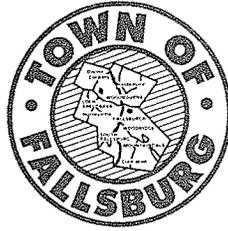


DONNA AKERLEY

*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

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**Monday, June 27, 2016**

**The Town of Fallsburg Town Board conducted their  
Legislative Meeting at the Community Center @ 12 Laurel Avenue,  
South Fallsburg, New York  
6:00 pm**

**PRESENT:**

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

**Town Clerk Donna Akerley  
Supervisor's Secretary Linda Ingber  
Comptroller Mollie Messenger  
Engineer Will Illing  
Comptroller Scott DuBois  
Bonnie Franson, Environmental Planner  
with Nelson, Pope & Voorhis**

**ABSENT:**

**Attorney for the Town Paula Elaine Kay**

Sullivan County Democrat  
5 Lower Main St., PO Box 308  
Callicoon, NY 12723-0308  
845-887-5200 Fax: 845-887-5386

**Affidavit of Publication**

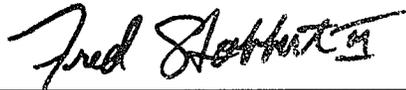
State of New York

SS:

County of Sullivan

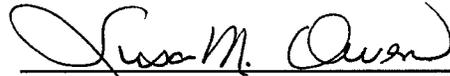
Legal Notice Ad

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 6/24/16



Fred W. Stabbert, III

Sworn to before me this 24<sup>th</sup> day of June, 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 FALLS-  
BURG**

Notice of location  
change for Fallsburg  
Town Board Legisla-  
tive Meeting

The Town of Falls-  
burg Town Board has  
changed the location  
for their scheduled  
Legislative Meeting on  
Monday, June 27,  
2016

Said Meeting will  
be moved to the South  
Fallsburg Community  
Center, Laurel Avenue,  
South Fallsburg, New  
York 6:00 p.m.

BY ORDER OF  
THE TOWN OF  
FALLSBURG TOWN  
BOARD

Dated: Tuesday,  
June 21, 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.townoffalls-  
burg.com  
donna@falls-  
burgny.com 41456

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

**Salute to the Flag:**

**By Councilman Arnold Seletsky**

**Supervisor's Report:**

**By Supervisor Vegliante:**

There is an ancient Chinese Curse which many incorrectly interpret as a blessing which says may you live in interesting times. We in Fallsburg certainly are living in interesting times. Tonight on the agenda, our Board will vote on an important local law in the Township. This evening we will take a vital step to prepare our Town for growth for years to come. Tonight, as a Board, we must act. We must develop a plan, involve all stake holders and take control of our future as a diverse but inclusive community.

Over the past two years, our Town Board has watched our Planning Board agendas grow at a rate, not seen in any of our tenures. We watched as the proposed housing projects ballooned to almost four thousand homes that are proposed to be built. To put that in perspective, our Township is 190 years old. In 190 years, our Town has grown to 5264 homes. That number includes everything but apartment houses and dormitories, which we have not yet included in our report. We now have actively pending before our Planning Board almost 4000 homes, potentially doubling the size of our town.

Over the past few months, as we have discussed reviewing our zoning code, comprehensive plan and the possibility of a moratorium, we have all received a tremendous amount of feedback. As can be seen by the above statistic, residential development is big business within the Town of Fallsburg. As we began to craft a draft moratorium we very deliberately decided that we didn't want to stop residential development in our Town, rather we wanted to allow it to continue at a controlled pace. We were very cognizant of the significant investment made by owners and developers and decided that while under the law we could have halted all development, we felt it was only fair to allow those projects which has proceeded to a point where our local board had given them a preliminary or conditional approval to continue along their final approval process. This was atypical for a Town wide moratorium. Moratoriums in other municipalities are generally designed to halt all development. This decision will allow almost 1200 conditionally or preliminarily approved home sites to continue. That is approximately 1200 out of almost 4000 currently in review.

