

DONNA AKERLEY

*Town Clerk, Registrar
and Tax Collector*

www.townoffallsburg.com



TOWN CLERK'S OFFICE
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Tuesday, January 17, 2011

**The Town of Fallsburg Town Board conducted their
Regularly scheduled Work Session
At Town Hall, 19 Railroad Plaza, South Fallsburg, NY
6:00 pm**

Present:

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

**Town Clerk Donna Akerley
Attorney for the Town Jacob Billig
Supervisor's Secretary Linda Ingber**

5:00 pm – Joint discussion with members of the Village of Woodridge relative to several topics including, potential sale of property to the Woodridge Fire Department, Sewer Plant operations, salt and equipment storage. *(Meeting Minutes to be provided by the Village of Woodridge)*

6:00 pm – Regular Work Session

- * Code Enforcement Officer to discuss operating permits, fire permits, and public assembly.
- * Park Commission – Discussion relative to member appointments and ideas for future programs at the parks.
- * Review 2012 Park & Camping Rates.
- * Review Residential Refuse Service Contract Extension with Thompson Sanitation.

Finance:

- * Review Warrant # 12D11 dated January 18, 2012 in the amount of \$ 624,237.13

Motion by Councilman Weiner, seconded by Councilman Levner to enter into Executive Session regarding litigation. Time: 6:53 pm

Motion by Councilman Weiner, seconded by Councilman Steingart to adjourn Executive Session. Time: 7:30 pm

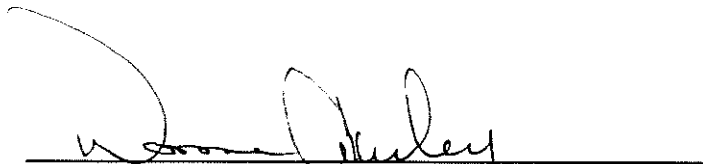
Resolution # 57

**Motion by Councilman Weiner, seconded by Councilman Levner to pass resolution relative to the protection, security, safety, and well-being of all residents residing and dwelling within the condo units at the Grandview Palace of New York Condominium.
(See attached resolution)**

Vote 5 Ayes

Motion by Councilman Seletsky, seconded by Councilman Levner to adjourn Work Session.
Time: 7:35 pm

Vote 5 Ayes



Donna Akerley, Town of Fallsburg Town Clerk

dma

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**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF FALLSBURG
REGARDING GRANDVIEW PALACE**

WHEREAS, the Town Code Enforcement Office performed various inspections of the Grandview Palace of New York Condominium located at 1500 State Route 52, Liberty, New York and being more particularly described on the Town of Fallsburg Tax Roll as Town of Fallsburg Section 11 Block 1 Lot 39, and

WHEREAS, the Town of Fallsburg is concerned with the protection, security, safety and well-being of all of the residents residing and dwelling within the condo units at the Grandview Palace of New York Condominium, and

WHEREAS, the Town of Fallsburg Town Board has been conducting meetings with the Grandview Palace of New York Condominium Board of Managers and Grandview Palace of New York Condominium's attorney, and

WHEREAS, the Town Code Enforcement Office has been consulting with the New York State Department of State as to the conditions at the Grandview Palace of New York Condominium and conducted inspections of the facility on December 16 and December 28, 2011, and

WHEREAS, the Town of Fallsburg Town Board has in meetings with the Town of Fallsburg Code Enforcement Office and its other outside consultants who reported on their findings and the Town Board reviewed all of the information and documentation associated with the Grandview Palace of New York Condominium, and

WHEREAS, in accordance with the Town of Fallsburg Town Code Section 104-3, and in accordance with the New York State Uniform Code — New York State Property Maintenance Code Section 107.1.1. Section 701.1.2 and 107.13 as well as Section 108.1, and

WHEREAS, at a meeting held with County of Sullivan officials, Town of Fallsburg officials and representatives of the Board of Managers for Grandview Palace of New York Condominium on December 21, 2011 it was discussed that the Town of Fallsburg Town Board had met and received a report from the Town of Fallsburg Code Enforcement Officer to the condition of the facility. and the Town of Fallsburg was contemplating evacuating the building, and

WHEREAS, at that December 21th meeting, in an effort to avoid removing all the occupants of the facility and allow the Grandview Palace of New York Condominium Board of Managers time to prepare a plan to address the code issues, members of the Town of Fallsburg, the

State of New York, County of Sullivan and Grandview Palace of New York Condominium representatives met at the facility on December 22st and developed a plan to conduct a fire watch program in to address safety concerns. and

