

**DEPARTMENT HEAD MEETING  
TOWN BOARD OF THE TOWN OF LIBERTY  
120 NORTH MAIN STREET, LIBERTY, NY 12754  
February 7, 2011**

At the Regular Monthly Department Head Meeting of the Town Board of the Town of Liberty held on February 7, 2011 at 4:00 p.m. at Town Hall, 120 North Main Street, Liberty, New York, the following were present:

Present: Supervisor John Schmidt  
Councilperson Maurice Gerry  
Councilperson Thomas Hasbrouck  
Councilperson Lynn Killian  
Absent: Councilperson Christopher Austin

Recording Secretary: Deputy Town Clerk Sara Sprague

Also present: Water & Sewer Chief Albert Picard  
Code Enforcement Officer Mark VanEtten  
Park & Recreation Director Brian Scardefield  
Finance Director Earl Bertsch  
Budget & Accounting Coordinator Cheryl Gerow  
Confidential Secretary Maureen Barber  
Clarence Barber  
Ann Hart  
Heinrich Strauch  
Leonard Sparks

## **DEPARTMENT HEADS**

### **Highway Department:**

- Superintendent Pellam was unavailable for the meeting due to a heating problem at the Town Barn

### **Water & Sewer Department:**

- The new truck is here. Tools and equipment are being moved from the old truck to the new one. The old truck is surplus equipment & can be sold. (Note: Highway Department is buying it.)
- Meter Program-Ordered remote meter readers. Going to start installing meters in March. Need to have meters in houses in order for Badger Meter co. to come for a 2 day training.
- Presidential Estates Pump Station-John Schmidt was talking to NYSEG about 3-phase service to the pump station. If possible then we need to look into changing the current pumps to grinder pumps. The problem

is in the summer months residents flush dental floss and baby wipes, which plug up the pumps. We now have a can with holes in order to catch the material but it is very unsafe because a man can easily fall into the pump station while doing this task.

- Permit for Stevensville Well #4- Terry Kelly is working on this. We have heard from the NYSDEC in regard to this, and Terry has to contact the NYSDEC to change some wording. He may be able to get this changed without having to do another 2 hour pump test.
- W.S.S. Pump House 600,000 Grant Project-The contracts are signed and work should start as soon as March. Terry Kelly is working on the mapping for Route 52 pipeline replacement. Should be able to go to bid on this soon.
- Loomis Sewer Violation-Failed a second set of Ammonia Effluent due to ice buildup on the sand beds. NYSDEC, John Sansalone has issued a stern warning that we need to address this problem, or the hammer will fall on us. We also failed percent removal of suspended solids for a second time this winter.
- Meeting with Barton & Loguidice- Will be held at Town Hall to discuss improvements to the SLWWTF to keep it running until 2015 when the plant is debt free, and the Town is able to start thinking about what they will do for a new plant.
- As soon as we get done with paying for the new truck and selling the old one, Chief Picard would like to replace the ½ ton Chevy 150 with a new truck. The truck in question has cost us a lot of money to make repairs this year. This truck is too light duty for what we are using it for. Finance Director Bertsch said we have money in truck/equipment fund.

### **Dog Control:**

Monthly Report January 2011

Mileage 1186

Dogs at Kennel 1

Dog bites 2

Redemptions 2

Dogs picked up 7

1 Town of Rockland Dog

4 Replacement doors finished at the Kennel

### **Code Enforcement Officer:**

- 9 Permits
- 13 violations
- End of year report is not ready yet, should be done for next meeting
- Code Enforcement Officer VanEtten is on Jury Duty this week
- Setting up meeting with Town Attorney Walter Garigliano next week to discuss legal issues
- Business as usual

## **Assessor:**

Ongoing and working on:

- 911 data-base update
- Pictures
- Exemptions: Driving License, etc.
- Destroying/updating files

Information :

- Working on next year's roll
- Renewals are slowly being filed with my office (March 1<sup>st</sup> deadline)
- Board of Assessment Review training scheduled
- Correction of Error's for the 2008 roll year (Golden Park Apartments) was completed and submitted to the County for approval
- Completed and filed the mass correction of errors for the three sewer districts with the County Real Property Office
- The Internal Revenue/Taxation & Finance sent reports for the property owners over the \$500,000 income level which will have the basis STAR removed. There are questions of the "undetermined owners", and the income verification process, who's responsibility, etc.
- Receiving more layers for the Pictometry updates, with additional training required