At our public hearing, many workers, vendors and developers, many of which were not residents, spoke against a moratorium. They used untrue and vitriolic statements, they said we were putting their workers on welfare. They threatened our town with lawsuits. They wanted to know where their development fees had gone and said we squandered their resources. On on-line message boards, I and our Board were called anti-semitic and it was reported to me that I was even referred to as a "self-hating jew" by a representative of a developer. These claims are false and hurtful to those of us that have worked so hard for unity within our diverse community. These statements are a subterfuge created to ensure their profits will not be affected, all at the expense of our residents, many of which are the customers of those spreading the lies.

Their deliberate clouding of the issues presented strengthened my resolve that something needed to be done and the time had come. When I first ran for Supervisor, in my materials I used a quote by President Franklin Delano Roosevelt. "Democracy cannot succeed unless those who express their choice are prepared to choose wisely. The real safeguard of democracy, therefore, is education." It is the goal of this Board to educate the residents of this Town as to the facts surrounding our decisions. To that end, I acknowledge that while residential home development business in the Town of Fallsburg is big business and big business can be a powerful thing, we must make sure that our Town can grow. Reasonable growth is essential for our residents to maintain a quality of life without a

crushing tax bill each year. The key for our residents is for development to be reasonable and sustainable. A potential doubling of the density in the Town is simply not reasonable or sustainable. Nor is it realistic. For this reason, I will choose to speak truth to power. For this reason I will make it my mission to give facts and figures against the threats and innuendo. For that reason, I will be voting for the moratorium tonight and I will encourage my Board to join me.

Right now, let me give you more numbers. In response to the numerous speakers who questioned our planning and spending of development fees, in the ten year period between 2005 and 2015, we collected just over 2.3 million dollars in development fees in our consolidated water and sewer district. In that same time, the district's spent 11.5 million in upgrades to our buildings, equipment and infrastructure. While we thank the developers for doing their part, their contributions were only a fraction of our overall spending, and as we have seen much more will need to be done. As requirements with the DEC and DRBC rise and plants age, it becomes ever more difficult to maintain water and effluent standards. We remain committed to providing all of our residents' clean water, both in their rivers and their wells. We will be spending tens of millions of dollars in the next few years, upgrading our sewer plants and water sources and delivery systems. All with the goal of safeguarding our environment and making Fallsburg a place where sustainable growth may continue through our lifetime. These are all part of our existing improvement plans, developed under our Town engineer and supported by our Board.

As I indicated earlier, under the proposed moratorium, almost 1200 homes can continue to be developed. To give you more perspective, at current pace, that is approximately 5 years of development. In 2014, we issued 165 new home permits. In 2015, our busiest, we issued 224. If that rate continued, there are in the pipeline over 5 years' worth of building to do. Even if half the homes presented are financially untenable as has been suggested, we have over two years worth of development available. Well past the time frame of our proposed moratorium. Our contractors and suppliers will be building through our moratorium and will have many healthy years ahead of them.

Finally, I want to talk about our community. To be called anti-semitic or a self-hating Jew are serious charges. Especially here, where they are simply untrue and unfounded. I have been Supervisor here for 6.5 years. In that time, it has been my honor to get to know many of our orthodox leaders. I have had the pleasure to meet and work with our many non-profit organizations. I have met hundreds of my neighbors that I didn't know before. In that time, this Board has made it a goal to enable inclusion and respect for all faiths, all creeds and all races. I frequently refer to Fallsburg as a beautiful mosaic, which is why what happens tonight is not nearly as important as what comes next.

Our board is committed to a fair, impartial and inclusive review of our comprehensive plan and zoning code. We must review our water and sewer services. We must tackle our traffic issues. To that end, we will be requesting that residents who would like to join our effort, and participate in the comprehensive plan review send us a letter of interest, indicating their background, address and goals. We will empanel a comprehensive plan committee that is representative of our entire community. It will include orthodox members, secular members, and members of our business and not for profit communities. We will interview potential members and ask that they serve with one purpose, amending our code to reflect a sustainable and fair Fallsburg for years to come. We will ask them to be open minded, to listen as much as speak and in the end I am confident that we will develop a code that is fair to all.

