

REGULAR MONTHLY MEETING  
TOWN BOARD OF THE TOWN OF LIBERTY  
MARCH 18, 2013 7:00 p.m.

---

At the Regular Monthly Meeting of the Town Board of the Town of Liberty held on March 18, 2013 at 7:00 p.m. at Town Hall, 120 North Main Street, Liberty, New York, the following Town Board Members were present:

Supervisor Charlie Barbuti  
Councilperson Dean Farrand  
Councilperson Chris Austin

Absent:  
Councilperson Thomas Hasbrouck  
Councilperson Maurice Gerry

Recording Secretary: Town Clerk Laurie Dutcher

Also present:  
Town Attorney Kenneth Klein  
Finance Director Earl Bertsch  
Budgeting & Accounting Coordinator Cheryl Gerow  
Deputy Town Clerk Sara Sprague  
Tim Kelly  
Andrew Arias of Cooper & Neimann

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

### **CORRESPONDENCE**

1. Copies of Planning Board Minutes from 2/5/13 & 2/21/13.
2. Copy of Zoning Board Minutes from 2/21/13.
3. Copy of the Municipal Shelter Inspection for the Humane Society of Middletown.

### **RESOLUTION NO**

#### *APPROVAL OF AUDIT*

**Motion by Councilperson Dean Farrand, seconded by Councilperson Chris Austin, the Town Board approved the following:**

- March, 2013 Abstract:  
**Claims #375 to #543 totaling \$498,858.96**
- February, 2013 Post Abstract:  
**Claims #350 to #374 totaling \$151,285.01**

- February, 2013 General Ledger Abstract:  
**Claims #50 to #77 totaling \$276,356.63**

3 AYES - Carried

Councilperson Hasbrouck – absent

Councilperson Gerry - absent

## RESOLUTION NO

### APPROVAL OF MINUTES

**Motion by Supervisor Charlie Barbuti**, seconded by **Councilperson Dean Farrand**, the Town Board approved the following minutes as submitted:

Department Head Mtg.	2/4/13
Regular Monthly Mtg.	2/19/13
Bid Opening (construction)	3/6/13
Bid Opening (electrical)	3/6/13

3 AYES - Carried

Councilperson Hasbrouck – absent

Councilperson Gerry - absent

## RESOLUTION NO

### ACCEPTANCE OF MONTHLY REPORTS

**Motion by Councilperson Dean Farrand**, seconded by **Supervisor Charlie Barbuti**, the Town Board approved the following reports as submitted:

- Town Clerk's Monthly Report 2/2013
- Monthly report of revenue & expense summary as of 2/28/2013
- Supervisor's Report 1/2013 & 2/2013

3 AYES - Carried

Councilperson Hasbrouck – absent

Councilperson Gerry - absent

## DISCUSSION ITEMS

1. Loomis Wastewater Treatment Plant grant status report **CARRYOVER**  
*(Need Sansalone's approval – Supervisor will follow up)*
2. Parking lot grant status report **CARRYOVER**

*(Re-submitted form due to date error)*

3. White Sulphur Springs waterline grant – important dates **CARRYOVER**  
*(Need to get a survey should Town pay for it or wait and pay out of grant? It was decided that we would wait and take out of grant)*
4. Wind zoning policy **CARRYOVER**
5. Background checks for new employees **CARRYOVER**  
*(Will discuss at next Dept. Head Mtg.)*
6. Internet use policy **CARRYOVER**  
*(Will discuss at next Dept. Head Mtg.)*
7. Mitigation plan options **CARRYOVER**
8. Zoning Review Committee's request to hire a planner for consulting **CARRYOVER**  
*(Board agreed to hire planner at a rate of \$150 per hr. not to exceed \$3,000 for the (2) policies that they are discussing)*
9. Memo from the Water & Sewer Supervisor regarding I&I at the Indian Lake Club **CARRYOVER**  
*(Albert needs to contact rural water)*

