DONNA AKERLEY
Town Clerk, Registrar
Tax Collector
and Marriage Officer
www.townoffallsburg.com

TOWN CLERK'S OFFICE
TOWN OF FALLSBURG
P.O. Box 2019
19 Railroad Plaza
South Fallsburg, New York 12779
Phone: (845) 434-8810 Ext. 1
Fax: (845) 434-8809

Monday, March 14, 2016

The Town of Fallsburg Town Board conducted their Public Hearing & Legislative Meeting at the Town Hall, 19 Railroad Plaza, South fallsburg, NY 6:00 PM

PRESENT:

Supervisor Steven Vegliante
Councilman Arnold Seletsky
Councilman Nathan Steingart
Councilman Mike Weiner
Councilman Joe Levner

Town Clerk Donna Akerley
Attorney Jacob Billig
Assistant Attorney Paula Kay Drapkin
Supervisor's Secretary Linda Ingber
Comptroller Scott DuBois
Highway Superintendent Billy Jakaitis

Motion to open Public Hearing by Councilman Steingart, seconded by Councilman Levner

5:55 p.m. -Public Hearing relative to Local Law # 2 of 2016 entitled "Revision and Increase of Town Development Fees, Section 135-10 of the Town of Fallsburg Municipal Code".

Steve explains "Very simply for those who were here when we discussed it originally. We got a memo a while back from the board setting new fees for our water and sewer extensions. That was based on a calculation done by CDM our engineering firm that handles that our sewer and water projects. Mostly our sewer and some of our water projects, so simply is raising the fees to be more commencering what the cost and value is to joining our water and sewer district."

No public comments.....

Motion to adjourn Public Hearing by Councilman Weiner, seconded by Councilman Steingart

Sullivan County Democrat
5 Lower Main St., PO Box 308
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Affidavit of Publication

State of New York
SS:
County of Sullivan

Legal Notice Ad

I, Fred W. Stabbert, III, being duly sworn, Depose and say: That I am the Publisher of Sullivan County Democrat, a twice weekly newspaper of general circulation published in Callicoon, County of Sullivan, State of New York; and that a notice, of which the annexed is a printed copy, was duly published in Sullivan County Democrat 2/26/16

Fred W. Stabbert, III

Sworn to before me this 26th day of February, 2016

Susan M. Owens
Notary Public, State of New York
No. #010W8025547
Qualified in Sullivan County
My commission expires on June 1, 2019

LEGAL NOTICE
TOWN OF FALLSBURG
Notice is hereby given: The Town of Fallsburg Town Board will conduct a Public Hearing on Monday, March 14, 2016, 2016 @ 5:55 pm relative to proposed local law entitled "Revision and Increase of Town Development Fees, Section 135-10 of the Town of Fallsburg Municipal Code."
Such public hearing will take place at the Town of Fallsburg Town Hall, 19 Railroad Plaza, South Fallsburg, New York 12779.
BY ORDER OF THE TOWN OF FALLSBURG TOWN BOARD
Dated: Friday, February 26, 2016
Donna Akerley
Town of Fallsburg Town Clerk, Tax Collector, Registrar, Marriage Officer, RMO, FOIL Officer & Notary Public
PO Box 2019, 19 Railroad Plaza, South Fallsburg, NY 12779
(845) 434-8810 Ext. 1 p
(845) 434-8809 f
www.townoffallsburg.com
donna@fallsburgny.com 37771

6:00 p.m. Legislative Meeting called to order by Supervisor Steven Vegliante.

Salute to the Flag: By **Attorney for the Town, Jacob Billig**

Supervisor's Report: **By: Supervisor Steven Vegliante:** "Thank you everyone for coming. Following up on our recent meetings, I would like to give an update to the public. We will be meeting within the next month and hopefully next work session and next legislatives session with some consultants regarding the questions we were asking Freda Eisenberg in our last meeting about the process amending our compliancy plan or our zoning code. Additionally I am reaching out to Time Warner Cable we have several complaints over the years from residents from different parts of the town but there are definitely many roads where they have more than ten customers per mile so far they refusing to extend service to. I will be working on that. The next week or two, I will make some time and invite the board to join me on any point or make an appointment with Billy to start going through our roads for our upcoming paving and sealing season. We have a tease of a little of warm weather and it is going to be warm a little bit this week. It looks like it cools down a little, the weather being March. The board has met individually one by one all letting them know we would like to get these courses open."