Otherwise business as usual

## **Parks & Recreation :**

- Working with IT Dept. Head Tim Kelly to update the Webpage
- Updating the Pool Safety Plan for the Health Department
- Winter Programs are going well
- Taking applications for summer employees
- John Ellis will begin work on the park roof as soon as the snow melts
- Getting ready for summer programs and day camp

## **Town Clerk/Tax Collector:**

- Busy with tax collection
- The warrant has been met. The remaining money collected goes to county

## **Finance Director:**

- Auditors are here
- ERS for Elected Officials-Certifying hours worked for the Retirement System

## **CDC Heinrich Strauch:**

- Brought in 3<sup>rd</sup> proposal from American Electric for Swan Lake Street Lights
- Main Street Program have between 15 and 20 applications to go over at their next meeting
- Kelly Engineering is redoing the plans for the Skate Park

## **BOARD DISCUSSION**

### **Councilperson Lynn Killian**

- Councilperson Killian stated that there is a Zoning discrepancy and there is going to be a change in the Service Commercial District in White Sulphur Springs. The line will end at Worden Lane and Boyd Road not at the end of the town line. Tom Shepstone is working on the proposed changes to the map and SEQR. Town Attorney Ken Klein is working on the Local law. A Public hearing date will be set at the next Town Board Meeting.
- Councilperson Killian would like to discuss Non-Conforming Uses and what the Town Board's stand is on this issue. Councilperson Killian handed out some reading material regarding this issue so this Board could go over it and discuss it at the next meeting.

### **Councilperson Thomas Hasbrouck**

- Nothing to report

### **Councilperson Maurice Gerry**

- Nothing to report

### **Supervisor John Schmidt**

- Supervisor Schmidt wanted to know if the Board have reviewed the information regarding Windmills. Councilperson Killian stated that she thought that the information was more for the Zoning Board then the Town Board. The Board does have information from the Town of Neversink on Windmills.
- Supervisor Schmidt stated that a Public Hearing needs to be set for the franchise agreement with Time Warner Cable.

## **RESOLUTION NO.**

*SET PUBLIC HEARING FOR TIME WARNER CABLE FRANCHISE AGREEMENT FOR FEBRUARY 22, 2011 @ 6:50 PM.*

**On a motion by Councilperson Lynn Killian**, seconded by **Councilperson Thomas Hasbrouck** and carried, the Town Board set a Public Hearing for 6:50 pm

on February 22, 2011 at Town Hall, 120 North Main Street, Liberty, NY for the Franchise Agreement with Time Warner Cable.

4 Ayes-Carried

1 Absent-Councilperson Christopher Austin

### **New Business:**

**Background Checks:** Councilperson Hasbrouck stated that it is a good idea but it is quite expensive. Confidential Secretary Barber stated that she spoke to James Hopkins from a security company and he gave her some additional information and contact numbers.

**Confidential Secretary Maureen Barber** would like to speak regarding the proposed changes in her salary. Secretary Barber states that the change in her salary from salaried employee to hourly is unfair. She states that this could be an unfair labor practice or discrimination. Secretary Barber states that no other position was targeted and the budget was adopted with her salary included by this board. She states that she should not be asked to work any more hours either. Secretary Barber said part-time people coming back to work were not supposed to be making more than half their prior year's salary. Secretary Barber states that the IT Department Head is making more per year now than half his salary last year. She also states that on the work sheet that was handed out not one of the figures is mathematically correct. Secretary Barber would like to thank the board for taking the time to listen to her.

Finance Director Earl Bertsch states that he has a problem with this. He is sorry that a mistake was made but he resents comparing one employee against another. IT Department Head Tim Kelly has worked here for 30 years and Secretary Barber has worked here for 3 years. Finance Director Bertsch states that IT Director Kelly is also on call for when a problem arises. Councilperson Killian thinks that a fair compromise would be taking Secretary Barber's annual salary and divide it in half. The amount would be \$15,372.50 annually or \$19.71 per hour. Secretary Barber states that she would agree to this compromise. Finance Director Bertsch states that he is ok with this but it is up to the board. Councilperson Gerry is concerned about Finance Director Bertsch's issue with Secretary Barber only working here three years. Secretary Barber states that she has been in the system many years and is just ending her time here. She also states that it is very unfair to do this to her after the fact since the money is already in the budget. Councilperson Killian states that this was not done on purpose it was a mistake. The Board decided to table the discussion until the February 22, 2011 meeting.

