

**TOWN BOARD OF THE TOWN OF LIBERTY
DEPARTMENT HEAD MEETING
May 6, 2013**

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:

Present:

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

Absent:

Councilperson Maurice Gerry

Recording Secretary:

Town Clerk Laurie Dutcher

Also present:

Finance Director Earl Bertsch
Deputy Highway Superintendent Kevin Austin
Water & Sewer Supervisor Albert Picard
Assessor Kathy Sprague
Parks & Recreation Director Brian Scardefield
Code Enforcement Officer Mark VanEtten
Budget Coordinator Cheryl Gerow
Deputy Town Clerk Sara Sprague
Court Manager Denise Curry
Sean Zigmund
Mary Heinle
Rob Stabak
Bill Liblick
Norma Kelly
Don Muccino
Jack Bodolosky
Leonard Sparks
Todd Gallo
Matt DeWitt
Russell Reeves
John Lennon

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

CORRESPONDENCE

1. An email from Jill Weyer regarding Sullivan County requests for Consolidated Funding Application Project Information.
2. A letter from Assemblywoman Aileen Gunther regarding the Town Clerk's forwarding of the resolution in support of the Second Amendment.
3. A letter from the Village of Liberty regarding a 5% increase in sanitation fees.
4. The following residents sent in comments regarding the zoning:
 - o Nancy Levine
 - o Michael Edwards
 - o Fritz Mayer (2)
 - o John Schmidt
 - o Notes taken by Terri Barbuti @ the 3/21 mtg.
 - o Brent Farrand
5. A copy of the Liberty CDC 2013 Sullivan Renaissance Project.
6. A letter from the NYSDEC Division of Water regarding the Annual Compliance Inspection of the Swan Lake Wastewater Treatment Plant.

RECOGNIZE THE DEPARTMENT HEADS

(Reports as submitted by the Dept. Heads)

ASSESSOR

Ongoing:

- 911 data-base update
- Picture update
- Exemptions; driving license updates, etc.
- Destroying/updating files

New:

- Will file the tentative assessment roll today - May 1st
- Board of Assessment Review has training tonight - May 1st @ 6:00pm
- Change of Assessment Notices/exemption removals are scheduled to be mailed Friday May 3rd
- Legal Lines posted in regards to the filing of the tentative roll
- Many inquiries of the Board of Assessment Review process (also I'm conducting informal meetings with the property owners)
- The County is scheduling training for the new Pictometry for the Assessor's
- Will be reviewing:
 - o List of changes that might not change your assessment
 - o First Time homebuyers - exemption review

Otherwise conducting business as usual

HIGHWAY SUPERINTENDENT

Cut brush/Ditch Devaney Road

Pipes/Ditch on Loomis Road

Ditch East Mongaup Road

Ditch Cross Hill Road

Ditch Cooley Mountain Road

Pipe Elk Point Road

Ditch Clements Road

Ditch Lake Marie Road

Began sweeping roads

Took sanders off of trucks

Put up entering Town of Liberty signs

Hauled crusher run

Patching

All employees attended Defensive Driving Class

Dug out parking lots, put base and crusher for Parks & Rec at Hanofee Park

Helped grind Main Street in the Village to begin paving it

The following is a list of vehicles and equipment being sold at surplus sale:

- 1986 Ford Dump Truck
- 2006 Ford Pick Up
- 2000 Towmaster Trailer
- 1986 Star Trailer
- 1973 Wisco trailer
- 1 Ton Roller
- 5ft. Powertilt ditching bucket

WATER & SEWER

Cold weather causing some problems with freezing of service lines.

We interviewed 5 candidates for the Laborer Position.

New big dump truck-Why we want to buy a new truck.

Roof Replacement S.L.W.W.T.F. sludge drying bed #1

Delaware engineering was at the S.L.W.W.T.F. to do a tour of the plant.

2 men taking NYSDOH D course final exam on 2/5/13.

Wanted to know if we had a list of approved contractors? CEO Van Etten advised that we did not.

Have been interviewing a lot of people wanted to know if we do background checks? Was advised that we do not. Cheryl will check into.

CEO

- 24 Building permits
- 14 Closed Building permits
- 14 complaints
- 10 completed complaints
- 3 Planning Board new applications
- 4 Planning Board approved applications
- 1 Zoning Board new applications
- 0 Zoning Board approved applications

PARKS & RECREATION

The Park and Recreation Board has made a motion to approve Chrissy Schiff with the NYS Rifle and Pistol Association to rent Hanofee Park (The entire park) on August 24, 2013 for an event. Attached with this report are the rental fees and stipulations set by the board, a copy of the Park and Recreation Pavilion Rental Form, and a copy of the Park Rules and Regulations.

