

**TOWN BOARD OF THE TOWN OF LIBERTY
120 NORTH MAIN STREET, LIBERTY, NY 12754**

**Public Hearing
Cable Television Franchise Renewal Agreement**

February 22, 2011

6:50 p.m.

At a Public Hearing of the Town Board of the Town of Liberty held on February 22, 2011 at 6:50 p.m. at Town Hall, 120 North Main Street, Liberty, New York to hear oral and written comments from concerned citizens regarding the Cable Television Franchise Renewal Agreement.

Supervisor Schmidt called the Public Hearing to order at 6:50 p.m.

No one wished to be heard and no written comments were received.

On a motion by Councilperson Thomas Hasbrouck, seconded by Councilperson Lynn Killian, Councilperson Chris Austin abstaining, the Town Board adjourned the hearing at 6:59 p.m.

TOWN BOARD OF THE TOWN OF LIBERTY

REGULAR MONTHLY MEETING

February 22, 2011

7:00 p.m.

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

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

Recording Secretary: Town Clerk Laurie Dutcher

Also present:

Budget Coordinator Cheryl Gerow
Deputy Town Clerk Sara Sprague

After the Pledge of Allegiance, Supervisor Schmidt called the meeting to order at 7:00 p.m.

CORRESPONDENCE

COMPREHENSIVE PLAN UPDATE

PLANNING & ZONING BOARD MINUTES

RECOGNIZE THE PUBLIC

Joan Stoddard inquired about the lights on the 4 lanes.

Supervisor Schmidt advised that it would be repaired when the weather allowed.

Jeremy Gorelick advised the Town Board that they were moving ahead with the paving project behind the stage area and have about \$63,000. He advised that the Village has not been able to come up with the \$9,000. They will be applying for a Renaissance grant to landscape the parking lot.

RESOLUTION NO -11

APPROVAL OF AUDIT

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

- February, 2011 Abstract:
Claims #135 to #345 totaling \$757,693.32

5 AYES - Carried

RESOLUTION NO -11

APPROVAL OF MINUTES

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

- Dept Head Mtg. 1/3/2011

5 AYES - Carried

RESOLUTION NO -11

ACCEPTANCE OF MONTHLY REPORTS

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

- Town Clerk's Monthly Report 1/2011
- Monthly report of revenue & expense summary as of 12/31/10

Regular Monthly Meeting
February 22, 2011 continued.....

- Monthly report of revenue & expense summary as of 1/31/2011

5 AYES - Carried

OLD BUSINESS

1. Job descriptions
Received info from County will be given to Dept Heads for there review w/ a one month deadline for adds/deletes
2. Zoning revisions
Need draft law and will set up Public Hearing
3. Draft Local Law authorizing the Planning Board to waive site plan review requirements.
4. Proposals to install (5) lighting poles in Swan Lake.
Will have Terry Kelly draw up specs w/ prevailing wage clause.
5. Background checks
Waiting for more info from Partners in Safety.

NEW BUSINESS:

RESOLUTION NO

AMENDMENT TO THE 6/7/10 MINUTES

Motion by Councilperson Chris Austin, seconded by **Councilperson Lynn Killian**, the Town Board approved the following amendment to the 6/7/2010 minutes:

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 7th day of June, 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: Supervisor John Schmidt
Councilperson Maurice Gerry
Councilperson Thomas Hasbrouck
Councilperson Lynn Killian

Regular Monthly Meeting
February 22, 2011 continued.....

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 PURCHASE OF A NEW 2011 CHEVROLET FOUR WHEEL DRIVE TRUCK WITH READING SPACEMAKER BODY, AT MAXIMUM ESTIMATED COST OF \$41,313, AND PAYMENT THEREFOR BY THE EXPENDITURE OF THE SUM OF \$41,313 FROM THE TOWN OF LIBERTY WATER AND SEWER MAJOR EQUIPMENT CAPITAL RESERVE FUND.

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

Section 1. The purchase of a new 2011 Chevrolet Four Wheel Drive Truck with Reading Spacemaker body, at a maximum estimated cost of \$41,313, and the expenditure of the sum of \$41,313 from the Town of Liberty Water and Sewer Major Equipment Capital Reserve Fund to pay such maximum estimated cost is hereby authorized and approved.

