

**PUBLIC HEARING
LIBERTY TOWN BOARD
March 16, 2009 6:45 p.m.**

At a Public Hearing of the Liberty Town Board held on March 16, 2009 at 6:45 p.m. at Town Hall, 120 North Main Street, Liberty, New York to hear oral and written comments from concerned citizens with regard to the Small Cities Community Development Block Grant Program (CDBG) 2009. The following board members were present:

Deputy Supervisor / Councilperson Clarence Barber
Councilperson Maurice Gerry
Councilperson Thomas Hasbrouck
Councilperson Lynn Killian

Absent: Supervisor John Schmidt

Also present: Code Enforcement Officer Mark VanEtten
Town Attorney Kenneth Klein
Senior Account Clerk Cheryl Gerow
Deputy Town Clerk Sara Sprague

Recording Secretary: Town Clerk Laurie Dutcher

After the pledge, Deputy Supervisor Barber called the meeting to order at 6:45 p.m.

Mark Blauer of Blauer Associates Inc. advised that the Town of Liberty would like to apply for a Community Development Block Grant. He explained that this is a 100% grant with no local match. It is a competitive grant in which two-thirds of the applicants are eliminated from the get go. He explained that the Town must rise above the rest of the applicants and show that it is in a low to moderate income area.

Locations that were discussed were well head protection for the White Sulphur Springs wells, demolitions and shovel ready sites.

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

Adjourn

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

Regular Monthly Meeting
2/23/2009 continued.....

Respectfully submitted,

Laurie Dutcher
Liberty Town Clerk

**REGULAR MONTHLY MEETING
TOWN BOARD OF THE TOWN OF LIBERTY
March 16, 2009**

At the Town Board 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:

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

Absent: Supervisor John Schmidt

Recording Secretary: Town Clerk Laurie Dutcher

Also present: Financial Director Earl Bertsch
Town Attorney Kenneth Klein
Deputy Town Clerk Sara Sprague
Senior Account Clerk Cheryl Gerow
Confidential Secretary Maureen Barber

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

Tim McCausland, President of the Sullivan County Partnership gave a brief presentation regarding:

Programs of Interest to Businesses
Economic Development Partners
What is on the Horizon

Delaware Highlands Conservancy

Melinda Ketcham & Denise Frangipane gave a brief presentation regarding the economic benefits of land conservation:

Regular Monthly Meeting
2/23/2009 continued.....

- Strengthens local economy
- Manage transportation cost
- Improved hazard mitigation
- Enhanced property values
- Strengthens community character
- Improved health of area residents
- Improved water quality
- Protection of wildlife habitat

Public Participation

No one from the public attended.

CORRESPONDENCE

1. A letter from the NYS Town Clerk's Association advising Town Clerk Laurie Dutcher that she has been selected by the association as a recipient of a \$500 Orange/Sullivan County scholarship for attendance at the 2009 NYS Town Clerks Association Conference in Rochester, NY.
2. A letter from Supervisor Schmidt to Wasson Engineering advising that the extensions to the Swan Lake Briscoe Road Consolidated Sewer District and the Route 55 Water District cannot be recorded until the description is corrected.
3. A letter from District Six Legislator Jodi Goodman regarding the importance of our agricultural industry and the Agricultural Light Industrial Park slated to be built in Liberty.
4. Information from RLFS, Inc. regarding aerial spraying.
5. A letter from the SC Division of Planning & Environmental Management regarding completed continuing education for the Planning & Zoning Board members.
6. Grant report submitted by Maureen Barber.
7. Liberty CDC January & February reports.
8. A memo from CEO Mark VanEtten regarding a letter sent to Governor Paterson regarding the purchasing of code books.
9. Copies of Planning Board minutes.

RESOLUTION NO.

APPROVAL OF AUDIT

Motion by Councilperson Thomas Hasbrouck, seconded by **Councilperson Maurice Gerry**, the Town Board approved the following:

- March, 2009 Abstract:
Claims #363 to #537 totaling \$315,027.64
- Post February, 2009 Abstract:
Claims #360 to #362 totaling \$296,000.00

4 AYES - Carried
Supervisor Schmidt Absent

RESOLUTION NO.

