

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, July 13, 2020

The Town of Fallsburg Town Board
Will Conduct a Legislative Meeting via Video Conference Call
19 Railroad Plaza, South Fallsburg, NY
6:00 pm

Video Conference Link to be posted to main page of website:

Join Zoom Meeting
<https://zoom.us/j/548420343>
Meeting ID: 548 420 343
One tap mobile
+19292056099, 548420343# US (New York)

PRESENT:

Supervisor Steven Vegliante
Councilperson Nathan Steingart
Councilperson Mike Weiner
Councilperson Joe Levner

Town Clerk Donna Akerley
Supervisor's Secretary Melissa Melko
Comptroller Scott DuBois
Code Enf. Officer Mollie Messenger

ABSENT:

Councilperson Rebecca Pratt
Attorney for the Town Paula E. Kay

Motion by Councilperson Weiner, seconded by Councilperson Steingart to open Public Hearing:

5:55pm: Public Hearing relative to Proposed Sewer and Water District for Camp Nitra in the hamlet of Woodbourne parcels 16-1-19.3, 16-1-19.9 and 16-1-24.2.

**** Supervisor Vegliante** stated that the Clerk will read a letter as correspondence during that portion of the meeting.

****Jay Zeiger:** "What does the letter say?"

****Supervisor Steven Vegliante:** "We will read it at the meeting. Just to give a quick update for the public's sake, this has been hanging around for over 3 to 4 years they dealt with our previous town Engineer with regard to this. They have been maintaining a fire watch. They have been issues with their current septic. Our engineers have been working with their engineers we do have the capacity and the ability to give them water which will allow them to have sprinkler, which make the property much safer, its only 2 properties away from the sewer and water district now."

****Jay Zeiger:** "Is that it for tonight the vote on consideration is going to be at another meeting?"

****Supervisor Steven Vegliante:** "Yes it will probably at the next meeting."

Motion by Councilperson Weiner, seconded by Councilperson Steingart to adjourn Public Hearing.

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 7/3/20


Fred W. Stabbert, III

Sworn to before me this 3rd day of July 2



Susan M. Owens

Notary Public, State of New York

No. #010W8025547

Qualified in Sullivan County

My commission expires on June 1, 202

LEGAL NOTICE

TOWN OF FALLSBURG

CONSOLIDATED WATER AND SEWER DISTRICT EXTENSIONS

BUDD ROAD PROPERTY

In the Matter of Extending the Town of Fallsburg Consolidated Water and Sewer Districts, Town of Fallsburg, County of Sullivan and State of New York

ORDER FOR PUBLIC HEARING

WHEREAS, **Congregation Mekor Chaim** (the "Petitioner"), previously submitted to the Town Board of the Town of Fallsburg (the "Town"), a map, plan, and report for providing the facilities, improvements and services in order to extend the Town of Fallsburg Consolidated Water District and the Town of Fallsburg Consolidated Sewer District to include lands now owned by the Petitioner, which land has Tax Map No. 16.-1-24.2 (the "Property"); 16.-1-19.3 & 16.-1-19.9 and

WHEREAS, the Petitioner has heretofore and with Town approval filed said map, plan, and report last revised February 14, 2020, in the office of the Town Clerk of the Town together with a Petition requesting that the Town extend the Consolidated Water District and the Consolidated Sewer District to include the Property described therein; and

WHEREAS, the boundaries of the proposed water district extension and sewer district extension (each of which includes only the Property) are fully described on the map prepared on behalf of the Petitioner, a copy of which is now on file in the office of the Town Clerk, and which is further described in said report; and

WHEREAS, the Property within the proposed water and sewer district extension consists of one overnight summer camp which includes multiple buildings and improvements and serves a Summer population of approximately 232 persons; and

WHEREAS, the entire cost of the water and sewer district extensions described herein will be paid by the Petitioner and will not be paid by any other property owner within the Consolidated Sewer and Water District; and

WHEREAS, the Petitioner will also

BY THE TOWN BOARD OF THE TOWN OF FALLSBURG

COUNTY OF SULLIVAN, STATE OF NEW YORK

CONCERNING

BUDD ROAD PROPERTY EXTENSION OF THE TOWN OF FALLSBURG CONSOLIDATED WATER DISTRICT and THE TOWN OF FALLSBURG CONSOLIDATED SEWER DISTRICT

