration to attend the meeting was required.

### **PUBLIC COMMENT ON AGENDA ITEMS**

Marty Mygan said it used to be the policy with the Town of Pawling that if you had any outstanding violations, no new permits would be issued. Is that still true?

Supervisor Schmitt said Gary Beck, building inspector would address that a little later in the meeting.

### **BARRE FETT**

Michael Winter was present representing Barre Fett, as they own the house together. They live at 112 Quaker Lake Road, Pawling. He said regarding his cable service, Comcast has the contract with the Town of Pawling and they do not want to run the line to his house because it would be too expensive. His neighbor to the north has Optimum, which is one eighth of a mile away. Optimum has offered to run a line to his house, as a one-time only situation, for broadband only. He said they couldn't move to Pawling during the pandemic because the HughesNet satellite doesn't work well. He has been trying to do this since 2016 and hoped the Board would allow them to do this. There would be no cost to the town.

### **Resolution 2020134 Approval of Right-Of-Way Use Agreement**

Whereas, Altice USA proposes to place its telecommunication facilities aerially on existing utility poles or in underground conduit in the Public Rights-of-Way within the Municipality for the purpose of owning, constructing, installing, operating, repairing and maintaining a telecommunications system, and

Whereas, it is in the best interests of the Municipality and its citizenry to promote competition in the telecommunications market and for the Municipality to grant consent to Altice USA to occupy said Public Rights-of-Way within the Municipality for this purpose, and

Whereas, the consent granted herein is for the non-exclusive use of the Public Rights-of-Way within the Municipality for the purpose of owning, constructing, installing, operating, and maintaining a telecommunications system; now, therefore be it

Resolved, in consideration of the mutual covenants and obligations hereinafter set forth, the Municipality and Cablevision hereby agree to and with each other as attached hereto.

**MOTION:** Supervisor Schmitt

**SECOND:** Councilman Johnson

### **ROLL CALL VOTE:**

Councilman Johnson – “AYE”

Councilman DeRosa – “ABSENT”

Councilman McCarthy – “AYE”

Councilwoman Snow - “AYE”

Supervisor Schmitt – “AYE”

**MINUTES**

Supervisor Schmitt made a motion to accept the minutes of August 25, 2020, seconded by Councilwoman Snow and passed with the following roll call vote:

**ROLL CALL VOTE:**

Councilman Johnson – “ABSTAINED”                      Councilman DeRosa – “ABSENT”  
Councilman McCarthy – “AYE”                              Councilwoman Snow - “AYE”  
Supervisor Schmitt – “AYE”

Supervisor Schmitt made a motion to accept the minutes of September 2, 2020, seconded by Councilman Johnson and passed with the following roll call vote:

**ROLL CALL VOTE:**

Councilman Johnson – “AYE”                              Councilman DeRosa – “ABSENT”  
Councilman McCarthy – “AYE”                              Councilwoman Snow - “AYE”  
Supervisor Schmitt – “AYE”

Supervisor Schmitt made a motion to accept the minutes of September 9, 2020, seconded by Councilman Johnson and passed with the following roll call vote:

**ROLL CALL VOTE:**

Councilman Johnson – “AYE”                              Councilman DeRosa – “ABSENT”  
Councilman McCarthy – “AYE”                              Councilwoman Snow - “AYE”  
Supervisor Schmitt – “AYE”

Councilman Johnson made a motion to accept the minutes of September 18, 2020 and September 24, 2020, seconded by Councilman McCarthy and passed with the following roll call vote:

**ROLL CALL VOTE:**

Councilman Johnson – “AYE”                              Councilman DeRosa – “ABSENT”  
Councilman McCarthy – “AYE”                              Councilwoman Snow - “AYE”  
Supervisor Schmitt – “ABSTAINED”

**GARY BECK/CODE ENFORCEMENT OFFICER/BUILDING DEPARTMENT FEES**

The Board entertained a presentation by Mr. Beck regarding the building department fees. Mr. Beck explained that he has been evaluating the fees since the time he began with the town to ensure that the fees cover their time. He has met with the planning & zoning departments, along with the fire marshal to discuss the fees. He didn’t include the operating permit fee, which is an inspection that would probably have to be done once every three years, which he felt should be \$375.00. He asked that the Board approve that fee along with approving this fee schedule. He

reviewed the proposed fees with the Board, saying some fees were raised, some were lowered and they were evaluated and simplified.

Councilman Johnson said the Board can change fees at any time if they aren't working well.

Mr. Beck said the fees haven't been changed since 2017.

Councilman McCarthy asked when the new fees would become effective.

Councilman Johnson said the Board can make them effective when they want them to become effective.

Supervisor Schmitt said he received a call from a resident who had a question regarding short term rentals and she was told it would be \$100.00 for Mr. Beck to answer a question.

Mr. Beck said there is no charge for him to answer a question. He has created a zoning request form, which is just a process for a review, but there is no fee for that.

Councilman Johnson felt there needed to be a meeting with the staff to make sure they understood the process and there is no confusion.

Supervisor Schmitt said once adopted, the fees can be posted so that people will know what the fees are.

Councilwoman Snow suggested that the Board consider adopting the fees as of January 1, to give people time to understand that the fees are changing.

Mr. Beck felt the fees should be adopted right away.

The Board thanked Mr. Beck for his presentation on the fees.

Supervisor Schmitt asked Mr. Beck to address Mr. Mygan's question.

Mr. Beck said the answer is yes, they are still enforcing it but there was a safety issue and he had to issue a permit because it was unsafe and potentially someone could get hurt. He said there was a retaining wall that was built without a permit and incorrectly, which was dangerous. So, the permit was issued to correct it for safety reasons.

Mr. Mygan asked if under different circumstance, if he would have issued additional permits.

Mr. Beck said no. He said he is watching this particular project and will stay on top of it.

Karen Burka said this particular neighbor doesn't bother with permits.

Mr. Beck said there are outstanding violations on this parcel and there are tools available to him. When the applicant goes to the planning board, he will have to rectify the violations and pay penalties. He said he followed the applicant to his office where he filled out the paperwork and paid the fee.

Liz O'Raffity, resident from 3 Dutchess Drive, said there is a short term rental law, with fees, which was enacted in February. Only one person has received approval, she lives on Quaker Hill, she helped craft this legislation and her application fee was waived. The town has an opportunity to adopt a standard for people who violate short term rental laws. She said there are two short term rental applications on her block, one is still operating while applying. Is there any enforcement?

Mr. Beck said the waiver of the fee has nothing to do with him. He has a staff member going over the Airbnb law and applications. At that point, he will start enforcement proceedings.

Ms. O'Raffity asked if there was a way she could have access to data regarding short term rentals.

Councilman Johnson said regarding the fee waiver, the applicant had just paid the fees just before the law was passed. He suggested Ms. O'Raffity make her recommendations to Mr. Beck and they could be discussed to possibly make the law better.