The Park and Recreation Board is seeking Town Board approval on the rental of the park, the rental fee, and the stipulations set forth by them in the attached rider to the Pavilion Rental Form.

Also, Rule #4 on the Town of Liberty Park and Recreation Rules and Regulations is listed in Town Code 109-11A and needs to be addressed. Recommended by Ken Klein in regards to the gun show portion of the event, there would need to be a resolution adopted by the Town Board pursuant to Section 109-11B of the Town Code suspending that rule for this particular event to the limited extent of permitting the gun show, subject to the limitations set forth in the rider that is to be attached to the reservation form.

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2. Have been working on getting the Parks open. The Parks open May 1st for the season and Little League has started games on the fields.
3. Met with Heinrich and the Renaissance group regarding them possibly completing a project at the Lake Street Entrance to Walnut. They would be building a shrubbery and flower bed around the entrance sign and also adding shrubbery along the split rail fence and replacing the pillars at the entrance with ones that look like natural stone.
4. Currently holding registration for Summer Day Camp and Swim Lessons. Both are going well.
5. The Renegades Bike Club is continuing to build Mountain Bike Trails at Walnut.

We are currently holding a bowling program at the new bowling alley and also holding an outdoor education program at Walnut. Both programs are going well.

Interviews for the seasonal staff are almost completed. We had 41 new applicants with only 4 spots to fill because the majority of the staff we had last year are returning.

DCO

MILEAGE	964
DOGS AT KENNEL	5
DOG BITES	3-Two people bit, one dog attacked
DOGS PICKED UP	7

TOWN CLERK/TAX COLLECTOR

Licenses:

Conservation	8
Marriage Licenses	5
Marriage Certificates	1
Highway Opening Permits	1
Photocopies	98
Dog Licenses	33
Redeemed Dogs	0

Turned the tax rolls over to the County. Collected over 10.5 million dollars. Had a very busy but good tax season.

On 4/17/13 received a "Notice of Entry" and a "Demand for Refund" from Jay Zeiger's office regarding the Tax Settlements that were made between Gmach Beth Joel and the Town. I had already processed the refunds but Gmach Beth Joel wanted them to go to Mr. Zeiger's Office in care of them so I did a stop order on the checks and issued new ones.

Spoke with John Eidel who took over for Wally Mall at the County regarding the TE-9's that were sent for Brooks Rd. on 8/16/11 and Parksville Rd. on 8/2/12. Apparently Brooks Rd. fell through the cracks and will be processed immediately. They are still waiting for the official order from the State for Parksville Rd. and will then meet with the appropriate officials and make decisions.

ProShred came and destroyed 20 96 gallon bins on site on 4/18/2013.

Have been working on records building for the last three weeks trying to get everything in order and properly documented and labeled.

Attended a tax collector's meeting. The guest speaker was John Dresch w/ Power Pay which accepts credit and debit card payments at no cost to the Town. They do charge a 3% convenience fee to the resident. I have spoken with Earl about this and we are going to do a little research and meet with Mr. Dresch.

Meetings, minutes, agendas, public notices, etc.

FINANCE

Coordinated Defensive Driving course

Submitted possible insurance claim for Water and Sewer Department and communicated with adjuster, representative and department regarding issues.

Attended GFOA Conference in Albany

Had hour long phone conference with Moody's Investors Services regarding the Town's credit rating

Updated Fixed Assets Inventory Report

Continued processing seasonal employees (10 for the month)

Compiled health insurance information for consultant

All other daily duties and responsibilities

CDC

Liberty Main Street Grant

NYS Office of Community Renewal approved proposed replacement of Coach USA/Shortline bus shelter with 'standard' model; SHPO approval letter expected any day.

Theater building owner still in negotiations with DoL – new mitigation proposal is being reviewed by DoL. We will need to apply for an additional extension until July 31.

Liberty Skatepark Location

BOCES equipment class is undertaking site preparation/grading work as in-kind service. Construction to commence either May 2 or 3.

Official ground breaking scheduled for May 10 at 1 PM at the site. ALL MEMBERS OF THE TOWN BOARD ARE INVITED!!

Fundraising activities

Event preparations for May 18 Touch-A-Truck are in full swing. So far, 30+ exhibitors with approx. 50 pieces of equipment have signed up. Newspaper ads, hand-outs, posters, radio appearances and social media postings should secure that people know about the event. (see ad attached, to appear in SC Democrat on 5/3 and 5/17)

2013 Sullivan Renaissance project

The revised project plan (attached) for the 2013 Renaissance project – now a Category B project - will improve the Walnut Mountain Park entrance on West Lake Street. A site visit with Renaissance staff took place on 4/25 and their Garden Design committee will propose a planting plan. A Town Board resolution of support is required since the project takes place on Town property.

