

REGULAR MONTHLY MEETING  
TOWN BOARD OF THE TOWN OF LIBERTY  
June 15, 2015

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At the Regular Monthly Meeting of the Town Board of the Town of Liberty held on June 15, 2015 at 7:00 p.m. at Town Hall, 120 North Main Street, Liberty, New York, the following Town Board Members were present:

Present:

Supervisor Charlie Barbuti  
Councilperson Dean Farrand  
Councilperson Russell Reeves  
Councilperson Brian McPhillips

Absent:

Councilperson Thomas Hasbrouck

Recording Secretary:

Town Clerk Laurie Dutcher

Also present:

Town Attorney Kenneth Klein  
Finance Director Earl Bertsch  
County Legislator Cora Edwards  
Cheryl Gerow Budget and Accounting Clerk  
Water & Sewer Foreman Thomas Kehrley  
Confidential Secretary Angela Dalton  
Deputy Town Clerk Sara Sprague  
Joy Bertsch  
Jim & Susan Schmidt  
Victoria Ferguson  
Ernest Feasel  
Michelle Hemmer  
John Wombacher

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

### **CORRESPONDENCE**

1. A letter from Ruth Yaeger to the Town Board asking that the minimum water fee charge be put on hold.  
*A letter will be sent by the Supervisor stating the boards denial.*
2. A letter from the Sullivan County Division of Planning & Environmental Management regarding a Public Hearing regarding certain parcels of real property that are recommended to be included or removed from Agricultural District #4.

### **RECOGNIZE THE PUBLIC**

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**The Town Supervisor presented a plaque with the following resolution to the family of John E. Schmidt:**

**RESOLUTION IN MEMORY OF JOHN E. SCHMIDT**

**WHEREAS**, the members of the Town Board of the Town of Liberty were deeply saddened to learn of the passing of John E. Schmidt on May 25, 2015; and

**WHEREAS**, John served the Town of Liberty as Supervisor from 2008-2011, as Planning Board Chairman from 1988-2007, Building Inspector, and as a member of the Zoning Review Committee; and

**WHEREAS**, John's service was given with such devotion that he has earned the respect, admiration and friendship of the citizens of our community;

**WHEREAS**, John will be deeply missed by all that knew him and remembered for his kindness and generosity toward others;

**NOW, THEREFORE, BE IT RESOLVED** that the Town Board of the Town of Liberty does hereby extend its deepest sympathy to his family and acknowledge to them our gratitude for his many years of faithful and devoted service to this community; and

**BE IT FURTHER RESOLVED**, that the Town Board does hereby hope that his family and friends will be consoled by the memories of his fine life and achievements.

Supervisor Charlie Barbuti

Councilperson Russell Reeves

Councilperson Thomas Hasbrouck

Councilperson Brian McPhillips

Attest: Laurie Dutcher, Town Clerk

Councilperson Dean Farrand

Michelle Hemmer advised the Town that she lives on Cattail Rd. which is located in (3) different townships Callicoon, Rockland and Liberty. She explained that Rockland & Callicoon have done their part but that she cannot reach anyone at the Highway Department.

Councilperson Russell Reeves, being the Highway liaison, advised that he would speak with Tim Pellam the Highway Superintendent the next day.

**RESOLUTION NO 131-15**

*APPROVAL OF AUDIT*

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**Motion by Councilperson Dean Farrand**, seconded by **Councilperson Brian McPhillips**, the Town Board approved the following:

- June, 2015 Abstract:  
Claims #937to #1106 totaling \$359,412.77
- May, Post Audit:  
Claims #922 to #936 totaling \$103,409.55
- May General Ledger Abstract:  
Claims #121 to #151 totaling \$252,394.98

4 AYES - Carried

1 Absent – Councilperson Thomas Hasbrouck

**RESOLUTION NO 132-15**

*APPROVAL OF MINUTES*

**Motion by Councilperson Russell Reeves**, seconded by **Councilperson Brian McPhillips**, the Town Board approved the following minutes as submitted:

- Public Hearing           4/20/15
- Dept. Head Mtg.       5/4/15

4 AYES - Carried

1 Absent- Councilperson Thomas Hasbrouck

**RESOLUTION NO 133-15**

*ACCEPTANCE OF MONTHLY REPORTS*

**Motion by Councilperson Brian McPhillips**, seconded by **Councilperson Dean Farrand**, the Town Board approved the following:

- Town Clerk's Monthly Report 5/2015
- Tax Collectors Close-out Report 6/2015
- Monthly Town Board Revenue & Expense Report as of 5/31/15
- Supervisor's Report 5/15

4 AYES - Carried

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1 Absent- Councilperson Thomas Hasbrouck

**NEW BUSINESS**

**RESOLUTION NO 134-105**

*FAIR HOUSING OFFICER*

**Motion by Councilperson Russell Reeves**, seconded by **Councilperson Dean Farrand**

Identifying Small Cities Fair Housing Compliance Officer

**Whereas**, the Town of Liberty received an Office for Community Renewal Small Cities Grant in the amount of \$600,000 improvements to the White Sulphur Springs Water District; and

**Whereas**, the Town of Liberty must make efforts to affirmatively further fair housing; and

Whereas, the Town of Liberty has reviewed various actions that would be acceptable to the Office for Community Renewal and the U.S. Department of Housing and Urban Development; and

**Whereas**, the Town of Liberty has made assurances in the grant agreement that;

1. It will comply with the Housing and Community Development Act of 1974, as amended, and regulations issues thereto; and
2. It will comply with the Civil Rights Act of 1964, and the regulations issued thereto it; and
3. It will comply with the Fair Housing Act of 1968 and will affirmatively further fair housing; and
4. It will comply with the Age Discrimination Act of 1975 and with the Rehabilitation Act of 1973.

**Now, Therefore, Be It Resolved** that the Town Clerk shall be designated as the Small Cities Program Fair Housing Compliance Officer for the Town of Liberty; and

Be It Further Resolved, that the Compliance Officer shall provide fair housing and equal opportunity advisory services and assistance and referral advice to persons requesting such assistance from the Town of Liberty.

4 AYES - Carried

1 Absent- Councilperson Thomas Hasbrouck

**RESOLUTION NO 135-15**

*APPROVAL OF THE 2016 TENTATIVE BUDGET CALENDAR*

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**Motion by Supervisor Charlie Barbuti**, seconded by **Councilperson Russell Reeves**, the Town Board of the Town of Liberty does hereby approve the following Tentative Budget Calendar:

*7/8/15 Budget Request forms given to Department Heads*  
*7/22/15 Budget Request forms completed & returned*  
*8/3/15 Budget Requests entered in computer & first draft of budget run*  
*8/10/15 Budget Officer prepares Tentative Budget*  
*8/17/15 Tentative Budget file with the Town Clerk & submitted to the Town Board*  
*8/24/15 Town Board reviews & sets up schedule to meet w/ Department Heads and make necessary changes*  
*10/19/15 Public Hearing on Budget (must be held by 11/5/15)*  
*10/19/15 Adopt the 2016 Budget*

4 AYES - Carried  
1 Absent- Councilperson Thomas Hasbrouck

**RESOLUTION NO 136-15**

*WSS PHASE 5 IMPROVEMENTS DETERMINATION OF SEQRA TYPE II ACTIVITY*

**Motion by Councilperson Brian McPhillips**, seconded by **Councilperson Dean Farrand**:

**WHEREAS**, the Town of Liberty received an Office for Community Renewal Small Cities Grant (OCR #641PW61-14) in the amount of \$600,000 for Phase 5 improvements within the White Sulphur Springs Water District; and

**WHEREAS**, the Town of Liberty must demonstrate compliance with the NYS State Environmental Quality Review Act (SEQRA); and

**WHEREAS**, the Town of Liberty has reviewed various activities proposed by the Phase 5 White Sulphur Springs Water Project and concluded that activities consist solely of water main replacement, water service replacement and fire hydrant replacement; and

**WHEREAS**, replacement of existing deteriorated public facilities can be classified as a Type II activity and no further review is thus required to comply with SEQRA; and

**NOW, THEREFORE, BE IT RESOLVED** that the Town of Liberty has determined that the Phase 5 White Sulphur Springs Water Project is a Type II activity for the purposes of SEQRA and no further review is required.

