

TOWN BOARD OF THE TOWN OF LIBERTY
DEPARTMENT HEAD MEETING
March 7, 2011

At the Dept. Head 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:

Deputy Supervisor Clarence Barber
Councilperson Chris Austin
Councilperson Maurice Gerry
Councilperson Thomas Hasbrouck
Councilperson Lynn Killian

Absent: Supervisor John Schmidt

Recording Secretary:
Town Clerk Laurie Dutcher

Also present:
Water & Sewer Supervisor Albert Picard
Deputy Highway Superintendent Kevin Austin
Assessor Kathy Sprague
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.

CORRESPONDENCE

1. Notification from the American Farmland Trust of a "No Farms No Food Rally & Lobby Day 2011" on 3/30/2011.

RECOGNIZE DEPARTMENT HEADS

Assessor

- Working on 2011 Assessment roll
- Working on exemptions
- Updating files
- Business as usual

Highway Superintendent

- Plowing snow
- Sanding roads
- Had minor flooding

Water & Sewer

- Made some upgrades to standby pump for WSS District. This pump is in the Sherwood Well pump house.
- One man out on sick leave
- Loomis WWTF failed again (Ammonia eff.)
- SLWWTF failed again (Removal of suspended solids and flood)
- Need to look at estimate that Earl has, need to do something w/ Roth well to get it ready for summer season
- Moving ahead on meter program
- Barton & Loguidice want to do rd trip
- SLWWTF flow over due to rain and snow

RESOLUTION NO.

SPECIAL MEETING TO DISCUSS WATER & SEWER ISSUES

Motion by Councilperson Thomas Hasbrouck, seconded by **Councilperson Maurice Gerry**, the Town Board of the Town of Liberty does set a Special Meeting for 3/22/11 at 3:30 p.m. at Town Hall, 120 North Main Street, Liberty to discuss Water & Sewer issues and any other business that may come before the Board at that time.

4 AYES- Carried

1 Absent-Supervisor John Schmidt

CEO

- 13 Building permits issued
- 14 Complaints
- 11 in compliance
- 3 Planning Board Projects
- 2 Approved Planning Board Projects
- 1 Zoning Project
- Working on end of year reports

Park & Rec.

- Terry Kelly setting up specs to replace kitchen at Senior Center
- Program flyer going out
- Offering sign language
- Day camp registration begins 4/4/11
- Pool safety plan approved
- John Ellis working on roof

RESOLUTION NO.

APPROVAL TO PAY JOHN ELLIS REMAINDER OF \$ AFTER INSPECTION BY P&R DIRECTOR AND BUILDING INSPECTOR

Motion by Councilperson Lynn Killian, seconded by **Councilperson Thomas Hasbrouck**, the Town Board of the Town of Liberty does hereby give approval to pay

John Ellis the remainder of the money after inspection by the Park & Recreation Director and the Building Inspector.

4 AYES- Carried

1 Absent-Supervisor John Schmidt

DCO

- 1,00 miles
- 5 dogs at kennel
- 57 calls
- 7 dogs picked up

Finance Director

- Advised the Board that the background checks for the P&R seasonals would run approx. \$4,000 per year
- Are waiting for the job descriptions to be returned from the Dept. Heads

CDC

- Held Annual Mtg. (finally) two weeks ago
- Would like to hold 3-4 public mtgs per year
- Met w/ Alan Gerry and he renewed his support for the CDC
- Have 27 applications for the Village improvements, the award is in May and must be completed by August
- Terry Kelly is doing a survey of the parking lot behind the state

BOARD DISCUSSION

Councilperson Lynn Killian

- Had long discussion w/ Mayor Winters, the Village would like to offer us the Village space for heat and electric cost
- Walter Garigliano will be meeting w/ the Board on 3/21/11 regarding an Alternative Energy Law
- Received phone call from a farming family regarding the delay of the meat processing facility

Councilperson Chris Austin

- Asked for an update on Roxanne. Cheryl Gerow advised that she was supposed to return on 3/14 as long as she had a drs. note w/ no restrictions.
- Would like to keep Skye on for the Senior Center and shoveling.
- Has had several complaints from Dept. Heads regarding the structure of the Dept. Head Mtgs.

RESOLUTION NO.

DEPT. HEADS TO BE FIRST ON AGENDA AND EXCUSED WHEN OVER

Motion by Councilperson Lynn Killian, seconded by **Councilperson Chris Austin**, the Town Board of the Town of Liberty does hereby structure the Department Head Meetings, whereby the Department Heads speak first and are then excused.