WHEREAS, based on the meeting on December 22nd, the Town of Fallsburg and the Grandview Palace of New York Condominium Board of Managers entered into an agreement to increase the security and that the Grandview Palace of New York Condominium Board of Managers would develop a plan to address various code issues, and

WHEREAS, the Town of Fallsburg Code Enforcement Officer and the New York State Department of State preformed another inspection of the facility on December 28, 2011 accompanied by representatives from the Grandview Palace of New York Condominium Board of Managers and Mr. Dan Nichols reported his finding of said inspection in an email letter dated January 12, 2012, and

WHEREAS, the Town of Fallsburg Town Board at a workshop meeting held on January 17, 2012 further discussed the finding of the December 28th inspection and the email letter of Mr. Nichols with the Town of Fallsburg Code Enforcement Officer, and

WHEREAS, the Town of Fallsburg entered into an agreement with the Grandview Palace Homeowners' Association whereby they would diligently work to cure any violations and immediately institute a fire-watch program and provide daily logs of said watch and produce proof that the sprinkler system is in good working order, and findings of the Town of Fallsburg Code Enforcement Officer and the State of New York Department of State official documenting the observed violations, and

WHEREAS, the Town of Fallsburg will require a timely response to the findings and defined schedule of repairs to bring the building into compliance, and absent a satisfactory response being received by the Town of Fallsburg, it would require the Town of Fallsburg Town Board to condemn the structure and order the vacating of the unsafe buildings by its residents, and

WHEREAS, the Town of Fallsburg Town Board reaffirmed its findings, of the meeting of December 20, 2011 and

BE IT RESOLVED, that the Town of Fallsburg Town Board in accordance with the aforementioned sections of the Town of Fallsburg Town Code and the NYS Uniformed Code NYS Property Maintenance Code finds various aspects of the Grandview Palace of New York Condominium may be "unfit for human occupancy" due to the numerous above stated violations, and

BE IT FURTHER RESOLVED, that the Town will require the Grandview Palace of New York Condominium Board to provide a satisfactory response to the Town of Fallsburg on or before February 10, 2012, and the Town of Fallsburg Town Board will hold a hearing on

February 15, 2012 at the Town of Fallsburg Town Hall Justice Court at 1:00 p.m., to give the each owner, resident and or tenant and the Grandview Palace of New York Condominium Board of Directors, the opportunity to be heard on all the issues raised in this determination and finding by the Town of Fallsburg Town Board, and

BE IT FURTHER RESOLVED, that should satisfactory responses and repair schedules not be received by the Town of Fallsburg on or before February 10, 2012, or good cause not given to the Town, subject to the Town Board's conducting of a public hearing on February 15, 2012 and the finding made there upon, the Town Board will issue and Order and authorize the Town Code Enforcement Officer to place condemnation poster upon the premises including mailing said notice to each unit owner as well placing the notice on or underneath each units door and in central locations of the facility, which such action shall he to vacate the occupation of the building and all facilities, and

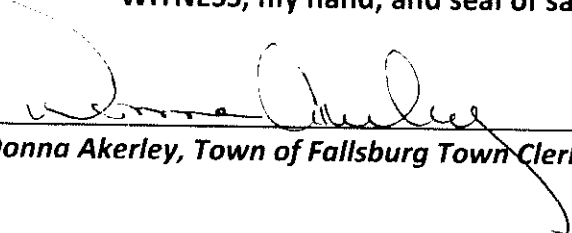
BE IT FURTHER RESOLVED, that the fire-watch protocol instituted in December shall continue on a daily basis until the building is deemed to be compliant with any and all applicable NYS Fire and Building Codes and satisfactory logs documenting said fire watch shall continue to be filed with the Town of Fallsburg on a daily basis or the offending structures will be immediately deemed to be unfit for human occupancy and condemned at which point the structure(s) shall be vacated and an emergency hearing will be scheduled at the time and place to be determined by the Town of Fallsburg Supervisor, said hearing to occur within three days of said action.

MOVED by Council Person Weiner, SECONDED by Council Person Levner.

VOTE: 5 Ayes 0 Nays

I DONNA AKERLEY, Town Clerk of the Town of Fallsburg, do hereby certify that I have compared the foregoing copy of a Resolution with the original thereof now on file in my office, and that the same is correct therefore and the whole of said original.

WITNESS, my hand, and seal of said Board the 17th day of January, 2012.


Donna Akerley, Town of Fallsburg Town Clerk

Dated: January 17, 2012

(Town Seal)