Section 2. The action authorized has been determined to constitute a Type II Action as defined in 6 NYCRR §617.5(c)(18) and (21) of the regulations promulgated pursuant to the State Environmental Quality Review Act, for which environmental review is not required.

Regular Monthly Meeting
February 22, 2011 continued.....

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 Water and Sewer Major Equipment Capital Reserve Fund.

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 Maurice Gerry voting	AYE
Councilperson Thomas Hasbrouck voting	AYE
Councilperson Lynn Killian voting	AYE
Councilperson Chris Austin voting	AYE

The resolution was thereupon declared duly adopted.

5 AYES - Carried

RESOLUTION NO -11

RESOLUTION NAMING THE MONTH OF MARCH "MUSIC IN OUR SCHOOLS MONTH"

Motion by Councilperson Lynn Killian, seconded by **Councilperson Maurice Gerry**, the Town Board does hereby:

**Resolution naming the
Month of March
"Music in our Schools Month"**

Regular Monthly Meeting
February 22, 2011 continued.....

Whereas, the study of music is basic to a complete education, provides the competitive edge for successful educational reform, engages students in individual and group activity, develops creativity, problem solving, critical thinking and evaluative skills; and

Whereas, music education helps students acquire skills in the production and performance of music, as well as an understanding of history and culture; and

Whereas, the Town of Liberty is concerned with maintaining and improving school music programs for all students, regardless of their socio-economic status or their abilities; and

Whereas, the Town of Liberty strives to instill a higher level of awareness and knowledge of music; and

Whereas, the Town of Liberty strives to support fine musical experiences through the participation of over 1100 students in the school's music program; therefore

Be It Resolved that the Town of Liberty, with Supervisor Honorable John Schmidt, strongly support quality music education in the Liberty Central School District and that all students, kindergarten through 12th grade, should have access to a well balanced, comprehensive, high quality, sequential program of music taught by teachers certified in music education; and

Be It Further Resolved that the Board recognizes and commends the Liberty Central School District for their concern and efforts to enhance the quality of music education in the Town of Liberty;

Therefore, the Town of Liberty Board and Supervisor Honorable John Schmidt hereby proclaim the month of March, 2011 as

“Music in our Schools Month”

and endorses this observance as an opportunity to support the purpose and practices of music education and encourages teachers, parents, students and all citizens to participate.

Dated: February 22, 2011

5 AYES - Carried

RESOLUTION NO

Regular Monthly Meeting
February 22, 2011 continued.....

ALBERT BITJEMAN dba "JENNIE G's AT GROSSINGER'S GOLF CLUB" GRANTED 30 DAY WAIVER FOR ON-PREMISES LIQUOR LICENSE

Motion by Councilperson Chris Austin, seconded by **Councilperson Maurice Gerry, Councilperson Lynn Killian abstaining**, the Town Board of the Town of Liberty does hereby have no objection to a renewal of an On-Premises Alcoholic Beverage License being granted to Albert Bitjeman dba "Jennie G's at Grossinger's Golf Club located at 26 Route 52 E Liberty, New York and do hereby grant the 30 day waiver.

4 AYES - Carried
1 Abstention – Councilperson Lynn Killian

RESOLUTION NO

APPROVAL OF REFUSE COLLECTION LICENSE FOR SULLIVAN COUNTY FIRST RECYCLING

Motion by Councilperson Maurice Gerry, seconded by **Councilperson Thomas Hasbrouck**, the Town Board does hereby approve (3) licenses for Sullivan County First Recycling.

5 AYES - Carried

RESOLUTION NO

APPROVAL OF TOWING LICENSE FOR JESSE BAUM dba BAUM'S RECOVERY, INC.

Motion by Councilperson Lynn Killian, seconded by **Councilperson Chris Austin**, the Town Board does hereby approve a towing license for Jesse Baum dba Baum's Recovery, Inc.

5 AYES - Carried

RESOLUTION NO

RESOLUTION URGING THE NEW YORK STATE LEGISLATURE TO SUPPORT THE FARMLAND PROTECTION PROGRAM AND ENVIRONMENTAL PROTECTION FUND

Motion by Councilperson Lynn Killian, seconded by **Councilperson Thomas Hasbrouck**, the Town Board does approve the following resolution:

WHEREAS, agriculture is a significant contributor to New York's economy; and

WHEREAS, farms provide jobs, support local businesses and are part of industry sectors that have a \$31 billion economic impact annually in New York; and,

WHEREAS, farms comprise 7 million acres of land in New York, roughly 25% of the state's land base; and,

Regular Monthly Meeting
February 22, 2011 continued.....