Legislator's Report: NONE

Liaison's Reports: NONE

Correspondence: NONE

Citizens' Comment: **Walter Herzburn:** "I live in Hurleyville, NY. I have a house in Loch Sheldrake. I have had it since 2004. It has been vacant since then and it is up for sale. I went to go cut the grass and said it is high and I will come back tomorrow and cut it. I showed up the next day and saw the grass cut. A letter was sent to Hurleyville, to Dave Kraus Box 102 which there is no Dave Kraus. The letter was sent back to Code Enforcement. Code Enforcement didn't go to the neighbor next door to get the proper names on the property. They went ahead and cut the grass without sending the proper notice. They sent me a bill. Spoke to Mollie she told him to pay less money for cutting the grass. I said no way am I going to pay for cutting of the grass when it wasn't submitted according to Code 6 of the Billing Code. I want to be reimbursed $247.65."

By Supervisor Steven Vegliante: "Thank you Mr. Herzburn, I will take a look at it and discuss it with Mollie. The addresses they use on file I believe are the real property address where the taxes are sent."

Walter Herzburn: "Molly wanted to negotiate the price with me and I said no way because you never properly submitted it"

By: Supervisor Steven Vegliante: "I understand, as I said I will review it."

Walter Herzburn: "I had spoken to your secretary and she was to get to you and supposed to get back to me and never did."

By: Supervisor Steven Vegliante: "I will review it we have a property maintenance code that allows for us to go in to cut grass if it is too high. The notice is sent generally to the address on file on the real property card. Most importantly is where the taxes are sent to. I will review it. If the address isn't correct on your property tax record that is the only address we have to go by."

Dominic Scanna: "I am the Fallsburg Football coach, I want to thank the Town for the use of the Morningside Park it was a huge asset to us. As you know we don't have a football field on facility. Just want to give an update of what we are looking to do. We are looking to build a program that we can get a lot of students involved. We did a lot of things in the youth center. We did a Super bowl party this year, 29 kids showed up. We tried to use this as a recruitment process, so they brought someone who didn't play this year will hopefully help us next year. Thank you again to the Town for allowing us to use Morningside Park. I also wanted to recognize Greg Bennett really who went above and beyond to help me as a first year Coach, to be able to have our end of the year party at the Youth center. He opened it up for us and sent someone at the end to close it up for us. The kids had a great time. I wanted to come in and publically thank you and look forward to working with the Town in the future."

By Supervisor Steven Vegliante: "I appreciate that. I have to tell you having 2 kids that went through the football program one as a player and one as cheerleader and watching it kind of percolate all these years I am glad you guys are on a good footing and we will do whatever we can to help you. We do have to have conversations with the district now. We want to support the Football program I think it is great. It is nice to see the community come out for Football games."

Dominic Scanna: "We were looking at numbers last year we had a meeting in May, only 8 kids showed up, we ended up with 22 kids signing up and at the end of season 26. The numbers look like maybe 30 plus this year."

Operations:

Motion # 84

Motion to approve Resolution declaring March 12, 2016 "Rose Weiss Day" in the Town of Fallsburg.

By: Supervisor Steven Vegliante:" I got to go to Rose Weiss' birthday party at the hospital. I would like to be as chipper at 80 as Rose is at 100. She was really appreciative as the Town Board recognizing her birthday she is 100 years old. I believe she is the oldest in Town. The family is very appreciative."

Motion by Councilman Weiner, seconded by Councilman Seletsky

Motion Carried 5 Ayes

Motion # 85

Motion to approve Local Law # 2 of 2016 entitled "Revision and Increase of Town Development Fees, Section 135-10 of the Town of Fallsburg Municipal Code.

Motion by Councilman Seletsky, seconded by Councilman Levner

Motion Carried 5 Ayes

POLL BOARD

Supervisor Vegliante	Aye
Councilman Seletsky	Aye
Councilman Weiner	Aye
Councilman Steingart	Aye
Councilman Levner	Aye

*** Supervisor Vegliante asked the members of the Town Board if they had any comments or questions about the following motions on the agenda regarding Sapphire Development. Being they were all in agreement, Supervisor Vegliante proceeded. ***

Motion # 86

Motion to declare the Town of Fallsburg as Lead Agency relative to the extension of the Town of Fallsburg Consolidated Water District to serve the land of "Sapphire Development, LLC, SBL #44.-1.15.1.

Motion by Councilman Seletsky, seconded by Councilman Weiner

Motion Carried 5 Ayes

*** Supervisor Vegliante then read aloud the SEQR Report which had a Negative Impact***

Motion # 87

Motion to declare the Negative Declaration relative to the extension of the Town of Fallsburg Consolidated Water District to serve the land of "Sapphire Development, LLC" SBL #44.-1.15.1.