In development:

- County Legislator Kitty Vetter has requested CDC assistance for a project to convert the former rail track between Liberty/Village and Parksville into a public bike trail
- Cornell Coop and the CDC explore options to secure funding for the creation of a community kitchen facility in the Gerald Skoda building.

COURT

Court	Jan
V&T Received	703
V&T Appearances	372
Criminal Appearances	619

Ordinance Appearances	31
Civil Appearances	26
Total Fines Collected	\$97,948.00
Total Fines to Town	Not available
Total Fines to Village	Not available

Introductions of Interested Candidates for the Alternate Planning Board appointment:

John Lennon

Advised the Board that he was a lifelong resident of the Town of Liberty and felt that he could balance the old with the new.

Jack Bodolosky

Has lots of experience with Planning & Zoning. Has two businesses here and feels Liberty needs lots of help.

Branden Reeves

Was unable to attend meeting due to work and will attend the next mtg on 5/0/13.

ALAN KAPLAN

Island Group Administration of East Hampton, NY

Town Supervisor Barbuti, asked me to review the Town's employee health plan with NYSHIP/Empire and suggest some alternatives to the NYSHIP/Empire plan. I have prepared the following analysis from Information I requested from the Town's Financial Services Office.

1. Historic Overview: The NYSHIP/Empire plan came into existence in 1986, and was created by the New York State Department of Civil Service and the State's labor unions, who agreed to support this creation. Essentially, the Empire Plan is a community rated health plan which provides hospital coverage, major medical coverage, and prescription drug coverage to state employees and participating agencies such as the Town of Liberty. "Community rated" means that all participating employers will pay the same premium for the coverage regardless of their claims experience. Therefore, a participating agency who incurs significant losses will have these losses shared by the entire listing of Empire Plan participating agencies. Unfortunately, due to the disparity in cost of medical care around the state, participating agencies in New York City and its suburbs tend to have negative loss ratios, (claims that exceed the premiums paid) while participating agencies in lower cost areas of the state, such as the Town of Liberty, tend to have positive loss ratios. Liberty's positive loss ratio is being used to offset the negative loss ratios of downstate participating agencies.

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2. NYSHIP/Empire: For purposes of this discussion, I have included spreadsheets of the current benefits offered by NYSHIP/Empire. The benefits being provided, although constrained in recent years, are still quite superior to what is commercially available from commercial carriers. In addition, the participating provider network associated with the Empire Plan is extensive and is also superior to most plans available through commercial insurance carriers.

3. Some Basic Facts: Based upon the information provide to me by the Town of Liberty, the following is a brief summary of the enrollment, financial and historical claims experience of the Town's Plan.

a. The current annualized premium to NYSHIP/Empire is \$926,292.84 based upon the recent billin b. The current census of active employees and retirees is:

11 Active employees with single coverage,

31 Active employees with family coverage,

2 retirees medicare prime with single coverage,

8 retirees medicare prime with family coverage; and

4 retirees with family coverage where 1 is medicare prime and 1 is not medicare prime.

c. The Liberty's claims experience for the last 3 years are,

2010 = \$570,362.00;

2011 = \$636,096.00; and

2012 = \$726,433.00.

4. NYSHIP/Empire Observations: Upon review of the basic facts in #3 above, it appears that, during the course of the last few years, Liberty has paid premium into the NYSHIP/Empire system in excess of the claims paid by NYSHIP/Empire on behalf of the covered individuals on the Liberty program. Using the claims data for the most recent year provided (2012) and comparing it with the current NYSHIP/Empire premium, the difference this year approaches \$200,000.00. \$926,292.84 (premium) -

\$726,433.00 claims = \$199,859.84. it is the potential for recapturing as much of the \$199,859.84 that makes the consideration of alternative means to provide the benefits to the Liberty plan enrollees attractive.

5. Options to consider:

Commercial Carriers- Obviously, the first option most people consider is replacing the NYSHIP/Empire Plan with a commercial carrier. The difficulties associated with that option are premium charges and future premium guarantees, if available. In addition, as mentioned above, the benefits provided through NYSHIP/Empire are superior, and finding a commercial carrier who can offer the same level of benefits as are currently in force at Liberty, at a premium that re-captures some of the \$199,859.84 that is in excess of the claims history. I assume the benefits would have to be identical to the NYSHIP/Empire benefits or would require agreement with the Town's unions to accept something different (less). Further, as stated above, NYSHIP/Empire has a very good participating provider network, and that, too, would have to be replicated by a commercial carrier being considered as a replacement for NYSHIP/Empire or have union agreement to accept a lesser or different network of providers. In my experience, there has been very little movement from NYSHIP/Empire to commercial carriers due to the benefits and network differences.

