

TOWN BOARD OF THE TOWN OF LIBERTY  
**DEPT. HEAD/REGULAR MONTHLY MEETING**  
FEBRUARY 1, 2010

At the Dept. Head/Regular Monthly Meeting of the Town Board of the Town of Liberty held at 4:00 p.m. at Town Hall, 120 North Main Street, Liberty, New York, the following Town Board Members were present:

Supervisor John Schmidt  
Councilperson Thomas Hasbrouck  
Councilperson Lynn Killian  
Councilperson Chris Austin

Recording Secretary: Town Clerk Laurie Dutcher  
Also present: Finance Director Earl Bertsch  
Highway Superintendent Timothy Pellam  
Water & Sewer Supervisor Albert Picard  
Code Enforcement Officer Mark VanEtten  
Assessor Kathy Sprague  
Park & Recreation Director Brian Scardefield  
DCO Joanne Gerow  
Budget Coordinator Cheryl Gerow  
Deputy Town Clerk Sara Sprague

After the Pledge of Allegiance, Supervisor Schmidt called the meeting to order at 4:00 p.m.

RECOGNIZE DEPARTMENT HEADS

Assessor

- Working on the 2010 Assessment roll
- 50% of exemptions still outstanding
- Board of Assessment Review vacancy

Highway Superintendent

- Dept. of Labor accepted application and issued a Fed. Tax ID# for gravel bank
- Dept. of Labor will let Superintendent Pellam know when training will be held
- Superintendent Pellam met w/ Derrick Kelly regarding the Melton subdivision and advised him that the water coming from the driveway needs to be fixed and that he does not recommend that the Town take dedication of this road unless this matter is corrected.
- Board should talk to Attorney Klein regarding liability
- Having problems w/ the heat at the Town Barn have had to call 6-7 times to have one thing or another repaired

Water & Sewer

- VFD units installed
- Need to work on lightning protection (Supervisor Schmidt waiting for quotes)

- Specs for Old Monticello Rd. & Station Hill at Terry Kelly's office
- Have received a lot of applications for job opening
- Submitted the Water & Sewer Dept. Vehicle Policy

CEO

- Submitted Year End report
- 15 complaints
- 7 closed complaints
- 3 permits issued
- Still working on fire inspections/ have a CEO's mtg next week will have more info
- Would like to amend "convenience retail establishments"
- Would like an executive session next mtg. w/ DCO Gerow

Park & Rec.

- Tri-And-Du-It would like to hold a triathlon on 7/31 & 8/1. Would pay a \$2,100 user fee. The Town would be listed as additional insured.

**RESOLUTION NO. 25-10**

*DIRECT ATTORNEY KLEIN TO DRAW UP AGREEMENT W/ TRI-AND-DU-IT FOR TRIATHLON AT HANOFEE PARK*

**Motion by Councilperson Thomas Hasbrouck**, seconded by **Councilperson Lynn Killian**, the Town Board of the Town of Liberty does hereby direct the Town Attorney to draw up an agreement between the Town of Liberty and Tri-And-Du-It, and to list the Town of Liberty as additional insured.

4 AYES - Carried

- Programs have good participation
  - 45 ski program
  - 80 basketball program
  - 40 indoor walking program
  - Arts & crafts full
- 6/10 trip to Washington DC
- Accepting employment applications
- Getting quotes for sewer system at Walnut Mt.

Finance Director

- Voyager contacted Town regarding credit cards for gas they will be sending more info

**RESOLUTION NO. 26-10**

*SNOW REMOVAL AT TOWN HALL & PARK & REC*

**Motion by Councilperson Chris Austin**, seconded by **Councilperson Thomas Hasbrouck**, the Town Board of the Town of Liberty does hereby authorize the hiring of up to (2) employees to remove snow from Town Hall and the Parks & Recreation Bldg. at a rate of \$10.00 per hour w/ a minimum of 8 hrs. paid per storm, over 8 hrs. will be paid at a rate of \$20 per hour.

4 AYES - Carried

**RESOLUTION NO. 27-10**

*TOWN TO NOT COMPLY W/ GASB #45*

**Motion by Councilperson Chris Austin**, seconded by **Councilperson Lynn Killian**, the Town Board of the Town of Liberty has, upon the recommendation of the Town of Liberty Finance Director, decided not comply with GASB #45 for 2009.

4 AYES - Carried

**BOARD DISCUSSION**

Councilperson Lynn Killian

- Asked where we were with Farmland Preservation

Supervisor Schmidt advised that they needed to put SEQRA together.

- Packet of resolution from the Association of Towns – will discuss next mtg.

