

TOWN BOARD OF THE TOWN OF LIBERTY
REGULAR MONTHLY MEETING
May 17, 2010

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 John Schmidt
Councilperson Thomas Hasbrouck
Councilperson Lynn Killian
Councilperson Chris Austin

Recording Secretary: Town Clerk Laurie Dutcher

Also present: Finance Director Earl Bertsch
Deputy Highway Superintendent John Lennon, Jr.
Budget Coordinator Cheryl Gerow
Deputy Town Clerk Sara Sprague
Confidential Secretary Maureen Barber
CDC Director Heinrich Strauch

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

CORRESPONDENCE

1. Copies of Village minutes
2. An invitation from Supervisor Schmidt to attend the Liberty Memorial Day Parade on 5/31/2010.
3. Notice of a Public Hearing on 6/17/10 at the Sullivan County Government Center to consider the recommendations of the Agriculture and Farmland Protection Board.
4. Notice of completed application from the NYSDEC regarding the Ferndale Transfer Station.
5. Memo from Finance Director Bertsch regarding authorization of a bond sale for 6/23/2010.

RECOGNIZE THE PUBLIC

Bonnie Lewis from the Cornell Cooperative Extension spoke to the Board about the TRIAD Program. Mrs. Lewis advised that there would be an informational meeting on 6/15/2010 at the Liberty Senior Center.

Lillian Stettner the Town of Liberty liason for SLACK updated the board on the continuing fight for single payer, the senior issue involvement. She also advised that they meet the 4th Friday of each month at the Sullivan County Government Center.

Dean Farrand of the Zoning Review Committee updated the board on the success of the Informational Zoning Mtg. He advised that approx. 33 people from the public attended. There were a few minor comments. He would like to see the public hearing scheduled so that this could move along.

Attorney Kenneth Klein advised that he would need the electronic version of the Zoning so that he could draft an introductory local law, then schedule the public hearing

COMPREHENSIVE PLAN UPDATE

Dean Farrand and Heinrich Strauch were the only ones in attendance at the last meeting. Need more representation.

RESOLUTION NO -10

APPROVAL OF AUDIT

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

- May, 2010 Abstract:
Claims #806to #986 totaling \$501,254.10
- Post February, 2010 Abstract:
Claims #787to #805 totaling \$125,214.45

4 AYES - Carried

RESOLUTION NO -10

APPROVAL OF MINUTES

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

- 4/1/2010 Bid Opening Asphaltic Paving Mixes
- 4/1/2010 Bid Opening Stone
- 4/5/2010 Public Hearing CDBG Grant
- 4/5/2010 Dept. Head Mtg.
- 4/13/2010 Special Mtg.
- 4/19/2010 Public Hearing Ferndale Water Bond
- 4/19/2010 Public Hearing Farmland Protection
- 4/19/2010 Regular Monthly Mtg.
- 5/3/2010 Dept. Head Mtg.
- 5/13/2010 Bid Opening – Highway Surplus Equip.

4 AYES - Carried

RESOLUTION NO -10

APPROVAL OF MONTHLY REPORTS

Motion by Councilperson Chris Austin, seconded by **Councilperson Maurice Gerry**, the Town Board approved the following reports as submitted:

- Town Clerk's Monthly Report
- Monthly Town Board Report of Revenue & Expense Summary as of 4/30/2010
- Supervisor's Monthly Report for 3/2010 & 4/2010

4 AYES - Carried

OLD BUSINESS

1. Workplace Violence
2. Updating the Town of Liberty Polling Places
3. Franchise Agreement w/ Time Warner
4. Cold Spring Water District
5. Camera's for Town Hall
6. Snow stops for Highway Dept. Bldg.

RESOLUTION NO. -10

ADOPT A ROAD SUBMITTED BY RICHARD ROWLAND DENIED

Motion by Councilperson Chris Austin, seconded by **Councilperson Lynn Killian**, the Town Board of the Town of Liberty does deny the request by Richard Rowland to adopt Murphy Rd.

4 AYES - Carried

STEVENSVILLE WELL 4A

Hold off until on performing 72 hr pump test until end of summer.