Simply put, it isn't about us vs. them. We are all Fallsburg. Each homeowner, whether secular or religious deserves to know that their water is safe, that their community character will remain, that emergency workers can reach them in times of trouble. We owe a duty to orthodox condominium and home owners who have spent hundreds of thousands of dollars for a respite from city and downstate living as important as the duty we have to secular families whose children attend our schools, whose parents work in our businesses and who live here year round. They are all one thing. They are our Neighbors. They are Residents. They are all part of our family.

I will spend this summer visiting our condominium communities, speaking truth and seeking knowledge. I will spend this whole year, working with our comprehensive plan committee and speaking to our community, again speaking truth and seeking knowledge. We will engage public relations professionals to ensure that false dialogue presented by those with self-serving profit motives, is met again by truth because through truth we will achieve inclusion and understanding. We will not allow them to divide our community to enrich their business. With truth we will become one community. We will speak Truth to Power, because it is just and because it is right.

This is one of the most important decisions of my tenure. I know, in my heart, that my vote tonight is the right thing for all our families and all of our residents. I thank you for your time and input. I look forward to a better and stronger Fallsburg community and I ask for your help in achieving that goal.

**Legislator's Report:** None

**Liaison's Reports:** Councilman Weiner: Stated the 190<sup>th</sup> Anniversary celebration on June 14<sup>th</sup> was a success.  
Councilman Seletsky: Stated there will be Town Summer Festivities at Morningside Park on Sunday, July 3<sup>rd</sup>. Food will be available, entertainment, the Raush Brothers, Fireworks. He encouraged everyone to come out and enjoy.

**Correspondence:** By Town Clerk Donna Akerley: All Correspondence relative to tonight's meeting will be published as an attachment to tonight's meeting minutes and made available on the Town of Fallsburg's Website.

**Citizens' Comments:** By Maryann Halchak: Read aloud a letter she previously submitted supporting the moratorium.

By Erna Hutchinson: Expressed her support of a moratorium.

**Operations:**

**Motion # 163**

Motion to close Public Hearing relative to Local Law #3 of 2016 entitled "Establishing a Moratorium on Residential Development Approvals".

**Motion by Councilman Seletsky, seconded by Councilman Steingart**

**Motion Carried 5 AYES**

**Motion # 164**

Motion to classify action to adopt Local Law #3 of 2016 entitled "Establishing a Moratorium on Residential Development Approvals" as Type II in accordance with regulations implementing SEQRA.

Motion by Councilman Seletsky, seconded by Councilman Levner

**Motion Carried 5 AYES**

*\*\* Supervisor Vegliante asked Bonnie Franson to briefly explain a few details regarding the adoption of the Local Law. \*\**

**Bonnie Franson:** Stated that the Town is acting on this Local Law for all the right reasons with the best interest of the Town's residents and the future of the Town of Fallsburg in mind. She further stated that the County has given written approval comments to the Town regarding their decision to adopt the law and the last time the Town's Comprehensive Plan was adopted was in the year 2006."

**Motion # 165**

Motion to adopt Local Law # 3 of 2016 entitled "Establishing a Moratorium on Residential Development Approvals".

**VOTE POLLED**

<b>Supervisor Vegliante</b>	<b>AYE</b>
<b>Councilman Seletsky</b>	<b>AYE</b>
<b>Councilman Weiner</b>	<b>AYE</b>
<b>Councilman Steingart</b>	<b>AYE</b>
<b>Councilman Levner</b>	<b>AYE</b>

**Motion Carried 5 AYES**

**Motion # 166**

Motion to award Loch Sheldrake Wastewater Treatment Plant Phase II – Upgrades and Expansion Project 1G (General Contract) to OCS Industries, Inc.

Motion by Councilman Levner, seconded by Councilman Weiner

**Motion Carried 5 AYES**

**Motion # 167**

Motion to award Loch Sheldrake Wastewater Treatment Plant Phase II – Upgrades and Expansion Project 1M (HVAC & Plumbing) to Armistead Mechanical, Inc.