Councilperson Thomas Hasbrouck

- Wanted to know if we had heard anything from Aileen Gunther regarding \$ for Cold Spring water district.

Town Clerk Dutcher advised she received a letter asking for more information regarding costs and that she had sent that to Assemblywoman Gunther.

Councilperson Chris Austin

- Attended the CDC meeting and would like to have a meeting with the Town Board and Heinrich.

Supervisor Schmidt will set up a meeting with Heinrich

**RESOLUTION NO 28-10**

*APPROVAL OF AUDIT*

**Motion by Councilperson Thomas Hasbrouck**, seconded by **Councilperson Lynn Killian**, the Town Board approved the following:

- January, 2010 Abstract:  
**Claims #1 to #175 totaling \$326,932.20**

4 AYES - Carried

**RESOLUTION NO 29-10**

*APPROVAL OF MINUTES*

**Motion by Councilperson Lynn Killian**, seconded by **Councilperson Thomas Hasbrouck**, the Town Board approved the following minutes as submitted:

- Regular Monthly Mtg. 12/21/09
- End of Year Mtg. 12/29/09
- Re-organizational Mtg. 1/4/10

4 AYES - Carried

**RESOLUTION NO 30-10**

*APPROVAL OF MONTHLY REPORTS*

**Motion by Councilperson Lynn Killian**, seconded by **Councilperson Chris Austin**, the Town Board approved the following reports as submitted:

- Town Clerk's 12/09 Monthly Report
- Monthly Town Board Report of Revenue & Expense Summary as of 12/31/09

4 AYES - Carried

**OLD BUSINESS:**

1. Consolidation of Water Districts Carryover
2. Air Quality Report Carryover
3. Workplace Violence Carryover
4. Melton Subdivision Carryover
5. Updating the Town of Liberty Polling Places Carryover
6. Franchise agreement w/ Time Warner Carryover
7. Lightning rod protection (Councilperson Chris Austin would like to see this matter resolved by next month)
8. Cold Spring Water District Carryover

**RESOLUTION NO 31-10**

*NATIONAL CHILDREN'S DENTAL HEALTH MONTH*

On a motion **by Councilperson Lynn Killian**, seconded by **Councilperson Thomas Hasbrouck**, the Town Board does hereby approve the following resolution:

**PROCLAMATION OF OBSERVANCE OF NATIONAL CHILDREN'S DENTAL HEALTH MONTH**

**Whereas**, the future is, to a large measure, dependent on the good health of our families;

**Whereas**, good health can be achieved, in part, through good dental habits learned early and reinforced throughout life;

**Be it resolved that I**, John E. Schmidt, Supervisor of the Town of Liberty thereby proclaim

**FEBRUARY AS NATIONAL CHILDREN'S DENTAL HEALTH MONTH**

And urge all citizens and community organizations join in this observance.

**In witness whereof**, I here unto set my hand and cause the seal of the Town of Liberty to be affixed this 5<sup>th</sup> day of February, 2010.

---

John E. Schmidt,  
Supervisor

**RESOLUTION NO. 32-10**

*BID OPENING DATE SET FOR OLD MONTICELLO WATERLINE REPLACEMENT*

**Motion by Councilperson Thomas Hasbrouck**, seconded by **Councilperson Chris Austin**, the Town Board of the Town of Liberty does hereby set the bid opening date for waterline replacement on Old Monticello Rd. for 2/25/10 at 11:00 am at the Town Clerk's Office, 120 North Main St., Liberty, NY.

4 AYES - Carried

**RESOLUTION NO. 33-10**

*BID OPENING DATE SET FOR STATION HILL RD WATERLINE REPLACEMENT*

**Motion by Councilperson Lynn Killian**, seconded by **Councilperson Chris Austin**, the Town Board of the Town of Liberty does hereby set the bid opening date for waterline replacement Station Hill Rd. for 2/25/10 at 11:00 am at the Town Clerk's Office, 120 North Main St., Liberty, NY.

4 AYES - Carried

**RESOLUTION NO. 34-10**

*BID OPENING DATE SET FOR SWAN LAKE SIDEWALKS*

**Motion by Councilperson Lynn Killian**, seconded by **Councilperson Thomas Hasbrouck**, the Town Board of the Town of Liberty does hereby set the bid opening date for the Swan Lake sidewalks for 2/25/10 at 11:00 am at the Town Clerk's Office, 120 North Main St., Liberty, NY.

