

DONNA AKERLEY

*Town Clerk, Registrar
Tax Collector
and Marriage Officer*

www.townoffallsburg.com



TOWN CLERK'S OFFICE
TOWN OF FALLSBURG

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Monday, February 24, 2020

**The Town of Fallsburg Town Board
Conducted a Legislative Meeting at the Town Hall,
19 Railroad Plaza, South Fallsburg, NY
6:00 pm**

PRESENT:

**Supervisor Steven Vegliante
Councilperson Nathan Steingart
Councilperson Joe Levner**

**Town Clerk Donna Akerley
Attorney for the Town Paula E. Kay
Supervisor's Secretary Melissa Melko
Code Enf. Officer Mollie Messenger**

ABSENT:

**Councilperson Mike Weiner
Councilperson Rebecca Pratt
Comptroller Scott DuBois**

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

Salute to the Flag:

Town Clerk Donna Akerley

Supervisor's Report:

Steven Vegliante: "Can you all please remain standing for a moment of silence for our long time town employee Patrick Maxwell. Thank you. Even though it is still February it feels more like spring. You will see a couple of items on our agenda this evening one being parking meters it's a process we started moving toward This is an authorization to move forward. We are testing the meters in 2 locations South Fallsburg and Hurleyville in the summer. We are taking baby steps toward it. Part of the reason is to manage the parking lots better have the ability to fund, repairing and cleaning and maintaining them a little better. Hopefully it won't create more problems but solve the parking issues in the summer time. The Highway department is kind of shifting gears while they are still prepared to do any snow removal and ice. I am sure we are not out of the woods yet. They have been clearing back trees normally spring like activities. We have done a better job all departments seem to be working together. I want to thank Scott DuBois and Mollie Messenger for really coordinating those efforts. We are looking collectively to purchase equipment and manpower to solve problems throughout the town. We will be meeting further with Open Space

Institute to look at properties which we can purchase to continue our rail trail throughout the town and improve our parks department.”

Liaison’s Reports: None

Correspondence: None

Citizens’ Comments: None

Operations:

Motion # 61

Motion to approve instillation of Parking Meters at South Fallsburg’s Main Street parking lot and at Hurleyville’s Main Street parking lot by IPS Group Inc.

Motioned by Councilperson Levner, Seconded by Councilperson Steingart

Motion carried 3 Ayes

Motion # 62

Motion to approve Legislative Meeting Minutes of Monday, February 10, 2020.

Motioned by Councilperson Steingart, Seconded by Councilperson Levner

Motion carried 3 Ayes

Motion # 63

Motion to set time and date for Unsafe Building Hearing relative to SBL #12-1-57 - Maplewood Estates of NY LLC – 38 & 40 Karmel Jacobs Rd., Loch Sheldrake on March 9, 2020 at 5:55 pm.

Motioned by Councilperson Steingart, Seconded by Councilperson Levner

Motion carried 3 Ayes

Mollie Messenger: “40 is the lower house, there are 2 houses on the one lot they have actually boarded that up. They are trying to get a permit to fix that one up. 38 is completely gone the whole roof is caving in so they can’t save that one. The unsafe one is 38 but we did it as a group. We don’t have too much faith with people with what they are doing we have to put both of them on. As per the class we took once a house is boarded it is not considered unsafe.”

Steven Vegliante: “That brings up a question do we give out a permit? I don’t want to go through the process putting it out to bid and bringing out a contractor to take down one of the buildings if they are actively working on the other. It’s the same owner same parcel they should take down both or fix both or take down one before fixing the other.”

Motion # 64

Motion to set time and date for Public Hearing relative to the Grandview Condemnation to be conducted on Monday, March 23, 2020 at 5: 50 pm at the Town of Fallsburg Town Hall, 19 Railroad Plaza, South Fallsburg, NY 12779

Motioned by Councilperson Levner, Seconded by Councilperson Steingart

Motion carried 3 Ayes

Motion # 65

Motion to approve Resolution Authorizing Settlement of a Proceeding instituted under Article 7 of the Real Property Tax Law against the Town of Fallsburg for Joseph Aron and Sara Greenwald, SBL #17.A-1-209.1.