NOTICE is hereby given that pursuant to the Order of the Town Board of the Town of Fallsburg, County of Sullivan, State of New York, a Public Hearing will be held at Town Hall in said Town located at 19 Railroad Plaza, South Fallsburg, New York 12779, on the 13th day of July, 2020, at 5:55 p.m. of that date, for the purpose of receiving public comments from all interested persons concerning the extension of the Town of Fallsburg Consolidated Water District and the Town of Fallsburg Consolidated Sewer District to include Tax Parcel 16.-1-24.2, 16.-1-19.3 & 16.-1-19.9

A copy of the Order for Public Hearing may be examined at the Town Clerk's Office, Town Hall, 19 Railroad Plaza, South Fallsburg, New York 12779.

All interested persons are welcome to attend the public hearing and express their views.

Dated: South Fallsburg, New York
June 22, 2020

TOWN BOARD OF THE TOWN OF FALLSBURG
By: Steven Vegliante, Supervisor
Donna Akerley, Town Clerk

Motion by Councilperson Weiner, seconded by Councilperson Steingart to open Public Hearing.

5:55pm: Continued Public Hearing relative to Proposed Local Law # of 2020 relative to Amending Town of Fallsburg Municipal Code Section #310-2.2 entitled "Seasonal Occupancy".

****Supervisor Steven Vegliante:** " I want to ask the Board to kick this out for 60 days in the sense we haven't done anything on the Board level and our staff hasn't done anything on Seasonal occupancy."

Motion by Councilperson Steingart, seconded by Councilperson Weiner to hold open said Public Hearing for 60 days (until Monday, September 14, 2020) at which time the Town Board will conclude relative to this subject.

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

Affidavit of Publication

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SS:

County of Sullivan

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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 6/26/20



Fred W. Stabbert, III

Sworn to before me this 26th day of June, 2020



Susan M. Owens

Notary Public, State of New York

No. #010W8025547

Qualified in Sullivan County

My commission expires on June 1, 2023

LEGAL NOTICE

**LEGAL NOTICE OF THE
TOWN OF FALLSBURG TOWN**

Notice is hereby given: The Town of Fallsburg T
duct the conclusion of their Public Hearing-relativ
Law# of 2020 relative to Amending the Town of F
Code Section# 310 -2.2 entitled "Seasonal Occur

Said Public Hearing will commence on Monday, J
5:55 pm via Video Conference
Link Join Zoom Meeting, <https://zoom.us/j/54842>
Meeting ID: 548 420 343,
One tap mobile +19292056099,,548420343# US (

BY ORDER OF THE TOWN OF FALLSBURG TO

Dated: Friday, June 26, 2020

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

84314

Motion by Councilperson Levner, seconded by councilperson Weiner to open Public Hearing.

5:55pm: Continued Public Hearing relative to Proposed Local Law # of 2020 relative to Amending Town of Fallsburg Municipal Code Section Code Chapter 179 entitled "Transient and Short Term Rentals".

****Supervisor Steven Vegliante:** "This is a continuation of our Short term rental law. We have done stuff on our staff level. I did indicate to the public at the last public hearing to have this in person but we haven't been able to do that as of yet. We do need to move on this law we are bringing it up for public comment again, depending what happens this evening we may have leave it open for additional comment if necessary and our staff will continue to work on it. We will not take action tonight on it."

**** Code Enforcement Officer Mollie Messenger:** "We want to just clarify the law is on dwelling units and multi families anything that doesn't apply to that wouldn't be in the law like tents for instance. Brett if you have specific questions you can email me."

Motion by Councilperson Levner, seconded by Councilperson Weiner to adjourn Public Hearing but to accept written comment for one week (Monday, July 20, 2020)

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Callicoon, NY 12723-0308
845-887-5200 Fax: 845-887-5386

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State of New York

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County of Sullivan

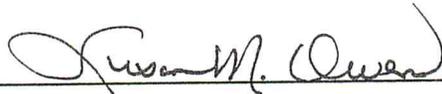
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Fred W. Stabbert, III

Sworn to before me this 26th day of June, 2020



Susan M. Owens
Notary Public, State of New York
No. #010W8025547

Qualified in Sullivan County
My commission expires on June 1, 2023

LEGAL NOTICE

**LEGAL NOTICE OF THE
TOWN OF FALLSBURG TOWN BOARD**

Notice is hereby given: The Town of Fallsburg Town Board will conduct the conclusion of their Public Hearing relative to proposed Local Law # of 2020 relative to Amending the Town of Fallsburg Municipal Code Chapter 179 entitled "Transient and Short Term Rentals".