APPROVAL OF MINUTES

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

- 2/23/2009 Regular Monthly Mtg.
- 3/2/2009 Dept. Head Mtg./CANCELLED

4 AYES - Carried
Supervisor Schmidt Absent

RESOLUTION NO.

APPROVAL OF MONTHLY REPORTS

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

- 2/2009 Town Clerk Monthly Report
- 2/2009 Monthly Revenue & Expense Report
- 2/2009 Tax Collectors

4 AYES - Carried
Supervisor Schmidt Absent

OLD BUSINESS:

1. Discussion regarding logging permits.
2. Consider consolidating St. Paul's polling place with the Liberty Firehouse.
3. Approval to list town owned property on Kelly Bridge Rd SBL #40-1-10.6 and Loomis Rd. SBL #35D-3-1.1, 1.2 with Belgard Realty.

RESOLUTION NO.

HIRE STEVE KALKA @ \$75 PER HOUR FOR FUEL ACCOUNTABILITY POLICY

Motion by Councilperson Thomas Hasbrouck, seconded by **Councilperson Lynn Killian**, the Town Board will hire Steve Kalka @ \$75 per hour (approx. 2-3 hrs) to provide the Town with the minimum specifications for a fuel accountability policy.

4 AYES - Carried
Supervisor Schmidt Absent

RESOLUTION NO.

RESOLUTION SUPPORTING SULLIVAN COUNTY TOWN CLERK'S ASSOC. TO REMAIN ELECTED OFFICIALS

WHEREAS, **Governor David Paterson's New York State Budget** for 2009 proposal would include the elimination of election of Town Clerks', Tax Collectors and Highway Superintendents as elected officials and would make these positions appointed and

WHEREAS, the right of voters to elect town clerks, highway superintendents and tax collectors in local communities will be disenfranchised and

WHEREAS, transparency in government has been established under Municipal Home Rule Law 10 and provides a means to change elected positions to appointed following a Mandatory Referendum and

WHEREAS, **Governor David Paterson** through the budget process proposes to change the Mandatory Referendum to a Permissive Referendum which can adopted without any public comment and

WHEREAS, Sections 26 through 28 of the Governor's budget will create **NO FISCAL SAVINGS** for the State and in fact, will cost local governments additional administrative expenses,

Regular Monthly Meeting
2/23/2009 continued.....

THEREFORE, BE IT RESOLVED, the office of Town Clerk, Tax Collector and Highway Superintendent should be independent and remain part of the checks and balances of the local government and be elected positions.

Resolution offered by: Councilperson Thomas Hasbrouck

Resolution seconded by: Councilperson Lynn Killian

4 AYES - Carried
Supervisor Schmidt Absent

RESOLUTION NO.

APPROVAL OF 2009 REFUSE COLLECTION LICENSE

Motion by Councilperson Thomas Hasbrouck, seconded by **Councilperson Lynn Killian**, the Town Board approved the refuse collection license for Sullivan County First Recycling, Inc.

4 AYES - Carried
Supervisor Schmidt Absent

RESOLUTION NO.

APPROVAL OF 2009 TOWING LICENSE

Motion by Councilperson Maurice Gerry, seconded by **Councilperson Lynn Killian**, the Town Board approved the towing license for Baum's Recovery

4 AYES - Carried
Supervisor Schmidt Absent

RESOLUTION NO.

*AUTHORIZATION FOR THE LIBERTY CENTRAL SCHOOL DISTRICT TO USE (3)
TOWN OF LIBERTY VOTING MACHINES*

Motion by Councilperson Lynn Killian, seconded by **Councilperson Thomas Hasbrouck**, the Town Board authorizes the use of three of the Town of Liberty voting machines for use at the Liberty Central School District's Annual Budget Vote and Board Member Election to be held on 5/19/09. The Liberty Central School District shall be responsible for the payment of the custodians and liable for the voting machines and the expense of their transportation.

Regular Monthly Meeting
2/23/2009 continued.....

4 AYES - Carried
Supervisor Schmidt Absent

RESOLUTION NO.

