

TOWN BOARD OF THE TOWN OF LIBERTY  
**REGULAR MONTHLY MEETING**  
March 19, 2012

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 Charlie Barbuti  
Councilperson Chris Austin  
Councilperson Thomas Hasbrouck  
Councilperson Dean Farrand  
Councilperson Maurice Gerry

Recording Secretary: Town Clerk Laurie Dutcher

Also present:

Finance Director Earl Bertsch  
Code Enforcement Officer Mark VanEtten  
Water & Sewer Foreman Albert Picard  
Andrew Arias of Cooper & Nieman  
Mark Blauer  
Matthew DeWitt  
Terry Kelly  
Deputy Town Clerk Sara Sprague  
Budget Accounting Coordinator Cheryl Gerow  
Deputy Highway Superintendent Kevin Austin  
Bruce Cox  
Stephen Schroeder  
Anne Hart  
Maureen Barber  
Carol Molusky  
Cindy Geiger  
Kitty Vetter

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

**CORRESPONDENCE**

1. A letter from Quality Environmental Solutions & Technologies, Inc regarding a proposal submitted in 2008 for an IEQ investigation.
2. A memo from the Town Clerk regarding a change to Section 38 of the Personnel Policy.
3. A letter from Cuddy & Feder, LLP regarding Intermunicipal Notification for New Telecommunications Towers.

4. A letter from Sam Ryba regarding water meter charges.
5. A letter from Wes Illing of Illing Engineering Services regarding the redevelopment of Parksville.
6. A letter from Time Warner Cable regarding cable construction completion on Cooley Road, Cooley Mt. Road, Spruce Lane, and Doughty Rd.

## **PLANNING & ZONING BOARD MINUTES**

- Planning Board 2/7/2012
- Planning Board 3/6/2012
- Zoning Board 1/4/2012

## **RECOGNIZE THE PUBLIC**

**Lynn Killian** was given the following Resolution of Appreciation:

**RESOLUTION OF APPRECIATION  
LYNN P. KILLIAN  
TOWN OF LIBERTY**

WHEREAS, Lynn P. Killian has served the citizens of the Town of Liberty for eight years, as Town of Liberty Councilman; and

WHEREAS, these years of service have been marked by dedication to the best interests of the community and Lynn has worked constantly for the betterment of the Town of Liberty; and

WHEREAS, Lynn P. Killian has always been mindful of the needs of the people of the Town of Liberty; and

WHEREAS, Lynn P. Killian has earned the admiration and high regard of those with whom she has come into contact with;

NOW, THEREFORE, BE IT RESOLVED: that the Town Board of the Town of Liberty does hereby express its sincere appreciation and thanks to the Lynn P. Killian for her fine service to the Town of Liberty. We appreciate her many years of service, and extend to her and her family our best wishes for many happy and successful years in the future.

**John Schmidt** (who was unavailable to attend) the following Resolution of Appreciation was also presented:

**RESOLUTION OF APPRECIATION  
JOHN E. SCHMIDT  
TOWN OF LIBERTY**

WHEREAS, John E. Schmidt has served the citizens of the Town of Liberty for many years in numerous capacities, including Supervisor, Planning Board Member and Planning Board Chairman; and

WHEREAS, these years of service have been marked by dedication to the best interests of the community; and

WHEREAS, has always been mindful of the needs of the people of the Town of Liberty; and

WHEREAS, John E. Schmidt has earned the admiration and high regard of those with whom he has come into contact with;

NOW, THEREFORE, BE IT RESOLVED: that the Town Board of the Town of Liberty does hereby express its sincere appreciation and thanks to John E. Schmidt for his fine service to the Town of Liberty and hereby extends its best wishes to him and his family for good health and happiness in the future.

Volunteer Firefighter **Steven Schroeder** was presented the following Certificate of Recognition for his help in saving a young distressed BOCES student that had attempted to swim across an icy pond. The student started to go under the water and Steven Schroeder along with Bruce Cox and a State Trooper were able to pull him to safety saving his life.