4 AYES - Carried

**RESOLUTION NO. 35-10**

*BID OPENING DATE SET FOR TANDEM VIBRATORY ROLLER*

**Motion by Councilperson Thomas Hasbrouck**, seconded by **Councilperson Chris Austin**, the Town Board of the Town of Liberty does hereby set the bid opening date for the purchase of a new or used 2007 or newer Tandem Vibratory Roller for 2/25/10 at 11:00 am at the Town Clerk's Office, 120 North Main St., Liberty, NY.

4 AYES - Carried

**RESOLUTION NO. 36-10**

*APPROVAL TO PURCHASE ONE (1) 2010 FORD F350 TRUCK FOR HIGHWAY DEPT.*

**Motion by Councilperson Lynn Killian**, seconded by **Councilperson Thomas Hasbrouck**, the Town Board of the Town of Liberty does hereby give approval to purchase one (1) 2010 Ford F350 truck in the amount of \$26,877.85 for the Town of Liberty Highway Dept.

4 AYES - Carried

**RESOLUTION NO. 37-10**

*APPROVAL OF JUNK YARD LICENSE FOR SIMS METAL MANAGEMENT*

**Motion by Councilperson Lynn Killian**, seconded by **Councilperson Chris Austin**, the Town Board of the Town of Liberty does hereby approve the junk yard license for Sims Metal Management.

4 AYES - Carried

**RESOLUTION NO. 38-10**

*APPROVAL OF NAMING EXISTING PRIVATE ROAD, LOCATED ¾ MILE SOUTH OF LENAPE LAKE ROAD FROM THE INTERSECTION OF LENAPE LAKE EXTENSION, FAMILY HILL LANE*

**Motion by Councilperson Lynn Killian**, seconded by **Councilperson Thomas Hasbrouck**, the Town Board does hereby approve of naming the existing private road, located ¾ of a mile south of Lenape Lake Rd, from the intersection of Lenape Lake Extension as "Family Hill Lane". SBL#10-1-23.9 / 10-1-23.8 / 10-1-23.7 / 10-1-23.6 / 10-1-23.5.

4 AYES - Carried

**RESOLUTION NO. 39-10**

*APPROVAL OF TOWING LICENSES*

**Motion by Councilperson Chris Austin**, seconded by **Councilperson Thomas Hasbrouck**, the Town Board does hereby approve the following towing licenses:

- Mike's Tire Discount (2)
- Sam's Towing & Recovery, Inc. (4)
- Robert W. Wilbur Auto Repairs & Transmissions (2)

4 AYES - Carried

**RESOLUTION NO. 40-10**

*APPROVAL OF REFUSE COLLECTION LICENSES*

**Motion by Councilperson Thomas Hasbrouck**, seconded by **Councilperson Lynn Killian**, the Town Board does hereby approve the following refuse collection licenses:

- Waste Logistics (2)
- Sullivan County First Recycling, Inc. (3)
- On Time Disposal (2)
- Decker Contractor's (1)
- Waste Management (7)
- Taylor Recycling (2)
- Sims Metal Management (2)
- Jeff Sanitation (1)

4 AYES - Carried

**RESOLUTION NO. 41-10**

*APPROVAL OF AGREEMENT TO SPEND HIGHWAY FUNDS*

**Motion by Councilperson Lynn Killian**, seconded by **Councilperson Chris Austin**, the Town Board of the Town of Liberty does hereby approve the agreement to spend highway funds.

4 AYES - Carried

**RESOLUTION NO. 42-10**

*APPROVAL OF PROFESSIONAL ENGINEERING SERVICES FOR THE WSS WATER DISTRICT IMPROVEMENT PROJECT*

**Motion by Councilperson Thomas Hasbrouck**, seconded by **Councilperson Chris Austin**, the Town Board of the Town of Liberty does hereby approve the professional engineering services proposal as submitted by Kelly Engineering, PC for the White Sulphur Springs Water District Improvements Project in the amount of \$71,000. See attached:

4 AYES - Carried

**RESOLUTION NO. 43-10**

*APPROVAL OF ADMINISTRATIVE SERVICES FOR THE WSS WATER DISTRICT IMPROVEMENT PROJECT*

**Motion by Councilperson Thomas Hasbrouck**, seconded by **Councilperson Chris Austin**, the Town Board of the Town of Liberty does hereby approve the professional administrative services proposal as submitted Blauer Associates for the White Sulphur Springs Water District Improvements Project in the amount of \$100.00 per hour, not to exceed \$24,000. See attached:

4 AYES - Carried

**RESOLUTION NO. 44-10**

*APPROVAL TO PURCHASE SPARE PUMP FOR INFIRMARY PUMP STATION*

**Motion by Councilperson Thomas Hasbrouck**, seconded by **Councilperson Lynn Killian**, the Town Board of the Town of Liberty does hereby give approval to purchase a spare pump for the Infirmary Pump Station from the lowest bidder in the amount of \$5,677.00

