

REGULAR MONTHLY MEETING  
TOWN BOARD OF THE TOWN OF LIBERTY  
June 16, 2014 7:00 p.m.

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At the Regular Monthly Meeting of the Town Board of the Town of Liberty held on June 16, 2014 at 7:00 p.m. at Town Hall, 120 North Main Street, Liberty, New York, the following Town Board Members were 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	Mary Heinle
Finance Director Earl Bertsch	CEO Mark VanEtten
Cheryl Gerow	Tom Kehrley
Sara Sprague	YNN News
Legislature Cora Edwards	Joan Kittredge
Judy & Gary Siegel	Heinrich Strauch
Fred Kahn	Dave Ohman Delaware Engineering
Mary Heinle	

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

**CORRESPONDENCE**

1. A letter from the NYSDOT regarding a speed reduction on Shore & Townsend Rds.
2. A letter from Senator John Bonacic regarding funding for State & Municipal Facilities Capital Program.
3. A letter from the NYSEFC regarding Financial Hardship Policy for New York State Clean Water State Revolving Fund.
4. A letter from the NYSDEC regarding the Annual Compliance Inspection for the Swan Lake Treatment Plant.

Supervisor Barbuti gave the following statement regarding Foxwoods:

**PUBLIC PARTICIPATION**

**Heinrich Strauch – NYS CDBG Program 2013 REDC CFA Community Renewal Fund**

### **Program Overview**

New York State Homes and Community Renewal's Office of Community Renewal (OCR) administers the federally funded Community Development Block Grant (CDBG) program for the State of New York. The NYS CDBG program provides financial assistance to eligible cities, towns and villages with populations under 50,000 and counties with an area population under 200,000, in order to develop viable communities by providing decent, affordable housing and suitable living environments, as well as expanding economic opportunities, principally for persons of low and moderate income.

The State must ensure that no less than 70% of its CDBG funds are used for activities that benefit low- and moderate- income persons. The program objectives are achieved by supporting activities or projects that: benefit low- and moderate-income families; create job opportunities for low- and moderate – income persons; prevent or eliminate slums and blight; or address a community development need that poses a serious and imminent threat to the community's health or welfare.

### **RESOLUTION NO**

*APPROVAL TO APPLY FOR CDBG ECONOMIC DEVELOPMENT GRANT AND AUTHORIZE SUPERVISOR TO SIGN*

**Motion by Councilperson Dean Farrand**, seconded by **Councilperson Russell Reeves**, the Town Board of the Town of Liberty does hereby give its approval to the CDC to apply for a CDBG Economic Development Grant and does hereby authorize the Supervisor to sign.

4 AYES - Carried

1 ABSENT- Councilperson Hasbrouck

### **RESOLUTION NO**

*APPROVAL OF AUDIT*

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

- June, 2014 Abstract:  
**Claims #957 to #1122 totaling \$570,658.03**
- May, 2014 Post Abstract:  
**Claims #936 to #956 totaling \$102,856.27**
- May, 2014 General Ledger Abstract:  
**Claims #122 to #159 totaling \$337,399.69**

4 AYES - Carried  
1 ABSENT- Councilperson Hasbrouck

**RESOLUTION NO**

*APPROVAL OF MINUTES*

**Motion by Councilperson Dean Farrand**, seconded by **Supervisor Charlie Barbuti**, the Town Board approved the following minutes as submitted:

- Department Head Mtg. 6/2/14
- Public Hearing (Public Hearing Intro LL #1 of 2014) 6/2/14
- Bid Opening (P&R Surplus Equipment) 6/12/14

4 AYES - Carried  
1 ABSENT- Councilperson Hasbrouck

**RESOLUTION NO**

*ACCEPTANCE OF MONTHLY REPORTS*

**Motion by Councilperson Brian McPhillips**, seconded by **Supervisor Charlie Barbuti**, the Town Board approved the following reports as submitted:

- Town Clerk's Monthly Report 5/14
- Revenue & Expense as of 5/31/14
- Supervisor's Report 5/14

4 AYES - Carried  
1 ABSENT- Councilperson Hasbrouck

**RESOLUTION NO**

*APPROVAL TO ACCEPT BIDS RECEIVED AND SELL THE REMAINDER PRIVATELY*

**Motion by Councilperson Dean Farrand**, seconded by **Supervisor Charlie Barbuti**, the Town Board of the Town of Liberty does hereby give its approval to accept the bids that were received and to sell the remainder of the surplus equipment privately.