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Article 45/47 Insurance Group: This is an option that has lost some luster in recent years. It allows for like employers (municipalities) to join together and form a self funded group under New York Insurance rules. It operates essentially as a mini NYSHIP/Empire, but unfortunately, as the premiums are community rated like Empire's, a few member employers with serious losses can have a very negative effect on the group's community premiums. As the benefits are a mirror image of NYSHIP/Empire's typically, then paying more for the same benefits causes member employers to return to Empire for their coverage. I am not familiar with any groups currently operating an Article 45/47 insurance program specifically for municipalities. There are other inherent drawbacks to this type of program which we can discuss further.

Self Funding- Most of the groups with which I have been involved who left the NYSHIP/Empire program moved to a self funded program. This type of program can replicate the NYSHIP/Empire benefits as the employer (liberty) makes the decision as to what will be covered by the plan. Typically, it includes a

ISLAND GROUP ADMINISTRATION, INC.

guarantee to the unions that the benefits will replicate those currently in force and will continue to do so in the years to come. The term "self funding" is significantly different than self insurance. The biggest difference is that self funding includes an insurance component known as reinsurance (stop loss). This coverage is generally purchased through a specialty reinsurance carrier who will limit the losses for a specific individual to a pre-determined amount of claims in a given plan year, and an aggregate limit applicable to the sum of all claims payments for a plan year. Based upon the Liberty claims reports, this aggregate limit may be less than the premium being paid to NYSHIP/Empire and may limit any financial risk to a maximum of the premiums being paid to NYSHIP/Empire. A no risk, no loss possibility. Another mechanism to limit the Town's financial exposure is through participating with other similar employers in a captive insurance company. Liberty, should this option prove viable, would own a share in this stop loss captive. Besides receiving stop loss coverage for the Town's plan, as an "owner", any profits made by the captive reinsurer would be shared by owner employers via a dividend. What is attractive about this last option is that, not only would the captive provide coverage to the Town, but should the employers who join the captive have good claims experience, a pro rata dividend of the "profits" would be payable to the member employers. The last hurdle in installing a self funded program at Liberty is the participating provider network. There are various ways to provide access to the Town's enrollees to a network of providers that will equal or exceed the network available through NYSHIP/Empire. It all depends upon the administrator Liberty ultimately chooses to administer their self funded plan.

The above options are all the currently available type programs that would possibly be a replacement for NYSHIP/Empire. I hopefully went through these alternatives in an understandable way, and if you have questions, we can address them at our meeting on May 6. Thank you for the opportunity to prepare this document for you, and I hope that it proves helpful to you in your quest to find a better option for your Town and your enrollees.

Alan Kaplan

**TOWN BOARD OF THE TOWN OF LIBERTY
DEPARTMENT HEAD MEETING
May 6, 2013**

PUBLIC PARTICIPATION

Sean Zigmund

- Would like to go forward with the zoning, it does not pay to go backwards

BOARD DISCUSSION

COUNCILPERSON DEAN FARRAND

- Farmland Committee continues to meet and moving ahead slowly.

COUNCILPERSON CHRIS AUSTIN

- Water & Sewer having a lot of issues with the roof.
- Not enough trucks or men to put out blacktop.
- Our roads are no worse than any other Town.
- Last week was the WSS Litterpluck and they picked about 2 ½-3 tons of garbage. Every road was clean there were tires, tv's, sofa's, garbage.
- Touch a Truck Event will be held on 5/18/13 10:00 a.m.- 4:00 p.m. at the WSS Fireman's Park with over 35 vendors. Geared for children life flight, dump trucks, bulldozers etc.

COUNCILPERSON THOMAS HASBROUCK

- The State is finishing up in Parksville.

