

TOWN BOARD OF THE TOWN OF LIBERTY
REGULAR MONTHLY MEETING
July 19, 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 Maurice Gerry
Councilperson Thomas Hasbrouck
Councilperson Lynn Killian
Councilperson Chris Austin

Recording Secretary: Town Clerk Laurie Dutcher

Also present:
Town Attorney Kenneth Klein
Finance Director Earl Bertsch
Deputy Highway Superintendent John Lennon, Jr.
Budget Coordinator Cheryl Gerow
Deputy Town Clerk Sara Sprague
CDC Director Heinrich Strauch

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

CORRESPONDENCE

1. Letter from the NYSDOT lowering the speed limit on Old Loomis Rd. to 35 mph.

COMPREHENSIVE PLAN UPDATE

Public Hearing for Zoning changes on 7/22/10 @ 7:00 p.m. at CVI

PLANNING & ZONING BOARD MINUTES

7/6/2010 Planning Board

RECOGNIZE THE PUBLIC

DELANEY GROUP

RESOLUTION NO 186-10

APPROVAL TO EXTEND TEMPORARY VARIANCE FOR AN ADDITIONAL 30 DAYS

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Motion by Councilperson Chris Austin, seconded by **Councilperson Lynn Killian**, the Town does hereby extend the temporary noise ordinance granted to the Delaney Group for an additional 30 days as outlined below:

East End (Short Ave. straight up East)

Hours: 1st shift 6:00 am – 2:00 pm
2nd shift 2:30 pm – 10:30 pm Monday thru Thursday
2nd shift 2:30 pm – 8:00 pm Friday

No blasting operations will take place after 7:00 pm

No hammering operations will take place after 7:00 pm

West End (Memories straight up West)

Hours: 1st shift 6:00 am – 2:00 pm
2nd shift 2:30 pm – 10:30 pm Monday thru Thursday
2nd shift 2:30 pm – 8:00 pm Friday

***Hammering and dozer work allowed until end of each shift**

No blasting operations after 7:00 pm

The Delaney Group will return to the 8/16/2010 meeting for consideration of any additional extensions.

5 AYES - Carried

Terry Bauer of White Sulphur Springs

Ms. Bauer asked the Board if there was anyway to get a year round enclosed public pool. She explained the health benefits it has. She advised that she would help in anyway she could to get funding.

RESOLUTION NO 187-10

APPROVAL OF AUDIT

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

- July, 2010 Abstract:
Claims #1238 to #1435 totaling \$411,324.48
- Post June, 2010 Abstract:
Claims #1226 to #1237 totaling \$92,458.20

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5 AYES - Carried

RESOLUTION NO 188-10

APPROVAL OF MINUTES

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

- 6/21/2010 Regular Monthly Mtg.

5 AYES - Carried

RESOLUTION NO 189-10

ACCEPTANCE OF MONTHLY REPORTS

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

- Town Clerk's Monthly Report 6/2010
- Monthly Town Board Report of Revenue & Expense Summary as of 6/30/2010

5 AYES - Carried

OLD BUSINESS

1. Franchise Agreement w/ Time Warner

Councilperson Austin will have Brenda Parks contact Supervisor Schmidt.

2. Cold Spring Water District

No funding available as of yet.

RESOLUTION NO. 190-10

APPROVAL TO PURCHASE VIDEO SURVEILLANCE SYSTEM

Motion by Councilperson Lynn Killian, seconded by **Councilperson Thomas Hasbrouck**, the Town Board of the Town of Liberty does approve of the purchase of a video surveillance system from East-Tek Security Systems at a cost of \$2,960.00.

5 AYES - Carried

RESOLUTION NO. 191-10

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ACCEPT LOWEST BIDDER FOR BONDING FOR HIGHWAY FLOODING REPAIRS

Motion by Councilperson Chris Austin, seconded by **Councilperson Lynn Killian**, the Town Board of the Town of Liberty does hereby accept the low bid as submitted by the First National Bank of Jeffersonville for a 4 year Statutory Installment Bond for the Highway Flooding Repairs in the amount of \$250,000 at 2.75% interest rate. The payout schedule is as follows:

\$62,500 Principal plus interest, due 7/21/2011
\$62,500 Principal plus interest, due 7/21/2012
\$62,500 Principal plus interest, due 7/21/2013
\$62,500 Principal plus interest, due 7/21/2014