Said Public Hearing will commence on Monday, **July 13, 2020** at 5:55 pm via Video Conference Link

Join Zoom Meeting, <https://zoom.us/j/548420343>,
Meeting ID: 548 420 343,
One tap mobile +19292056099,,11548420343# US (New York).

BY ORDER OF THE TOWN OF FALLSBURG TOWN BOARD

Dated: Friday, June 26, 2020

Donna Akerley
Town of Fallsburg
Town Clerk, Tax Collector,
Registrar, Marriage Officer, RMO,
FOIL Officer & Notary Public
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84312

Salute to the Flag:

- By Supervisor Vegliante

Supervisor's Report:

-By Supervisor Vegliante: "Thank you everyone. I will make my Supervisor report pretty short and sweet. While we have declining numbers in NYS, much of the nation is dealing with what we were dealing with 2 to 3 months ago in regards to COVID-19. The reason we had our numbers as low as we have because people did wear masks and did the social distancing. We did respect each other. I wish more people locally in all our hamlets and all sectors of our community to please wear masks and practice social distancing. It is not a huge thing. Most of our town is open. Our Town Hall and town facilities for the time being remain closed to visitors. We still haven't figured out a way that we feel safe in regards to children's playgrounds and dog parks. We are going to work on some disinfecting protocols. However it is about personal responsibility all about people caring for each other. A systematic is not a myth it is a real thing. Half of cases are due to a systematic transmission. These people not knowing they are sick can give the virus to someone else. Our rail trails you masks are required. If you are not around others then its fine but if you come across someone then. We are doing this for the protection of our residents, for the people visiting our town and our staff. I really would ask to follow those guidelines. We are in a good position because of them. Look what is happening to Arizona, California, Texas, Georgia and Florida. We will be meeting with our acting District Attorney Megan Galligan, will be giving out masks in town this week. We had an antibody drive this past Sunday put together by REFUAH and made our senior center available. I really want to thank that group. Anyone that needs a mask we will get a mask for you."

Liaison's Reports:

-None

Correspondence:

-As read by Town Clerk Donna Akerley and attached to the official filing of these minutes.

Citizens' Comments:

Brett Budde (134 Majestic Road) – RE: Proposed Local Law Transient and Short Term Rentals: "I think the law is written too broadly. The law needs to know its focus. I think it is important to keep this revenue stream open it's important for my farm for survival. It doesn't mention situations like tents, campsites and off grid tiny houses it doesn't mention that at all. I would like it revised."

Josh Druckman – RE: Proposed Local Law Transient and Short Term Rentals: "I would like to thank everybody the difference with the current proposed law versus where we started with this in my opinion is really dramatic and has gone in a really good direction. I do agree with Brett. My only suggestion is that we cap the fees at a certain level. I might be open to the \$100.00 charges hoping we can come to some kind of agreement."

Operations:

Motion # 146

Motion to adopt Local Law # of 2020 relative to amending §2.2 of Article II of Chapter 310 of the Town of Fallsburg Code relating to User Road definition.

Motion by Councilperson Levner, seconded by Councilperson Steingart

VOTE POLLED

| | | |
|-------------------------|---|--------|
| Supervisor Vegliante | - | AYE |
| Councilperson Steingart | - | AYE |
| Councilperson Weiner | - | AYE |
| Councilperson Levner | - | AYE |
| Councilperson Pratt | - | ABSENT |

Vote 4 AYES

Motion # 147

Motion to adopt Local Law # of 2020 relative to amending various enforcement provisions within the Code of the Town of Fallsburg relating to building and zoning, noise, peddling and soliciting, solid waste, street and sidewalks, swimming pools, water, land disturbance permits, and the Architectural Review Board: §96-15, §197.6, §213.19, §250-26, §257-10, §266-12, §299-11, §310-5.30, §310-11.2, and §310-30.9.

Motion by Councilperson Weiner, seconded by Councilperson Levner

VOTE POLLED

| | | |
|-------------------------|---|--------|
| Supervisor Vegliante | - | AYE |
| Councilperson Steingart | - | AYE |
| Councilperson Weiner | - | AYE |
| Councilperson Levner | - | AYE |
| Councilperson Pratt | - | ABSENT |

Vote 4 AYES

Motion # 148

Motion to adopt Local Law # of 2020 relative to amending §2.2 of Article II of Chapter 310 of the Town of Fallsburg Code relating to Substantial Construction.

