

DONNA AKERLEY

*Town Clerk, Registrar
and Tax Collector*

www.townoffallsburg.com



TOWN CLERK'S OFFICE

TOWN OF FALLSBURG

P.O. Box 2019

19 Railroad Plaza

So. Fallsburg, NY 12779

Phone: 845-434-8810

Fax: 845-434-8809

Tuesday, January 26, 2009

The Town of Fallsburg Town Board conducted their
Regular Legislative Meeting at the Town Hall Court Room
19 Railroad Plaza, South Fallsburg, New York
7:30 PM

Present:

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

Town Clerk, Donna Akerley
Jacob Billig, Attorney for the Town
Sull. Co. Legislator, Leni Binder
CEO, Allen Frishman
Assessor, Michael Pilmenstein
Police Detective, Brendan Pavese

7:30 p.m. Agenda

Call to Order:

- By Supervisor Vegliante

Salute to the Flag:

- By Citizen Albert Braun

Supervisor's Report:

-By Supervisor Vegliante: "Our Police

Department has been very busy in the last two weeks. In addition to, we as a Town Board and I wrote the commendation concerning the felony drug bust that happened just about two weeks ago. It was over a years worth of work and Brendan was the lead Detective on that case. A good portion of our department pitched in a helped him execute a warrant that lead to 3 or 4 felony arrests and a large amount of drugs taken off the streets. I would love to be able to report that the drug bust was the only thing they did in the last two weeks but unfortunately, they also had to go to a murder scene. They figured out what happened almost immediately, gathered the evidence and are progressing with the case. They have had a very busy two weeks and they deserve our thanks and respect. We are meeting with many engineers, we have many needs in the Town, and we are looking forward to doing some water and sewer upgrades and possibly some revenue generation with our Town landfill. There is a lot going on in the Town right now and I have been here almost every day for hours. I would like to thank the Board for being so supportive and there are good things ahead."

Legislator's Report:

- By Legislator Binder: Stated the Commissioner of Corrections will be here to discuss the issues with the mandated new jail. There will not be open questions just written questions submitted before hand. She stated that there were new laws

passed regarding the solid waste fee and that she believed the revised bills that were mailed out would reflect those changes, which was not the case. There is still no decision about the process of protesting the fee. The Committee for the waste fee will meet regarding fixing the problems this year and making this smoother for next year.

Supervisor Vegliante: "The correction of errors was supposed to give us new tax bills that only showed the \$850 and we got 13 of those bills which totaled over \$3,000. I have instructed our Town Comptroller to pay those bills so that they are not late. They have already been paid to Donna. For whatever reason the Town is being treated differently than other Towns, we are being charged the \$850 plus \$300 a piece for our golf courses. I want to understand the rationale for charging us extra for the golf courses. Other Towns have other amenities that generate revenue."

Legislator Binder: "We are the only Town in the County with golf courses. It probably had to do with the class codes of golf courses not the ownership. The law is clear as mud that is still part of the municipality. All municipal properties would be one bill to that municipality. The County will issue the Town a refund check for the overpayment. The goal was good with this fee, to make everyone pay for something, to clear up the debt."

Councilman Seletsky: "The goal is that the legislators failed the people in Sullivan County and they are making them pay for their mistake. That is the whole summation and you can view it anyway you want."

Legislator Binder: "My answer to that is the debt went back to the Supervisors."

Councilman Seletsky: "That argument doesn't hold water. You had 15 years to correct the problem, you spent the money, you imported garbage, you used it for all of your budgetary needs and now you rush to judgment in December because the County had no money. Therefore, you shove this down everybody's throats. You can call it what you want but that is what happened. That is what 65,000 people think in the County."

Legislator Binder: "About 8 or 9 years ago the option was to sell the landfill and clear all of this up. I will tell you now if I was given the same option today I would still vote no, because we would have had the money and cleared up the debt but there was no way to enforce it. The companies that wanted it would have filled up the landfill and there would have been no way to continue to get them to monitor it."

