

**DEPARTMENT HEAD MEETING  
TOWN BOARD OF THE TOWN OF LIBERTY  
120 NORTH MAIN STREET, LIBERTY, NY 12754  
July 6, 2009**

At the Regular Monthly Department Head Meeting of the Town Board of the Town of Liberty held on July 6, 2009 at 4:00 p.m. at Town Hall, 120 North Main Street, Liberty, New York, the following were present:

Present:                   Supervisor John Schmidt  
                                Councilperson Maurice Gerry  
                                Councilperson Thomas Hasbrouck  
                                Councilperson Lynn Killian

Absent:                    Councilperson Clarence Barber

Recording Secretary: Town Clerk Laurie Dutcher

Also present:            Town Attorney Kenneth Klein  
                                Water & Sewer Chief Albert Picard  
                                Highway Superintendent Timothy Pellam  
                                Code Enforcement Officer Mark VanEtten  
                                Finance Director Earl Bertsch  
                                Assessor Kathy Sprague  
                                Parks & Recreation Director Brian Scardefield  
                                Finance Account Clerk Cheryl Gerow  
                                Deputy Town Clerk Sara Sprague

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

**DEPARTMENT HEADS**

**Highway Department:**

- Paving in between the raindrops
- Reclaimed Tanzman Rd.
- Hard to keep up with all the washouts
- Are going to start mowing on the sides of the road for the next month
- Put temporary culvert by Woods Automotive, new pipe on order
- Town & Village are swapping pipes
- Business as usual

**Water & Sewer Department:**

- ISO specialist part done satisfied, need to do fire flows
- Osterhoudt sewer job complete
- Green Hills has done some work but still need to supply Albert w/ sewer reports
- Summer campers are here
- Repairing fire hydrants
- Business as usual

**Dog Control:**

- No report

**Code Enforcement Officer:**

- 20 Building permits issued
- 21 Complaints
- 55 Inspections
- 21 Complaint inspections
- 2 guilty pleas \$500 for Town / \$450 for landlord
- DEC investigated manure complaint by Mary Heinle, but found no violations. The DEC and neighbors are now in direct contact.
- Other violations on Stoyer property but that is also on the list of properties that the Town Board needs to meet on.
- Requests an Executive Session to discuss possible litigation
- Business as usual

**Assessor:**

- Working on 911 database update
- 7/1 Final Assessment Roll filed
- Would like to request Special Council if necessary for small claims
- As of 9/09 State will no longer be reimbursing Towns for Assessors schooling
- Sanitation line to be added via the County for \$190, details not finalized
- Many complaints of high taxes
- Working on the 2010 Assessment Roll
- Will be sending out renewal STAR exemptions
- Notifying property owners that have the basic STAR, they might qualify for the Enhanced STAR due to age/income
- Business as usual

**Parks & Recreation :**

- Daycamp, swim lessons and concessions all up and running smoothly
- Had about 35 cars for the antique car show
- Swan Lake tennis courts should be open on 7/7
- Received bathroom plans from Terry Kelly
- Oliver King Shakespeare Play

**Town Clerk/Tax Collector**

- 100 dog licenses for the month of June
- Getting quotes for onsite shredding of expired records
- Still waiting for the abstract of settlement from the County
- Will be off on 7/10, 7/13 & 7/14

**Finance Director:**

**BOARD DISCUSSION**

**Councilperson Clarence Barber**      ABSENT

**Councilperson Lynn Killian**

- Need to have meeting w/ Mark regarding property violations
- Need to pick a Zoning Board member at our next meeting
- Open House @ the Acadia House on Carrier on 7/15 @ 5:00 p.m.
- July 4<sup>th</sup> Festival was a tremendous success, thanks to Mark, Brian, Heinrich and Allen
- Traffic circle looks great, they broke there backs in between the rain drops
- What is happening with the Swan Lake sidewalks, could we ask Terry Kelly to turn it up a notch due to the fact that we are way behind. The Board needs to show there support to Swan Lake. She is advocating for Swan Lake.
- Earl & Heinrich met regarding the Golden Feather Grant and the wheels are in progress

**Councilperson Thomas Hasbrouck**

- Nothing to report

**Councilperson Maurice Gerry**

- Nothing to report

**Supervisor John Schmidt**

- Sam Backer has not been making his payments to the IDA and will be fully taxed.