COUNCILPERSON MAURICE GERRY

- Absent

SUPERVISOR CHARLIE BARBUTI

- Welcome to Liberty signs were put up thank you to the Highway Dept.
- Devaney Rd. a great transformation

RESOLUTION NO

APPROVAL OF MINUTES

Motion by Councilperson Thomas Hasbrouck, seconded by Councilperson Dean Farrand, the Town Board of the Town of Liberty does hereby approve of the following minutes as submitted:

- Dept. Head Mtg. 3/4/13

Dept. Head Mtg.
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- Regular Monthly Mtg. 3/18/13
- Joint Mtg. 3/21/13
- Dept. Head Mtg. 4/1/13
- Regular Monthly Mtg. 4/15/13

4 AYES CARRIED

Absent Councilperson Gerry

Discussion regarding the Town of Liberty Zoning & Charts

Sean Zigmund

Would like to go forward with the Zoning does not pay to go backwards.

Matt DeWitt

Thanked Dean and Charlie for coming to WSS to talk to them. The more he looks at the maps the more confused he is. He believes that both have faults. Feels that the Town Board should stay with the new map and go forward it would be the quickest way.

Bill Liblick

Thanked Charlie and Dean, feels that the newer map addresses the problems in Swan Lake. He pointed out that Presidential Estates was the only project in Swan Lake in 28 years.

Joel Rosenfeld

80%-90% of the people felt that the Town should go back to the old map.

Councilperson Hasbrouck

Feels that we need to move forward with the current map and have the committees come back with suggested changes.

Councilperson Austin

Doesn't feel either map is correct but regardless of which map is picked the emphasis should be on the Hamlet Committees, which are doing a great job providing detail and shaping the hamlets the way the residents want them.

Supervisor Barbuti

Supervisor Barbuti stated that his position was that the 2011 zoning does not encourage growth. It is very restrictive and the planning & zoning process is very cumbersome. He stated that if you look at both maps there were more approved uses with the old map than the new. With the new map everything is a special use and takes (3) months to go through the process.

Supervisor Barbuti made a motion that we keep the map and revert back to the old charts.

THERE WAS NO SECOND

Not carried

Supervisor Barbuti then made a second motion to amend and address the R1 and R2 and keep the DCC.

THERE WAS NO SECOND

Not carried

RESOLUTION NO

SPECIAL MEETING W/ THE PLANNING BOARD, ZONING REGULATIONS AND HAMLET COMMITTEES ON 5/30/13

Motion by Supervisor Charlie Barbuti, seconded by **Councilperson Dean Farrand**, the Town Board of the Town of Liberty does hereby set a Special Meeting with the Planning Board, Zoning Regulations and Hamlet Committees for 5/30/13 at 7:00 p.m. at the Senior Center, 119 North Main Street, Liberty, NY.

4 AYES CARRIED

Absent Councilperson Gerry

RESOLUTION NO

CALTA + ENTERPRISES, INC DBA DEAD END CAFE GRANTED 30 DAY WAIVER FOR RENEWAL OF TAVERN WINE LICENSE

Motion by Councilperson Dean Farrand, seconded by **Councilperson Thomas Hasbrouck**, the Town Board of the Town of Liberty does hereby have no objection to a Tavern Wine License renewal being granted to Calta + Enterprises, Inc. dba Dead End Café, located at 6 Main Street, Parksville, NY and do hereby grant the 30 day waiver.

4 AYES CARRIED

Absent Councilperson Gerry

RESOLUTION NO

AUTHORIZATION TO HIRE HAWKINS, DELAFIELD & WOODS TO PREPARE BONDING FOR THE LOOMIS SEWER PROJECT

Motion by Councilperson Chris Austin, seconded by **Councilperson Thomas Hasbrouck**, the Town Board of the Town of Liberty does hereby authorize the hiring of Hawkins, Delafield & Woods to prepare the bonding in the amount of \$1,275,881. for the Loomis Sewer District.

4 AYES CARRIED

Absent Councilperson Gerry

RESOLUTION NO

AUTHORIZATION FOR SUPERVISOR TO SIGN MUNICIPAL CLEANUP AGREEMENT

Motion by Councilperson Dean Farrand, seconded by **Councilperson Thomas Hasbrouck**, the Town Board of the Town of Liberty does hereby authorize the Supervisor to sign the Municipal Cleanup Agreement with the County of Sullivan.

4 AYES CARRIED

Absent Councilperson Gerry

RESOLUTION NO

SET SPRING CLEANUP

Motion by Councilperson Dean Farrand, seconded by **Councilperson Thomas Hasbrouck**, the Town Board of the Town of Liberty does hereby set the Town Cleanup for 5/10,11 & 12 at the Town Barn.