#### **CERTIFICATE OF RECOGNITION**

The Town Board of the Town of Liberty does hereby thank  
**Steven Schroeder**

For his distinguished service that went above and beyond  
the call of duty on January 24, 2012 when he saved a  
young boy from drowning

**Bruce Cox** was also presented a Certificate of Recognition for his assistance in saving the young BOCES student from drowning.

#### **CERTIFICATE OF RECOGNITION**

The Town Board of the Town of Liberty does hereby thank  
**Bruce Cox**

For his distinguished service that went above and beyond  
the call of duty on January 24, 2012 when he assisted in saving a  
young boy from drowning

**Ann Hart** of the Sullivan County Visitors Association advised the Board that at the request of Supervisor Barbuti that Roberta Lockwood, President of the Visitors Association had looked into the idea of renting homes in the community to county visitors attending major events. The idea was for homeowners to rent entire homes to short-stay visitors. Ms. Hart advised that there were several legal requirements for anyone interested in pursuing this. They would need to register with the state and collect sales tax, register with Sullivan County and collect bed tax, find out if rentals

are allowed with one's mortgage company and check with their insurance regarding rental coverage. They should also check with the Town and Department of Health.

**Carol Milewski** of Liberty advised the Board that we were chasing young people away with high taxes. She advised that we are carrying the burden for the not for profit and we need representation in Albany to change this.

Ms. Milewski also advised that from June to September Airport Rd. is full of garbage. Trucks take a short cut past her house. She wanted to know if there was anything that the Town could do such as a weight limit.

Deputy Highway Superintendent **Kevin Austin** advised that they do not have resources or the staff to pick up all the garbage.

**Legislator Cindy Geiger** passed out information regarding mandate reform. She advised that the NYS Association of Counties had developed a simple and effective website

[www.mandaterelief.com](http://www.mandaterelief.com)

that enables county officials and residents to email their State Senators and Assembly members, asking them to enact mandate relief this year.

**Councilpersons Austin and Farrand** felt that the people need to get behind this and this website needs to be made available through an e-mail blast or something to that effect.

**Legislator Kitty Vetter** advised the Board that the Town needs to decide which bill they want to stand behind.

A short discussion followed.

**Andrew Arias of Cooper, Niemann & Co. CPA's, LLP** Audit Presentation

SEVERAL PARTS TO YOUR AUDIT:

- Financials
- Compliance with laws and regulations
- Assessment of internal controls
- Single Audit
  - Over \$500,000 in federal expenditures
  - WSS Water district project
  - Compliance and internal controls over federal money

Opinion on "fair presentation" of the financial statements to an outside user.

TOTAL FUND BALANCES

General A Fund = Up \$118,000 (4% of Budget)

- Used \$194,000 to fund reserves (\$150,000 for Town Hall Reserves)
- Used additional \$25,000 to reduce 2012 Tax Levy (Total \$175,000 appropriated)

- Unassigned Fund Balance decreased by \$81,000

General B Fund - Down \$22,000 (8% of Budget)

Highway Funds - Up \$118,000 (\$% of Budget)

- Used \$12,000 to fund reserves
- Unappropriated Fund Balance increased \$106,000

Sewer Districts - Up \$39,000 94% of Budget)

- Used \$10,000 to fund reserves (Expended \$44,000 from reserves during 2011)
- Used additional \$25,500 to reduce to 2012 Tax Levy (Total \$69,000 appropriated)
- Unappropriated Fund Balance increased \$47,000

Water Districts - Up \$133,000 (11% of Budget)

- Mainly due to \$103,000 of excess funds transferred back to Ferndale Water District upon completion of capital project.
- Used \$138,000 to fund reserves
- Used additional \$45,500 to reduce 2012 Tax Levy (Total \$116,500 Appropriated)
- Unassigned/Unappropriated Fund Balance decreased \$52,000