RESOLUTION NO. -10

RESOLUTION SUPPORTING TRIAD COMMUNITY EMPOWERMENT FOR AGING

Motion by Councilperson Lynn Killian, seconded by **Councilperson Chris Austin**, the Town Board of the Town of Liberty does hereby approve the following resolution:

WHEREAS, the mission of TRIAD is to:

Reduce elder violence, enhance senior safety and improve the quality of life of our senior citizens by developing greater communication between law enforcement, senior service agencies and senior service agencies and senior representatives to seek community solutions that focus' attention on the concerns of our senior citizens.

WHEREAS, the Town of Liberty supports the TRIAD project of community Empowerment for aging in the Community that;

Promotes community actions where our older citizens, particularly those frail and isolated, can live comfortably in the location of their choice by conducting efforts that addresses basic needs (housing, health and wellness, safety, and nutrition), social and civic engagement, and senior independence.

BE IT THEREFORE RESOLVED that the Town of Neversink is in full support of a proposal to host an open forum for TRIAD's Community Empowerment for Aging in the Community, seeking comment and suggestions for future Town of Liberty programs that can enhance the ability of our older citizens to age in place by increasing their safety, security, and maintenance of their quality of life. The community comments are to be reported to the Town of Liberty Town Board for considerations and further development.

4 AYES - Carried

RESOLUTION NO. -10

RESOLUTION AUTHORIZING THE PURCHASE OF A NEW 2010 FORD ESCAPE AT A MAXIMUM COST OF \$19,416

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 17th day of May, 2010 at 7:00 p.m. prevailing time.

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

PRESENT: Supervisor John Schmidt
Councilperson Maurice Gerry
Councilperson Thomas Hasbrouck
Councilperson Lynn Killian
Councilperson Chris Austin

ABSENT:

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

A RESOLUTION AUTHORIZING THE PURCHASE OF A NEW 2010 FORD ESCAPE XLT AT MAXIMUM ESTIMATED COST OF \$19,416, AND PAYMENT THEREFOR BY THE EXPENDITURE OF THE SUM OF \$19,416 FROM THE TOWN OF LIBERTY ADMINISTRATIVE EQUIPMENT 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 new 2010 Ford Escape XLT at a maximum estimated cost of \$19,416, and the expenditure of the sum of \$19,416 from the Town of Liberty Administrative Equipment 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 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 Administrative Equipment 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 John Schmidt voting	AYE
Councilperson Thomas Hasbrouck voting	AYE
Councilperson Lynn Killian voting	AYE
Councilperson Chris Austin voting	AYE
Councilperson Maurice Gerry voting	AYE

The resolution was thereupon declared duly adopted.

4 AYES - Carried

RESOLUTION NO. -10

BID DATE SET ON 6/2/2010 FOR LOOMIS WATER INTERCONNECT

Motion by Councilperson Thomas Hasbrouck, seconded by **Councilperson Maurice Gerry**, the Town Board of the Town of Liberty does hereby set the bid opening for Loomis Water Interconnect for 6/2/2010/2010 at 11:00 a.m. at the Town Clerk's Office, 120 North Main Street, Liberty, New York.

4 AYES - Carried

RESOLUTION NO. -10

AWARD OF SURPLUS EQUIPMENT BID

Motion by Councilperson Thomas Hasbrouck, seconded by **Councilperson Lynn Killian**, the Town Board of the Town of Liberty does hereby award the surplus bid to the highest bidder as follows:

Bidder	#10 1988 International	#6 1984 Ford Dump	#20 1992 Ford Dump	#26 1990 Chevy Cab	#2 2002 Ford	#23 1991 Chevy Van	#27 1994 Ford Utility	C-A	C-B	C-C	C-D	K8 1999 Jeep
Gary Mann Sr.	\$2,652.00	\$1,295.00	\$785.00	\$444.55	\$1,333.10	\$255.55	\$310.55	\$1	\$1	\$375.00	\$375.00	\$255.55
Kevin Zieres	\$520.00	\$520.00	\$420.00	\$101.00	\$1,252.00	\$51.00	\$1.00	\$51.00	\$51.00	\$821.00	\$1002.00	\$302.00
Thomas Watson					\$3,150.00							
John O'Neil									\$146.00	\$817.00	\$796.00	
JoVic Enterprises	\$1,895.00	\$1,795.00	\$310.00	\$390.00	\$550.00	\$175.00	\$185.00					
Richard Gray	\$1,253.00	\$393.00	\$1,753.00	\$303.00	\$3,003.00					\$753.00	\$753.00	\$603.00
Deckleman	\$2,500.00	\$2,000.00	\$3,000.00	\$800.00	\$1,500.00	\$200.00	\$200.00	\$200.00	\$200.00	\$500.00	\$500.00	