#### **RESOLUTION NO**

##### *APPROVAL OF JUNK YARD LICENSES (3)*

**Motion by Councilperson Dean Farrand**, seconded by **Councilperson Chris Austin**, the Town Board of the Town of Liberty does hereby approve of the following junk yard licenses:

- Ironic, LLC
- Gary Zalkin
- Sims Metal East, LLC

3 AYES - Carried

Councilperson Hasbrouck – absent

Councilperson Gerry - absent

#### **RESOLUTION NO**

##### *APPROVAL TO FILL PARK & REC SEASONAL POSITIONS*

**Motion by Councilperson Dean Farrand**, seconded by **Councilperson Chris Austin**, the Town Board of the Town of Liberty does hereby give approval to fill the Park & Rec Seasonal Positions.

3 AYES - Carried

Councilperson Hasbrouck – absent

Councilperson Gerry - absent

#### **RESOLUTION NO**

*APPROVAL OF VOUCHER FOR BLAUER ASSOCIATES*

**Motion by Councilperson Dean Farrand**, seconded by **Councilperson Chris Austin**, the Town Board of the Town of Liberty does hereby approve the payment of a voucher for Blauer Associates in the amount of \$450.00 for administrative services for the Loomis Sewer District Wastewater Treatment Plant upgrades.

3 AYES - Carried  
Councilperson Hasbrouck – absent  
Councilperson Gerry - absent

**RESOLUTION NO**

*APPROVAL OF VOUCHER FOR KELLY ENGINEERING*

**Motion by Councilperson Dean Farrand**, seconded by **Councilperson Thomas Hasbrouck**, the Town Board of the Town of Liberty does hereby approve the payment of a voucher for Kelly Engineering in the amount of \$2,402.75 for engineering services for the Loomis Sewer District Wastewater Treatment Plant upgrades.

3 AYES - Carried  
Councilperson Hasbrouck – absent  
Councilperson Gerry – absent

**Letter from Anthony Logozzo regarding waiving penalty on water bill.**  
Board denies request, Supervisor will send letter.

**RESOLUTION NO**

*APPROVAL OF CHANGES TO PROCUREMENT POLICY*

**Motion by Councilperson Dean Farrand**, seconded by **Councilperson Chris Austin**, the Town Board of the Town of Liberty does hereby approve the following procurement policy:

**TOWN OF LIBERTY**

**PROCUREMENT POLICIES AND PROCEDURES**  
GML SECTION 104-B4

EFFECTIVE April 1, 2013

RESOLVED: That the Town of Liberty does hereby adopt the following procurement policies and procedures:

**Guideline 1.** Every prospective purchase of goods or services shall be evaluated to determine the applicability of GML, #103. Every Town Officer, Board Member, Department Head or other personnel with the requisite purchasing authority (hereinafter Purchaser) shall estimate the cumulative amount of items of supply or equipment needed in a given fiscal year. That estimate shall include the canvas of other town departments and past history to determine the likely yearly value of the commodity to be acquired. The information gathered and conclusions reached shall be documented and kept with the file or other documentation supporting the purchase activity.

**Guideline 2.** All purchases of supplies or equipment which will exceed \$20,000.00 in the fiscal year or public works contracts over \$35,000.00 shall be formally bid pursuant to GML, # 103.

**Guideline 3.** All estimate purchases of:

Less than \$20,000.00, but greater than or equal to \$3,000.00 must have written quotations from at least three vendors and attached to the Purchase Order and voucher. All purchases must be approved by the Town Board prior to purchase.

Less than \$3,000.00 is left to the discretion of the purchaser.

If the purchase was due to any emergency and no other quotation was received, the emergency must be documented on the purchase order.

Department Heads (Purchasers) are requested to check with the New York State Office of State Comptroller, the Sullivan County Office of General Services or the Town Director of Finance to determine what items are available to the Town at County, State or other local government Bid prices. Local Government Bids must comply with the "OSC Piggybacking Policy".