Unassigned/Unappropriated Fund Balances

- General Fund A - \$780,000 (28% of 2012 Budget - 33% PY)
- General Fund B - \$118,000 (41% of 2012 Budget - 48% PY)
- Highway Fund DA - \$290,000 (22% of 2012 Budget - 28% PY)
- Highway Fund DB - \$370,000 (33% of 2012 Budget 17% PY)

Sewer Districts

- Infirmary Road - \$101,000 (57% of 2012 Budget - 51% PY)
- Swan Lake/Briscoe Rd. - \$96,000 (17% of 2012 Budget - 10% PY)
- All others below \$50,000

Water Districts

- WSS Water - \$55,000 (71% of 2012 Budget - 70% PY)
- All others below \$50,000
  
- Deficit fund balance in Route 55 Water District
- Ferndale Water appropriated \$14,000 more towards 2012 tax levy than was available
- Good use of reserves to plan for future capital expenditures and manage fund balances
- Separate Management Letter issued with management's responses included.
- ASA 114 Letter issued separately
  - Any problems during the audit
  - Important accounting issues
  - Important note disclosures

GASB 54 implemented in 2011

- New fund balance classifications

- Descriptions within classifications are consistent with previous years
- Must implement GASB 54 Policies

Qualified Opinion on the Financial Statements

- GASB 45 not implemented
- Except for that omission, clean opinion on remainder of financial statements

Unqualified Opinion on Single Audit

- No findings
- All federal filings complete

**RESOLUTION NO**

*APPROVAL OF AUDIT*

**Motion by Councilperson Thomas Hasbrouck**, seconded by **Councilperson Chris Austin**, the Town Board approved the following:

- March, 2012 Abstract:  
**Claims #384 to #559 totaling \$532,664.79**
- Post, February 2012 Abstract:  
**Claims #366 to #383 totaling \$106,380.35**
- February, General Ledger Abstract:  
**Claims #29 to #65 totaling \$356,141.66**

5 AYES- Carried

**RESOLUTION NO**

*APPROVAL OF MINUTES*

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

- Special Meeting            1/30/12
- Public Hearing                1/30/12
- Regular Monthly Mtg.      2/21/12
- Bid Opening                  3/1/12

5 AYES - Carried

**RESOLUTION NO**

## *ACCEPTANCE OF MONTHLY REPORTS*

**Motion by Councilperson Thomas Hasbrouck**, seconded by **Councilperson Dean Farrand**, the Town Board approved the following reports as submitted:

- Town Clerk's Monthly Report 2/2012
- Monthly report of revenue & expense summary as of 2/29/2012
- Supervisor's Report 1/2012

5 AYES - Carried

## **OLD BUSINESS**

1. Planning & Zoning Committee updates.

## **RESOLUTION NO**

### *SPECIAL MTG SET FOR 4/24/12 W/ TOWN, PLANNING & ZONING BOARDS & CEO*

**Motion by Councilperson Thomas Hasbrouck**, seconded by **Councilperson Dean Farrand**, the Town Board of the Town of Liberty has scheduled a Special Meeting with the Town Board, Planning Board, Zoning Board and Code Enforcement Officer to discuss how they can improve communication and support between the boards to insure they are providing a consistent and valuable service to the Town of Liberty. The meeting will be held on April 24, 2012 at 6:00 p.m. at Town Hall, 120 North Main Street, Liberty, New York.

5 AYES - Carried

2. Offsite central sewage treatment system
  - Lake Marie Subdivision
  - Town Code change regarding offsite sewage treatment systems.

A meeting will be set up with Attorney Klein, Terry Kelly, Albert Picard and Chris Austin to formalize any concerns they may have.

The Town Board directed the Town Attorney to draw up a local law based on the proposed changes from 2008.

3. Report on RD Zoning definition change pertaining to summer camps.  
(Will need a zoning law change specific to summer camps)
4. Return of escrow payment from Camp HASC.

The Money is not to be returned until the situation has been remedied. Councilperson Farrand will find out from the Planning Board exactly what was supposed to be done.

**NEW BUSINESS:**

Review quotes for replacing pump for the Loomis Sewer from the Capital Reserve Fund.