*ALBERT BITJEMAN dba JENNIE G'S GRANTED 30 DAY WAIVER FOR ON-
PREMISES LIQUOR LICENSE*

Motion by Councilperson Thomas Hasbrouck, seconded by **Councilperson Maurice Gerry**, **Councilperson Lynn Killian abstaining**, the Town Board of the Town of Liberty does hereby have no objection to the Liquor License being granted to Albert John Bitjeman dba Jennie G's at Grossinger's Golf Course located at 26 Route 52 E, Liberty, New York and do hereby grant the 30 day waiver.

3 AYES - Carried
Supervisor Schmidt Absent
1 Abstension – Councilperson Killian

RESOLUTION NO.

AUTHORIZE DEPUTY SUPERVISOR TO SIGN MUNICIPAL CLEAN-UP AGREEMENT

Motion by Councilperson Thomas Hasbrouck, seconded by **Councilperson Lynn Killian**, the Town Board authorizes the Deputy Supervisor to sign Municipal Clean-up agreement with Sullivan County.

4 AYES - Carried
Supervisor Schmidt Absent

RESOLUTION NO.

*TOWN BOARD TO SEND LETTERS OF SUPPORT FOR (3) RENAISSANCE
PROJECTS*

Motion by Councilperson Lynn Killian, seconded by **Councilperson Maurice Gerry**, the Town Board will send out letters of support for (1) Sullivan County Golf & Country Club (2) White Sulphur Springs Ladies Auxiliary (3) Liberty Bike Trail for there 2009 Renaissance Projects.

4 AYES - Carried
Supervisor Schmidt Absent

RESOLUTION NO.

TOWN OF LIBERTY SPRING CLEAN-UP DATES SET

Motion by Councilperson Lynn Killian, seconded by **Councilperson Thomas Hasbrouck**, the Town Board sets the following dates and times for the Town of Liberty Spring Clean-up:

May 11th – 15th 7:30 a.m. – 3:00 p.m.
May 16th 7:30 a.m. until dumpsters are full

Tickets will be issued.

4 AYES - Carried
Supervisor Schmidt Absent

RESOLUTION NO.

SET BID DATE FOR STONE

Motion by Councilperson Thomas Hasbrouck, seconded by **Councilperson Lynn Killian** the Town Board sets 4/16/09 at 11:00 a.m. at the Town Clerk's Office for the stone bid.

4 AYES - Carried
Supervisor Schmidt Absent

RESOLUTION NO.

AUTHORIZATION TO EXECUTE MUNICIPAL AGREEMENT BETWEEN SULLIVAN COUNTY & TOWN OF LIBERTY FOR BUILDING INSPECTIONS

Motion by Councilperson Thomas Hasbrouck, seconded by **Councilperson Lynn Killian** the Town Board does hereby authorize the Supervisor or Deputy Supervisor to execute a municipal agreement between Sullivan County and the Town of Liberty for Building Inspections.

4 AYES - Carried
Supervisor Schmidt Absent

RESOLUTION NO.

COMMERCIAL CONSTRUCTION FEE CHANGE

Regular Monthly Meeting
2/23/2009 continued.....

Motion by Councilperson Lynn Killilan, seconded by **Councilperson Maurice Gerry** the Town Board changes the fee for Accessory structures under Commercial Construction to follow the same as New Costruction \$35 per \$1,000 of construction plus any professional fees that may be incurred.

4 AYES - Carried
Supervisor Schmidt Absent

BOARD DISCUSSION

Councilperson Lynn Killian

Will have draft of letter to Village of Liberty regarding the Town Board's feelings toward the consolidation study, by next meeting.

Councilperson Thomas Hasbrouck

Nothing to report

Councilperson Maurice Gerry

Requests that Heinrich attend next meeting to give progress report regarding the skatepark & stonewall by traffic circle.

Finance Director Earl Bertsch

Advised the Board that Staples has a person that Dept. Heads should contact to negotiate prices for commercial purchases.

On a motion by Councilperson Maurice Gerry, seconded by Lynn Killian the Town Board adjourned the meeting at 8:30 p.m.

Respectfully submitted,

Laurie Dutcher, Town Clerk