TOWN BOARD OF THE TOWN OF LIBERTY
REGULAR MONTHLY MEETING
May 23, 2011
4:00 p.m.

At the Regular Monthly 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 John Schmidt
Councilperson Maurice Gerry
Councilperson Lynn Killian
Councilperson Thomas Hasbrouck
Councilperson Chris Austin

Recording Secretary: Town Clerk Laurie Dutcher

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

CORRESPONDENCE

1. An invitation from Supervisor Schmidt to the Town Board and Town Clerk to attend the Memorial Day Parade.
2. Copies of CDC Minutes and Financials.
3. Notice of Public Hearing regarding an application submitted to the Town of Bethel Planning Board to obtain a Special Use Permit and Site Plan approvals to construct a wireless telecommunications facility at County Route 26, Bethel, NY.
4. Notice of Public Hearing regarding an application submitted to the Town of Bethel Planning Board to obtain a Special Use Permit and Site Plan approvals to construct a wireless telecommunications facility at 31 Eagle Drive, Bethel, NY.
5. A letter from Mr. & Mrs. Steven Sochinski regarding Camp HASC.

COMPREHENSIVE PLAN UPDATE
Councilperson Lynn Killian reported that they had met with the Open Space Institute. The Zoning Committee will resume meetings on 6/16/11

PLANNING & ZONING BOARD MINUTES
Planning Board 4/19/11

RECOGNIZE THE PUBLIC

The following letter was submitted by Mr. & Mrs. Steven Sochinski:
“Can any of you honestly tell me that you would be OK with a camp or a bungalow colony building within sight of your front porch? I am sure that the answer would be no.

Considering the fact that our questions were not answered at the last planning board meeting, and it seems questions are not answered there, I would like you to look at the attached building codes and ask that these be taken into consideration when making the decision to allow Camp HASC to build on this parcel.

This has been a very quiet neighborhood on a dead end road. Once the camp opens in June, that will change. Lights will be on all night, music and announcements will be heard over the speakers. Unsupervised staff, people walking and driving up and down the road. (As Mr. Kahn himself has said, he doesn’t care where they park, they are not allowed to drive on camp property.)

Please do not tell us that you will talk with Mr. Kahn regarding our concerns. The man has already gone back on his word two, if not three times. Also, he called Sunday night and requested a meeting on Monday, May 9 at 5:00, where he never showed up. It seems the only time Mr. Kahn is interested in talking is when it will benefit himself, or the camp. I am not now, or anytime in the future willing to listen to anything that he has to say.

Can you please look at this project as one of the residents of Highview Acres, and ask yourself if this would be something that you would like approved? At this point houses along this road have dropped significantly in value. My house in particular is now considered worth almost nothing. This we receive back from a town where we have lived and raised our children. Where we have paid taxes, and spent our money.

So I am begging the planning board, the town board and the building inspector, to please look at the lives and the equity that we have built up and give us back our street.”

Mr. & Mrs. Steven Sochinski

The residents of Highview Acres advised the Board of there concerns with the construction of a road at the end of Highview Acres.

Supervisor Schmidt advised that they had found the document restricting the use of the road as a mean of ingress to or egress from.

The residents advised they would like the culvert removed, the damage to the road and driveways repaired, a silt fence put up and grass planted.

Attorney Gary Silver spoke on behalf of his client Sam Kahn, he advised they would be willing to put up $20,000 with the Town so the work order could be lifted and the building could resume.

Discussion followed regarding what needed to be done and so forth. It was decided to continue further with this discussion at the end of the meeting.
Andrew Arias of Cooper & Nieman presented the Town of Liberty 2010 Annual Audit to the Board.

**RESOLUTION NO  133-11**

**APPROVAL OF AUDIT**

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

- May, 2011 Abstract:  
  Claims #723 to #889 totaling $236,017.67

- Post April, 2011 Abstract:  
  Claims #712 to #722 totaling $93,880.93

- 2011 General Ledger Abstract:  
  Claims #101 to #126 totaling $180,146.21

5 AYES - Carried

**RESOLUTION NO  134-11**

**APPROVAL OF MINUTES**

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

- Public Hearing 4/20/2011
- Regular Monthly Mtg. 4/20/2011
- Public Hearing 5/02/2011
- Dept. Head Mtg.