Motioned by Councilperson Steingart, Seconded by Councilperson Levner

Motion carried 3 Ayes

Motion # 66

Motion to authorize the Town Clerk to solicit competitive bids for: "**1-A Low Abrasion Non Wappinger Crushed Limestone**". Bid date to be conducted, Monday, March 16, 2020 @ 2:00 pm.

Motioned by Councilperson Steingart, Seconded by Councilperson Levner

Motion carried 3 Ayes

Motion # 67

Motion to approve Retainer Agreement for Lewis & Greer P.C. to perform legal work on behalf of the Town of Fallsburg with respect to acting as special counsel to the Town in assigned assessment litigation matters, including tax assessment exemption matters and subsequent Real Property Tax Law Article 7 Tax Certiorari proceedings.

Motioned by Councilperson Levner, Seconded by Councilperson Steingart

Motion carried 3 Ayes

Steven Vegliante:" As a note I got an opportunity to meet face to face with this attorney he did a class at the Association of Towns. I feel pretty comfortable the bulk of his practice is tax certiorari work we will be in good shape if we have any come up this year."

Motion # 68

Motion to conduct an informational meeting on Monday, March 16, 2020 @ 4:00 pm for the purpose of general discussion relating to Air B & B Matters at the South Fallsburg Senior Center, 12 Laurel Avenue, South Fallsburg, NY with the Town Board's regular scheduled Work Session to commence at its normal time of 6:00 pm in the Supervisor's Office located at Town Hall, 19 Railroad Plaza, South Fallsburg, NY.

Motioned by Councilperson Steingart, Seconded by Councilperson Levner

Motion carried 3 Ayes

Motion # 69

Motion to approve time change for the Monday, March 23, 2020 Town Board Meeting to begin at 4:00 pm instead of the regularly scheduled 6:00 pm to allow for discussion regarding upgrades to Town of Fallsburg Sewer Plants with regular Legislative Meeting to immediately follow.

Motioned by Councilperson Levner, Seconded by Councilperson Steingart

Motion carried 3 Ayes

Motion # 70

Motion to reject Residential Refuse Collections Bid received on February 21, 2020 due to a clerical omission on the original bid specifications.

Motioned by Councilperson Steingart, Seconded by Councilperson Levner

Motion carried 3 Ayes

Motion # 71

Motion to authorize Town Clerk to solicit a Re-Bid for Residential Refuse Collections, bid date to be determined.

Motioned by Councilperson Levner Seconded by Councilperson Steingart

Motion carried 3 Ayes

Finance:

Motion # 72

Motion to approve Warrant #02C20 dated 2/19/2020 in the amount of \$693,145.56.

Motioned by Councilperson Levner, Seconded by Councilperson Steingart

Motion carried 3 Ayes

Motion # 73

Motion to approve Warrant #02B20 dated 2/19/2020 in the amount of \$1,418,486.03

Motioned by Councilperson Levner, Seconded by Councilperson Steingart

Motion carried 3 Ayes

Executive Session:

6:10 p.m. Motion to enter into Executive Session as set forth in Public Officers Law

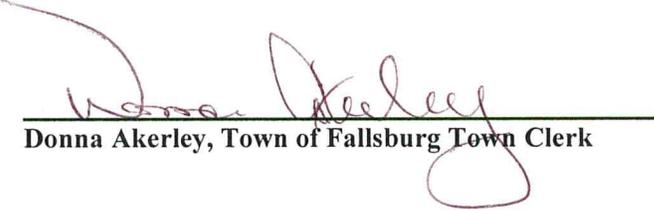
Sec. 105 (1) regarding: **Pending Litigation and Potential Litigation Matter.**

**** Supervisor Vegliante stated he does not expect to return for futher business after Executive Session.**

Motioned by: **Councilperson** _____, Seconded by: **Councilperson** _____

7:25 p.m. Motion to adjourn Executive Session

Motioned by: **Councilperson** _____, Seconded by: **Councilperson** _____



Donna Akerley, Town of Fallsburg Town Clerk

**RESOLUTION AUTHORIZING SETTLEMENT OF A PROCEEDING INSTITUTED
UNDER ARTICLE 7 OF THE REAL PROPERTY TAX LAW AGAINST THE TOWN OF
FALLSBURG**

