

**TOWN BOARD OF THE TOWN OF LIBERTY
DEPARTMENT HEAD MEETING**

April 2, 2012

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:

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

Recording Secretary: Town Clerk Laurie Dutcher

Also present:

Town Attorney Kenneth Klein
Finance Director Earl Bertsch
Budget & Accounting Coordinator Cheryl Gerow
Water & Sewer Supervisor Albert Picard
Deputy Highway Superintendent Kevin Austin
Assessor Kathy Sprague
Park & Recreation Director Brian Scardefield
Code Enforcement Officer Mark VanEtten
CDC Director Heinrich Strauch
Sara Sprague Deputy Town Clerk
Deborah Manley Confidential Secretary

After the Pledge of Allegiance, Supervisor Barbuti called the meeting to order at 4:00 p.m.

CORRESPONDENCE

1. An email from the Town Clerk to Public Health Nursing regarding a summer rabies clinic.
2. A letter from Public Health Nursing regarding rabies clinic location protocol.

RECOGNIZE DEPARTMENT HEADS (Reports as submitted by Dept. Heads)

Assessor

Ongoing and working on:

- 911 data-base update
- Pictures
- Exemptions; driving license updates, etc.

- Destroying/updating files
- Working on: 2012 assessment roll; finishing up field work' exemptions and on-going litigation. etc.
- Board of Assessment Review Training is scheduled for May 2nd
- Re-appointment for Vivian Hanslmaier for another term for the BAR

Information:

- Will be reviewing the zoning change for open space and 10 ac.

Otherwise business as usual

There are 55 tax sales in the Town of Liberty

22 of these are in the Village.

Requests an Executive Session.

Water & Sewer

Working on grant application with Kelly Engineering and Marc Blauer for the WSS water district.

Presidential Pump Station-Still waiting to hear that all parts are here to start the upgrades.

Sullivan County DPW informed us that they plan to pave Route 55 from the blinker light to Kilcoins. This is a problem due to 18-21 manholes in the pavement and we will have to raised, which is costly.

Waiting to hear from Layne to do work at Stevensville Well #4 and the Roth Well.

We have a contract with Burgh Schoeneberger to do some flow metering work for the I & I study in Loomis sewer.

We helped the Village of Liberty Water Department with a leak on Lake Street, with 3 men to the dig site.

Due to mild March, we have begun to level and clean the sand beds and perform a lot of repairs at both sewer plants

One truck having motor issues, already spent \$1,000

Councilperson Austin advised Mr. Picard that we need to keep track of the amount of time we help the Village and visa versa.

Highway Superintendent

Grading Dirt Roads

Patching w/ winter mix

Took some sanders off

Blacktop plant should be opening next week

Opened up gravel bank and started making material

Put the West Liberty Street Bridge in - waiting on guardrail

Working on Wade Road, ditching, stumping, cutting brush. NYSEG to move a few poles.

Waiting on the County for clean up dates. County gave last years resolution to the Legislature for approval, legislature should be making a decision by the first week of April.

A lot of trees down after Monday 3/26 wind.

Working on inventory of signs including adopt a road signs to place order.

Made an inventory of needing Entering Town of Liberty signs to be ordered.

Supervisor Barbuti advised he would like a "Welcome to Liberty" sign.

CEO

Building Permits 12

Building Permits Closed 5

Complaints 29

Complaints Closed 2

Planning Board new applications 0

Planning Board approved applications 4

Zoning Board new applications 0

Zoning Board approved application 0

150 Notices were sent out for the Planning Board - may need Nancy for more time

Pam Winters has 5 weeks of vacation that must be used by June.

Park & Recreation

Andrew Dworetzky our Park Supervisor resigned. Adam Lake my Assistant Recreation Director would like that position. I am going to transfer Adam into this position. There is a current civil service list for Adams position so I will see about hiring someone off the list.

The seasonal Pool Director who has worked for us in previous years informed me that she will not be returning this year because she just found a full time job. The Assistant Director also may not be

returning wither due to an internship. I am currently advertising for a new director because none of the other lifeguard staff we have meet the requirements set forth by the Department of Health.

Cracolici's on the Green is sponsoring a golf tournament to benefit Liberty Parks and Recreation. It will be held June 9th at the Sullivan County Golf and Country Club.

Electro Electric ran the electric to the bathrooms at Walnut Mountain and installed the panel box.