5 AYES - Carried

**RESOLUTION NO  135-11**

**ACCEPTANCE OF MONTHLY REPORTS**

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

- Monthly report of revenue & expense summary as of 4/30/11

5 AYES - Carried

**OLD BUSINESS**
1. Non-conforming use law Carryover
2. Amendment of the Junk Yard Law Carryover

NEW BUSINESS:

RESOLUTION NO  136-11

RE-APPOINTMENT OF VIVIAN HANSLMAIER TO BOARD OF ASSESSMENT REVIEW

Motion by Councilperson Chris Austin, seconded by Councilperson Thomas Hasbrouck, 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 9/30/2016.

5 AYES - Carried

RESOLUTION NO  137-11

APPROVAL FOR THE LIBERTY CENTRAL SCHOOL DISTRICT TO HAVE (2) ADDITIONAL VOTING MACHINES

Motion by Councilperson Thomas Hasbrouck, seconded by Councilperson Maurice Gerry, the Town Board of the Town of Liberty does hereby give the Liberty Central School District (2) additional voting machines.

5 AYES - Carried

RESOLUTION NO  138-11

APPROVAL TO GIVE TOWN HISTORIAN (1) VOTING MACHINE

Motion by Councilperson Thomas Hasbrouck, seconded by Councilperson Chris Austin, the Town Board does hereby give the Town Historian (1) one voting machine.

5 AYES - Carried

RESOLUTION NO  139-11

APPROVAL OF PROPOSAL SUBMITTED BY MARKS ENTERPRISES, INC. FOR THE STEVENSVILLE WELL SITE DATA RECORDING AS REQUIRED BY THE NYSDEC

Motion by Councilperson Lynn Killian, seconded by Councilperson Chris Austin, the Town Board does hereby grant approval to accept the proposal submitted by Marks Enterprises, Inc. in the amount of $7,282. for the Stevensville Well site data recordings as required by the NYSDEC to get the WAS# for the Stevensville Well District to pump well #4 at a rate of 450 gpm.

5 AYES - Carried
RESOLUTION NO  140-11

APPROVAL OF ADOPT A ROAD APPLICATION SUBMITTED BY JOHN CLEMENTS TO ADOPT CLEMENTS RD.

Motion by Councilperson Thomas Hasbrouck, seconded by Councilperson Maurice Gerry the Town Board does hereby give approval to John Clements to adopt Clements Rd.

5 AYES Carried

RESOLUTION NO  141-11

APPROVAL TO PAY SULLIVAN COUNTY PAVING & CONSTRUCTION IN THE AMOUNT OF $9,350.51 FOR THE WSS WATER INTERCONNECT PROJECT

Motion by Councilperson Chris Austin, seconded by Councilperson Lynn Killian the Town Board does hereby give approval to pay Sullivan County Paving & Construction the amount of $9,350.51 for the White Sulphur Springs Water Interconnect Project.

5 AYES Carried

RESOLUTION NO  142-11

APPROVAL TO PAY KELLY ENGINEERING IN THE AMOUNT OF $6,450. FOR THE WSS WATER INTERCONNECT PROJECT

Motion by Councilperson Thomas Hasbrouck, seconded by Councilperson Lynn Killian the Town Board does hereby give approval to pay Kelly Engineering the amount of $6,450. for the White Sulphur Springs Water Interconnect Project.

5 AYES Carried

RESOLUTION NO  143-11

APPROVAL TO PAY BLAUE ASSOCIATES IN THE AMOUNT OF $1,900 FOR THE ADMINISTRATIVE SERVICES FOR THE WSS WATER INTERCONNECT PROJECT

Motion by Councilperson Maurice Gerry, seconded by Councilperson Chris Austin the Town Board does hereby give approval to pay Blauer Associates the amount of $1,900. for Administrative Services for the White Sulphur Springs Water Interconnect Project.

5 AYES Carried

RESOLUTION NO  144-11
APPROVAL OF RESOLUTION CONGRATULATING JONATHAN ADAM RAMIREZ FOR RECEIVING THE EAGLE SCOUT DESIGNATION

Motion by Councilperson Maurice Gerry, seconded by Councilperson Thomas Hasbrouck the Town Board does hereby approve of the following resolution:

Congratulatory Resolution
In Recognition
of
Jonathan Adam Ramirez

WHEREAS, Jonathan Adam Ramirez is a resident of Liberty; and

WHEREAS, Jonathan will graduate with the Liberty Central High School Class of 2011; and

WHEREAS, Jonathan has been an active and exemplary member of the Cub Scouts and Boy Scouts since 1998; and

WHEREAS, Jonathan has successfully completed the requirements necessary for Eagle Scout designation; and

WHEREAS, on February 10, 2011 Jonathan 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 Jonathan’s parents, his friends and associates in the Boy Scouts and other friends and family members in congratulating Jonathan on his impressive accomplishment in being awarded the honor of Eagle Scout.