Ms. O'Raffity asked about notification to neighbors and association members regarding short term rental applications. She asked if they were supposed to receive a certified letter as the law states, within 150 ft. radius.

Jamie Spillane, town attorney, answered that if the entity has title to the property within 150 ft., that entity should receive notice. The property owner is the entity, and it would be up to the entity to pass it along to its members, which would be their decision. It is not on a neighbor

to tell the applicant who to notify. The purpose is for the neighbors with concerns to be able to let the building department know.

### **JESSICA DICKINSON, RECREATION DIRECTOR/RECREATION UPDATE**

The Board entertained a presentation by Jessica Dickinson, recreation director. Ms. Dickinson gave the Board an update on recreation programs, saying she is trying to be creative to figure out what the options are for programs during the pandemic. She has offered a lot of programs to the community thus far and will continue to work to find additional programs to offer to the community. She asked the Board to discuss facilities use fees. There have been discussions about it previously but no decisions have been made. She asked the Board to choose one way, do it or not do it, and move forward with that. She said she wanted to level the playing field and make things more fair and equitable.

Following discussion, the Board asked Ms. Dickinson to submit a facilities use fee schedule to them for discussion and they will move forward with making a decision on this.

### **BRIAN AVERY, PAWLING LIBRARY DIRECTOR/CDBG REQUEST**

The Board entertained a presentation by Brian Avery, Director of the Pawling Free Library regarding a CDBG request. Mr. Avery said the Pawling Free Library would like to be sponsored by the town for a Community Development Block Grant. The Library does not have the opportunity to apply for this grant on their own but the town and village could sponsor the Library. They would like to apply for the grant to build two new ADA bathrooms at the Library. If they were co-sponsored by both town and village, they would probably have enough money to do the entire project. They have been trying to do this project for a long time and he asked the Board to sponsor this application and schedule a public hearing to solicit community input on CDBG ideas. Once that public hearing is done, the Board can choose to support the Library or go in another direction. They would like to submit a letter of intent to the County by November 13<sup>th</sup> and hoped to see the public hearing scheduled before that. He has been in touch with the village and planned to go to their next meeting.

Supervisor Schmitt said he wasn't sure if the town and village were going to apply for a CDBG to finish the sidewalk project, which is ongoing.

Councilman Johnson said he wasn't against supporting the Library but he thought this was the second year of the sidewalk project. He would have to check the minutes to see where this is in the process. He said CDBG could be included in the conversation at the October 21<sup>st</sup> town board meeting.

Mr. Avery said the village indicated the same thing but in subsequent discussions with the County, the Library project would not affect the sidewalk project.

Supervisor Schmitt suggested reaching out to Senator Harckham's office to see if there was any other grant funding available.

Mr. Avery said he has been in touch with Senator Harckham but the funds available are not a good match for this project. The quotes for the new bathrooms were \$150,000.00 to \$200,000.00.

Supervisor Schmitt suggested contacting the Laberge Group to see if they could research to see if there is any grant funding available for the Library.

Mr. Avery said they are always open to any funding.

### **CURT JOHNSON, ARCHITECT/PROJECT PRESENTATION/TOMASETTI APPLICANT**

The Board entertained a presentation by Mike Barnett, liaison land developer to the applicant, Diana Tomasetti, and Anthony Danza, project engineer. Mr. Barnett said he was substituting for Curt Johnson as Mr. Johnson could not be present tonight. He handed a presentation package to

the Board and he thanked them for considering this presentation. The proposal is for an active lifestyle senior development located at 89 Mt. Tom Road. The applicant is proposing a zone change for this property to a Planned Development District or PDD1, which would be similar to the existing PDD zoning district in the town. This will require a zone change which will commence the site plan approval process to begin. In addition, the applicant is requesting a referral to the sewer committee, as this project will require municipal sewer, approximately 100,000 gallons. They are asking for a change in zoning from R-3 to PDD1. The premises is 115+- acres. The parcel is located partially in the town and partially in the village. The proposal is for eight buildings, with an entrance on Dutcher Avenue, an exit on West Main Street and entrance on Mt. Tom Road, total parcel is 171 acres.

Supervisor Schmitt asked if this would require a PILOT program.

Mr. Barnett said no, no PILOT program. They would also respectfully request the town board schedule a public hearing for the zone change in November.

Jamie Spillane, town attorney, said the applicant would need a referral from the town board to go to the planning board and sewer commission.

Councilman Johnson felt it was early to schedule a public hearing. He had no issue referring this to the planning board and sewer commission. This would need to come back before the town board for approval for the zone change. He felt it would take several months before a public hearing could be scheduled.

Ms. Spillane agreed with Councilman Johnson on timing and recommendations.

Mr. Danza said part of the project is in the town and part is in the village. He asked if there was a way the town board could declare this project under their jurisdiction, both so they do not have to get approval from both the town and village.

Mr. Barnett said the project is three quarters in the town and one quarter in the village.

Councilman Johnson felt they would need to go through the same process in the town and village.

Supervisor Schmitt made a motion to refer the 89 Mt. Tom project to the sewer commission and planning board to further the process, seconded by Councilman Johnson and passed with the following roll call vote:

**ROLL CALL VOTE:**

Councilman Johnson – “AYE”

Councilman DeRosa – “ABSENT”

Councilman McCarthy – “AYE”

Councilwoman Snow - “AYE”

Supervisor Schmitt – “AYE”

**CONSENT AGENDA**

**Resolution 2020127  
Payment of Bills for the Town of Pawling**

Whereas, the Town of Pawling Bookkeeper has reviewed and prepared the vouchers and has offered them for review, and

Whereas, the vouchers have been approved in accordance with the Town of Pawling policy, and

Whereas, the vouchers have been numbered 20202896 through 20203050 now therefore, be it

Resolved, that the Pawling Town Board hereby accepts the vouchers as prepared and on the recommendation of the Bookkeeper and hereby authorizes payment of said vouchers for the Town of Pawling on this date in the amount of \$264,934.83.

**Resolution 2020128**  
**Acceptance Justice; Annual Audit Reports**

Whereas, the Unified Court Act requires that Town Justices annually provide their court records and dockets to their respective town auditing boards, and

Whereas, such records then are to be examined or audited by the Town Board members, and

Whereas, the Town Supervisor received the Annual Audit Report from Justice Daniels and Justice Zelazny for calendar year 2019 on September 11, 2020 and made said reports available to the Town Board members, and

Whereas, such Annual Audit Reports continued to be available for review and audit to the Town Board members at the Town Clerks Office until the time of the Town Board meeting on Wednesday, October 7 2020, now, therefore, be it

Resolved, that the Town Board does hereby acknowledge receipt of the Town of Pawling Justice Annual Audit Report(s) and has been given the opportunity to review and comment on them.