Motion by Councilman Weiner, seconded by Councilman Levner

Motion Carried 5 Ayes

Motion # 88

Motion to approve Resolution relative to the extension to the Town of Fallsburg Consolidated Water District to serve the land of "Sapphire Development, LLC" SBL #44.-1-15.1.

Motion by Councilman Seletsky, seconded by Councilman Weiner

Motion Carried 5 Ayes

Motion # 89

Motion to declare the Town of Fallsburg as Lead Agency relative to the extension to the Town of Fallsburg Consolidated Sewer District to serve the land of "Sapphire Development, LLC" SBL #44.-1-15.1.

Motion by Councilman Steingart, seconded by Councilman Levner

Motion Carried 5 Ayes

*** Supervisor Vegliante then read aloud the SEQR Report which had a Negative Impact***

Motion # 90

Motion to declare the Negative Declaration relative to the Town of Fallsburg Consolidated Sewer District to serve the land of "Sapphire Development, LLC" SBL #44.-1-15.1.

Motion by Councilman Weiner, seconded by Councilman Seletsky

Motion Carried 5 Ayes

Motion # 91

Motion to approve Resolution relative to the Town of Fallsburg Consolidated Sewer District to serve the land of "Sapphire Development, LLC" SBL #44.-1-15.1.

Motion by Councilman Levner, seconded by Councilman Weiner

Motion Carried 5 Ayes

Motion # 92

Motion to approve Resolution to abandon and dedicate newly designed Greber Road to the Center for Discovery.

Motion by Councilman Seletsky, seconded by Councilman Weiner

Motion Carried 5 Ayes

Motion # 93

Motion to authorize Town Clerk to solicit bids for a Wastewater Grinder for Pump Station 12 – Bid date to be announced.

Motion by Councilman Seletsky, seconded by Councilman Weiner

Motion Carried 5 Ayes

Motion # 94

Motion to pass resolution authorizing the Town of Fallsburg Town Board to enter into a letter of intent and subsequently a lease agreement with BORREGO SOLAR SYSTEMS which is subject to Permissive Referendum.

By: Supervisor Steven Vegliante: "Very quickly this is regarding a vacant piece of property that the Town used to make a profit at one time that was identified as a potential solar site with Borrego Solar. Borrego Solar actually has a deal to sell electricity to the project that is being built at the Bel-Air Ski Area. They are looking for places where they can actually create that energy where they can extend it into the pipe lines it is all taken in Ulster County. It is kind of an interesting arrangement it seems to work and provides us some income not a lot but some income on a piece of property we weren't ready to get rid but it really isn't doing anything for us at this point other than another lease site for our towers."

Motion by Councilman Levner, seconded by Councilman Weiner

Motion Carried 5 Ayes

Supervisor Vegliante, Councilman Steingart and Attorney Jacob Billig all recused themselves from the following motion regarding LANDAU GROCERY (Parking Lot) and physically left the meeting room. Deputy Supervisor Seletsky then offered the following motion and continued with the rest of the legislative meeting

Motion # 95

Motion to approve Development Agreement between Landau's and Town of Fallsburg for recreation and revision of the Municipal Lot.

Motion by Councilman Weiner, seconded by Councilman Levner

Motion Carried 5 Ayes

Motion # 96

Motion to authorize supervisor to sign any and all documents to facilitate the completion and the filing of the Sewer and water relative to Echo Lake Project.

Motion by Councilman Seletsky, seconded by Councilman Weiner

Motion Carried 5 Ayes

Finance:

Motion # 97

Motion to approve Warrant #0316 dated 3/09/16 in the amount of $367,761.06.

Motion by Councilman Weiner, seconded by Councilman Steingart

Motion Carried 5 Ayes

Motion # 98

Motion to approve Warrant #03A16 dated 3/09/16 in the amount of $205.228.62.

Motion by Councilman Weiner seconded by Councilman Seletsky

Motion Carried 5 Ayes

Motion # 99

Motion to award bid for Ice Control Material (delivered and non-delivered) to Woodbourne Lawn and Garden.

Motion by Councilman Seletsky, seconded by Councilman Weiner

Motion Carried 5 Ayes

Executive Session:

6:27 **p.m. Motion to enter into Executive Session as set forth in Public Officers Law**

Sec. 105 (1) regarding: Contract Negotiations & Personnel items.

Motioned by: Councilman Weiner Seconded by Councilman Levner

7:00 **p.m. Motion to adjourn Executive Session**

Motioned by Councilman Weiner Seconded by Councilman Levner

7:00 **p.m. Motion to adjourn Legislative Session**

Motioned by: Councilman Weiner Seconded by: Councilman Levner

Donna Akerley, Town of Fallsburg Town Clerk