Although each department head is responsible for their own purchasing, the Director of Finance should be contacted if and when any questions arise.

The Finance Office will supply all needed information such as vendor lists, account code information and year to date purchase information on vendors.

All estimated public works contracts of:

Less than \$20,000.00, but greater than or equal to \$10,000.00, require a written RFP and proposals from three vendors attached to the purchase order.

Less than \$10,000.00, but greater than or equal to \$3,000.00, require a verbal RFP and proposals from three vendors attached to the purchase order.

Any written RFP shall describe the desired goods, quantity and the particulars of delivery, if possible. The Purchaser shall compile a list of all vendors from whom written/fax/oral quotes have been requested and the written/fax/oral quotes offered.

All information gathered in complying with the procedures of this Guideline shall be preserved and filed with the documentation supporting the subsequent purchase or public works contract.

**Guideline 4.** The lowest responsible proposal or quote shall be awarded the purchase or public works contract unless the Purchaser prepares a written justification (Best Value) providing reasons why it is in the best interest of the town and its taxpayers to make an award to other than the low bidder. If a bidder is not deemed responsible, facts supporting that judgment shall also be documented and filed with the record supporting the procurement. The Best Value Policy will allow governments the ability to purchase products and services that may not be the lowest in price but due to factors such as product like or quality may provide a cheaper long-term solution. The basis for best value award must be objective and written documentation must be attached to the voucher for the purchase that used this policy.

**Guideline 5. Prevailing Wage—**The Town of Liberty is required to pay prevailing wages for all labor performed on Town property. All bids and quotes must include information that prevailing wage rates are applicable. Contact the Finance Office for more information. All invoices that include labor that is subject to prevailing wage must have a Payroll Certification Report. The Payroll Certification Report must also be attached to the voucher before payment will be processed.

**Guideline 6.** A good faith effort shall be made to obtain the required number of proposals or quotations. If the Purchaser is unable to obtain the required number of proposals or quotations, the Purchaser must document the attempt made at obtaining the proposals. In no event shall the inability to obtain the proposals or quotes be a bar to the procurement.

**Guideline 7.** Except when directed by the Town Board, no solicitation of written proposals or quotations shall be required under the following circumstances:

- a) Acquisition of professional services;
- b) Emergencies;
- c) Sole source situations;
- d) Goods purchased from agencies for the blind or severely handicapped;
- e) Goods purchased from correctional facilities;
- f) Goods purchased from another governmental agency;
- g) Goods purchased at auction

**Guideline 8.** This policy shall be reviewed annually by the Town Board at its organizational meeting or as soon thereafter as is reasonably practicable.

#### PURCHASE ORDER POLICIES

The Department Head or a person in the department designated by the Department Head and approved by the Town Board will be the only employee(s) allowed to order merchandise for the department. An updated list of authorized persons must be submitted and approved by the Town Board annually at its reorganizational meeting.

A Purchase Order must be issued for every purchase of \$1,000.00 or more for any one department.

### **Blanket Purchase Orders**

If materials or supplies will be purchased on a regular basis during a month, a Blanket Purchase Order may be used. The Blanket Purchase Order will be issued for a set period of time (normally one month) for the estimated amount of materials needed. It must include estimated amount of materials, unit price based on current bid prices and estimated total dollars to be incurred.

Each month the Blanket Purchase Order will be closed and, if required, a new Purchase Order for the next month can be issued.

If the amount of the Blanket Purchase Order is used up before the end of the month, a new Purchase Order has to be issued for any additional purchases.

The Department Head has the option of issuing Purchase Orders for each purchase or using a Blanket Purchase Order.

Purchase Orders must be signed (no stamped signatures) by the Department Head only authorizing the purchase and must be signed (no stamped signatures) by the Supervisor, the Director of Finance or the Budget/Accounting Coordinator approving that there are funds available for the purchase.

All Purchase Orders for every department of the Town must be approved by the Finance Department.