Motion by Councilperson Levner, seconded by Councilperson Steingart

VOTE POLLED

| | | |
|-------------------------|---|--------|
| Supervisor Vegliante | - | AYE |
| Councilperson Steingart | - | AYE |
| Councilperson Weiner | - | AYE |
| Councilperson Levner | - | AYE |
| Councilperson Pratt | - | ABSENT |

Vote 4 AYES

Motion # 149

Motion to adopt Local Law # of 2020 relative to Amending Town of Fallsburg Municipal Code Section #310-7.11 relating to Expiration of Approval.

Motion by Councilperson Levner, seconded by Councilperson Steingart

VOTE POLLED

| | | |
|-------------------------|---|--------|
| Supervisor Vegliante | - | AYE |
| Councilperson Steingart | - | AYE |
| Councilperson Weiner | - | AYE |
| Councilperson Levner | - | AYE |
| Councilperson Pratt | - | ABSENT |

Vote 4 AYES

Motion # 150

Motion to adopt Local Law # of 2020 relative to Amending Town of Fallsburg Municipal Code Section #310-4.3 relating to Separation Distances.

Motion by Councilperson Levner, seconded by Councilperson Weiner

VOTE POLLED

| | | |
|-------------------------|---|--------|
| Supervisor Vegliante | - | AYE |
| Councilperson Steingart | - | AYE |
| Councilperson Weiner | - | AYE |
| Councilperson Levner | - | AYE |
| Councilperson Pratt | - | ABSENT |

Vote 4 AYES

Motion # 151

Motion to adopt Local Law # of 2020 relative to Amending Town of Fallsburg Municipal Code Section #299-5 relating to Water Meters.

Motion by Councilperson Weiner, seconded by Councilperson Levner

VOTE POLLED

| | | |
|-------------------------|---|--------|
| Supervisor Vegliante | - | AYE |
| Councilperson Steingart | - | AYE |
| Councilperson Weiner | - | AYE |
| Councilperson Levner | - | AYE |
| Councilperson Pratt | - | ABSENT |

Vote 4 AYES

Motion # 152

Motion to adopt Local Law # of 2020 relative to Amending Town of Fallsburg Municipal Code Section #310-5.5 relating to Fences and Hedges.

Motion by Councilperson Levner, seconded by Councilperson Weiner

VOTE POLLED

| | | |
|-------------------------|---|--------|
| Supervisor Vegliante | - | AYE |
| Councilperson Steingart | - | AYE |
| Councilperson Weiner | - | AYE |
| Councilperson Levner | - | AYE |
| Councilperson Pratt | - | ABSENT |

Vote 4 AYES

Motion # 153

Motion to adopt NYS Building Officials Conference bill authorizing local governments and Town Supervisor to extend building permits and zoning board approvals for a period of 120 days.

Motion by Councilperson Levner, seconded by Councilperson Weiner.

Vote 4 Ayes – 1 Absent

Motion Carried

Motion # 154

Motion to authorize Town Clerk to solicit competitive bids for qualified engineering consulting firms to provide design, permitting, grant writing, and construction phase services for upgrades to the South Fallsburg Wastewater Treatment Plant (WHO Treatment Plant) which is owned, operated, and maintained by the Town of Fallsburg. Bid date will be conducted on Thursday, August 27, 2020 promptly at 1:00 pm via ZOOM Join Zoom Meeting <https://zoom.us/j/91064064663>, Meeting ID: 910 6406 4663, One tap mobile +19292056099,,91064064663# US (New York).

**** Supervisor Steven Vegliante:** "As we have discussed at a previous meeting before I called this question we are looking at a grander scheme in the sense we know our DRBC approvals will be coming up in the next couple of years and they are going to be far more stringent than they are now. We don't want to be caught and put in a position in a consent order so we are looking for engineering help to find out to upgrade our plant and improve the grade affluent leading to the river so we can be compliant with DRBC as well as the DEC."

Motion by Councilperson Steingart, seconded by Councilperson Weiner

Vote 4 Ayes – 1 Absent

Motion Carried

Finance:

Motion # 155

Motion to approve Warrant #0720 dated July 8, 2020 in the amount of \$551,840.78.