I spoke with Ed Mall from the NYS DOT regarding closing part of the Parksville Road because we maintain a cemetery where the road is being taken out. He drew up a driveway plan for access from the new section of road that will be put in. I submitted a copy of the plan to the Town Supervisor.

We are holding the annual Easter Egg Hunt this Saturday March 31st at noon.

We are starting Resident Day Camp Registration on April 2nd at 6:00 p.m.

We have been getting the parks ready for opening in May.

We will start interviewing our summer staff starting in April.

DCO

Dogs picked up	9
Miles	914
Dog bites	2
Dogs @ kennel	3

Mamakating has requested an intermunicipal agreement.

Finance Director

Met with Employee Relations Committee

Completed 2011 Annual Financial Report and submitted it to the State.

Coordinated with Cooper and Niemann for Town Board presentation.

Supplied information on Loomis Sewer for DEC meeting which Earl attended.

Submitted an Accident Report to Marshall and Sterling

Submitted two Worker's Compensation claims to the County

Supplied floor plans of the Town and Village offices

Took tour of Village offices

Supplied information regarding a resident in the Loomis Sewer District

All other daily duties and responsibilities.

CDC

Sullivan County EDC / Main Street Committee

The EDC's Main Street Group had its first meeting on February 15. The group discussed its objectives and approach to Main Street revitalization along the National Trust Main Street Institute's 4 focus areas: Design, Promotion, Organization & Economic Restructuring.

As a first step, each community will conduct a self-assessment in response to a questionnaire that was distributed, to identify existing conditions and develop the priorities for the group's work.

In addition, I have begun work with the Liberty Chamber to create a voluntary 'code of conduct' for Main Street merchants and property owners, with the intention to take this standard to the county-level.

County Micro-Enterprise Program

The participating agencies in the program conducted review sessions. 86 applications overall were received, after a first selection 16 applications were forwarded for Agri-businesses, and 18 Main Street businesses. All of these will now begin their training sessions in mid-March; by early May the final award recipients should have been selected. 2 of the successful Agri-business applicants and 5 of the successful Main Street applicants are (or will be) Liberty businesses.

Main Street Grant

2 of the remaining projects under the Main Street Grant (Fleet Bank & Golden Dragon) will NOT undertake their projects as originally planned – that puts \$65k back into the pool of funding to be distributed to other Main Street properties. Several of the current projects have already identified additional funding needs. A further 2 or 3 projects that haven't started yet have to be closely monitored to make sure we use the funds in the time allotted.

Economic Development

SNEAKER WORLD has begun space built-out... soft opening planned for April.

GREAT AMERICAN closing of sale scheduled for 3/6. Re-opening date not yet clear.

Film production for 'CONTEST' has put out first openings for production crew. June/July shooting scheduled in and around Liberty.

Team Skate Proposed new location was discussed with team skate members. The skatepark will be integrated into the overall design for the parking lots/park/recreation area between the Senior Center and School Street; to be paved, landscaped and lit.

Teamskate concert attendance suffered from competing events that night (only around 75 people).

Court

V&T Received 388

V&T Appearances 204

Criminal Appearances	542
Ordinance Appearances	16
Civil Appearances	21
Total Fines Collected	\$87,107.00
Total Fines to Town	Not available
Total Fines to Village	Not available

Town Clerk

Conservation	7
Marriage Licenses	4
Junk Yard Licenses	2
Towing Licenses	1
Marriage Certificates	5
Photo copies	7
Dog Licenses	34

Working with General Code on the new code book.

Last week of tax collection-very busy.

Applied for scholarships to attend the NYSATCR (New York State Tax Collector's & Receiver's) & NYALGRO (New York State Local Government Records Management Officers Association).

Business as usual

Bob Stubbs from Marshall & Sterling Insurance

Town of Liberty Annual Insurance Presentation

Mr. Stubbs went over the proposal from Argonaut. He advised that the coverage was basically the same and the price difference was approximately \$3,000 higher than last year's premium.

Mr. Stubbs advised that this policy did not include terrorism insurance.

Councilperson Gerry wanted it put on the record that he would like terrorism insurance to be added.

RESOLUTION NO.

RENEWAL OF TOWN OF LIBERTY INSURANCE COVERAGE

On a motion by Councilperson Christopher Austin, seconded by **Councilperson Dean Farrand**, the Town Board approved Argonaut Insurance to be the Insurance Carrier for the Town of Liberty for the yearly amount of \$91,628.91.