**Resolution 2020129**  
**Requiring a Performance Bond for Timber Harvesting - White Oak Farm LLC**

Whereas, White Oak Farm, LLC has submitted an application for a Timber Harvesting Environmental Permit, and

Whereas, per Town Code Section: 187-10 Timber Harvesting the applicant is required a Performance Guaranty, and

Whereas, the Planning Board voted to recommend that the Town Board require the applicant to post a Restoration Bond in the amount of \$5,000, therefore, be it

Resolved, that the Town Board hereby requires the applicant White Oak Farm LLC to post a Restoration Bond in the amount of \$5,000 per Town Code 187-10: Timber Harvest and by recommendation of the Planning Board.

**Resolution 2020130**  
**Billing for Pawling Water District #2**

Whereas, Pawling Water District #2 bills need to be approved by the Pawling Town Board, and,

Whereas, the bills have been prepared and submitted in the amount of \$14,321.95 for the period of July 1, 2020 through September 30, 2020 by the Water District Clerk, now therefore, be it

Resolved, that the Pawling Town Board hereby accepts the billing as recommended for Pawling Water District #2.

**Resolution 2020131**  
**Approve Inter-Municipal Agreement for Eliminating County Review on Certain Planning and Zoning Local Actions**

Whereas, pursuant to New York General Municipal Law, Article 5-G, local governments are authorized to enter into municipal cooperation agreements, and

Whereas, the Town of Pawling wishes to re-enter into an inter-municipal agreement with the County of Dutchess to eliminate the necessity of Dutchess County Planning and Zoning to review and comment on certain local actions pursuant to General Municipal Law Section 239 and therefore not subject said local actions to the referral process; therefore, be it

Resolved, that the Town Board of the Town of Pawling hereby approves the attached Inter-Municipal Agreement, and be it further

Resolved, that the Town Board of the Town of Pawling authorizes the Town Supervisor to execute the attached agreement and any documents necessary to give effect to this Resolution.

**Resolution 2020132  
Budget Amendments for Fiscal Year 2020**

Whereas, a request for Budget Amendments has been received from the Bookkeeper, and

Whereas, normal course of business activity throughout 2020 has prompted the Bookkeeper to determine that various budget items should be amended to allow for the Town of Pawling to continue conducting business as usual; and

Whereas, the Bookkeeper has requested the following budget amendments:

<b>A FUND</b>						
ACCOUNT DESCRIPTION	ACCOUNT NUMBER	CURRENT BUDGET	INCREASE	DECREASE	REVISED BUDGET	DESCRIPTION
BUILDINGS	A.1620.2	\$ 10,000.00	\$ 7,540.00		\$ 17,540.00	AV Equipment
BUILDINGS	A.1620.2	\$ 17,540.00	\$ 26,750.00		\$ 44,290.00	F250 Bldgs & Grnds
BUILDINGS	A.1620.2	\$ 44,290.00	\$ 28,975.00		\$ 73,265.00	Asbestos Abatement Burr House
BUILDINGS	A.1620.2	\$ 73,265.00	\$ 5,000.00		\$ 78,265.00	Air testing Burr House
GENERAL INSURANCE	A.1910.4	\$108,300.00	\$ 3,000.00		\$111,300.00	New Cyber Insurance Policy
JUDGEMENT/CLAIMS	A.1930.4	\$ 500.00	\$ 20,000.00		\$ 20,500.00	Increase for DC Chargebacks
SPECIAL ELECTION	A.1989.1	\$ -	\$ 20,000.00		\$ 20,000.00	Establish Budget for Special
SPECIAL ELECTION	A.1989.4	\$ -	\$ 30,000.00		\$ 30,000.00	Election Electrical Pole
PARKS EQPMT & CAP	A.7110.2	\$ 12,000.00	\$ 9,900.00		\$ 21,900.00	Replacement
BUILDINGS,Eqpt,Parts	A.1620.4	\$ 7,000.00		\$ 4,950.00	\$ 2,050.00	
BUILDINGS,Veh, Gas	A.1620.424	\$ 14,000.00		\$ 2,300.00	\$ 11,700.00	
BUILDINGS,Fuel Oil	A.1620.416	\$ 41,000.00		\$ 5,000.00	\$ 36,000.00	
ASSESSMENT	A.1355.4	\$ 15,000.00		\$ 7,000.00	\$ 8,000.00	
REFUSE & GARBAGE	A.8160.2	\$ 10,000.00		\$10,000.00	\$ -	
HEALTH INSURANCE	A.9060.8	\$510,000.00		\$ 9,000.00	\$501,000.00	
TOTAL		<b>\$862,895.00</b>	<b>\$151,165.00</b>	<b>\$38,250.00</b>	<b>\$975,810.00</b>	
REVENUE						
IT/PEN PROP TAXES	A.1090	\$ 18,000.00	\$ 6,300.00		\$ 24,300.00	
SUMMER CAMP	A.2001.1	\$ -	\$ 2,700.00		\$ 2,700.00	
BEACH REV	A.2025	\$ 23,750.00	\$ 5,400.00		\$ 29,150.00	
INS. RECOVERIES	A2680	\$ -	\$ 5,400.00		\$ 5,400.00	
REFUND P/Y EXP	A.2701	\$ -	\$ 21,900.00		\$ 21,900.00	
MORTGAGE TAX	A.3005	\$130,000.00	\$ 71,215.00		\$201,215.00	
		<b>\$171,750.00</b>	<b>\$112,915.00</b>	<b>\$ -</b>	<b>\$284,665.00</b>	
<b>B FUND</b>						
ACCOUNT DESCRIPTION	ACCOUNT NUMBER	CURRENT BUDGET	INCREASE	DECREASE	REVISED BUDGET	DESCRIPTION

CONSTABLES	B.3120.1	\$ 34,500.00	\$ 8,000.00		\$ 42,500.00	Add Constable Court Time Due to Covid
REVENUE PLANNING BOARD FEES	B.2115	\$ 10,000.00	\$ 8,000.00		\$ 18,000.00	

**SW2**

ACCOUNT DESCRIPTION	ACCOUNT NUMBER	CURRENT BUDGET	INCREASE	DECREASE	REVISED BUDGET	DESCRIPTION
FISCAL AGENT FEES	SW2.1380.4	\$ -	\$ 1,525.00		\$ 1,525.00	ADD ACCT FOR FISCAL FEES
SUPPLY,PWR & PUMP	SW2.8320.4	\$ 16,475.00		\$ 1,525.00	\$ 14,950.00	
PUMP EQUIP & CAPITAL	SW2.8320.2	\$ -	\$ 3,500.00		\$ 3,500.00	WELL BOOSTER PUMP NEEDED
SUPPLY,PWR & PUMP	SW2.8320.4			\$ 3,500.00	\$ (3,500.00)	