4 AYES- Carried
1 Absent-Supervisor John Schmidt

Luke Spencer on behalf of Dick Riseling

Mr. Spencer advised that a wind development study would be conducted with a grant of \$220,000 from SED. The test will determine how much wind power we have. Studies will be conducted in the Towns of Liberty, Rockland, Fremont and Callicoon. More information can be obtained at www.sasdonline.com

RESOLUTION NO.

RESCHEDULE PUBLIC HEARING FOR UNSAFE BLDG PROCEEDINGS AGAINST HYMAN SOMMER FOR 3/21/11 @ 6:45 P.M.

Motion by Councilperson Thomas Hasbrouck, seconded by **Councilperson Lynn Killian**, the Town Board of the Town of Liberty does hereby reschedule the Public Hearing for Unsafe Building proceedings against Hyman Sommer, SBL #6.-1-24 for 3/21/11 at 6:45 p.m.

4 AYES- Carried
1 Absent-Supervisor John Schmidt

RESOLUTION NO.

NO BACKGROUND CHECKS

Motion by Councilperson Chris Austin, seconded by **Councilperson Lynn Killian**, the Town Board of the Town of Liberty does hereby do away with background checks for newly hired or re-hired employees.

4 AYES- Carried
1 Absent-Supervisor John Schmidt

Councilperson Thomas Hasbrouck

- Nothing to report

Councilperson Maurice Gerry

- Nothing to report

RESOLUTION NO.

ESTABLISHMENT OF A CAPITAL RESERVE FUND FOR TOWN HALL REPLACEMENT OR MAJOR REPAIRS

Motion by Councilperson Chris Austin, seconded by **Councilperson Lynn Killian**, RESOLVED, that pursuant to Section 6-c of the General Municipal Law, a as amended, the Town of Liberty does hereby establish a Capital Reserve Fund for the Town Hall replacement or major repairs.

The Supervisor is hereby directed to deposit moneys of this reserve fund into the existing Capital Reserve Bank Account and keep separate accounting balances into the fund named "Town Hall Capital Reserve Fund".

The Supervisor is authorized to invest, from time to time, the moneys of this fund pursuant to Section 6-f of the General Municipal Law.

No expenditure shall be made from this fund, except upon authorization of this board pursuant to Section 6-c of the General Municipal Law.

4 AYES- Carried
1 Absent-Supervisor John Schmidt

RESOLUTION NO.

RE-CONFIRM APPROVAL OF THE CABLE TELEVISION FRANCHISE RENEWAL AGREEMENT.

Motion by Councilperson Thomas Hasbrouck, seconded by **Councilperson Maurice Gerry**, the Town Board of the Town of Liberty does hereby re-confirm the approval of the Cable Television Franchise Renewal Agreement.

3 AYES - Carried
1 Absent- Supervisor John Schmidt
1 Abstention- Councilperson Chris Austin

RESOLUTION NO.

APPROVE & AUTHORIZE SUPERVISOR TO SIGN AGREEMENT THE HUMANE SOCIETY OF MIDDLETOWN

Motion by Councilperson Lynn Killian, seconded by **Councilperson Thomas Hasbrouck**, the Town Board of the Town of Liberty does hereby approve and authorize the Supervisor to sign agreement with the Humane Society of Middletown.

4 AYES - Carried
1 Absent- Supervisor John Schmidt

RESOLUTION NO.

AMENDED LOCAL LAW #1 OF 2010

At a regular meeting of the Town Board of the Town of Liberty, Sullivan County, New York, held at the Town Hall, 120 North Main Street, Liberty, New York, in said Town, on the 7th day of March, 2011 at 4:00 p.m. prevailing time.

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

PRESENT: Deputy Supervisor Clarence Barber
Councilperson Maurice Gerry
Councilperson Thomas Hasbrouck
Councilperson Lynn Killian
Councilperson Chris Austin

ABSENT: Supervisor John Schmidt

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

WHEREAS, there was introduced before the Town Board of the Town of Liberty on June 21, 2010, introductory Local Law No. 1 of the Year 2010 entitled "A local law amending Chapter 84 of the Code of the Town of Liberty, entitled 'Zoning,' to revise definitions, revise the zoning districts and the schedule of uses allowed therein, revise the zoning map, revise other provisions to be consistent

with the foregoing and recodify the entire Zoning Law as Chapter 147 of the Code of the Town of Liberty;" and