4 AYES - Carried

**RESOLUTION NO. 45-10**

*APPROVAL OF ADDITIONAL 2009 BUDGET MODIFICATIONS*

**Motion by Councilperson Lynn Killian**, seconded by **Councilperson Thomas Hasbrouck**, the Town Board of the Town of Liberty does hereby approve the following additional 2009 Budget Modifications:

**2009 Additional Budget Transfers**

Account Number	To (+)	From (-)
A 1310.1	\$ 925.00	
A 1310.4		\$ 925.00
A 1330.4	\$ 75.00	
A 1410.4	\$ 1,701.00	
A 1440.4		\$ 4,526.00
A 3510.4	\$ 2,750.00	
A 6772.4	\$ 20.00	
A 6773.4	\$ 500.00	
A 7110.1	\$ 75.00	
A 7110.4		\$ 595.00
<b>TOTAL:</b>	<b>\$ 6,046.00</b>	<b>\$ 6,046.00</b>

B 3620.1	\$ 815.00	
B 3620.4		\$ 815.00
<b>TOTAL:</b>	<b>\$ 815.00</b>	<b>\$ 815.00</b>

MO 9030.8	\$ 20.00	
MO 9055.8		\$ 20.00
<b>TOTAL:</b>	<b>\$ 20.00</b>	<b>\$ 20.00</b>

S1 9901.9600	\$ 1,984.00	
S1 8110.4		\$ 1,984.00
<b>TOTAL:</b>	<b>\$ 1,984.00</b>	<b>\$ 1,984.00</b>

S2 9901.9600	\$ 11,903.00	
S2 9901.9300		\$ 3,780.00
S2 8110.4		\$ 8,123.00
<b>TOTAL:</b>	<b>\$ 1,903.00</b>	<b>\$ 11,903.00</b>

Account Number	To (+)	From (-)
S4 9901.9400	\$ 760.00	
S4 9901.9600	\$ 331.00	
S4 8110.4		\$ 1,091.00

<b>TOTAL:</b>	<b>\$ 1,091.00</b>	<b>\$ 1,091.00</b>
S6 9901.9	\$ 6,000.00	
S6 8110.4		\$ 6,000.00
<b>TOTAL:</b>	<b>\$ 6,000.00</b>	<b>\$ 6,000.00</b>
S7 9901.9300	\$ 525.00	
S7 8110.4		\$ 525.00
<b>TOTAL:</b>	<b>\$ 525.00</b>	<b>\$ 525.00</b>
W1 8310.4	\$ 1,497.00	
W1 8310.3		\$ 1,497.00
<b>TOTAL:</b>	<b>\$ 1,497.00</b>	<b>\$ 1,497.00</b>
W2 8310.4	\$ 80.00	
W2 9901.9100		\$ 80.00
<b>TOTAL:</b>	<b>\$ 80.00</b>	<b>\$ 80.00</b>
W3 8311.3	\$62,197.00	
W3 8311.4	\$10,896.00	
W3 8310.4		\$73,093.00
<b>TOTAL:</b>	<b>\$73,093.00</b>	<b>\$73,093.00</b>
W7 8310.4	\$ 2,378.00	
W7 9901.9100		\$ 2,378.00
<b>TOTAL:</b>	<b>\$ 2,378.00</b>	<b>\$ 2,378.00</b>

### 2009 Budget Modifications

Account Number	960 Appropriation	510 Estimated Revenue
A 3054	\$21,436.81	
A 1954.4		\$21,436.81
2009 Golden Grant Feather Due		
A 3052	\$ 1,950.00	
A 1952.4		\$ 1,950.00
2009 Sidewalk Grant Money Due		
A 3053	\$9,847.43	
A 1953.4		\$9,847.43

4 AYES - Carried

**RESOLUTION NO. 46-10**

*CAPITAL RESOLUTION AUTHORIZING THE REPLACEMENT OF 2,700 FT OF WATERLINE ON OLD MONTICELLO RD. AND 1,000 FT OF WATERLINE ON STATION HILL RD. AT A MAXIMUM COST OF \$550,000*

At a regular meeting of the Town Board of the Town of Liberty, Sullivan County, New York, held at the Town of Liberty Government Center, 120 North Main Street, Liberty, New York, in said Town, on the 1st day of February, 2010 at 4:00 p.m. prevailing time.