**A FUND**

ACCOUNT DESCRIPTION	ACCOUNT NUMBER	CURRENT BUDGET	INCREASE	DECREASE	REVISED BUDGET	DESCRIPTION
Supervisor	A.1220.400	10,500	2,500		13,000	Covid AV Equipment rentals Transfer for Av
Audit	A.1320.4	14,590		4,000	10,590	Equipment \$2,500 Lakeside Entrance
Engineering	A.1440.4	35,000	6,000		41,000	\$3,500 Lion's Bldg RFP \$3,000 Air Purifiers
Building Equipment	A1620.2	78,265	3,000		81,265	Increase Budget
Bldg Equip Parts	A.1620.40	2,050	500			Town Hall Asbestos testing \$1,500, \$2k Inc. Budget
Bldg Maint/Repairs	A.1620.426	56,000	3,500		59,500	Monitors and computer installation
Central Data Processing	A.1680.2	50,750	1,500		52,250	Justice Court \$9,600 Aerator purchase
Golf Course Equip	A.7250.2	5,000	8,000		13,000	Transfer for Aerator
Golf Course Oil	A.7250.416	4,400		2,000	2,400	Increased Electric Cost
Golf Course Electric	A.7250.417	1,800	1,000		2,800	Transfer for Aerator
Golf Course Gas	A.7250.424	10,500		3,000	7,500	Transfer for Aerator
Golf Course Supplies	A.7250.439	3,500		2,000	1,500	Aerator

Golf Wages	A.7260.1	55,603	10,000		65,603	Increasing Wgs to Original Budget Increase
Other Rec Programs	A.7310.200	2,500	100		2,600	Budget for Shed
	A.7145.2	5,750		100	5,650	Transfer to A.7310.2
		<hr/>				
		336,208	36,100	11,100	358,658	
REVENUE						
Golf Revenue	A.2050	235,000	25,000		260,000	Inc. Budget

**MOTION:** Supervisor Schmitt

**SECOND:** Councilman Johnson

**ROLL CALL VOTE:**

Councilman Johnson – “AYE”

Councilman DeRosa – “ABSENT”

Councilman McCarthy – “AYE”

Councilwoman Snow - “AYE”

Supervisor Schmitt – “AYE”

**NON CONSENT AGENDA**

**Resolution 2020133**

**Setting Planning, Zoning, Building and Fire Marshal Fees for 2020**

Whereas, the Town of Planning Board has proposed the following fees for Planning, Zoning, Building and Fire Marshal services, and

Whereas, the Code Enforcement Officer has reviewed and approved the Planning, Zoning, Building and Fire Marshal fees attached hereto, therefore, be it,

Resolved, that the Town Board of the Town of Pawling hereby approves the Planning, Zoning, Building and Fire Marshal fees attached hereto.

**MOTION:** Supervisor Schmitt for fees to come into effect January 1, 2021

**SECOND:** Councilman Johnson

**ROLL CALL VOTE:**

Councilman Johnson – “AYE”

Councilman DeRosa – “ABSENT”

Councilman McCarthy – “AYE”

Councilwoman Snow - “AYE”

Supervisor Schmitt – “AYE”

**Resolution 2020135**

**SETTING DATE, TIME AND LOCATION AND DESIGNATING ELECTION  
PERSONNEL FOR SPECIAL ELECTION ON PETITION TO CONSOLIDATE THE  
TOWN OF PAWLING AND VILLAGE OF PAWLING**

Whereas, pursuant to Article 17-a of the General Municipal Law, the Town Board of the Town of

Pawling is in receipt of a Petition to Consolidate the Town of Pawling and Village of Pawling dated July 31, 2020; and

Whereas, as required by Article 17-a the Town Board has called a special election of the qualified voters of the Town of Pawling to be held on the 30<sup>th</sup> day of November 2020; and  
Whereas, the Town Board desires to set the time and location of the special election; and

Whereas, the Town Board further desires to provide for the appointment of a Board of Inspectors for said special election from those individuals named as qualified by the Board of Elections of Dutchess County; now, therefore, be it

Resolved, the special election on the Petition to Consolidate the Town of Pawling and Village of Pawling is hereby scheduled by the Town Board of the Town of Pawling to be held on the 30<sup>th</sup> day of November 2020 at the Lathrop Building, 2 Lakeside Drive, Pawling, New York from 12 pm to 7 pm; and

Be it further Resolved, the following named qualified voters of the Town of Pawling are hereby appointed to the Board of Inspectors for the special election to be held on the 30<sup>th</sup> of November:

Kevin McCormack  
Stephanie Caballero  
Preeti Govindarajan  
Keith Gurland

**MOTION:** Supervisor Schmitt  
**SECOND:** Councilman Johnson

**ROLL CALL VOTE:**

Councilman Johnson – “AYE”                      Councilman DeRosa – “ABSENT”  
Councilman McCarthy – “AYE”                      Councilwoman Snow - “AYE”  
Supervisor Schmitt – “AYE”

**BOARD MEMBER DISUCSSION**

**SNOW**

Councilwoman Snow said the Pawling Resource Center Walkathon is this Saturday. She asked that anyone who could not participate to please donate because this is their biggest fundraiser. She asked if anyone had heard anything about the ramp that is needed at the Resource Center. Supervisor Schmitt said he would follow up on that tomorrow.

**JOHNSON**

Councilman Johnson said regarding the consolidation vote, the town board and village board are communicating with each other and with the consultant. It is a very confusing process that changes every day.

**MCCARTHY**

Councilman McCarthy said Ben Syden from the Laberge Group has asked that a date be chosen to present the study. He suggested Wednesday, November 18<sup>th</sup>.  
Supervisor Schmitt said he would follow up with village officials tomorrow.  
Councilwoman Snow felt the community wanted to look at pros and cons and she hoped people would be encouraged to ask questions at that meeting.  
Councilman McCarthy said the study should be done the first week in November, which would give everyone a week to look at the report before the meeting.

## **SCHMITT/BULK PICKUP**

Supervisor Schmitt said he has heard a lot of comments from the community about bulk pick up, which was not done this year due to Covid concerns. He said bulk pick up is the decision of the Highway Superintendent and he did not believe the board could make the Highway Superintendent do it. He suggested scheduling bulk pick up after Christmas.

Councilman Johnson suggested doing this in sections of the town. He didn't know if the public could be held off until the spring. He suggested possibly scheduling a date early in the spring.

Councilman McCarthy said he has spoken to the Highway Superintendent and he is planning bulk pick up day on April 15, 2021. He is working on it.

Councilman Johnson suggested that his plan be presented to the board.

Councilwoman Snow said the community is asking for it but it would be helpful to have the Highway Superintendent here to discuss when would be a good time and date.

## **WHALEY LAKE WATER LEVEL**

Councilman Johnson said the Whaley Lake Dam water level had been drawn down in September and the contractor notified the board that it needed to go down an additional eight inches, which has been done. Once the construction is complete on the modification of the spillway, the water level will be restored to 704.8, which was the level of the original spillway.