Supervisor Vegliante: "You have 10 months before the next budget season and I think that you should engage not just the Town of Fallsburg but every Town Supervisor and Board."

Legislator Binder: "The premise that the Legislators voted on was incorrect with this fee and now we are stuck with it."

Supervisor Vegliante: "You have to look at where your information comes from in that building. You as a Board, you take the brunt of it, what Arnold said is the feeling around the County and you will take it everywhere."

Legislator Binder: "The point is, I was there, I accepted it because I did ask questions and I was given answers."

Supervisor Vegliante: "The open disclosure information in that building does not exist. The fact of the matter is the people who should be giving you open information have been instructed not to. The only time they act in situations like this is when there is an emergency. If it is not an emergency then wait a month and one will be created. In June we all listened to the people in that building say that we are in decent shape, looking good, sales tax is down but not that much. Then in October they fired 130 people."

Councilman Weiner: "Is Hannofee Park in Liberty, is Mamakating Park being taxed the same rate? They are recreation areas as well. Our golf courses shouldn't be taxed at a different rate as other recreations areas in the County."

Legislator Binder: "I have no idea. I do not have the answer to that. When I came in the other day, it was an incidental conversation to what I was here for. I will be there tomorrow and find out."

Liaison's Reports: - None

Correspondence: - None

Citizen's Comments: - None

Operations:

RES. # 58

Motion to approve Minutes of January 12, 2010 Legislative Meeting.

On motion by Councilman Weiner, Seconded by Councilman Levner

Vote 5 Ayes

RES. # 59

Motion to set the time and date to schedule a Public Hearing relative to Local Law # 1 of 2010 – Outdoor Wood Boiler Fees - \$50.00 for February 9, 2010 at 7:00 p.m.

On motion by Councilman Seletsky, seconded by Councilman Steingart

Vote 5 Ayes

RES. # 60

Motion to set the time and date to schedule a Public Hearing relative to Local Law # 2 of 2010 – Planning Board Recreation Fees - \$750.00 for February 9, 2010 at 7:10 p.m.

On motion by Councilman Weiner, seconded by Councilman Seletsky

Vote 5 Ayes

RES. # 61

Motion to authorize the Code Enforcement Office to begin the procedure of the removal or repair of an unsafe building in accordance with Chapter 33 of the Town Municipal Code, Ronald Weisberg – SBL # 38.-4-5.2. March 9, 2010 at 7:05 p.m.

On motion by Councilman Weiner, seconded by Councilman Steingart

Vote 5 Ayes

RES. # 62

Motion to authorize the Code Enforcement Office to begin the procedure of the removal or repair of an unsafe building in accordance with Chapter 33 of the Town Municipal Code, WW & A Realty Co., SBL # 46.-1-16 March 9, 2010 at 7:10 p.m.

On motion by Councilman Steingart, seconded by Councilman Weiner

Vote 5 Ayes

Personnel:

RES. # 63

Motion to appoint Richard Levine to the Fallsburg Zoning Board for a seven-year term to expire on December 31, 2017.

On motion by Councilman Weiner, seconded by Councilman Levner

Vote 5 Ayes

Finance:

Res. # 64

Resolution to approve the Certiorari Settlement authorizing the Supervisor to enter into a Stipulation of Settlement for the Town of Fallsburg with Stephen Schuster for a reduced assessment of \$38,000.00.

On motion by Councilman Levner, seconded by Councilman Steingart

Vote 5 Ayes

Res. # 65

Motion to approve the following Financial Warrants

01A10 dated January 20, 2010 in the amount of \$104,031.44
01I10 dated January 20, 2010 in the amount of \$582,343.16
12E09 dated January 20, 2010 in the amount of \$225,978.60


On motion by Councilman Seletsky, seconded by Councilman Levner

Vote 5 Ayes

On Motion by Councilman Seletsky, seconded by Councilman Weiner to adjourn Legislative Meeting.

Time 7:57pm

Vote 5 Ayes



Donna Akerley Town of Fallsburg Town Clerk

dma