WHEREAS, farmers have a strong track record of pro-active environmental stewardship in New York; and

WHEREAS, rapidly changing economic conditions threaten the future viability of New York's agricultural industry; and

WHEREAS, more than 425,000 acres of farmland were lost to development in New York between 1982 and 2007; and,

WHEREAS, the State of New York established a Farmland Protection Program in 1992 to assist towns and counties in developing and implementing local agricultural and farmland protection plans; and,

WHEREAS, over \$3 million has been awarded by the Farmland Protection Program to 50 counties and 64 towns to assist in the development of local agricultural and farmland protection plans; and,

WHEREAS, the Farmland Protection Program has awarded more that \$173 million to help farmers, local governments and land trusts permanently protect 74,000 acres on 303 farms; and,

WHEREAS, demand for Farmland Protection Program funding has been strong due to the program's popularity, with more than \$500 million in applications turned away since the program's inception in 1996; and

WHEREAS, funding for the Farmland Protection Program is allocated from the state's Environmental Protection Fund (EPF), a dedicated fund who principle funding source is a Real Estate Transfer Tax (RETT); and,

WHEREAS, in 2010, funding for the Farmland Protection Program was cut by 51% and EPF funding was reduced by 37%,

WHEREAS, the Governor and State Legislature must take steps this year to protect New York's valuable farmland and strengthen the future for farms across New York; now, therefore, be it

RESOLVED, that the Town of Liberty does hereby support restoring New York's Environmental Protection Fund and Farmland Protection Program, and, be it further

RESOLVED, that the Town of Liberty does hereby urge state lawmakers to support New York's farmers, the state's agricultural economy and protection of valuable farmland by support \$22 million in funding for the Farmland Protection Program and \$222 million for the Environmental Protection Fund; and be it further

RESOLVED, that the Clerk of the town of Liberty is hereby directed to forward copies of this resolution to Governor Andrew Cuomo, Senate Majority Leader Dean Skelos,

Regular Monthly Meeting
February 22, 2011 continued.....

Assembly Speaker Sheldon Silver, Assemblywoman Aileen Gunther, and Senator John Bonacic, and the American Farmland Trust.

5 AYES - Carried

RESOLUTION NO

APPROVAL OF PAYMENT OF VOUCHERS TO BLAUER ASSOCIATES & KELLY ENGINEERING

Motion by Councilperson Lynn Killian, seconded by **Councilperson Thomas Hasbrouck**, the Town Board does hereby grant approval to pay the following vouchers:

Blauer & Associates \$1,900
Kelly Engineering \$10,090

5 AYES - Carried

RESOLUTION NO

**Resolution of Respect
In Memory of Lawrence Stier**

Whereas, the members of the Town Board of the Town of Liberty were deeply saddened to learn of the death of Lawrence Stier on February 20, 2011;

Whereas, Lawrence Stier served as Town Attorney, Town Councilman and Town Justice for the Town of Liberty; and

Whereas, Lawrence will be missed by all that knew and loved him; and

Whereas, Lawrence will always be remembered for his love and service to his community; and

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

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 fine life and achievements.

5 AYES - Carried

BOARD DISCUSSION

Regular Monthly Meeting
February 22, 2011 continued.....

Councilperson Lynn Killian

- Farmland and Agriculture Implementation Committee to meet on 3/15. Board needs to appoint a committee of 5 with terms of service along with the Town of Bethel
- Parksville Priority Committee will be holding a fundraiser on 2/28 at the Rolling River Café.
- Need to set up a joint meeting regarding Parksville on 3/24 @ 3:30 p.m.
- Passed out sample laws on nonconforming use will discuss next mtg.
- Passed out sample law regarding Renewable Energy Systems.

Councilperson Thomas Hasbrouck

- Asked if the DOT was on schedule with the Parksville project.

Supervisor Schmidt advised that the projected completion date was 2012.

Councilperson Maurice Gerry

- Asked that the Town Board do a resolution of respect for Lawrence Stier.

ADJOURN

On a motion by Chris Austin, seconded by Councilperson Lynn Killian, the Town Board does hereby adjourn the meeting at 8:10 p.m.

Respectfully submitted,

Laurie Dutcher,
Town Clerk