Attorney Klein will draw up the Capital Resolution for next meeting.

**RESOLUTION NO**

*ACCEPT QUOTE FROM BURGH SCHOENENBERGER FOR SEWER FLOW METERS*

**Motion by Councilperson Thomas Hasbrouck**, seconded by **Councilperson Chris Austin**, the Town Board of the Town of Liberty has accepted the quote submitted by Burgh Schoenenberger for the installation of (5) flow meters at a cost of \$11,500 for a (4) week study and \$1,400 for each additional week thereafter.

5 AYES - CARRIED

**RESOLUTION NO**

*APPROVAL TO PAY BLAUER ASSOCIATES IN THE AMOUNT OF \$875. FOR THE LOOMIS SEWER TREATMENT PLANT UPGRADE PROJECT*

**Motion by Councilperson Thomas Hasbrouck**, seconded by **Councilperson Dean Farrand** the Town Board does hereby give approval to pay Blauer Associates the amount of \$875.00 for administrative services for the Loomis Sewer Treatment Plant Upgrade Project.

5 AYES - CARRIED

**RESOLUTION NO**

*APPROVAL OF TOWING LICENSES*

**Motion by Councilperson Maurice Gerry**, seconded by **Councilperson Thomas Hasbrouck**, the Town Board of the Town of Liberty does hereby approve a towing license for Jesse Baum.

5 AYES - Carried

*APPROVAL OF JUNK YARD LICENSES*

**Motion by Councilperson Thomas Hasbrouck**, seconded by **Councilperson Maurice Gerry**, the Town Board of the Town of Liberty does hereby approve the following Junk Yard licenses:

Gary Zalkin dba Liberty Scrap Metal  
Ironic, LLC

5 AYES - Carried

**RESOLUTION NO**

*SET BID OPENING FOR STONE AND BLACKTOP ON 4/5/2012*

**Motion by Councilperson Chris Austin**, seconded by **Councilperson Dean Farrand** the Town Board does hereby set the bid opening for stone and blacktop for 4/5/2012 at 11:00 a.m. at the Town Clerk's Office, 120 North Main Street, Liberty, NY.

5 AYES - Carried

**RESOLUTION NO**

*SET BID OPENING FOR REMOVAL OF UNSAFE BLDG. SBL #46.-1-50 FOR 4/19/12*

**Motion by Councilperson Chris Austin**, seconded by **Councilperson Thomas Hasbrouck** the Town Board does hereby set a bid opening for the removal of an unsafe building SBL #46.-1-50 for 4/19/2012 at 11:00 a.m. at the Town Clerk's Office, 120 North Main Street, Liberty, NY.

5 AYES - Carried

**RESOLUTION NO**

*ASSESSMENT REDUCTION FOR DM BUILDING DEVELOPMENT, INC.*

The following motion was offered by **Councilperson Dean Farrand**, who moved its adoption, and seconded by **Councilperson Thomas Hasbrouck**, to wit:

**WHEREAS**, DM Building Development, Inc. ("Petitioner") has served and filed notices of protest and notices of petition and petitions for review and reduction of real property assessments for the years 2010 and 2011 with respect to a parcel owned by it located in the Town of Liberty; and

**WHEREAS**, the Town of Liberty has appeared in said proceedings by Kenneth C. Klein, Esq., attorney for the Town, and Petitioner has appeared in the aforesaid proceedings by Kalter, Kaplan & Zeiger, Esqs., Jay L. Zeiger, Esq., of counsel; and

**WHEREAS**, following negotiations among the parties and their counsel, a settlement of all matters in dispute has been reached; and

**WHEREAS**, it appears that the proposed settlement of all matters in dispute will result in a fair and equitable resolution of Petitioner's complaint with respect to the subject assessment;

**NOW, THEREFORE**, be it resolved, that Kenneth C. Klein, Esq., attorney for the Town, be, and he hereby is authorized, directed and allowed to enter into formal written stipulations of settlement with the attorneys of record for the Petitioner, which stipulations of settlement has been provided to the Town Board for complete reading and filing this date; and be it further