5 AYES Carried

PARKING LOT PAVING BIDS
Supervisor Schmidt advised that he had a mtg. with the ALIVE Group on 5/25 @ 4:00 p.m.

RESOLUTION NO  145-11

APPROVAL FOR SUPERVISOR TO ENTER INTO AND SIGN SUBLEASE WITH SWAN LAKE RESORT HOTEL FOR THE USE OF THE TENNIS COURTS
Motion by Councilperson Thomas Hasbrouck, seconded by Councilperson Lynn Killian the Town Board does hereby authorize the Supervisor to sign sublease with the Swan Lake Resort Hotel for the use of the tennis courts.

5 AYES Carried

RESOLUTION NO 146-11

FINAL ORDER FOR EXTENSION NO. 2 TO THE YOUNG’S HILL SEWER DISTRICT

At a regular meeting of the Town Board of the Town of Liberty, in the County of Sullivan, New York, held at the Town Hall, 120 North Main Street, Liberty, New York, on the 23rd day of May, 2011.

PRESENT:

Hon. John E. Schmidt, Supervisor
Chris Austin, Councilperson
Maurice Gerry, Councilperson
Thomas Hasbrouck, Councilperson
Lynn P. Killian, Councilperson

In the Matter

of the

Establishment of Extension No. 2 to the Young’s Hill Sewer District in the Town of Liberty, County of Sullivan, New York, pursuant to Article 12 of the Town Law

Offered by: Councilperson Lynn Killian
Seconded by: Councilperson Thomas Hasbrouck

FINAL ORDER EXTENDING DISTRICT
WHEREAS, the Town Board of the Town of Liberty, in the County of Sullivan (herein called the “Town”) has heretofore received a petition from Syed Jafri and Leopoldine Jafri, owners of real property known as the Catskill Motel, for the extension of the Young’s Hill Sewer District (herein called the “District”), in the Town, signed and acknowledged or proved as required by law, and in full compliance with the requirements of Section 191 of the Town Law; and

WHEREAS, on March 21, 2011, the Town Board adopted an Order determining that the Town Board shall proceed with the establishment of Extension No. 2 to the Young’s Hill Sewer District (the “Extension”) and specifying April 20, 2011 at 6:50 o’clock P.M. (Prevailing Time) as the time when, and the Town Hall, in the Town, as the place where, the Town Board would meet to consider said Extension of the District, and to hear all persons interested in the subject thereof concerning the same, and for such other action on the part of the Town Board in relation thereto, as may be required by law; and

WHEREAS, Wasson Engineering, competent engineers duly licensed by the State of New York, has prepared a map, plan and report relating to the Extension of the District, and the construction of improvements therein, including preliminary and ancillary costs (the “Sewer Improvement”), and said map, plan and report have been duly filed in the office of the Town Clerk of the Town for public inspection; and

WHEREAS, on April 20, 2011, after a public hearing duly called and held, the Town Board adopted a Resolution determining that the notice of public hearing was published and posted as required by law, and is otherwise sufficient, that all the property and property owners within the proposed Extension are benefited thereby, that
all the property and property owners benefited are included within the limits of the proposed Extension, and approving the establishment of the Extension, subject to a permissive referendum, at the estimated maximum cost of $30,000, all of such cost is to be paid by the Petitioner, with no costs to be paid by the Town or the District; and

WHEREAS, no petition has been filed within thirty (30) days of adoption of said resolution after publishing and posting an abstract thereof in accord with the Town Law;

Now, therefore, be it

ORDERED, that the Extension to the District is hereby approved, to be known as Extension No. 2 to the Young’s Hill Sewer District, in the Town of Liberty, situate wholly outside of any incorporated village or city, and bounded and described as follows:

BEGINNING at a concrete highway monument at the west bounds of County Road No. 176 and the north bounds of the former New York Ontario and Western Railroad right-of-way and running thence North 38° 16’ East along the west bounds of County Road No. 176, 258.95 feet to a spike; thence 11° 07’ East, 72.00 feet to a spike in the southerly bounds of Youngs Hill Road (Town Road No. 98) and the place and point of beginning of the parcel herein described;

