

**REGULAR MONTHLY MEETING
TOWN BOARD OF THE TOWN OF LIBERTY
April 20, 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:

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

Recording Secretary: Town Clerk Laurie Dutcher

Also present:

Town Attorney Kenneth Klein
Deputy Town Clerk Sara Sprague
Senior Account Clerk Cheryl Gerow
Highway Superintendent Timothy Pellam
Deputy Highway Superintendent John Lennon
Assistant Water & Sewer Forman Tom Kehrley

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

Public Participation

No one from the public wished to be heard.

CORRESPONDENCE

1. A memo from Finance Director Earl Bertsch regarding the Swan Lake sewer line repair.

RESOLUTION NO.

APPROVAL OF AUDIT

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

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- April, 2009 Abstract:
Claims #563 to #768 totaling \$369,808.01
- Post March, 2009 Abstract:
Claims #538 to #562 totaling \$206,244.81

5 AYES - Carried

RESOLUTION NO.

APPROVAL OF MINUTES

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

- 3/16/2009 Public Hearing / Regular Monthly Mtg.
- 4/6/2009 Public Hearing / Dept. Head Mtg.

5 AYES - Carried

RESOLUTION NO.

APPROVAL OF MONTHLY REPORTS

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

- 3/2009 Town Clerk Monthly Report
- 3/2009 Monthly Revenue & Expense Report
- 2/2009 Supervisor's Report
- 3/2009 Supervisor's Report

5 AYES - Carried

OLD BUSINESS:

1. Discussion regarding logging permits.
2. Fuel accountability policy

Maureen will contact the Highway Dept. to set up a meeting regarding the fuel accountability policy.

RESOLUTION NO.

AWARD OF STONE BID

Motion by Councilperson Thomas Hasbrouck, seconded by **Councilperson Lynn Killian**, the Town Board accepted the low bid submitted by Deckelman for delivered stone and the low bid submitted by Callanan for asphaltic paving mixes. The Town Board rejected all FOB bids due to lack of non-collusion bidding certificate.

Bid Form A

Deckelman- Delivered price for stone

#1A	\$19.09
#1	\$15.06
#1B	\$16.66
#2	\$14.16
#3	\$15.06
#4	\$15.06
Crusher Run	\$12.81
Bank Run Red Shale	N/B
#1 & #2 50/50 Ledge Rock	\$14.50
Ledge Stone Sand	\$16.66

Bid Form B

#1A	\$19.09
#1	\$15.06
#1B	\$16.66
#2	\$14.16
#3	\$15.06
#4	\$15.06
Crusher Run	\$12.81
Bank Run Red Shale	N/B
#1 & #2 50/50 Ledge Rock	\$14.50
Ledge Stone Sand	\$16.66

Callanan-Asphaltic paving mixes

	FOB Price Per Ton
Asphaltic Concrete Type "A"	\$59.00
Asphaltic Concrete Type "B"	\$58.00
Asphalt Concrete - Type 3 Binder Course	\$57.00
Asphalt Concrete - Type 6 Top Course	\$58.00
Asphalt Concrete - Type 7 Top Course	\$59.00

5 AYES - Carried

RESOLUTION NO.

RE-BID STONE FOR FOB PRICE ONLY

Motion by Councilperson Lynn Killian, seconded by **Councilperson Thomas Hasbrouck**, the Town Board does hereby set a date of 5/14/09 at 11:00 a.m. at the Town Clerk's Office to re-bid the FOB prices for stone.

5 AYES - Carried

RESOLUTION NO.

APPROVAL OF ADOPT A ROAD APPLICATION FROM JERRY MODICA

Motion by Councilperson Thomas Hasbrouck, seconded by **Councilperson Clarence Barber**, the Town Board does hereby approve the Adopt A Road application submitted by Jerry Modica to adopt Lily Pond Rd.

5 AYES - Carried

A letter of interest was received from Phil Mullen in regard to his desire to serve on the Town of Liberty Zoning Board. It was decided that a letter of recommendation should be received from the Zoning Board Chairman before any appointment would be made.

BOARD DISCUSSION

Councilperson Lynn Killian

Advised the Board that the Liberty Chamber of Commerce would be having a Spring Mixer on 4/22/09 at the 52 Steakhouse at 6:00 p.m. and she would like to see the members of the Town Board attend.

Department Heads should be dismissed after the Dept. Head meeting is finished before the Board goes onto other business. She feels that it is costing the Town too much to pay for overtime or comp. time.

Councilperson Clarence Barber

Advised that he had gone out and checked the tennis courts in Swan Lake that Todd Gallo was allowing the Parks & Rec. Dept. to use this summer and said that it have some cracks and holes that need to be repaired.

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Councilperson Thomas Hasbrouck

Councilperson Hasbrouck asked the Supervisor if he knew when the work was going to begin on Rt. 17. He told the Board that the State had rented the Dead End Café for 3 years.

Councilperson Maurice Gerry

Councilperson Gerry advised that there is a problem with the parking lot at the Ferndale Post Office and the owner is unwilling to fix it until a leak under the roadway is repaired. He advised that a citizen group will be gathering signatures.

Town Attorney Klein advised that it is not a Town issue and they will have to contact the correct authority.

Supervisor John Schmidt

Wanted to know if we should meet w/ Millenium Pipeline to see what we expect from them before they leave. Highway Superintendent advised that he had tried to contact them but has been unsuccessful.

On a motion by Councilperson Lynn Killian, seconded by Clarence Barber the Town Board adjourned the meeting at 7:30 p.m.

Respectfully submitted,

Laurie Dutcher, Town Clerk