**RESOLVED**, that Kenneth C. Klein, Esq., attorney for the Town, be, and he hereby is authorized, empowered and directed to execute the proposed written stipulations of settlement, and to thereby bind the Town of Liberty thereto; and be it further

**RESOLVED**, that Kenneth C. Klein, Esq., attorney for the Town, be, and he hereby is authorized, empowered and directed to do all other things, and to execute any and all other documents, which are reasonably necessary and incidental to the effectuation and finalization of the aforesaid stipulations of settlement.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

|                                    |     |
|------------------------------------|-----|
| Supervisor Charlie Barbuti voting  | AYE |
| Councilperson Maurice Gerry voting | AYE |

|                                       |     |
|---------------------------------------|-----|
| Councilperson Thomas Hasbrouck voting | AYE |
| Councilperson Dean Farrand voting     | AYE |
| Councilperson Chris Austin voting     | AYE |

The resolution was thereupon declared duly adopted.

5 AYES - Carried

**RESOLUTION NO**

*ASSESSMENT REDUCTION FOR NBG DEV, LLC.*

The following motion was offered by **Councilperson Dean Farrand**, who moved its adoption, and seconded by **Councilperson Thomas Hasbrouck**, to wit:

**WHEREAS**, NBG DEV, LLC (“Petitioner”) has served and filed notices of protest and notices of petition and petitions for review and reduction of real property assessments for the years 2010 and 2011 with respect to a parcel owned by it located in the Town of Liberty; and

**WHEREAS**, the Town of Liberty has appeared in said proceedings by Kenneth C. Klein, Esq., attorney for the Town, and Petitioner has appeared in the aforesaid proceedings by Kalter, Kaplan & Zeiger, Esqs., Jay L. Zeiger, Esq., of counsel; and

**WHEREAS**, following negotiations among the parties and their counsel, a settlement of all matters in dispute has been reached; and

**WHEREAS**, it appears that the proposed settlement of all matters in dispute will result in a fair and equitable resolution of Petitioner’s complaint with respect to the subject assessment;

**NOW, THEREFORE**, be it resolved, that Kenneth C. Klein, Esq., attorney for the Town, be, and he hereby is authorized, directed and allowed to enter into formal written stipulations of

settlement with the attorneys of record for the Petitioner, which stipulations of settlement has been provided to the Town Board for complete reading and filing this date; and be it further

**RESOLVED**, that Kenneth C. Klein, Esq., attorney for the Town, be, and he hereby is authorized, empowered and directed to execute the proposed written stipulations of settlement, and to thereby bind the Town of Liberty thereto; and be it further

**RESOLVED**, that Kenneth C. Klein, Esq., attorney for the Town, be, and he hereby is authorized, empowered and directed to do all other things, and to execute any and all other documents, which are reasonably necessary and incidental to the effectuation and finalization of the aforesaid stipulations of settlement.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

|                                       |     |
|---------------------------------------|-----|
| Supervisor Charlie Barbuti voting     | AYE |
| Councilperson Maurice Gerry voting    | AYE |
| Councilperson Thomas Hasbrouck voting | AYE |
| Councilperson Dean Farrand voting     | AYE |
| Councilperson Chris Austin voting     | AYE |

The resolution was thereupon declared duly adopted.

**RESOLUTION NO**

*ASSESSMENT REDUCTION FOR HIRSHMARK DEVELOPMENT LLC*

The following motion was offered by **Councilperson Dean Farrand**, who moved its adoption, and seconded by **Councilperson Thomas Hasbrouck**, to wit:

**WHEREAS**, Hirshmark Development, LLC (“Petitioner”) has served and filed notices of protest and notices of petition and petitions for review and reduction of real property assessments for the years 2010 and 2011 with respect to a parcel owned by it located in the Town of Liberty; and

**WHEREAS**, the Town of Liberty has appeared in said proceedings by Kenneth C. Klein, Esq., attorney for the Town, and Petitioner has appeared in the aforesaid proceedings by Kalter, Kaplan & Zeiger, Esqs., Jay L. Zeiger, Esq., of counsel; and