Motion by Councilperson Levner, seconded by Councilperson Steingart

Vote 4 Ayes – 1 Absent

Motion Carried

Motion # 156

Motion to approve Warrant #07A20 dated July 8, 2020 in the amount of \$195,365.32.

Motion by Councilperson Weiner, seconded by Councilperson Levner

Vote 4 Ayes – 1 Absent

Motion Carried

EXECUTIVE SESSION:

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

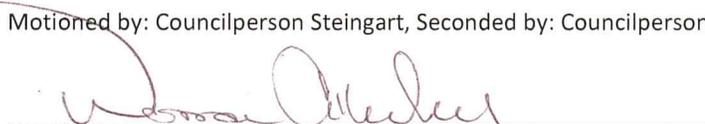
Sec. 105 (1) regarding: **Pending Litigation and a Personnel Matter.**

**** Supervisor Vegliante stated he does not expect to return for further business thereafter.**

Motioned by: Councilperson Levner, Seconded by: Councilperson Steingart

6:55 p.m. Motion to adjourn Executive Session

Motioned by: Councilperson Steingart, Seconded by: Councilperson Weiner



Donna Akerley, Town of Fallsburg Town Clerk

From: Melissa Melko (Town of Fallsburg)
Sent: Monday, July 13, 2020 2:53 PM
To: Donna Akerley
Subject: CORRESPONDANCE FW: Public hearing Budd Road Woodbourne

From: ""
Sent: Monday, July 13, 2020 2:37 PM

Subject: FW: Public hearing Budd Road Woodbourne

From:
To: "
Cc:
Sent: Monday July 13 2020 2:01:06PM
Subject: Public hearing Budd Road Woodbourne

To what benefit does the Town of Fallsburg receive for this extension of sewer and water to a tax exempt property who associates on the bottom of Budd Road already owe substantial amounts for water and sewer as we speak.

This extension will be a huge consumer of water and sewer where does Town of Fallsburg get the extra water and sewer capacity without it costing the taxpayers in the consolidated districts.

I assume everyone in this extension district is aware that the property is above the elevation of the existing Woodbourne water tank. How are you going to provide water pressure for everyday use and God forbid fire fighting situations. I also wonder if all parties involved realize that they will have to blast all the way.

I do not think these extensions should be approved.

Respectively,

William Oneill, Woodbourne

DONNA AKERLEY

*Town Clerk, Registrar
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RESOLUTION # 153

RESOLUTION TO EXTEND BUILDING PERMITS

WHEREAS: The Town of Fallsburg is operating under a state of emergency, which has been declared by both the Governor of the State of New York and the Supervisor of the Town due to COVID-19; and

WHEREAS, The Governor has issued an executive order to allow municipalities to extend building permits, zoning board approvals, and planning board approvals for 120 days past their current expiration; and

NOW, THEREFORE, BE IT RESOLVED: that the Town Board of the Town of Fallsburg authorizes an automatic extension of 120 days for all building permits, zoning board approvals, and planning board approvals that were due to expire on or after March 13, 2020.

MOTION BY: Councilperson Levner

SECOND BY: Councilperson Weiner

VOTE: 4 Ayes – 1 absent (*Councilperson Pratt*)

Adopted by the Town of Fallsburg Town Board on: 07/13/2020



Donna Akerley, Town of Fallsburg Town Clerk

FILED this: 20th day of July, 2020

Town of Fallsburg Town Clerk's Office

(Town Seal)

STATE OF NEW YORK

8236--A

IN SENATE

April 27, 2020

Introduced by Sens. GAUGHRAN, METZGER -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT relating to authorizing local governments to extend building permits and local zoning boards of appeals and local planning boards active approvals for a period of up to 120 days; and providing for the repeal of such provisions upon the expiration thereof

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

- 1 Section 1. For the duration of the state disaster emergency declared
2 pursuant to executive order 202 of 2020, local governments may, acting
3 pursuant to a single resolution, extend for a period of up to 120 days
4 beyond the stated expiration date:
- 5 1. building permits issued before March 7, 2020; and
 - 6 2. local zoning boards of appeals and local planning boards active
7 approvals issued before March 7, 2020.
- 8 § 2. This act shall take effect immediately and shall expire and be
9 deemed repealed December 31, 2021.

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets
[-] is old law to be omitted.

LBD16130-05-0