For the issuance of a Purchase Order the Department Head or person so designated will send a written document to the Finance Office giving the following information:

1. Name and ID # of Vendor. (Vendor ID listings are available from Finance Office).
2. Merchandise being ordered or a written list of the merchandise being ordered.
3. Cost of each item being ordered (not including freight).
4. Fund being charged for the purchase.

5. If purchasing under a State, County or Town Bid, it must be noted on the Purchase Order.
6. If written or verbal proposals are required, it must be included on the Purchase Order. If only one price is received, a reason as to why must be included on the Purchase Order.
7. If this information is not supplied to the Finance Department, the Purchase Order will be returned to the Department.

If possible, no purchase order will be estimated. If a price cannot be obtained from a vendor, the merchandise shall be purchased from a different vendor. If the merchandise is an item that can only be purchased from one vendor and this item has been purchased previously by the Town, then the Department Head will check previous vouchers for prices and will issue the purchase order for those prices. If the item can only be purchased from one vendor, then the purchase order can be estimated.

After the issuance of the Purchase Order, the Department Head, or person so designated, should give the Purchase Order Number to the vendor.

The Finance Office, after signature, will give to the Department Head, or person so designated, the yellow and pink copies of the issued Purchase Order. The yellow copy will be attached to the voucher that will liquidate that purchase order IN TOTAL.

If partial payment is being made on purchases that have a purchase order drawn on them, do not attach the yellow copy of the purchase order to the voucher until the purchase order is complete.

Other than for emergencies, purchase orders will be issued daily from the Finance Office from 8:00 A.M. to 4:00 P.M. for merchandise needed.

Items exempt from Purchase Orders are:

Health Insurance Claims  
Telephone Bills  
Electric Bills  
Postage  
Contracts approved by Town Board

#### **Voucher Procedure**

All requests for payment must be submitted on a standard Voucher Form, which includes the following information:

- Claimant's Name

- Claimant's Address (Street, City, State, Zip)
- Claimant's Vendor Number
- Purchase Order#, if applicable
- Date of Invoice
- Invoice Number
- Invoice Amount
- Fund App # (Expense Code)
- Original signature (no stamped signatures) of Department Head

The following must be included on all invoices:

- Signature of person receiving goods
- Date goods received
- Where goods or services are to be used. If it is for repair to a vehicle or equipment, it should identify the item being repaired.

All vouchers must be done on a standard computerized form, which will be supplied by the D.P. Department. Original invoice must be attached; in the same order they are listed on the front of the voucher. When a voucher is completed, two copies will be printed by the Department requesting payment and sent to the Town Clerk's Office.

The first copy will have original copies of invoices attached and date and signed by the authorized individual approving payment.

The second copy of the voucher **should not** be signed and will be mailed with the check. Attach any material that is to be return to the vendor with this copy.

A brief description of the material purchased or service rendered should be included in the description, if not included on the vendor's invoice.

In order for a voucher to be processed, all written and verbal quotes required by the Procurement Policy must be documented and attached to the voucher. If not complete, payment will not be made until documented.

All vouchers must have original invoices or a signed certification on the bottom of the voucher. If original invoice is not available, payment will only be made if documentation is attached stating the original invoice has been misplaced and verification that payment has not been made.

Each department will submit one voucher per vendor twice a month to the Town Clerk's Office.

Vouchers are to be submitted by 10:00 a.m. according to the following schedule:

<b>1<sup>st</sup> Monday</b>	<b>Utility vouchers</b>	<b>*(Will be paid weekly)</b>
<b>2<sup>nd</sup> Monday</b>	<b>All Vouchers / Utility vouchers</b>	
<b>3<sup>rd</sup> Monday</b>	<b>Utility vouchers</b>	<b>*(Monthly audit)</b>

**4<sup>th</sup> Monday**

**All Vouchers / Utility vouchers**

Vouchers that are not filled out properly will be returned to the originating department for correction.