**WHEREAS**, following negotiations among the parties and their counsel, a settlement of all matters in dispute has been reached; and

**WHEREAS**, it appears that the proposed settlement of all matters in dispute will result in a fair and equitable resolution of Petitioner’s complaint with respect to the subject assessment;

**NOW, THEREFORE**, be it resolved, that Kenneth C. Klein, Esq., attorney for the Town, be, and he hereby is authorized, directed and allowed to enter into formal written stipulations of settlement with the attorneys of record for the Petitioner, which stipulations of settlement has been provided to the Town Board for complete reading and filing this date; and be it further

**RESOLVED**, that Kenneth C. Klein, Esq., attorney for the Town, be, and he hereby is authorized, empowered and directed to execute the proposed written stipulations of settlement, and to thereby bind the Town of Liberty thereto; and be it further

**RESOLVED**, that Kenneth C. Klein, Esq., attorney for the Town, be, and he hereby is authorized, empowered and directed to do all other things, and to execute any and all other documents, which are reasonably necessary and incidental to the effectuation and finalization of the aforesaid stipulations of settlement.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

|                                       |     |
|---------------------------------------|-----|
| Supervisor Charlie Barbuti voting     | AYE |
| Councilperson Maurice Gerry voting    | AYE |
| Councilperson Thomas Hasbrouck voting | AYE |
| Councilperson Dean Farrand voting     | AYE |
| Councilperson Chris Austin voting     | AYE |

The resolution was thereupon declared duly adopted.

## **RESOLUTION NO**

### *ASSESSMENT REDUCTION FOR SHAARI BERACHA, INC,*

The following motion was offered by **Councilperson Dean Farrand**, who moved its adoption, and seconded by **Councilperson Thomas Hasbrouck**, to wit:

**WHEREAS**, Shaarei Beracha Inc. (“Petitioner”) has served and filed a notice of protest and notice of petition and petition for review and reduction of a real property assessment for the year 2010 with respect to a parcel owned by it located in the Town of Liberty; and

**WHEREAS**, the Town of Liberty has appeared in said proceedings by Kenneth C. Klein, Esq., attorney for the Town, and Petitioner has appeared in the aforesaid proceedings by Kalter, Kaplan & Zeiger, Esqs., Jay L. Zeiger, Esq., of counsel; and

**WHEREAS**, following negotiations among the parties and their counsel, a settlement of all matters in dispute has been reached; and

**WHEREAS**, it appears that the proposed settlement of all matters in dispute will result in a fair and equitable resolution of Petitioner’s complaint with respect to the subject assessment;

**NOW, THEREFORE**, be it resolved, that Kenneth C. Klein, Esq., attorney for the Town, be, and he hereby is authorized, directed and allowed to enter into a formal written stipulation of settlement with the attorney of record for the Petitioner, which stipulation of settlement has been provided to the Town Board for complete reading and filing this date; and be it further

**RESOLVED**, that Kenneth C. Klein, Esq., attorney for the Town, be, and he hereby is authorized, empowered and directed to execute the proposed written stipulation of settlement, and to thereby bind the Town of Liberty thereto; and be it further

**RESOLVED**, that Kenneth C. Klein, Esq., attorney for the Town, be, and he hereby is authorized, empowered and directed to do all other things, and to execute any and all other documents, which are reasonably necessary and incidental to the effectuation and finalization of the aforesaid stipulation of settlement.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

|                                       |     |
|---------------------------------------|-----|
| Supervisor Charlie Barbuti voting     | AYE |
| Councilperson Maurice Gerry voting    | AYE |
| Councilperson Thomas Hasbrouck voting | AYE |
| Councilperson Dean Farrand voting     | AYE |
| Councilperson Chris Austin voting     | AYE |

The resolution was thereupon declared duly adopted.