Motion by Councilman Levner, seconded by Councilman Weiner

**Motion Carried 5 AYES**

**Motion # 168**

Motion to award Loch Sheldrake Wastewater Treatment Plant Phase II – Upgrades and Expansion Project 1E (Electrical) to Stilsing Electric, Inc.

Motion by Councilman Weiner, seconded by Councilman Seletsky

**Motion Carried 5 AYES**

**Motion # 169**

Motion to authorize Steven Vegliante, Town Supervisor to execute contract agreements for the Loch Sheldrake Wastewater Treatment Plant Phase II – Upgrade and Expansion Project – 1G, 1M, and 1E.

Motion by Councilman Seletsky, seconded by Councilman Levner

**Motion Carried 5 AYES**

**Motion # 170**

Motion to award Town of Fallsburg Well No. 1B, Contract No. 1 – General Construction to Grant Street Construction.

Motion by Councilman Seletsky, seconded by Councilman Weiner

**Motion Carried 5 AYES**

**Motion # 171**

Motion to award Town of Fallsburg Well No. 1B, Contract No. 2 – Electrical Construction to Whalen Construction, LLC.

Motion by Councilman Seletsky, seconded by Councilman Weiner

**Motion Carried 5 AYES**

**Motion # 172**

Motion to authorize Steven Vegliante, Town Supervisor to executive contract agreements for the Town of Fallsburg Well No. 1B, Contract No. 1 and Contract No. 2.

Motion by Councilman Seletsky, seconded by Councilman Weiner

**Motion Carried 5 AYES**

**Personnel:**

**Motion # 173**

Motion to approve the following for Seasonal Employment in the Parks Department effective June 18, 2016.

Kierra Miller – Head Lifeguard	Griffen Epstein - Lifeguard
Shane Martin – Head Lifeguard	Jessica Monforte - Lifeguard
Peter Frunzi – Asst. Head Lifeguard	Austin Congelosi - Lifeguard
Amanda Wilson- Asst. Head Lifeguard	Anna Hendrickson – Lifeguard
Elizabeth Hannold- Lifeguard	Cierra Edwards- Lifeguard
Julia Leland – Lifeguard	Ashley Johnson – Lifeguard
Maegan Hurwitz – Lifeguard	

Motion by Councilman Seletsky, seconded by Councilman Levner

**Motion Carried 5 AYES**

**Motion # 174**

Motion to approve the following for Seasonal Employment in the Parks Department effective June 20, 2016.

Diana Peralta – Laborer  
Robert Worden – Lifeguard  
Kurrim Gilliard – Lifeguard

Justin Marte – Laborer  
Brandon Worden – Lifeguard  
Deianna Pereira – Lifeguard

Motion by Councilman Seletsky, seconded by Councilman Weiner

**Motion Carried 5 AYES**

**Finance:**

**Motion # 175**

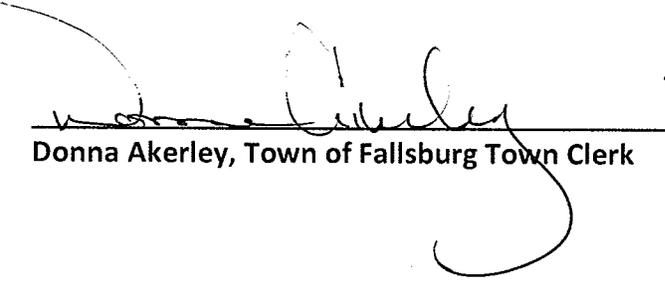
Motion to approve Warrant #06B16 dated 6/22/16 in the amount of 945.890.44.

Motion by Councilman Seletsky, seconded by Councilman Weiner

**Motion Carried 5 AYES**

**6:22 p.m. Motion to adjourn Legislative Session**

*Motion by Councilman Seletsky, seconded by Councilman Weiner*



\_\_\_\_\_  
Donna Akerley, Town of Fallsburg Town Clerk