New vendor numbers can be obtained from the Finance Office.

If original vendor invoices are **NOT** attached to the voucher, the vendor must sign a certification. This certification form will be available from the D.P. Department.

**PURCHASES WITH TOWN CREDIT CARD**

The Town of Liberty has an American Express Credit Card for Official Town Purchases. This card is kept under the control of the Supervisor or Director of Finance.

If it is necessary to purchase an item with a credit card (Vendor will not accept a Town Purchase Order or Voucher) the Supervisor or Director of Finance will authorize the Credit Card purchase. All Procurement Policies and Procedures of the Town of Liberty must be followed.

Any person that uses the credit card without proper approval will be personally liable for any purchases.

Payment to American Express will be included in the monthly audit listing approved by the Town Board.

**FIXED ASSETS**

Any purchase of an item in the amount of \$250.00 or more will be recorded as a fixed asset in the ".2" uniform system of accounts for New York State Towns.

Any purchase of an item in the amount of \$10,000.00 or more will be recorded as a major fixed asset for accounting under the "GASB 34" regulations.

3 AYES - Carried

Councilperson Hasbrouck – absent

Councilperson Gerry – absent

**RESOLUTION NO**

*AUTHORIZATION FOR HIGHWAY DEPT. TO FULLFILL VACANT P/T LABORER POSITION*

**Motion by Councilperson Dean Farrand**, seconded by **Councilperson Chris Austin**, the Town Board of the Town of Liberty does hereby give approval to fill the vacant part-time laborer position at the Highway Dept.

3 AYES - Carried  
Councilperson Hasbrouck – absent  
Councilperson Gerry – absent

**RESOLUTION NO**

*SCHEDULE BID OPENING FOR PARKING LOT PAVING*

**Motion by Councilperson Chris Austin**, seconded by **Councilperson Dean Farrand**, the Town Board of the Town of Liberty does hereby set a bid opening for the paving of the parking lot on 4/10/2013 at 11:00 a.m. in the Town Clerk's Office, 120 North Main Street, Liberty, NY.

3 AYES - Carried  
Councilperson Hasbrouck – absent  
Councilperson Gerry – absent

**RESOLUTION NO**

*APPROVAL FOR W&S TO PURCHASE A HOMA PUMP AT A COST OF \$4,449.*

**Motion by Supervisor Charlie Barbuti**, seconded by **Councilperson Chris Austin**, the Town Board of the Town of Liberty does hereby authorize the Water & Sewer Dept. to purchase of a Homa pump from Pump Service & Supply at a cost of \$4,449.

3 AYES - Carried  
Councilperson Hasbrouck – absent  
Councilperson Gerry – absent

*ADOPTION OF THE SULLIVAN COUNTY HAZARD MITIGATION PLAN- TABLED*

Councilperson Chris Austin was still waiting for answers to his questions:

- *Who in Sullivan County determines as to who gets their mitigation projects funded?*
- *Does this in any way impact a normal FEMA or SEMO application for assistance?*
- *Are there guidelines as to where and what these monies can be used?*
- *How do we update our needs?*
- *Of the 21 Towns in the County, which ones have adopted this plan?*
- *Is the County itself able to use these funds for their needs or is it available to the townships only?*

**BOARD DISCUSSION**

**Councilperson Chris Austin**

- Nothing to report

**Councilperson Dean Farrand**

- Nothing to report

**Councilperson Thomas Hasbrouck**

- Absent

**Councilperson Maurice Gerry**

- Absent

**Supervisor Charlie Barbuti**

- Have a vacancy for an Alternate Planning Board member
- Will ask the Village if they would like to meet on 4/29/13 @6:00 p.m.

**ADJOURN**

On a motion by Councilperson Chris Austin, seconded by Councilperson Dean Farrand, the Town Board does hereby adjourn the meeting at 8:26 p.m.

Respectfully submitted,

*Laurie Dutcher*

Laurie Dutcher, Town Clerk