4 AYES CARRIED

Absent Councilperson Gerry

RESOLUTION NO

AUTHORIZATION FOR CHRISTINE SCHIFF TO HOST "FESTIVAL/GUN SHOW AT HANOFEE PARK W/ STIPULATIONS

Motion by Councilperson Dean Farrand, seconded by **Councilperson Thomas Hasbrouck**, the Town Board of the Town of Liberty does hereby give authorization for Christine Schiff to host a one day "Festival/Gun Show at Hanofee Park in late August if the following conditions are met:

Rental Fee of : \$1,000 per day if Liberty Resident Rental

\$1,500 per day if Non-Liberty Rental

\$ 500 Clean-up Deposit

- A one Million dollar Event Insurance Certificate of Liability listing the Town of Liberty as additional insured.
- Gun Show is allowed in the indoor pavilion as long as there are no sale of guns.
- No discharging of any firearms.
- Beer sales must follow all rules and regulations set for by NY State.
- Blow up rides are allowed as long as they are insured.

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- The organization must obtain all required NYS Health Department permits.
- The organization must provide ample security for the event.
- The park bathrooms will be open, however extra porta-johns must be obtained by the organization in case there is a malfunction of the bathrooms.
- The organization must have their own set-up and clean-up crew. All garbage must be removed from the premises by their own dumpster and the park cleaned to its original condition.
- The organization must provide for additional parking at a separate location.
- Any cost of damage repair to park grounds is the responsibility of the organization.

Item # 4 of the Park and Recreation rules will be suspended for the duration of the "Festival/Gun Show.

4 AYES CARRIED

Absent Councilperson Gerry

RESOLUTION NO

APPROVAL TO HIRE MARK BLAUER TO SUBMIT A SMALL CITIES 2013 APPLICATION AT A COST OF \$3,500

Motion by Councilperson Thomas Hasbrouck, seconded by **Supervisor Charlie Barbuti**, the Town Board of the Town of Liberty does hereby accept the proposal submitted by Mark Blauer to submit a 2013 Small Cities application to finance Phase II of the Loomis Sewer District Improvements. The application preparation fee is \$3,500. This agreement does not cover any post approval administrative work.

4 AYES CARRIED

Absent Councilperson Gerry

RESOLUTION NO

AUTHORIZATION TO HIRE ENGINEER TO EXAMINE PIPE AT THE INDIAN LAKE CLUB

Motion by Councilperson Thomas Hasbrouck, seconded by **Supervisor Charlie Barbuti**, the Town Board of the Town of Liberty does hereby authorize the hiring of an engineer to examine a section of pipe which may need repair or replacement in the Indian Lake Club.

4 AYES CARRIED

Absent Councilperson Gerry

RESOLUTION NO

INTRODUCTORY LOCAL LAW NO. 1 OF 2013 AMENDING THE ZONING LAW AND ZONING MAP OF THE TOWN OF LIBERTY

Dept. Head Mtg.
5/6/2013 Continued.....

At a regular meeting of the Town Board of the Town of Liberty, Sullivan County, New York, held at the Town Hall, 120 North Main Street, Liberty, New York, in said Town, on the 6th day of May, 2013 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 Charlie Barbuti
 Councilperson Thomas Hasbrouck
 Councilperson Chris Austin
 Councilperson Dean Farrand

ABSENT: Councilperson Maurice Gerry

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

BE IT RESOLVED, that introductory Local Law No. 1 of the Year 2013 entitled "A local law amending the Zoning Law and Zoning Map of the Town of Liberty, Sullivan County, New York" is hereby introduced before the Town Board of the Town of Liberty, Sullivan County, State of New York; and

BE IT FURTHER RESOLVED, that copies of the aforesaid local law be laid upon the desk of each member of the Town Board; and

BE IT FURTHER RESOLVED, that the Town Board hold a public hearing on said local law at the Town of Liberty Town Hall, 120 North Main Street, Liberty, New York, at 3:50 p.m., prevailing time, on June 3, 2013; and

BE IT FURTHER RESOLVED, that the Town Board hereby determines the said local law to be a Type I action pursuant to the regulations promulgated under the State Environmental Quality Review Act for which a long Environmental Assessment Form shall be prepared; and

BE IT FURTHER RESOLVED, that the Town Clerk publish or cause to be published a public notice in the Sullivan County Democrat, of said public hearing at least five (5) days prior thereto.

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

The resolution was thereupon declared duly adopted.