The meeting was called to order by Supervisor Schmidt and upon roll being called, the following were:

PRESENT: Councilperson Thomas Hasbrouck

Councilperson Lynn Killian

Councilperson Chris Austin

ABSENT:

The following resolution was introduced by Councilperson Chris Austin, who moved its adoption, and seconded by Councilperson Lynn Killian, to wit:

A RESOLUTION AUTHORIZING THE REPLACEMENT OF 2,700 FEET OF WATER LINE ON OLD MONTICELLO ROAD AND 1,100 FEET OF WATER LINE ON STATION HILL ROAD, AT A MAXIMUM ESTIMATED COST OF \$550,000, AND PAYMENT OF A PORTION OF SUCH COST BY THE EXPENDITURE OF THE SUM OF \$150,000 FROM THE TOWN OF LIBERTY FERNDALE WATER DISTRICT CAPITAL WATER LINE RESERVE FUND.

**BE IT RESOLVED**, by the Town Board of the Town of Liberty, Sullivan County, New York, as follows:

Section 1. The replacement of 2,700 feet of water line on Old Monticello Road and 1,100 feet of water line on Station Hill Road in the Ferndale Water District, at a maximum estimated cost of \$550,000, and the expenditure of the sum of \$150,000 from the Town of Liberty Ferndale Water District Capital Water Line Reserve Fund to pay a portion of such maximum estimated cost is hereby authorized and approved.

Section 2. The action authorized has been determined to constitute an Unlisted Action as defined in the regulations promulgated pursuant to the State Environmental Quality Review Act, for which a short environmental assessment form shall be completed.

Section 3. The plan for financing of such maximum estimated cost is by the appropriation and expenditure of monies heretofore deposited in the Town of Liberty Ferndale Water District Capital Water Line Reserve Fund and bonding.

Section 4. Within ten (10) days after the adoption of this resolution, the Town Clerk shall post on the Town sign board and publish in the Sullivan County Democrat, the official newspaper of the Town, a notice in conformance with the requirements of Section 90 of the Town Law of the State of New York.

Section 5. This resolution is adopted subject to permissive referendum.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, resulting as follows:

Supervisor John Schmidt voting	AYE
Councilperson Thomas Hasbrouck voting	AYE

Councilperson Lynn Killian voting AYE

Councilperson Chris Austin voting AYE

The resolution was thereupon declared duly adopted.

**RESOLUTION NO. 47-10**

*APPROVAL OF RESOLUTION OF RESPECT FOR SEAN T. HANOFEE*

**Motion by Councilperson Chris Austin**, seconded by **Councilperson Thomas Hasbrouck**, the Town Board of the Town of Liberty does hereby approve of the following resolution and ask that it be published in the Official Newspaper:

**Resolution of Respect  
In Memory of Sean T. Hanofee**

**Whereas**, the members of the Town Board of the Town of Liberty were deeply saddened to learn of the death of Sean T. Hanofee on January 23, 2010;

**Whereas**, Sean T. Hanofee was elected as Town Councilman for the Town of Liberty for 4 terms; and

**Whereas**, Sean was very active on the political scene, he was a true and devoted democrat; and

**Whereas**, Sean's passion was always his dedication to the employees of the Town; and

**Whereas**, Sean always stood up for what he believed in. His analogies were his trademark, many of which will always be remembered; and

**Whereas**, his death will leave an immeasurable loss as we remember his loyalty, friendship and leadership;

**Now, Therefore, Be It So Resolved**, that the Town Board of the Town of Liberty does hereby extend its deepest sympathy to his family and acknowledge to them our gratitude and deepest admiration for his many years of faithful and devoted service to his community he cared so much about; and

**Be it Further Resolved**, that the Town Board of the Town of Liberty does hereby, hope that his family and friends will be consoled by the memories of his life and achievements.

**RESOLVED**, and as Sean would have said "strike this in the minutes".

Supervisor John Schmidt  
Councilperson Chris Austin  
Councilperson Thomas Hasbrouck  
Councilperson Lynn Killian

Attest: Town Clerk Laurie Dutcher

4 AYES - Carried

#### **HAMLET LIASONS**

WSS	Councilperson Chris Austin
Ferndale	Councilperson Thomas Hasbrouck
Swan Lake	Councilperson Lynn Killian
Parksville	Supervisor John Schmidt

#### **VOUCHER REVIEW COMMITTEE**

1 <sup>ST</sup> Quarter	Councilperson Thomas Hasbrouck / Councilperson Chris Austin
2 <sup>nd</sup> Quarter	Councilperson Lynn Killian

ADJOURN

On a motion by Thomas Hasbrouck, seconded by Councilperson Lynn Killian, the Town Board does hereby adjourn the meeting at 5:30 p.m.