**RESOLUTION NO.**

*APPOINTMENT OF AGRICULTURAL ADVISORY COMMITTEE*

**Motion by Councilperson Thomas Hasbrouck**, seconded by **Councilperson Dean Farrand**, the Town Board of the Town of Liberty does hereby appoint the following to the Agricultural Advisory Committee:

Sean Zigmund  
George Stang  
Peter Stettner

5 AYES - Carried

**RESOLUTION NO**

*ACCEPT DIANE DEUTSCH'S RESIGNATION AS PLANNING BOARD CHAIRMAN*

**Motion by Councilperson Thomas Hasbrouck**, seconded by **Councilperson Maurice Gerry**, the Town Board of the Town of Liberty does hereby accept Diane Deutsch's resignation as Planning Board Chairman effective 3/17/2012.

5 AYES - Carried

**RESOLUTION NO**

*APPOINT LYNN DOWE AS PLANNING BOARD CHAIRMAN*

**Motion by Councilperson Thomas Hasbrouck**, seconded by **Councilperson Maurice Gerry**, the Town Board of the Town of Liberty does hereby appoint Lynn Dowe as Planning Board Chairman for a term expiring on 12/31/2012.

5 AYES - Carried

**RESOLUTION NO**

*EAGLE SCOUT CONGRATULATORY RESOLUTION FOR FRANKIE JOSEPH SKINDZIER*

**Motion by Councilperson Thomas Hasbrouck**, seconded by **Councilperson Dean Farrand**, the Town Board of the Town of Liberty does hereby recognize and congratulate Frankie Joseph Skindzier:

***Congratulatory Resolution  
In Recognition  
of***

***FRANKIE JOSEPH SKINDZIER***

**WHEREAS**, Frankie Joseph Skindzier is a resident of Liberty; and

**WHEREAS**, Frankie Joseph Skindzier graduated with the Liberty Central High School Class of 2011; and

**WHEREAS**, Frankie Joseph Skindzier has been an active and exemplary member of the Cub Scouts and Boy Scouts since 1998; and

**WHEREAS**, Frankie Joseph Skindzier has successfully completed the requirements necessary for Eagle Scout designation; and

**WHEREAS**, on October 27, 2011 Frankie Joseph Skindzier was awarded the highest honor to be bestowed upon a Boy Scout, that of an Eagle Scout:

**NOW, THEREFORE, BE IT RESOLVED** that the Town Board of the Town of Liberty recognizes the significance of the Eagle Scout Honor; and

**BE IT FURTHER RESOLVED**, the Town Board of the Town of Liberty urge all our residents to join Frankie's parents, his friends and associates in the Boy Scouts and other friends and family members in congratulating Frankie on his impressive accomplishment in being awarded the honor of Eagle Scout.

5 AYES - Carried

## **BOARD DISCUSSION**

### **Councilperson Chris Austin**

- Met with the Personnel Committee working on a 2013-2016 agreement that will be presented to the Board.

### **Councilperson Maurice Gerry**

- Thanked the County Legislators for coming to the meeting.

### **Councilperson Thomas Hasbrouck**

- Advised that he would be presenting the Eagle Scout Award to Frankie Joseph Skindzier.

### **Dean Farrand**

- Nothing to report

### **Supervisor Charlie Barbuti**

- Nothing left to discuss

**RESOLUTION NO.**

*EXECUTIVE SESSION*

**Motion by Councilperson Thomas Hasbrouck**, seconded by **Councilperson Maurice Gerry**, the Town Board of the Town of Liberty does hereby go into Executive Session at 8:40 p.m. to discuss possible litigation.

5 AYES - Carried

**RESOLUTION NO.**

*OUT OF EXECUTIVE SESSION*

**Motion by Councilperson Dean Farrand**, seconded by **Councilperson Thomas Hasbrouck**, the Town Board of the Town of Liberty does hereby come out of Executive Session at 9:34 p.m.

5 AYES - Carried

ADJOURN

Motion by Councilperson Chris Austin, seconded by Councilperson Thomas Hasbrouck, the Town Board adjourns the meeting at 9:34 p.m.

Respectfully submitted,

Laurie Dutcher, Town Clerk