WHEREAS, on July 22, 2010 the Town Board held a public hearing with respect to the aforesaid introductory local law at which it received comments from the public with respect thereto and the Town Board has since received additional written comment from members of the public interested therein; and

WHEREAS, in response to the public comment received by the Town Board, the committee appointed by the Town Board to assist in the review of the Town Zoning Law recommended that revisions be made to portions of the Schedule of District Regulations contained within the aforesaid introductory local law; and

WHEREAS, following the making of the aforesaid revisions, the introductory local law as revised was referred to the Sullivan County Division of Planning and Environmental Management for review in accordance with the provisions of General Municipal Law §239-l, §239-m and §239-n, following which review such agency determined the proposed action would have positive intercommunity impacts and recommended approval; and

WHEREAS, upon further consideration the committee appointed by the Town Board to assist in the review of the Town Zoning Law has recommended that an additional revision be made to the aforesaid introductory local law with respect to the Zoning Map incorporated therein so as to reduce the extension of the SC Service Commercial District as previously contemplated to be extended

westerly along State Highway Route 52 from the Hamlet of White Sulphur Springs; and

WHEREAS, the Town Board has received from the Town's planning consultant a proposed Full Environmental Assessment Form with recommendations as to the completion thereof, including Part 2 and Part 3 and the Town Board has thoroughly reviewed and considered the content thereof and finds the same to be complete and sufficient; and

WHEREAS, the Town Board desires to move forward with the revision the aforesaid introductory local law in accordance with the recommendations of the committee appointed by the Town Board to assist in the review of the Town Zoning Law.

NOW, THEREFORE, BE IT RESOLVED, that introductory Local Law No. 1 of the Year 2010 entitled "A local law amending Chapter 84 of the Code of the Town of Liberty, entitled 'Zoning,' to revise definitions, revise the zoning districts and the schedule of uses allowed therein, revise the zoning map, revise other provisions to be consistent with the foregoing and recodify the entire Zoning Law as Chapter 147 of the Code of the Town of Liberty" as previously introduced before the Town Board of the Town of Liberty, Sullivan County, State of New York, is hereby revised in accordance with the recommendations of the committee appointed by the Town Board to assist in the review of the Town Zoning Law and as revised is hereby re-designated as introductory Local Law No. 1 of the Year 2011; and

BE IT FURTHER RESOLVED, that copies of the aforesaid revised local law be laid upon the desk of each member of the Town Board; and

BE IT FURTHER RESOLVED, that the Town Board hold a public hearing on the aforesaid revised local law at the Town of Liberty Government Center, 120 North Main Street, Liberty, New York, at 6:50 p.m., prevailing time, on March 21, 2011; and

BE IT FURTHER RESOLVED, that the Town Clerk publish or cause to be published a public notice in the Sullivan County Democrat, of said public hearing at least five (5) days prior thereto; and

BE IT FURTHER RESOLVED, that the Town Board hereby reaffirms its declaration of itself as lead agency for purposes of state environmental quality review of the proposed local law, as revised, and its determination that the question of the adoption of the proposed local law, as revised, is a Type I Action pursuant to the State Environmental Quality Review Act, for which a long Environmental Assessment Form has been prepared; and

BE IT FURTHER RESOLVED, that the proposed local law, as revised, be again referred to the Sullivan County Division of Planning and Environmental Management for review in accordance with the provisions of General Municipal Law §239-l, §239-m and §239-n; and

BE IT FURTHER RESOLVED, that the Town Board hereby adopts as its own the Full Environmental Assessment Form prepared by the Town's planning consultant, including Part 2 and Part 3 thereof, and finds that the adoption of the

proposed local law, as revised, will not result in any significant adverse environmental impacts and directs that a Negative Declaration be prepared and filed.

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	ABSENT
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.

RESOLUTION NO.

SET PUBLIC HEARING FOR INTRODUCTORY LOCAL LAW #1 OF 2010

Motion by Councilperson Thomas Hasbrouck, seconded by **Councilperson Lynn Killian**, the Town Board of the Town of Liberty does hereby set a public hearing for Introductory Local Law #1 of 2010 which has been revised.

4 AYES - Carried

1 Absent – Supervisor John Schmidt

ADJOURN

On a motion by Maurice Gerry, seconded by Councilperson Lynn Killian, the Town Board does hereby adjourn the meeting at 5:01 p.m.

Respectfully submitted,

Laurie Dutcher, Town Clerk