Following discussion, Councilman Johnson made a resolution that upon completion of the project and approval from NYS DEC and the engineer, we restore the water level to as close to 704.80 for this winter, seconded by Supervisor Schmitt and passed with the following roll call vote:

### **ROLL CALL VOTE:**

Councilman Johnson – “AYE”

Councilman DeRosa – “ABSENT”

Councilman McCarthy – “AYE”

Councilwoman Snow - “AYE”

Supervisor Schmitt – “AYE”

## **PCSD LEAD AGENCY DESIGNATION ON SCHOOL IMPROVEMENT PROJECT**

Councilwoman Snow said the PCSD will be putting out for referendum a vote for a capital project. There is information on the school website. The town and village need to give the PCSD the lead on this.

Councilman Johnson said he had no information on this and didn't feel comfortable voting on this tonight.

Councilwoman Snow said she would get more information from Kim Fontana and distribute it to the board. She suggested voting on it at the next meeting.

## **PUBLIC COMMENT**

Holly Eldridge, resident from 42 Fenwood Drive said she was representing the Murrow Park Association and Lyons Club. She asked for an update on the roof at the Lyons building at Murrow Park. The roof is in bad shape and she was worried about it going through another winter.

Supervisor Schmitt said the town received the grant and he has been working on it.

Wendel Weber, Supervisor of Buildings and Grounds said the RFP is being prepared for the replacement of the roof, the brick columns and fascia. He is checking to see what they need to do to ensure the town gets the grant money. So the project is moving forward.

Ms. Eldridge asked what the town could do to ensure that the roof doesn't collapse this winter during the snow. It has been fifteen months since the town received the grant and they do not want to see the roof collapse and the building destroyed.

Supervisor Schmitt said he would go out there and discuss this with the engineers. The pandemic has delayed this project.

Liz O'Raffity said she has been a resident at 3 Dutchess Drive for twenty years. There are three applications for short term rentals on the lake. With Covid, others see profits where we call home. She is a retired science educator and this is an environmental issue. The only constant is change and we must have policy. The issues she has are density of communities for short term rentals; one third of the community is in the water shed, erosion, community getting reimbursed for amenities that residents pay for. She wanted to preserve the legacy of the community and hoped to gather more information and make another presentation to the board in the near future.

Helen Grosso said she was here to read an email she sent regarding some information in relation to the village and town taxation so that people understand it, and this one of the basic issues for the consolidation. This new project being proposed tonight is in the village and town is complex, and the two municipalities need to talk to each other. There is no water in the village and they can build but can't do anything until water becomes available. These things are so complex. It is time, even if the consolidation doesn't happen, and it is so complex, which she is sorry about and she did not know, and she still doesn't understand it all, but there needs to be a permanent sharing of governance in some aspect. She has been doing a lot of work on understanding what the issues are. She said a village taxpayer pays a reduced town tax and a village tax, which is actually a second bill. The village bill is three times the rate what the town pays. It does not include their water usage, sewer usage or garbage pickup. She did not want the village to go away but the issues need to be discussed and sharing governance makes a lot of sense. She asked who to go with questions on taxation.

Supervisor Schmitt told Mrs. Grosso to send any questions she had to him and he would get answers from Ben Syden prior to the November 30<sup>th</sup> vote.

Brian Avery, Library Director said regarding the town recreation facilities, the Library is grateful to use the recreation facilities. It would be a hardship for the Library to pay even the 50% reduced rate. For all non-profits, their goals are to make the town better. He said the nonprofits have benefitted from using the town's facilities in ways they may not be able to continue to if costs increase.

Supervisor Schmitt said there was a third email submitted and he read the following into the record:

Hi James,

Thank you so much for your response! Thank you for planning to address it at the 10/14 meeting.

We do want to know what the planned lake level will be for this coming winter.

Also, we were hopeful that with the repair of the dam, the lake could routinely be lowered (to a designated level) each winter and then allowed to fill back up when the ice melts. Many lakes are routinely lowered for the winter (i.e. Roaring Brook). This could be a beneficial process for the shoreline, and is now possible since there is finally the ability to control the lake level.

We are very passionate about our island lake house and the lake itself.

Thank you so much for your consideration about this matter,

Gail Maisel and Kevin Golden

Supervisor Schmitt made a motion to adjourn at 8:15 PM, seconded by Councilman Johnson and passed unanimously.

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Town Clerk

# Attachments

## Right-of-Way Use Agreement

### **Section 1: Definitions**

- a. "PSC" is the New York State Public Service Commission.
- b. "Altice USA" is the grantee of rights under this Use Agreement and is known as Cablevision Systems Dutchess Corporation, their successors and assigns.
- c. "Municipality" is the grantor of rights under this Use Agreement and is known as the Town of Pawling, State of New York.
- d. "Public Utility" means any public utility defined in the New York State Public Service Law.
- e. "Public Rights-of-Way" means the space in, upon, above, along, across, over, and through any public land, road, street or highway of the Municipality, including lands with public utility facilities as the same now or hereafter may exist, that are under the jurisdiction of the Municipality. This term shall not include county, state, or federal rights-of-way or any property owned by any person or agency other than the Municipality, except as provided by applicable Laws or pursuant to an agreement between the Municipality and any such person or agency.
- f. "Utility Pole" means, in addition to its commonly accepted meaning, any wires or cable connected thereto and any replacement thereof which are similar in construction and use.

### **Section 2: Grant of Consent.**

The Municipality hereby grants Altice USA its consent for the non-exclusive use of the Public Rights-of-Way within the Municipality, in such areas of the Municipality further described in Exhibit A to this Agreement, for the purpose of owning, constructing, installing, operating, and maintaining a telecommunications system. While said telecommunications system is not intended to distribute cable television service within the territorial boundaries of the Municipality, Municipality acknowledges, and permits Altice USA to transport cable television services and non-cable television services over said telecommunications system through the Municipality's Public Rights-of-Way to its subscribers in municipal jurisdictions where Altice USA is authorized to provide cable service under federal, state and local law.

### **Section 3: Public Purpose.**

It is deemed to be in the best interests of the Municipality and its citizenry for the Municipality to grant consent to Altice USA to occupy said Public Rights-of-Way within the Municipality for this purpose.

### **Section 4: Scope of Use Agreement.**

Any and all rights expressly granted to Altice USA under this Use Agreement, which shall be exercised at Altice USA's sole cost and expense, shall be subject to the prior and continuing right of the Municipality under applicable laws to use any and all parts of the Public Rights-of-Way exclusively or concurrently with any other person or persons, and shall be further subject to all deeds, easements, dedications, conditions, covenants, restrictions, encumbrances, and claims of title of record which may affect such Public Rights-of-Way. Nothing in this Use Agreement shall be deemed to grant, convey, create or vest in Altice USA a real property interest in land, including any fee, leasehold interest, easement, or any other form of interest or ownership.

The Municipality hereby authorizes and permits Altice USA to enter upon the Public Rights-of-Way and to attach, install, operate, maintain, remove, reattach, reinstall, relocate and replace its telecommunications facilities, in or on Utility Poles or other structures owned by public utility

companies, or others, or to be constructed by Altice USA located within the Public Rights-of-Way as may be permitted by the property owner, as the case may be.