4 AYES CARRIED

Absent Councilperson Gerry

RESOLUTION NO

AWARD OF STONE BID

Motion by Councilperson Dean Farrand, seconded by **Councilperson Thomas Hasbrouck**, the Town Board of the Town of Liberty does hereby accept the following low bids:

Dept. Head Mtg.
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BID FORM A	JKN Trucking	Callanan industries	Callanan Industries	Deckelman LLC	R&H Gorr, Inc.
	86 Ridge Rd. Marlboro, NY 12542	PO Box 15097 Albany, NY 12212 (Kingston)	PO Box 15097 Albany, NY 12212 (Bridgeville)	PO Box 35 Fremont Center, NY 12723	14 Hortonville Main St. Callicoon, NY 12723
FOB Price Per Ton					
#1A (Limestone)	N/B		N/B	N/B	N/B
#1A (Ledge rock)	N/B		\$17.00	N/B	N/B
#1	N/B		\$12.50	N/B	N/B
#1B	N/B		\$14.50	N/B	N/B
#2	N/B		\$11.00	N/B	N/B
#3	N/B		\$10.00	N/B	N/B
#4	N/B		N/B	N/B	N/B
Crusher Run	N/B		\$8.95	N/B	N/B
#1 & #2 50/50 Ledge Rock	N/B		\$12.50	N/B	N/B
Ledge Stone Sand	N/B		\$12.50	N/B	N/B
Delivered to Town Barn					
#1A (Limestone)	N/B		N/B	\$24.39	\$25.00
#1A (Ledge rock)	N/B		\$17.90	\$18.33	\$22.20
#1	N/B		\$13.45	\$13.08	\$13.98
#1B	N/B		\$16.45	\$15.90	\$16.65
#2	N/B		\$13.45	\$12.58	\$13.98
#3	N/B		\$15.00	\$12.58	\$13.98
#4	N/B		N/B	N/B	\$13.98
Crusher Run	N/B		\$12.05	\$11.95	\$12.15
#1 & #2 50/50 Ledge Rock	N/B		\$13.45	\$13.08	\$13.98
Ledge Stone Sand	\$13.70		\$13.95	\$11.83	\$13.98
	Non-collusion bidding certificate attached	Non-collusion bidding certificate attached	Non-collusion bidding certificate attached	Non-collusion bidding certificate attached	Non-collusion bidding certificate attached

4 AYES CARRIED

ABSENT COUNCILPERSON GERRY

RESOLUTION NO

AWARD OF BLACKTOP BID

Motion by Councilperson Dean Farrand, seconded by Councilperson Thomas Hasbrouck, the Town Board of the Town of Liberty does hereby award the blacktop bids to the lowest bidder:

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Asphaltic Paving Mixes	Callanan Industries PO Box 15097 Albany, NY 12212	Monticello Blacktop PO Box 95 hompsonville, NY 1278
	FOB Price Per Ton	FOB Price Per Ton
Asphaltic Concrete Type "A"	\$63.00	N/B
Asphaltic Concrete Type "B"	\$59.00	N/B
Asphalt Concrete - Type 3 Binder Course	\$56.85	\$58.00
Asphalt Concrete - Type 6 Top Course	\$58.90	\$60.00
Asphalt Concrete - Type 7 Top Course	\$62.80	\$64.00
	Non-collusion bidding certificate attached	

4 AYES CARRIED

Absent Councilperson Gerry

RESOLUTION NO

A RESOLUTION AUTHORIZING THE PURCHASE OF MATERIALS NEEDED FOR PAVING OF THE ENTRY WAY AND REPAIR OF THE PARKING AREA AT HANOFEE PARK

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 6th day of May, 2013 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 Charlie Barbuti
 - Councilperson Thomas Hasbrouck
 - Councilperson Chris Austin
 - Councilperson Dean Farrand

ABSENT: Councilperson Maurice Gerry

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

A RESOLUTION AUTHORIZING THE PURCHASE OF MATERIALS NEEDED FOR PAVING OF THE ENTRY WAY AND REPAIR OF THE PARKING AREA AT HANOFEE PARK AT MAXIMUM ESTIMATED COST OF \$20,000.00 AND PAYMENT THEREFOR BY THE EXPENDITURE OF THE SUM OF \$20,000.00 FROM THE TOWN OF LIBERTY PARKS 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 materials need in connection with the paving of the entry way and repair of the parking area at Hanofee Park at a maximum estimated cost of \$20,000.00 and the expenditure of the sum of \$20,000.00 from the Town of Liberty Parks Capital Reserve Fund to pay such maximum estimated cost is hereby authorized and approved.

Section 2. The action authorized has been determined to constitute a Type II Action as defined in 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 Parks Capital Reserve Fund.

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

The resolution was thereupon declared duly adopted.