5 AYES - Carried

RESOLUTION NO. 192-10

ACCEPT LOWEST BIDDER FOR BONDING FOR THE FERNDALE WATER DISTRICT LINE REPLACEMENT

Motion by Councilperson Chris Austin, seconded by **Councilperson Lynn Killian**, the Town Board of the Town of Liberty does hereby accept the low bid as submitted by the First National Bank of Jeffersonville for a 4 year Statutory Installment Bond for the Ferndale Water District Line Replacement in the amount of \$400,000 at 2.75% interest rate. The payout schedule is as follows:

\$100,000 Principal plus interest, due 7/21/2011
\$100,000 Principal plus interest, due 7/21/2012
\$100,000 Principal plus interest, due 7/21/2013
\$100,000 Principal plus interest, due 7/21/2014

5 AYES - Carried

RESOLUTION NO. 193-10

SET JOINT FUEL BID FOR 8/12/10

Motion by Councilperson Lynn Killian, seconded by **Councilperson Thomas Hasbrouck**, the Town Board of the Town of Liberty does hereby set the Joint Fuel Bid for 8/12/2010 at 11:00 a.m. at the Town Clerk's Office, 120 North Main Street, Liberty, NY.

5 AYES - Carried

RESOLUTION NO. 194-10

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INTRODUCTORY LOCAL LAW NO. 2 OF 2010 "RETIREMENT INCENTIVE"

At a regular meeting of the Town Board of the Town of Liberty, Sullivan County, New York, held at the Town Hall, 120 North Main Street, Liberty, New York, in said Town, on the 19th day of July, 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 Thomas Hasbrouck, who moved its adoption, and seconded by Councilperson Lynn Killian, to wit:

BE IT RESOLVED, that introductory Local Law No. 2 of the Year 2010 entitled "A local law electing a retirement incentive program as authorized by Chapter 105, Laws of 2010 for the eligible employees of the Town of Liberty" is hereby introduced before the Town Board of the Town of Liberty, Sullivan County, State of New York; and

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BE IT FURTHER RESOLVED, that copies of the aforesaid local law be laid upon the desk of each member of the Town Board; and

BE IT FURTHER RESOLVED, that the Town Board hold a public hearing on the aforesaid local law at Town Hall, 120 North Main Street, Liberty, New York, at 6:55 p.m., prevailing time, on August 16, 2010; and

BE IT FURTHER RESOLVED, that the Town Board hereby determines that the aforesaid local law constitutes a Type II Action as defined in the regulations promulgated pursuant to the State Environmental Quality Review Act, for which environmental review is not required.; and

BE IT FURTHER RESOLVED, that the Town Clerk publish or cause to be published a public notice in the Sullivan County Democrat, of said public hearing at least five (5) days prior thereto.

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 Maurice Gerry	voting	AYE
Councilperson Thomas Hasbrouck	voting	AYE
Councilperson Lynn Killian	voting	AYE
Councilperson Chris Austin	voting	AYE

The resolution was thereupon declared duly adopted.

5 AYES - Carried

RESOLUTION NO. 195-10

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APPROVAL TO NAME PRIVATE ROAD WINTERGREEN LANE SBL #42-1-15.7

Motion by Councilperson Thomas Hasbrouck, seconded by **Councilperson Lynn Killian**, the Town Board of the Town of Liberty does hereby approve of SBL# 42-1-15.7 being named "Wintergreen Lane".

5 AYES - Carried

ILLEGAL SIGN @ 81 UPPER FERNDAL RD.

Sent a violation by Code Enforcement

LETTER FROM FRITZ MAYER REGARDING NON-CONFORMING USE @ INWARD HOUSE

Town Attorney has spoken w/ Walter Garigliano and CEO VanEtten and they are working on the matter.

BOARD DISCUSSION

Councilperson Chris Austin

- Wanted to know if Supervisor Schmidt had spoken w/ Barton & Loguidice
Supervisor Schmidt advised that he & Albert have a meeting w/ them on 7/20.

Councilperson Lynn Killian

- Advised that she had attended the Village of Liberty Meeting.

Attorney Kenneth Klein

- Advised the Board that he had received the \$6,000 payment from the Melton Subdivision and that the deed has been recorded.

Attendance at the Village of Liberty Meetings:

Councilperson Hasbrouck	August
Councilperson Gerry	September
Councilperson Austin	October
Supervisor Schmidt	November

ADJOURN

On a motion by Lynn Killian, seconded by Councilperson Maurice Gerry, the Town Board does hereby adjourn the meeting at 7:48 p.m.

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Respectfully submitted,

Laurie Dutcher,
Town Clerk