5 Ayes – Carried

Kevin Hinchey from H&H Environmental

Mr. Hinchey advised that H&H Environmental had performed an air quality test on Town Hall in 2009. He advised that there were a number of elevated levels of mold throughout the building. He does not know if they have increased or if there are new areas. Mr. Hinchey advised that since the basement sits 75% under the ground that it is very important to control the humidity. He advised that the first step would be to investigate if there is water intrusion and to correct that first.

Councilperson Dean Farrand advised that the report was clear that there were mold spores.

Finance Director asked if there were any EPA standards?

Councilperson Farrand advised that the standard was remediation. No one knows what mold does to people and affects everyone differently.

Mr. Hinchey agreed that mold does affect people differently and some are more susceptible than others. He did advise that it is harmful and does affect the respiratory system.

Councilperson Farrand advised that there is visible mold in the Supervisor's office, the Confidential Secretary's office and the basement and it clearly needs to be taken care of.

Discussion followed on getting bids for remediation.

Finance Director Bertsch advised that we needed a reliable set of specs.

Mr. Hinchey advised that an Industrial Hygienist should set the remediation plan and the town should put out bids requesting a (30) year warranty, references and the protocol as set by the hygienist.

Supervisor Barbuti advised that Park & Recreation is having a problem at there building also. Mr. Hinchey advised that the Hygienist could do it all together.

Mr. Hinchey stated that he would have his secretary send over the names of (3) Industrial Hygienist's.

BOARD DISCUSSION

Councilperson Chris Austin

- Nothing to report

Councilperson Dean Farrand

- Councilperson Farrand advised the Board that he had inspected the area in question at Camp HASC. He advised that there are (2) dead trees, the other white pines look like they may survive, the seeding has washed away and the drainage ditch is not sufficient. He feels that there are issues that need to be addressed and that a meeting should be set up.
- Councilperson Farrand also advised that CEO VanEtten guides people through the code.

Councilperson Thomas Hasbrouck

- Nothing to report

Councilperson Maurice Gerry

- Strongly objects to the fact that we do not have terrorist insurance and would like the minutes to reflect this.

Supervisor Charlie Barbuti

- Working on moving the court.
- Interpath will be at the 4/16 mtg. to discuss the free energy audit.
- Trying to set up a meeting w/ the Lake Marie Subdivision engineer.
- The Zoning/Planning Mtg. has been moved to Town Hall due to the Republican Primary.
- Will introduce the Local Law regarding Private Sewage Treatment Plants on 4/16.

RESOLUTION NO

RE-APPOINTMENT OF VIVIAN HASLMAIER TO THE BOARD OF ASSESSMENT REVIEW

Motion by Councilperson Thomas Hasbrouck, seconded by **Councilperson Dean Farrand**, the Town Board of the Town of Liberty does hereby re-appoint Vivian Hanslmaier to the Board of Assessment Review for a term expiring on 9/30/2017.

5 Ayes – Carried

RESOLUTION NO

ACCEPT RESIGNATION OF ANDREW DWORETSKY FROM PARK & REC

Motion by Councilperson Thomas Hasbrouck, seconded by **Councilperson Dean Farrand**, the Town Board of the Town of Liberty does hereby accept the resignation of Andrew Dworetsky from Parks & Recreation effective 3/30/12.

5 AYES – CARRIED

RESOLUTION NO

APPROVAL TO PAY VOUCHER TO DELAWARE RIVER BASIN IN THE AMOUNT OF \$3,526.40

Motion by Councilperson Chris Austin, seconded by **Councilperson Thomas Hasbrouck** , the Town Board of the Town of Liberty does hereby authorize the payment of \$3,526.40 to the Delaware River Basin for the Loomis Sewer upgrade project review fee.

5 AYES – CARRIED

RESOLUTION NO

APPROVAL TO HIRE INTEGRITY PLUMBING & HEATING, INC. TO INSTALL PLUMBING FOR THE RESTROOMS AT WALNUT MT.

Motion by Councilperson Thomas Hasbrouck, seconded by **Councilperson Maurice Gerry**, the Town Board of the Town of Liberty does hereby give authorization to hire Integrity Plumbing & Heating, Inc. to install the plumbing for the restrooms at Walnut Mt. in the amount of \$6,400.00

5 AYES – CARRIED

RESOLUTION NO

APPROVAL OF PAYROLL CERTIFICATION FORM

Motion by Councilperson Thomas Hasbrouck, seconded by **Councilperson Dean Farrand**, the Town Board of the Town of Liberty does hereby approve of the following Payroll Certification Form:

Town of Liberty Vendor Certification

Vendor certification that prevailing wages were paid or the owner of the business performed all work themselves for all labor performed on Town property.