4 AYES CARRIED

Absent Councilperson Gerry

RESOLUTION NO

RESOLUTION OF RESPECT FOR ROBERT LAVALLE

Motion by Councilperson Dean Farrand, seconded by Councilperson Thomas Hasbrouck, the Town Board of the Town of Liberty adopted the following resolution of respect:

WHEREAS, the Liberty Town Board wishes to record its deep sorrow over the passing of Robert Lavelle;
and

WHEREAS, Bob devoted his life to Liberty and served his community as a member of the Liberty Fire Department, Village Trustee/Justice, member of the Liberty Elks Lodge, Liberty Rotary, Ethics Committee, and many more; and

WHEREAS, the Liberty Town Board is grateful for his many contributions as an outstanding citizen in our community; and

WHEREAS, Bob's service was given with such devotion that he has earned the respect, admiration and friendship of all the citizens of our community through his professional leadership and dedication.

NOW, THEREFORE, BE IT RESOLVED in recognition of Bob's contributions to the Town of Liberty, and its citizens, we hereby express our deep appreciation to his service to this community and extend to his family our sincere sympathy upon his passing.

4 AYES CARRIED

Absent Councilperson Gerry

RESOLUTION NO

AUTHORIZE THE SUPERVISOR TO SUBMIT & SIGN THE BALLOT FOR THE EXECUTIVE COMMITTEE COALITION OF WATERSHED TOWNS

Motion by Councilperson Thomas Hasbrouck, seconded by **Supervisor Charlie Barbuti**, the Town Board of the Town of Liberty does hereby authorize the Supervisor to submit and sign the ballot for the Executive Committee Coalition of Watershed Towns.

4 AYES CARRIED

Absent Councilperson Gerry

RESOLUTION NO

SET SURPLUS BID FOR 6/13/2013

Motion by Councilperson Chris Austin, seconded by **Councilperson Thomas Hasbrouck**, the Town Board of the Town of Liberty does hereby set a bid opening for the following surplus equipment:

1986 Ford Dump Truck
2006 Ford Pick Up
2000 Towmaster Trailer
5 ft. Powertilt ditching bucket
1986 Star Trailer
1973 Wisco Trailer

1Ton Roller

On 6/13/13 at 11:00 a.m. at the Town Clerk's Office, 120 North Main Street, Liberty, NY.

4 AYES CARRIED

Absent Councilperson Gerry

RESOLUTION NO

AUTHORIZATION TO REINFORCE ROOF TRUSSES ON THE ROOF AT THE SWAN LAKE SAND BEDS

Motion by Councilperson Chris Austin, seconded by **Councilperson Dean Farrand**, the Town Board of the Town of Liberty does hereby authorize the reinforcement and new metal for the trusses on the roof at the Swan Lake sand beds at a cost of \$4,500.

4 AYES CARRIED

Absent Councilperson Gerry

RESOLUTION NO

TOWN OF LIBERTY RESOLUTION SUPPORTING NEW YORK LEGISLATION S2000/A1715 TO AMEND THE MENTAL HYGIENE LAW, IN RELATION TO REQUIRING VIDEO CAMERAS IN FACILITIES OPERATED BY THE OFFICE FOR PEOPLE WITH DEVELOPMENTAL DISABILITIES

WHEREAS, there are identical bills that have been introduced in the New York State Legislature, Senate Bill S2000 and Assembly Bill A1715 that would amend Section 13.25 of the Mental Hygiene Law by adding a new subdivision (C) to read: facilities operated by the Office for People with Developmental Disabilities, including group homes, residential homes, inpatient facilities and all other facilities under this title shall install video cameras at all entrances and exits. The commissioner, in consultation with the State Police, shall develop a system for maintaining such recorded images.

NOW, THEREFORE, BE IT RESOLVED that the Liberty Town Board does hereby proclaim its support of Senate Bill S2000 and Assembly Bill A1715.

FURTHER BE IT RESOLVED that a copy of this resolution be sent to the Honorable Andrew M. Cuomo, Governor of the State New York; Honorable John J. Bonacic, State Senator representing the 42nd Senatorial District, the Honorable Aileen M. Gunther, Assemblywoman representing the 100th Assembly District, 101st Assembly District Claudia Tenney, the New York State Legislature's Ways and Means Committee; the Honorable Dean Skelos, Majority Leader of the Senate; the Honorable Sheldon Silver, Speaker of the General Assembly; and the New York State Association of Counties (NYSAC).

Moved by: Councilperson Chris Austin and seconded by: Councilperson Dean Farrand

ADJOURN

On a motion by Chris Austin, seconded by Councilperson Thomas Hasbrouck, the Town Board does hereby adjourn the meeting at 5:47 p.m.

Respectfully submitted,

Laurie Dutcher

Laurie Dutcher,

Town Clerk