Thence, North 64° 28’ West along said southerly bounds of Youngs Hill Road, 301.17 feet to an iron rod; thence South 15° 14’ East, along the easterly bounds of Shulman (Liber 5986, Page 285) 226.00 feet to a point; thence North 67° 26’ East, 230.00 feet to the place and point of beginning of the parcel herein described, being a
portion of tax parcel 20-2-3.2 as described in Liber 3264 Page 89 and containing 0.59 acres of land, more or less.

and be it further

ORDERED, that there will be no cost to the Town or the District for the construction of the Sewer Improvement because such cost is to be paid by the Petitioner, but the costs of the operation, maintenance and improvements to the District, as extended, shall be paid by the assessment, levy and collection of assessments upon the several lots and parcels of land within the District which the Town Board shall deem especially benefited by said facilities, so much upon and from each as shall be in just proportion to the amount of benefit which the improvement shall confer upon the same, and be it further

ORDERED, that within ten (10) days after adoption of this Order, the Town Clerk shall record with the Clerk of the County of Sullivan and file with the Department of Audit and Control in Albany, New York, copies of this Order, certified by said Town Clerk.

Councilperson Thomas Hasbrouck seconded the motion for the adoption of the forgoing resolution and said resolution was adopted by a roll call vote, as follows:

<table>
<thead>
<tr>
<th>Name</th>
<th>Vote</th>
<th>Result</th>
</tr>
</thead>
<tbody>
<tr>
<td>Supervisor John E. Schmidt</td>
<td></td>
<td>AYE</td>
</tr>
<tr>
<td>Councilman Chris Austin</td>
<td></td>
<td>AYE</td>
</tr>
<tr>
<td>Councilman Maurice Gerry</td>
<td></td>
<td>AYE</td>
</tr>
<tr>
<td>Councilman Thomas Hasbrouck</td>
<td></td>
<td>AYE</td>
</tr>
<tr>
<td>Councilwoman Lynn P. Killian</td>
<td></td>
<td>AYE</td>
</tr>
</tbody>
</table>
Regular Monthly Meeting  
May 23, 2011 continued…..

DATED: May 23, 2011

TOWN BOARD OF THE TOWN OF LIBERTY

5 AYES Carried

RESOLUTION NO 147-11

BID OPENING SET FOR THE INSTALLATION OF THE WSS WATERLINE

Motion by Councilperson Chris Austin, seconded by Councilperson Lynn Killian
the Town Board does hereby set a bid date for the installation of the WSS Waterline for 6/15/11 at 11:00 a.m. at the Town Clerk’s Office, 120 North Main Street, Liberty, NY.

The Town Board continued the discussion regarding Camp Hasc.

RESOLUTION NO 148-11

CONDITIONS SET FORTH FOR CAMP HASC

Motion by Councilperson Chris Austin, seconded by Councilperson Thomas Hasbrouck the Town Board does hereby set forth the following conditions to be done by Camp Hasc on the end of Highview Acres Rd. Parksville before the stop work order issued by the Code Enforcement Officer may be lifted:

- Culvert removed
- Silt fence installed/seeded w/ grass seed
- Driveways and road damage has been repaired
- Post $20,000 in escrow w/ the Town of Liberty

When each condition has been met and approved by the Code Enforcement Officer and the Highway Superintendent the work order may be lifted.

BOARD DISCUSSION

Councilperson Lynn Killian

- Advised that the Parksville Priority Committee will be holding an open house at the Rolling River Café on 6/12/11 from 1:00 p.m.-3:00 p.m.
- NYSDOT will be holding an open house on 5/24/11 at the Dead End Café.
- Wanted to know if the Supervisor had any more information regarding the heating system at Town Hall.

The Supervisor advised that he did not.

Councilperson Thomas Hasbrouck
Nothing to report

**Councilperson Chris Austin**

- Wanted to know if the meeting had been scheduled with the Police Dept. yet.

The Supervisor advised him that it was not.
- Advised that someone dumped 2 dump truck loads of garbage in the middle of Shore Rd. The State Police are actively investigating.

**Councilperson Maurice Gerry**

- Nothing to report

**ADJOURN**

On a motion by Chris Austin, seconded by Councilperson Lynn Killian, the Town Board does hereby adjourn the meeting at 5:39 p.m.

Respectfully submitted,

Laurie Dutcher,
Town Clerk