**Section 5: Compliance with Ordinance**

Altice USA shall comply with all applicable existing ordinances of the Municipality as may be amended from time to time and with all future ordinances as may be enacted to the extent such ordinances are consistent with state and federal law.

**Section 6: Duration of Consent**

The non-exclusive municipal consent granted herein shall expire fifty (50) years from the Effective Date of this Use Agreement.

**Section 7: Indemnification**

Altice USA, on its behalf and on behalf of its successors, assigns, sub-contractors, agents, servants, officers, employees, designees, guests and invitees, hereby indemnify, defend and hold harmless the Municipality, its successors and assigns, elected officials, officers, employees, servants, contractors, designees and invitees from and against any and all personal injury and property damage claims, demands, suits, actions at law or equity or otherwise, judgments, arbitration determinations, damages, liabilities, decrees of any person(s) or entities claiming to be or being harmed as a result of Altice USA actions or negligence arising under this Use Agreement and costs in connection therewith. This indemnification shall specifically include, but not be limited to, any and all costs, reasonable attorney’s fees, court costs and any other expenses that may be incurred by the Municipality in connection with any and all claims, demands, suits, actions at law or equity or otherwise and/or arbitration proceedings which may arise in connection with Altice USA activities pursuant to the rights granted in this Use Agreement.

**Section 8. Notices**

All notices or other correspondence required or permitted to be given in connection with this Use Agreement shall be in writing and delivered personally, by telecopy, by overnight carrier service or by registered or certified mail to the parties at the following addresses:

To Altice USA at:

Altice USA, Inc.  
1 Court Square West  
Long Island City, NY 11101

ATTN: Senior Vice President, Government Affairs

With a Copy To:

Cablevision Systems Dutchess Corporation

Altice USA, Inc.  
1 Court Square West  
Long Island City, NY 11101  
Attn: Legal

To the Municipality at:

The Town of Pawling  
160 Charles Colman Blvd.  
Pawling, NY 12564 |  
Attn: Municipal Clerk

**Section 9. Liability Insurance**

Altice USA shall at all times maintain a comprehensive liability insurance policy with a single amount of at least One Million Dollars (\$1,000,000.00) covering liability for any death, personal injury, property damage or other liability arising out of the construction and operation

contemplated herein, and an excess liability policy (or "umbrella") policy amount in the amount of Five Million Dollars (\$5,000,000.00).

Prior to the commencement of any work pursuant to this Use Agreement, Altice USA shall file with the Municipality Certificates of Insurance with endorsements evidencing the coverage provided by said liability and excess liability policies.

The Municipality shall notify Altice USA within fifteen (15) days after the presentation of any claim or demand to the Municipality, either by suit or otherwise, made against the Municipality on account of any of Altice USA or its sub-contractors, agents, employees, officers, servants, designees, guests and invitees, activities pursuant to the rights granted in this Use Agreement.

**Section 10. Transferability.**

This Use Agreement shall be fully transferable by Altice USA.

**Section 11. Successors and Assigns.**

The terms and conditions herein contained shall be binding upon and inure to the benefit of the successors and assigns of the parties hereto.

**Section 12. Governing Law.**

This Agreement shall be governed by, construed and enforced in accordance with the laws of the State of New York.

**Section 13. Incorporation of Prior Agreements.**

This Agreement contains the entire understanding of the parties hereto with respect to the subject matter hereof, and no prior other written or oral agreement or undertaking pertaining to any such matter shall be effective for any purpose.

**Section 14. Modification of Agreement.**

This Agreement may not be amended or modified, nor may any obligation hereunder be waived orally, and no such amendment, modification or waiver shall be effective for any purpose unless it is in writing and signed by the party against whom enforcement thereof is sought.

**Section 15. Invalidity.**

If any provision hereof shall be declared invalid by any court or in any administrative proceedings, then the provisions of this Agreement shall be construed in such manner so as to preserve the validity hereof and the substance of the transaction herein contemplated to the extent possible. The headings are provided for purposes of convenience of reference only and are not intended to limit, define the scope

**Section 16. Counterparts.**

This Agreement may be executed and delivered in several counterparts, each of which, when so executed and delivered, shall constitute an original, fully enforceable counterpart for all purposes. IN WITNESS WHEREOF, this Use Agreement has been executed as of the date set forth below.

**TOWN OF PAWLING**

BY: \_\_\_\_\_  
Name:

Title:

Date:

**CABLEVISION SYSTEMS DUTCHESS CORPORATION**

BY: \_\_\_\_\_

Name: Patrick Hayes

Title: Senior Vice President Government Affairs

Date:

EXHIBIT A: AREAS OF THE PUBLIC RIGHTS OF WAY IN THE MUNICIPALITY TO BE OCCUPIED BY ALTICE USA'S TELECOMMUNICATIONS FACILITIES

**EXHIBIT A**

**AREAS OF THE PUBLIC RIGHTS OF WAY IN THE MUNICIPALITY TO BE OCCUPIED BY ALTICE USA'S TELECOMMUNICATIONS FACILITIES**

The areas of the Public Rights of Way in the Municipality to be occupied by Altice USA shall be that part of Quaker Lake Road in the Town of Pawling New York, extending approximately 935 feet west from the border with the Town of Dover.

**Dutchess County Planning Intermunicipal Cooperation Agreement**

**AGREEMENT**

THIS AGREEMENT, bearing the date set forth on the signature page, by and between the COUNTY OF DUTCHESS, a municipal corporation with offices at 22 Market Street, Poughkeepsie, New York 12601 (hereinafter referred to as the "COUNTY") and TOWN OF PAWLING, a municipality within Dutchess County, whose address is 160 Charles Colman Boulevard, Pawling, New York 12564, (hereinafter referred to as the "MUNICIPALITY").

**WITNESSETH:**

WHEREAS, New York State General Municipal Law Section 239 requires local municipalities to refer applications for certain planning and zoning actions to the Dutchess County Department of Planning & Development for review, and

WHEREAS, the New York General Municipal Law Section 239 further requires the County to assess all such applications as to whether the requested action would have a "county wide" or "inter-community" impact and comment on same, and

WHEREAS, the current referral process results in the processing of applications each year from towns, villages, and cities to the County, a portion of which have neither county-wide or inter-community impact, and

WHEREAS, New York State General Municipal Law authorizes the County to enter into agreements with local municipalities in order to determine which, if any, of the local municipal actions subject to referral may be deemed strictly matters of local determination, and therefore, not subject to the referral process, and

WHEREAS, pursuant to Resolution No. 2015246, the County Legislature authorized municipal corporation agreements for the elimination of the necessity of the County's review and comment on certain local actions pursuant to General Municipal Law Section 239, and

WHEREAS, it is hereby mutually agreed by and between the parties hereto as follows:

1. TERM OF AGREEMENT: This Agreement shall be effective as of January 1, 2021 and shall terminate on December 31, 2021, unless otherwise terminated as set forth herein. The term of this Agreement shall be extended automatically on an annual basis, for a total not to exceed five (5) years from the original agreement date. If either party decides to terminate this Agreement, either party shall send a written notice of termination to the other party at least thirty (30) days before the end of any term. This Agreement shall terminate upon thirty (30) days written notice by either party to the other.
2. PAYMENT: None.
3. REFERRALS TO BE ELIMINATED: The following actions shall be eliminated from the referral and review process:
  - a. administrative amendments (zoning amendments regarding fees, procedures, penalties, etc.);
  - b. special use permits, use variances and area variances for residential uses; and
  - c. renewals/extensions of site plans or special permits that have no changes from previous approvals.
4. REFERRALS NOT TO BE ELIMINATED: The following actions shall not be eliminated from the referral and review process:
  - a. comprehensive/master plans;
  - b. zoning amendments (standards, uses, definitions, district regulations, etc.);
  - c. re-zonings;
  - d. other proposed local laws and/or other authorizations adopted pursuant to zoning (wetlands, historic preservation, affordable housing, architectural review, etc.);
  - e. site plans (all); and
  - f. special permits, use variances, and area variances for all non-residential uses.
5. NOTICES: Except as otherwise provided in this Agreement, notice required to be given pursuant to this Agreement shall be made in writing and addressed to the following or such other person as the parties may designate:

Commissioner of Planning & Development  
Dutchess County Dept. of Planning & Development  
85 Civic Center Plaza, Suite 107  
Poughkeepsie, NY 12601

Town of Pawling  
Attn: Supervisor  
160 Charles Colman Boulevard  
Pawling, NY 12564

6. COUNTERPARTS; SIGNATURES TRANSMITTED BY ELECTRONIC MEANS: This Agreement may be executed in any number of counterparts, all of which taken together shall constitute one agreement, and any of the parties hereto may execute this Agreement by signing any such counterpart. A facsimile or signature transmitted by electronic means applied hereto or to any other document shall have the same force and effect as a manually signed original. This provision contemplates giving legal force and effect to copies of signatures. This provision does not contemplate the use of “electronic signatures” as regulated by New York State Technology Law Article 3, “Electronic Signatures and Records Act.”

7. ENTIRE AGREEMENT: The term of this Agreement, including any attachments, represent the final intent of the parties. Any modifications, rescission or waiver of the terms of this Agreement must be in writing and executed and acknowledged by the parties with the same formalities accorded in this Agreement.

### Planning Board Fees

	<b>SUBDIVISION APPLICATION FEES:</b>	<b>Fee Schedule</b>	<b>Number of Lots</b>	<b>Amount</b>
	<b>Administrative Fee:</b>			
	Residential	\$100.00		
	Commercial	\$250.00		
	Application Fee, plus	\$500.00		
	Minor Subdivision, per lot(s) 0-5 lot(s)	\$400.00		
	Major Subdivision, per lot(s) 6 plus lot(s)	\$600.00		
	Application for 280A (Private Road) Plus, all normal subdivision fees and cost of additional studies and engineer reviews prior to final approval	\$800.00		
	Subdivision Reapproval Per Lot	\$75.00		
	Public Hearings, in advance (2) Two minimums	\$250.00		
	Lot Line Adjustment	\$500.00		
	Cluster Housing Application Plus, per lot fee	\$1,000.00		
	Up to 10 Lot(s)	\$350.00		
	10 Lot(s) or more	\$500.00		
	Multiple Family/Dwelling Unit Application	\$1,000.00		
	Plus, each dwelling unit up to 20	\$300.00		
	After 20 units, per unit	\$200.00		
	Review at work session	\$250.00		
	Special Use Permit, Residential	\$500.00		
	Special Use Permit, Nonresidential	\$1,000.00		
	Special Meeting, w/10 days' notice	\$500.00		

**ENGINEERING/INSPECTION FEES SCHEDULE – 5% OF ESTIMATED COST OF ALL SUBDIVISION,  
SITE PLAN, SPECIAL OR CONDITONAL USE PERMITS**

<b>FINAL SUBDIVISION APPLICATION FEES:</b>				
<b>These fees are collected prior to Chairperson signature on the Mylar or Site Plan</b>				
	<b>Final Subdivision:</b>	Fee Schedule	Number of Lots or Bedrooms	AMOUNT
	Parkland Trust/Recreation In lieu of land per lot or unit(s)	\$5,000.00		
	Multi Family – per bedroom	\$1,000.00		
	Final Subdivision - per lot(s) or unit	\$75.00		
	Public Hearing, in advance (2) Two minimum	\$250.00		

	<b>SITE PLAN APPLICATION SPECIAL USE PERMITS FEES:</b>	Fee Schedule	Acreeage	AMOUNT
	Review at Work Session	\$250.00		
	<b>Site Plan-Residential</b>			
	<b>Administration</b>	\$250.00		
	Site Plan Application	\$800.00		
	3 – 10 acres, per acre	\$150.00		
	11 acres, plus per acre	\$100.00		
	<b>Site Plan –Commercial</b>			
	<b>Administration Fee</b>	\$250.00		
	Site Plan application up to 5,000 sq. ft.	\$600.00		
	Site Plan application 5,000 – 10,000 sq. ft	\$1,200.00		
	Site Plan application 10, 000-15,000 sq. ft	\$1,800.00		
	Site Plan application 15,000-20,000 sq. ft.	\$2,400.00		
	20,000 and above goes up \$600.00 per every \$5,000.00 sq. ft.			
	<b>Engineering/Inspection Fee Schedule</b>			
	4% of estimated cost of Site Improvements with minimum fee of	\$750.00		
	Amendment to a previously approved Site Plan	\$1,500.00		
	Concept Site Plan Review-Cluster/Section 280 In addition to regular subdivision fees	\$1,000.00		
	Public Hearings, in advance (2) Two minimum	\$250.00		
	Application for 280A (Private Road) Plus, all normal subdivision fees and cost of additional studies and engineer reviews prior to final approval	\$600.00		
	Additional inspections each	\$500.00		
	<b>Special Use Permit Fees:</b>			
	Special Use Permit Non-Residential	\$1,000.00		
	Special Use Permit -Residential	\$500.00		
	Special Use Permit- Accessory Apartment	\$1,000.00		

	<b>COMMUNICATION TOWER FEES:</b>	FEE SCHEDULE		AMOUNT
	Administrative Fee	<b>\$250.00</b>		
	Original Application, Minimum	\$1,000.00		
	Plus \$250.00 for each 10 feet in excess of 100 feet in height			
	Application for co-location or Existing tower	\$1,000.00		
	Modification to existing co-location	\$1,000.00		
	Application for 5G cellular	\$1,000.00		

<b>SIGNAGE FEES:</b>	<b>FEE SCHEDULE</b>	<b>AMOUNT</b>
Signage, Residential, per sign	\$50.00	
Signage, Highway Business, per sign	\$150.00	

<b>Zoning Change Fee:</b>	<b>Fee Schedule</b>	<b>AMOUNT</b>
Planning Board's Review	2,500.00	