WHEREAS, JOSEPH H ARON AND SARA GREENWALD have instituted proceedings under Article 7 of the Real Property Tax Law to review the assessment of Tax Map Parcel Section 17.A, Block 1, Lot 209.1 (48 Townhouse Road, Unit 6, Fallsburg, Town of Fallsburg, New York 12779) and which proceeding is pending in the Supreme Court of the State of New York, County of Sullivan, Under Index No. E2019-1462; and

WHEREAS, the parties herein have appeared through counsel, to wit, Bruce Perlmutter, Esq., on behalf of Respondent, and The Gottlieb Law Firm, PLLC, on behalf of Petitioner; and

WHEREAS, negotiations by and between the parties hereto have produced a proposed settlement of the issues and matters in dispute, and

WHEREAS, the proposed settlement shall result in a fair and equitable resolution of the complaint with respect to petitioner's 2019 assessment, to wit a reduction in the assessment of petitioner's real property, SBL 17.A-1-209.1 from \$75,429.00 to \$43,100.00.

NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town of Fallsburg as follows:

That settlement of the above referenced proceeding be, and the same hereby is in all respects approved and confirmed

That Bruce Perlmutter, Esq., attorney for the Town of Fallsburg, and Winifred Foertsch, Assessor, be and they hereby are authorized, empowered and directed to enter into and execute a formal written stipulation of settlement and to bind the Town thereto, such stipulation to be in form approved by the said attorneys.

That said Bruce Perlmutter, Esq., and Winifred Foertsch, Assessor, be, and they are hereby authorized and empowered to execute any and all other documents and take such other steps as may be reasonably necessary and incidental to effect and finalize the settlement of the subject proceeding.

MOVED BY: Councilperson Steingart
SECONDED BY: Councilperson Levner
and a roll call vote thereon as follows:

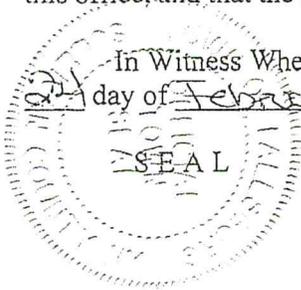
Supervisor Steven Vegliante	voting <u>Aye</u>
Councilman Joe Levner	voting <u>Aye</u>
Councilman Michael Weiner	voting <u>ABSENT</u>
Councilman Nathan Steingart	voting <u>Aye</u>
Councilman Rebecca Pratt	voting <u>ABSENT</u>

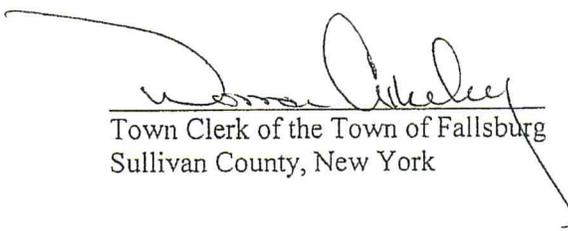
STATE OF NEW YORK)
COUNTY OF SULLIVAN)

Office of the Clerk of the
Town of Fallsburg

This is to certify that I, Donna Akerley, Town Clerk of the Town of Fallsburg in the said County of Sullivan, have compared the foregoing copy of Resolution No: 63 of the Year 2018 entitled "**RESOLUTION AUTHORIZING SETTLEMENT OF A PROCEEDING INSTITUTED UNDER ARTICLE 7 OF THE REAL PROPERTY TAX LAW AGAINST THE TOWN OF FALLSBURG**" adopted on 2/24/2020 with the original now on file in this office, and that the same is a correct and true transcript of such original and the whole thereof.

In Witness Whereof, I have hereunto set my hand and affixed the seal of said Town this 24 day of February, 2020.




Town Clerk of the Town of Fallsburg
Sullivan County, New York