4 AYES - Carried  
1 ABSENT- Councilperson Hasbrouck

**RESOLUTION NO**

*APPROVAL OF VOUCHER FOR BLAUER ASSOCIATES*

**Motion by Supervisor Charlie Barbuti**, seconded by **Councilperson Russell Reeves**, the Town Board of the Town of Liberty does hereby approve the payment of a voucher for Blauer Associates in the amount of \$2,280.00 for administrative services for the White Sulphur Springs Water District Plant upgrades.

4 AYES - Carried  
1 ABSENT- Councilperson Hasbrouck

**RESOLUTION NO**

*APPROVAL OF VOUCHER FOR KELLY ENGINEERING*

**Motion by Councilperson Dean Farrand** , seconded by **Councilperson Brian McPhillips**, the Town Board of the Town of Liberty does hereby approve the payment of a voucher for Kelly Engineering in the amount of \$ 7,750.00 for engineering services for the White Sulphur Springs Water District Plant upgrades.

4 AYES - Carried  
1 ABSENT- Councilperson Hasbrouck

**RESOLUTION NO**

*APPROVAL OF VOUCHER FOR RAINES & NAGLER CONTRACTING, LLC*

**Motion by Supervisor Charlie Barbuti**, seconded by **Councilperson Dean Farrand**, the Town Board of the Town of Liberty does hereby approve the payment of a voucher for Raines & Nagler Contracting Services, LLC in the amount of \$138,523.72 for contracting services for the White Sulphur Springs Water District Plant upgrades conditionally upon certified payroll reports.

4 AYES - Carried  
1 ABSENT- Councilperson Hasbrouck

**RESOLUTION NO**

*APPROVAL OF SALARY AGREEMENT*

**Motion by Councilperson Brian McPhillips**, seconded by **Councilperson Russell Reeves**, the Town Board of the Town of Liberty does hereby approve the following proposal from the Employee Relations Committee:

**Salary Increase:**

Request a salary increase from \$1.00 to \$1.30 over four years as follows:

- 2015 .30 per hour
- 2016 .30 per hour
- 2017 .30 per hour
- 2018 .40 per hour

**Additional Salary Step Increases:**

- No additional steps (accepted)

**Section 13 – Unused Sick Time**

- The Town Board does not wish to offer a yearly cash buyout of unused sick time over 120 days (accepted)

**Section 22 – Retirement**

- Changes will be made to the Personnel Policy to reflect the new tiers. (accepted)

4 AYES - Carried

1 ABSENT- Councilperson Hasbrouck

*ADOPTION OF PARKSVILLE RD - TABLED*

**RESOLUTION NO**

*APPROVAL FOR HIGHWAY DEPT TO RENT OVER THE RAIL MOWER AT A COST OF \$6,000 FOR (1) MONTH*

**Motion by Councilperson Russell Reeves**, seconded by **Councilperson Dean Farrand**, the Town Board of the Town of Liberty does hereby give its approval for the Highway Department to rent an over the rail mower at a cost of \$6,000 for (1) month.