### **RESOLUTION NO.**

*THE TOWN BOARD TABLED THE DISCUSSION ON CONFIDENTIAL SECRETARY'S SALARY UNTIL THE FEBRUARY 22, 2011 MEETING.*

**On a motion by Councilperson Thomas Hasbrouck**, seconded by **Councilperson Lynn Killian** and carried, the Town Board tabled the discussion on Confidential Secretary's salary until the February 22, 2011 meeting.

4 Ayes – Carried  
 1 Absent – Councilperson Christopher Austin

**RESOLUTION NO.**

*STANDARD WORK DAY & REPORTING RESOLUTION*

**On a motion by Councilperson Thomas Hasbrouck**, seconded by **Councilperson Lynn Killian**, the Town of Liberty, location code 30357 hereby establishes the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees' Retirement System based on the time keeping system records or the record of activities maintained and submitted by these officials to the clerk of the body:

**Standard Work Day and Reporting Resolution  
 RS 2417-A**

BE IT RESOLVED, that the Town of Liberty, location code 30357 hereby establishes the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees' Retirement System based on the time keeping system records or the record of activities maintained and submitted by these officials to the clerk of the body:

Title	Name	Social Security Number (last 4 digits)	Registration Number	Standard Work Day (Hrs/Day)	Term Begins/Ends	Participates in Employers Time Keeping System (Y/N)	Days/Month (based on Record of Activities)	Not Submitted (Check box if no record of activities completed or timekeeping system)
<b>Elected Officials</b>								
Supervisor	John Schmidt	5026	42658138	6	1/1/2008-12/31/2011	N	20	
Councilperson	Thomas Hasbrouck	6209	35658012	6	1/1/2008-12/31/2011	N	6	
Councilperson	Lynn Killian	9707	41024415	6	1/1/2008-12/31/2011	N	6	
Town Clerk	Laurie Dutcher	0998	38651410	6	1/1/2008-12/31/2011	N	20	
Justice	Brian Rourke	9196	36956662	6	1/1/2008-12/31/2011	N	6	
Highway Superintendent	Timothy Pellam	1948	34309385	6	1/1/2010-12/31/2013	N	20	
<b>Appointed Officials</b>								
Attorney for the Town	Walter Garigliano	1207	34370247	6	1/1/2011-12/31/2011	N	6	
Dog Control Officer	Joanne Gerow	1137	41130410	6	1/1/2011-12/31/2011	N	20	

On this 17<sup>th</sup> day of February 2011 Laurie Dutcher Signature of Clerk Date enacted: 2/7/11

I, Laurie Dutcher, clerk of the governing board of the Town of Liberty, of the State of New York, do hereby certify that I have compared the foregoing with the original resolution passed by such board, at a legally convened meeting held on the 17<sup>th</sup> day of February 2011 on file as part of the minutes of such meeting, and that same is a true copy thereof and the whole of such original.

I further certify that the full board consists of 5 members and that 5 of such members were present at such meeting and that 5 of such members voted in favor of the above resolution.

IN WITNESS WHEREOF, I have hereunto Set my hand and the seal of the Town of Liberty seal

salary increases for the Village Justice and the Village Clerk in the last four years. Councilperson Killian would like set up a meeting to discuss what happens if we do take over the Village Court what is going to happen. Meeting needs to include Judges and Court Clerk Ann Friedman. Budget and Accounting Coordinator Cheryl Gerow is going to ask the Court what is a good day for them and get back to everyone.

**Update of Maintenance Person Roxanne Jennings:** Ms. Jennings will be out for three day due to a back injury from lifting the snow blower. She will return to work with a Doctor's note.

### **Changes to Zoning Law for New Junk Yard**

#### **RESOLUTION NO.**

*THE TOWN BOARD AUTHORIZES AND DIRECTS TOWN ATTORNEY KEN KLEIN TO AMEND THE CURRENT JUNK YARD LAW.*

**On a motion by Councilperson Thomas Hasbrouck** , seconded by **Councilperson Lynn Killian** and carried, the Town Board authorizes and directs Town Attorney Ken Klein to amend the current Junk Yard Law.

4 Ayes – Carried

1 Absent – Councilperson Christopher Austin

Adjourn

**On a motion by Councilperson Maurice Gerry**, seconded by **Councilperson Thomas Hasbrouck** and carried, the Town Board hereby adjourns the meeting at 5:45pm.

Respectfully Submitted,

Sara Sprague,  
Deputy Town Clerk