**RESOLUTION NO.**

*FERNDALE FOODMART, INC GRANTED 30 DAY WAIVER FOR ON-PREMISES LIQUOR LICENSE*

On a motion by Councilperson Thomas Hasbrouck, seconded by Councilperson John Schmidt, Councilperson Lynn Killian abstaining, the Town Board of the

Town of Liberty does hereby have no objection to an On-premises Alcoholic Beverage License being granted to Chaudary Mohammad Iqbal dba Ferndale Foodmart, Inc. located at County 71, Exit 101, Rt. 17, Ferndale, New York and do hereby grant the 30 day waiver.

3 AYES - Carried  
1 Abstension-Councilperson Killian  
1 Absent- Councilperson Barber

**RESOLUTION NO.**

*GOLDEN SWAN RESTAURANT GRANTED 30 DAY WAIVER FOR ON-PREMISES LIQUOR LICENSE*

On a motion by Councilperson Maurice Gerry, seconded by Councilperson Thomas Hasbrouck, Councilperson Lynn Killian abstaining, the Town Board of the Town of Liberty does hereby have no objection to an On-Premises Alcoholic Beverage License being granted to Hak Man Kim dba KNS Corporation Golden Swan Restaurant located at Rt. 55, Swan Lake, New York and do hereby grant the 30 day waiver.

3 AYES - Carried  
1 Abstension-Councilperson Killian  
1 Absent- Councilperson Barber

**RESOLUTION NO.**

*APPROVAL FOR HIGHWAY DEPT. TO RENT MOWER AT A COST OF \$5,100*

**MOTION** by Councilperson Thomas Hasbrouck, seconded by Councilperson Lynn Killian the Town Board gives approval to the Highway Department to rent a mower to mow the sides of the road as required by State Law at a cost of \$5,100.

4 AYES - Carried  
1 Absent- Councilperson Barber

**RESOLUTION NO.**

*TOWN OF LIBERTY NAMED LEAD AGENCY FOR FOUTE 55 WATER DISTRICT AND LOOMIS WATER DISTRICTS INTERCONNECTION*

On a motion by Councilperson Thomas Hasbrouck, seconded by Councilperson Maurice Gerry

RESOLVED, the Town Board of the Town of Liberty does hereby assume the role of "Lead Agency" in the environmental review of the Route 55 Water District and Loomis Water District Interconnection and,

BE IT FURTHER RESOLVED, having conducted a coordinated review of a Full Environmental Assessment for this project the Board has determined the project will not result in any large or important impacts and therefore is on which will not have a significant impact on the environment. A Negative Declaration, notice of Determination of Non-Significance will be prepared.

4 AYES - Carried  
1 Absent- Councilperson Barber

**RESOLUTION NO.**

*APPROVAL TO HIRE QUEST TO CONDUCT AN INDOOR ENVIRONMENTAL QUALITY ASSESSMENT*

**MOTION** by Councilperson Thomas Hasbrouck, seconded by Councilperson Lynn Killian the Town Board authorizes the Supervisor to hire Quest, Quality Environmental Solutions & Technologies, Inc., to conduct an indoor environmental quality assessment at 120 North Main Street, Liberty, New York, at a cost of \$3,500.

4 AYES - Carried  
1 Absent- Councilperson Barber

**RESOLUTION NO.**

*EXECUTIVE SESSION*

**MOTION** by Councilperson Thomas Hasbrouck, seconded by Councilperson Lynn Killian the Town Board does hereby go into Executive Session at 5:00 p.m. to discuss possible litigation and an issue involving a specific employee.

4 AYES - Carried  
1 Absent- Councilperson Barber

**RESOLUTION NO.**

*OUT OF EXECUTIVE SESSION*

Department Head Mtg.  
July 6, 2009 Continued ....

**MOTION** by Councilperson Lynn Killian, seconded by Councilperson Maurice Gerry, the Town Board does hereby out of Executive Session at 5:30 p.m.

4 AYES - Carried

1 Absent- Councilperson Barber

On a motion by Councilperson Thomas Hasbrouck, seconded by Councilperson Lynn Killian and carried, the Town Board adjourned the meeting at 5:30 p.m.

Respectfully submitted,

Laurie Dutcher,  
Town Clerk