4 AYES - Carried  
1 Absent- Councilperson Thomas Hasbrouck

**RESOLUTION NO 137-15**

*RELEASE OF \$14,000 FROM FIREWORK FUND TO BE SPENT ON NEW BALLFIELD AT WALNUT MT. PARK*

**Motion by Councilperson Brian McPhillips**, seconded by **Councilperson Russell Reeves**, the Town Board of the Town of Liberty does hereby authorize the release of \$14,000 from the firework fund to be used toward the new ballfield and fencing at Walnut Mt. Park.

4 AYES - Carried

1 Absent- Councilperson Thomas Hasbrouck

***UPDATE ON THE STEVENSVILLE HOTEL***

CEO VanEtten updated the Board on the progress at the Stevensville Hotel:

- He advised that the moisture levels were much lower than expected
- There are a host of issues that need to be taken care of
- An escrow account should be opened for applicant to put money in upfront

Councilperson Farrand asked CEO VanEtten how many open violations they had open. CEO VanEtten advised they had (1) for I&I.

As far as the issues that need to be taken care of CEO VanEtten will supply a list to the Town Board and the Stevensville people.

It was also discussed that the Planning Board should be getting money in escrow before certain projects begin.

**RESOLUTION NO 138-15**

*RESOLUTION HONORING WWII VETERAN EDWARD PALMER*

**Motion by Councilperson Dean Farrand**, seconded by **Councilperson Brian McPhillips**:

~~RESOLUTION HONORING WWII VETERAN EDWARD PALMER~~

~~WHEREAS~~, the Town Board of the Town of Liberty would like to recognize and honor Mr. Edward Palmer in the receiving of his High School Diploma, and,

~~WHEREAS~~, Mr. Palmer left High School in 1944 during his senior year to join the United States Army, and,

~~WHEREAS~~, Mr. Palmer was assigned to the European Theater of World War II, and,

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*WHEREAS*, During this time Mr. Palmer became a Purple Heart recipient, which is a medal awarded to any member of the Armed Services who has been wounded or killed in action, and,

*WHEREAS*, the freedom we enjoy as Americans does not come without a price. It is guaranteed by our nation's military veterans-who have sacrificed to preserve and protect it and our country from all enemies foreign and domestic, and,

*WHEREAS*, our community has a continuing sense of gratitude to Mr. Edward Palmer who has given so much in the defense of the freedoms we all continue to enjoy,

*NOW THEREFORE*, the Liberty Town Board does hereby congratulate and honor Mr. Edward Palmer on receiving his High School Diploma ( 71) years later than expected, and do hereby urge all our citizens to honor our veterans and rededicate themselves to the preservation of our liberties under the Constitution.

Supervisor Charlie Barbuti

Councilperson Thomas Hasbrouck

Councilperson Dean Farrand

Councilperson Russell Reeves

Councilperson Brian McPhillips

Attest: Laurie Dutcher

4 AYES - Carried

1 Absent- Councilperson Thomas Hasbrouck

**RESOLUTION NO 139-15**

*EXECUTIVE SESSION*

**Motion by Councilperson Dean Farrand**, seconded by **Councilperson Brian McPhillips**, the Town Board of the Town of Liberty does hereby go into Executive Session to discuss a personnel matter at 8:05 p.m.

4 AYES - Carried

1 Absent- Councilperson Thomas Hasbrouck

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**RESOLUTION NO 140-15**

*OUT OF EXECUTIVE SESSION*

**Motion by Councilperson Russell Reeves**, seconded by **Councilperson Dean Farrand**, the Town Board of the Town of Liberty does hereby come out of Executive Session at 8:25 p.m.

4 AYES - Carried

1 Absent- Councilperson Thomas Hasbrouck

**ADJOURN**

On a motion by Councilperson Brian McPhillips, seconded by Councilperson Russell Reeves the Town Board of adjourned the meeting at 9:51 p.m.

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Laurie Dutcher, Town Clerk