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Monday, January 23, 2017

The Town of Fallsburg Town Board conducted
Their Legislative Meeting at Town Hall,
19 Railroad Plaza, South Fallsburg, New York
6:00 pm

PRESENT:

Supervisor Steven Vegliante
Councilman Nathan Steingart
Councilman Joe Levner

Attorney for the Town Paula E. Kay
Supervisor's Secretary Linda Ingber

ABSENT:

Town Clerk Donna Akerley
Councilman Arnold Seletsky
Councilman Mike Weiner

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

Salute to the Flag: By Supervisor Vegliante

Supervisor's Report: "Drive Safe"

Legislator's Report: None

Liaison's Reports: None

Correspondence: None

Citizens' Comments: **Brian Manown:** Asked what is happening with the garage.

Nathan Steingart: Noted that they have been cleaning up the property lately and only have five or six cars left out there.

Steven Vegliante: Stated that he isn't 100% sure but his guess is that this garage is a preexisting non-conforming use building.

Paula E. Kay: Stated she is not familiar with this particular garage but if there are violations, the town can certainly take a look at those.

*** General discussion was expressed between Mr. Manown and the Town Board regarding property owners and the way their buildings / property looks and what is and isn't in violation. ***

Brian Manown: Inquired if the board is working with anyone in particular regarding the comprehensive plan. He also inquired about the stipulation of settlement items that are on tonight's agenda.

Steven Vegliante: Stated that he is waiting a bit to see what the committee presents to the town board. I would like to see a cohesive development plan. When we talk about moderating growth, I don't want to see private water and sewer systems. This is my personal thought going forward with that. I don't think anyone can make them illegal but I don't see that zoning benefit / density benefit should be the same as something inside a Hamlet. Regarding the agenda items: We did get sued on some of the moratorium items and we did come up with a negotiated settlement. Paula our Attorney will explain.

Paula E. Kay: Stated we have eleven cases that were filed against us. We are settling with a number of them as we are more than half way through the moratorium period. The Town Board is allowing the developer to maintain the current zoning but will not be able to appear before the current planning board until after the moratorium has concluded.

Operations:

Motion # 50

Motion to authorize Paula Kay, Attorney for the Town, to sign the following stipulations of discontinuance of Article 78 proceedings:

Whittaker Road
Rachves Estates LLC
Mountain Crest Mobile Home Park
Congregation Kahal Minchas Chinuch
1613 East 29 LLC (Willow Woods)
290 Laurel Avenue
SULCO Development Corp. (Royal Estates)
UTA of KJ

Motion by Councilman Steingart, seconded by Councilman Levner

Motion Carried 3 AYES

Motion # 51

Motion to authorize Paula Kay, Attorney for the Town, to execute "Opinion of Local Counsel" relative to New York State Clean Water State Revolving Fund Project No. C3-5346-05-01.

Motion by Councilman Levner, seconded by Councilman Steingart

Motion Carried 3 AYES

Motion # 52

Motion to set time and date for an Unsafe Building Hearing relative to the removal or repair located at 49 Porter Road, Mountindale, NY, in accordance with Chapter 104 of the Town Municipal Code for February 27, 2017 at 5:45 p.m. Town Hall, 19 Railroad Plaza, South Fallsburg.

Motion by Councilman Steingart, seconded by Councilman Levner

Motion Carried 3 AYES

Motion # 53

Motion to set time and date for an Unsafe Building Hearing relative to the removal or repair located at 72 Spring Glen Road, Mountindale, NY, in accordance with Chapter 104 of the Town Municipal Code for February 27, 2017 at 5:50 p.m. Town Hall, 19 Railroad Plaza, South Fallsburg.

Motion by Councilman Levner, seconded by Councilman Steingart

Motion Carried 3 AYES

Motion # 54

Motion to set time and date for an Unsafe Building Hearing relative to the removal or repair located at 5068 Main Street, South Fallsburg, NY, in accordance with Chapter 104 of the Town Municipal Code for February 27, 2017 at 5:55 p.m. Town Hall, 19 Railroad Plaza, South Fallsburg.

Motion by Councilman Levner, seconded by Councilman Steingart

Motion Carried 3 AYES

Personnel:

Motion # 55

Motion to appoint Ezra Max to the position of Special Police effective December 19, 2016

Motion by Councilman Levner, seconded by Councilman Steingart

Motion Carried 3 AYES

Motion # 56

Motion to appoint Isaac Schwartz to the position of Special Police effective December 19, 2016

Motion by Councilman Levner, seconded by Councilman Steingart

Motion Carried 3 AYES

Motion # 57

Motion to appoint Corey Barry and Lucas Price to the position of MEO for the Highway Department pending drug and alcohol testing.

Motion by Councilman Levner, seconded by Councilman Steingart

Motion Carried 3 AYES

Finance:

Motion # 58

Motion to review and approve Warrant #12D16 dated 12/31/16 in the amount of \$823,111.03.

Motion by Councilman Levner, seconded by Councilman Steingart

Motion Carried 3 AYES

Motion # 59

Motion to review and approve Warrant #12E16 dated 12/31/16 in the amount of \$1,434.29.

Motion by Councilman Levner, seconded by Councilman Steingart

Motion Carried 3 AYES

Motion # 60

Motion to review and approve Warrant #01B17 dated 01/25/17 in the amount of \$101,178.46.

Motion by Councilman Levner, seconded by Councilman Steingart

Motion Carried 3 AYES

Executive Session:

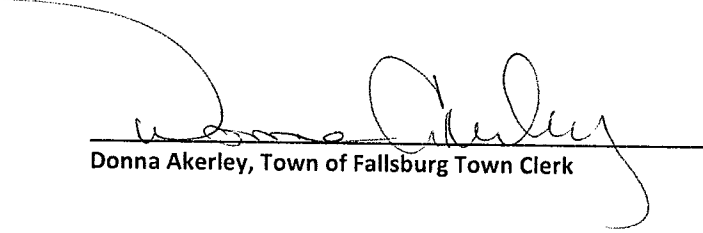
6:25 p.m. Motion to enter into Executive Session as set forth in Public Officers Law Sec. 105 (1)

regarding: **Personnel Matters**

Motioned by: Councilman Levner Seconded by: Councilman Steingart

6:40 p.m. Motion to adjourn Executive Session & Legislative Meeting

Motioned by: Councilman Levner Seconded by: Councilman Steingart



Donna Akerley, Town of Fallsburg Town Clerk