4 AYES - Carried

1 ABSENT- Councilperson Hasbrouck

**RESOLUTION NO**

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 16<sup>th</sup> day of June, 2014 at 7:00 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 Dean Farrand  
Councilperson Russell Reeves  
Councilperson Brian McPhillips

ABSENT: Councilperson Thomas Hasbrouck

The following resolution was introduced by Supervisor Charlie Barbuti, who moved its adoption, and seconded by Councilperson Dean Farrand, to wit:

A RESOLUTION AUTHORIZING THE PURCHASE OF A NEW 2014 RAM 3500 4WD TRUCK, AT MAXIMUM ESTIMATED COST OF \$42,100.00, AND PAYMENT THEREFOR BY THE EXPENDITURE OF THE SUM OF \$42,100.00 FROM THE TOWN OF LIBERTY WATER AND SEWER MAJOR 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 2014 RAM 3500 4-Wheel Drive Truck, at a maximum estimated cost of \$42,100.00, and the expenditure of the sum of \$42,100.00 from the Town of Liberty Water and Sewer Major 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 Water and Sewer Major 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 Charlie Barbuti voting	AYE
Councilperson Dean Farrand voting	AYE
Councilperson Russell Reeves voting	AYE
Councilperson Brian McPhillips voting	AYE
Councilperson Thomas Hasbrouck	ABSENT

The resolution was thereupon declared duly adopted.

4 AYES - Carried  
1 ABSENT- Councilperson Hasbrouck

#### **RESOLUTION NO**

*APPROVAL OF QUOTE SUBMITTED BY GARY MEYERS IN THE AMOUNT OF \$66,000 FOR THE EMERGENCY REPLACEMENT OF THE BRIDGE LOCATED ON MINERAL SPRINGS RD.*

**Motion by Councilperson Russell Reeves**, seconded by **Councilperson Brian McPhillips**, the Town Board of the Town of Liberty does hereby approve the quote submitted by Gary Meyers in the amount of \$66,000 for the emergency replacement of the bridge located on Mineral Springs Rd.

4 AYES - Carried  
1 ABSENT- Councilperson Hasbrouck

#### **RESOLUTION NO**

*APPROVAL TO PAY DELAWARE RIVER BASIN COMMISSION \$3,000 REVIEW FEE FOR THE RE-SUBMITTAL OF THE LOOMIS PHASE II PROJECT PLANS BY DELAWARE ENGINEERING*

**Motion by Councilperson Brian McPhillips**, seconded by **Councilperson Dean Farrand**, the Town Board of the Town of Liberty does hereby give its approval to pay Delaware River Basin Commission \$3,000 review fee for the re-submittal of the Loomis Phase II Project Plans by Delaware Engineering.

4 AYES - Carried  
1 ABSENT- Councilperson Hasbrouck

*WAIVER REQUEST DENIED FOR STEVENSVILLE WATER BILLS BY MELVIN ROSE OF 15 POST RD. SWAN LAKE & MYRNA LIEBERMAN OF NEW YORK, NY  
Supervisor will send letter to each party.*

4 AYES - Carried  
1 ABSENT- Councilperson Hasbrouck

**RESOLUTION NO**

*KIP GEROW TO BE PAID ON A CONTRACTUAL BASIS @ \$25 PER DOG CALL*

**Motion by Councilperson Brian McPhillips**, seconded by **Councilperson Dean Farrand**, the Town Board of the Town of Liberty does hereby approve payment to Kip Gerow on a contractual basis at \$25.00 per dog call.

\*The finance office will check with Bob Stubbs of Marshall & Sterling to see if he is covered under the Town of Liberty Insurance.

4 AYES - Carried  
1 ABSENT- Councilperson Hasbrouck

**RESOLUTION NO**

*BIDS REJECTED FOR FERNDALDE GENERATOR, NEW BID OPENING SCHEDULED FOR 7/24/14 @ 11:00 a.m.*

**Motion by Supervisor Charlie Barbuti**, seconded by **Councilperson Brian McPhillips**, the Town Board of the Town of Liberty does hereby reject all bids received for the generator for the Ferndale Pump Station and does hereby reschedule a new bid opening for 7/24/14 at 11:00 in the Town Clerk's Office, 120 North Main Street, Liberty, NY.

4 AYES - Carried  
1 ABSENT- Councilperson Hasbrouck

**ADJOURN**

On a motion by Councilperson Russell Reeves, seconded by Councilperson Dean Farrand, the Town Board does hereby adjourn the meeting at 9:15 p.m.

Respectfully submitted,

*Laurie Dutcher*

Laurie Dutcher, Town Clerk