<b>ENVIRONMENTAL PERMITS FEES:</b>	<b>FEE SCHEDULE</b>	<b>AMOUNT</b>
Administration Fee	\$100.00	
Timber Harvesting §187	\$600.00	
Soil Erosion, Sediment Control §171	\$600.00	
Freshwater Wetlands and WP §111	\$600.00	
Renewal Fee	\$300.00	

<b>ESCROW ACCOUNTS FEES:</b>	<b>Fee Schedule</b>	<b>Number of Lot(s)</b>	<b>AMOUNT</b>
Minor Subdivision (5 Lots or less)	\$5,000.00		
Plus \$250.00 per lot			
Immediate Subdivision (6-10 lots)	\$8,000.00		
Plus \$250.00 per lot			
Major Subdivision (11 lots or more)	\$10,000.00		
Plus \$250.00 per lot			
Site Plan, Under 4,000 sq. ft.	\$4,500.00		
Site Plan, 4,000 – 10,000 sq. ft.	\$8,000.00		
Site Plan, 10,000 - 50,000 sq. ft.	\$15,000.00		
Lot Line Realignment	\$3,000.00		
Communication Tower	\$4,500.00		
Environmental Permit -Minor	\$500.00		
Environmental Permit –Major	\$1,000.00		
Zoning Change fee	\$2,500.00		

**Total amount due at the time of filing an application:** \$ \_\_\_\_\_

Planning Board Application Fees \$ \_\_\_\_\_  
 Engineer / Escrow Fee \$ \_\_\_\_\_

THE TOWN OF PAWLING HAS PROVIDED THIS FEE SCHEDULE AS A GUIDE.  
 THE ACTUAL FEE'S WILL BE SET BY THE PLANNING DEPARTMENT OFFICE.  
 Please make two separate checks for Planning and Escrow Fees, payable to the Town of Pawling:

**ZONING BOARD OF APPEALS FEE SCHEDULE**

<b>Zoning</b>	<b>Fees</b>
Area Variance	<b>\$800.00</b>
Use Variance	<b>\$1,000.00</b>
Interpretation	<b>\$1,000.00</b>

**FIRE MARSHAL SITE INSPECTION FEE SCHEDULE**

<b><u>APPLICATION(S)</u></b>	<b><u>TYPE OF REVIEW</u></b>	<b><u>FEES TO BE CHARGED</u></b>
<b><u>Planning/Zoning Fees:</u></b>		

<b>Minor Site Plan</b>	Initial Review	\$250.00
	Second Review	\$500.00
<b>Major Site Plan</b>	Initial Review	\$500.00
	Second Review	\$500.00
	Site Inspection – per inspection	\$125.00
<b>Minor Subdivision</b>	5 Lots or Less	\$500.00
<b>Major Subdivision</b>	6-10 Lots plus	\$1,000.00
	11 plus Lots Fee set by the Planning Office	
<b>Site Inspection</b>	Per inspection	\$125.00
<b>FIRE INSPECTIONS</b>		<b>FEES</b>
Place of Public Assembly	50 or more persons	\$375.00
Multi Family Dwelling	First 3 units	\$375.00
Each additional unit	4 or more units	\$75.00

2020 Fee Schedule Type of Work or Service	Fee
<b>Building Permits are valid for 2 years</b>	<b>No Renewals</b>
<b>Administrative</b> Residential Commercial	\$100.00 \$250.00
<b>Residential (One &amp; Two Family):</b> New Construction, Reconstruction, Reconfiguration, Additions, Decks, etc. Alterations, Renovations & Repairs	\$0.90 per sq. ft \$0.75 per sq. ft
<b>Commercial &amp; Multifamily:</b> New Construction, Reconstruction, Reconfiguration, Additions, Decks, etc. Alterations, Renovations & Repairs	\$1.50 per sq. ft \$0.95 per sq. ft
<b>Demolition</b> Residential Commercial	\$0.25 per sq. ft \$0.50 per sq. ft
<b>Windows and Doors</b> Residential Commercial	\$50.00 \$150.00
<b>Roofing</b> Residential Commercial	\$50.00 \$0.25 per sq. ft
<b>Siding</b> Residential Commercial	\$50.00 \$100.00

<b>Parking Area</b> Residential Commercial	\$50.00 \$100.00
<b>Fence</b> Residential Commercial	\$50.00 \$100.00
<b>Pools</b> (One & Two Family): Commercial & Multifamily:	\$125.00 (above ground or in-ground) \$250.00
<b>Hot Tub</b>	\$140
<b>Electrical</b> Residential Commercial	\$25.00 \$50.00
<b>Plan review:</b> (Prior to formal permit application or for revisions or amendments to a permit.)	\$125.00/hr.
<b>Type of Work or Service</b>	<b>Fee</b>
<b>Temporary Certificate of Occupancy</b> (valid 3 months) Residential Commercial	\$500.00 \$1000.00
<b>Certificate of Occupancy</b> Residential Commercial	\$100.00 \$250.00
<b>Request for or Re-inspection</b> Residential Commercial	\$100.00 \$250.00
<b>C.O. &amp; Violation Search, Municipal Search:</b> One & Two Family Commercial & Multi Family	\$250.00 \$500.00
<b>Zoning Letters – including but not limited to liquor, auto, change of use, flood plain etc.</b> Residential Commercial	\$250.00 \$500.00
Water/Sewer Service – New	\$50.00
Water Service/Sewer – Disconnect, Repair/Replacement	\$25.00
Sprinkler or Standpipe Service up to 2”	\$35.00
Sprinkler or Standpipe Service 3” & greater	\$55.00
<b>Plumbing Fixture Schedule</b> – water closet, urinal, lavatory, bathtub, shower stall, kitchen sink, dishwasher, clothes washer, service sink, drinking fountain, sewage injector, indirect waste, sewer drain, floor drain, roof drain, backflow preventer, water heater installation/connection & other	Residential \$10.00 per fixture Commercial \$20.00 per fixture
<b>Heating Schedule</b> – gas piping, backflow preventer, indirect water heater, boiler water feed connection, gas/oil/electric hot water heater	Residential \$10.00 per fixture Commercial \$20.00 per fixture
<b>HVAC</b> – furnace gas/oil, boiler gas/oil, indirect water heater	Residential \$10.00 per fixture Commercial \$20.00 per fixture
<b>Misc.</b> – fireplace, space heater, chimney, air conditioning, hydro air, duct work extension, generator etc.	\$25.00 each
Commercial Alarms, Fire Sprinklers	\$50.00
Change of Use Application	Residential \$100.00 Commercial \$250.00
Student Residence Application	\$150.00

<b>WORK STARTED BEFORE THE ISSUANCE OF A PERMIT</b>	<b>ADD Residential \$500.00 + Fees Commercial \$1000.00 + Fees</b>
<b>Blasting Permit</b> (per site – valid 3 months)	\$500
<b>Issuance of Stop Work Order</b>	\$1,000
<b>Lift a Stop Work Order</b>	\$500