	1988 International	1984 Ford Dump	1992 Ford Dump	1990 Chevy Cab	2002 Ford	1991 Chevy Van	1994 Ford Utility					1999 Jeep
Steven Johnstone					\$951.00							
Carol Salomon					\$2079.00				\$479.00	\$479.00	\$479.00	
Gordon Jennings			\$1,000.00									
Joe Kaveleski									\$661.00	\$661.00		
George DeWitt									\$800.00	\$800.00		
Gary Klein				\$258.00		\$128.00	\$238.00	\$178.00	\$208.00	\$298.00	\$298.00	\$129.00
Marie Watson					\$3,800.00							
Brian Doty	\$1,127.00	\$1,127.00	\$1,167.00	\$267.00	\$1,367.00	\$127.00	\$187.00	\$27.00	\$27.00	\$527.00	\$527.00	\$107.00
RO Allen & Sons										\$501.00	\$501.00	
Eric Wolcott							\$160.00	\$15.00	\$950.00	\$1,050.00		

RESOLUTION NO. -10

ACCEPTANCE OF THE LENAPE LAKE CULVERT REPLACEMENT PROJECT

Motion by Councilperson Chris Austin, seconded by **Councilperson Thomas Hasbrouck**, the Town Board of the Town of Liberty does hereby authorize the Lenape Lake Culvert replacement project.

RESOLUTION NO. -10

BOARD DISCUSSION

Councilperson Chris Austin

Wanted to know what was being done about the snow guards at the Highway Barn because it is a liability to the Town.

Highway Superintendent Pellam advised that he would get new quotes. He advised that it needs to be approved by Star Building so as to not void the warranty on the roof. Mr. Pellam advised that anyone can do it it just has to be there specifications.

Mr. Bertsch advised that if it was over \$20,000 it would need to be bid out.

Councilperson Austin also asked if we are scheduled to pay the CDC this month.

Finance Director Bertsch advised that all he needed was a voucher and he would pay them.

Councilperson Lynn Killian

Councilperson Killian wanted to clarify what the Supervisor was quoted as saying in the newspaper regarding the vacant position on the Board. Councilperson Killian advised that in the board discussions they had, they had decided at this time, not to appoint anyone to Sean Hanofee's position, but if they felt it necessary in the future they would have that option.

Councilperson Killian also advised that they had received a letter in the mail from the NYSDOT regarding A Transportation Partnering Committee and A Stakeholders Committee and she felt that Supervisor Schmidt being the Parksville representative should participate on this.

RESOLUTION NO 94-10

SUPERVISOR TO REPRESENT THE TOWN BOARD AT THE NYSDOT TRANSPORTATION PARTNERING & STAKEHOLDERS COMMITTEES

On a motion **by Councilperson Lynn Killian**, seconded by **Councilperson Chris Austin**, the Town Board does hereby appoint the Supervisor as the Town Board

representative at the NYSDOT Transportation Partnering & the Stakeholders Committees.

3 AYES - Carried

1 Absent – Supervisor Schmidt

Councilperson Killian advised that at the last meeting she had handed out an article entitled “A Change in Climate” which discusses innovative ways communities across New York are going green. Councilperson Killian would like this on the next agenda for discussion.

Councilperson Thomas Hasbrouck

Councilperson Hasbrouck asked Finance Director Bertsch if he had any idea how much the tank removal is going to cost.

Finance Director Bertsch advised that we have Steve Kalka as the consultant for the Town and we would have to wait and see what the DEC does and if there is any ground contamination, etc.

RESOLUTION NO 95-10

AUTHORIZATION FOR EMERGENCY REPAIRS TO REPLACE FUEL TANK

On a motion **by Councilperson Thomas Hasbrouck**, seconded by **Councilperson Lynn Killian**, the Town Board does hereby authorize emergency repairs be made to replace the fuel tank at Town Hall with a 1,000 gallon tank.

3 AYES - Carried

1 Absent – Supervisor Schmidt

ADJOURN

On a motion by Thomas Hasbrouck, seconded by Councilperson Chris Austin, the Town Board does hereby adjourn the meeting at 8:30 p.m.