I certify that all labor included in this invoice was paid at prevailing wage rate.
Upon request, I will provide the Town of Liberty with a Certified Payroll.

I certify that all labor included in this invoice was performed by the owner(s) of the business and therefore prevailing wage does not apply.

Invoice Amount

Signature

Company Name

Title

Street Address

Date

City, State, Zip Code

Town Attorney will add disclaimer.

5 Ayes – Carried

RESOLUTION NO

A RESOLUTION AUTHORIZING THE PURCHASE OF A 15HP HYDROMATIC SUBMERSIBLE PUMP FOR THE LOOMIS SEWER DISTRICT, AT A MAXIMUM ESTIMATED COST OF \$7,731.00, AND PAYMENT THEREFOR BY THE EXPENDITURE OF THE SUM OF \$7,731.00 FROM THE TOWN OF LIBERTY LOOMIS SEWER CAPITAL RESERVE FUND.

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 2nd day of April, 2012 at 4:00 p.m. prevailing time.

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

PRESENT: Supervisor Charles J. Barbuti
Councilperson Maurice Gerry
Councilperson Thomas Hasbrouck
Councilperson Chris Austin
Councilperson Dean Farrand

ABSENT:

The following resolution was introduced by Councilperson Chris Austin, who moved its adoption, and seconded by Councilperson Dean Farrand, to wit:

A RESOLUTION AUTHORIZING THE PURCHASE OF A 15HP HYDROMATIC SUBMERSIBLE PUMP FOR THE LOOMIS SEWER DISTRICT, AT A MAXIMUM ESTIMATED COST OF \$7,731.00, AND PAYMENT THEREFOR BY THE

EXPENDITURE OF THE SUM OF \$7,731.00 FROM THE TOWN
OF LIBERTY LOOMIS SEWER 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 15hp Hydromatic Submersible Pump for the Loomis Sewer District, at a maximum estimated cost of \$7,731.00, and the expenditure of the sum of \$7,731.00 from the Town of Liberty Loomis Sewer Capital Reserve Fund to pay such maximum estimated cost is hereby authorized and approved.

Section 2. The action contemplated hereby 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.

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 Loomis Sewer 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 Charlie Barbuti voting

AYE

Councilperson Thomas Hasbrouck voting	AYE
Councilperson Maurice Gerry voting	AYE
Councilperson Dean Farrand voting	AYE
Councilperson Chris Austin voting	AYE

The resolution was thereupon declared duly adopted.

RESOLUTION NO

ADAM LAKE APPOINTED AS PARK SUPERVISOR

Motion by Councilperson Chris Austin, seconded by **Councilperson Dean Farrand**, the Town Board of the Town of Liberty does hereby upon the recommendation of the Parks & Recreation Director, appoint Adam Lake as Park Supervisor.

5 Ayes – Carried

Director Scardefield will check the Civil Service list to replace Adam's position of Assistant Park & Recreation Director.

RESOLUTION NO

LETTER OF SUPPORT FOR LIBERTY CDC RENAISSANCE PROJECT C APPLICATION

Motion by Councilperson Chris Austin, seconded by **Councilperson Thomas Hasbrouck**, the Town Board of the Town of Liberty does hereby authorize the Supervisor to send a letter of support for the Liberty CDC for the participation in a Category C Renaissance Project.

5 Ayes – Carried

RESOLUTION NO

EXECUTIVE SESSION

Motion by Councilperson Thomas Hasbrouck, seconded by **Councilperson Chris Austin**, the Town Board of the Town of Liberty does hereby go into Executive Session at 5:40 p.m. to discuss potential litigation.

5 Ayes – Carried

RESOLUTION NO

OUT OF EXECUTIVE SESSION

Motion by Councilperson Chris Austin, seconded by **Councilperson Dean Farrand**, the Town Board of the Town of Liberty does hereby come out of Executive Session at 5:57 p.m.

5 Ayes – Carried

ADJOURN

On a motion by Councilperson Chris Austin, seconded by Councilperson Thomas Hasbrouck, the Town Board does hereby adjourn the meeting at 6:01 p.m.

Respectfully submitted,
Laurie Dutcher, Town Clerk