

**TOWN BOARD OF THE TOWN OF LIBERTY
DEPARTMENT HEAD MEETING
August 5, 2013**

At the Town Board Meeting of the Town of Liberty held on August 5, 2013 at 120 North Main Street Liberty, NY, the following people were present:

Present:

Supervisor Charlie Barbuti
Councilperson Chris Austin
Councilperson Thomas Hasbrouck
Councilperson Dean Farrand
Councilperson Maurice Gerry

Recording Secretary:

Town Clerk Laurie Dutcher

Also present:

Finance Director Earl Bertsch
Water & Sewer Supervisor Albert Picard
Assessor Kathy Sprague
Code Enforcement Officer Mark VanEtten
CDC Director Heinrich Strauch
Budget Coordinator Cheryl Gerow
Deputy Town Clerk Sara Sprague
Court Manager Denise Curry
Lily Stettner
Gail Perlmutter
Mike Woods
Tom Edwards
Joel Rosenfeld
Meir Frischman
Nancy Levine
Russell Reeves
Gail Perlmutter
Matt DeWitt
Louie Petriglia
Kathy Sauchuk
John Sauchuk
Carol Montana

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

CORRESPONDENCE

1. A copy of the estimated cost of Loomis Sewer Phase I from the Finance Office.
2. A letter from the NYS Homes & Community Renewal regarding the CDBG Grant Project for Loomis Sewer.
3. A fax from Wittcon, Inc regarding the project schedule and schedule of values for the Loomis Wastewater Treatment Plant Upgrades.
4. A copy of a letter from Terry Kelly regarding the Indian Lake Sewer I&I problem.

RECOGNIZE THE DEPARTMENT HEADS

(Reports as submitted by the Dept. Heads)

ASSESSOR

Ongoing:

- 911 data-base update
- Picture update
- Exemptions; driving license updates, etc.
- Destroying/updating files
- Assisting the counter

New:

- Currently interviewing candidates for the Clerk's position from the Civil Service list
- Will be filing the final roll on or before July 1st
- Will be updating the Assessor's web-page, forms, sometime later this year
- Attached is a **draft** of home improvements assessed/un-assessed

Very, very busy doing clerk's work and assessor's duties along with the

legal filing and completion of the Board of Assessment documents and

final roll.

List of changes that might not change your assessment

General – guideline of what will and won't affect assessment; individual cases may vary. When in doubt, check with your town assessor!

Dept. Head Mtg.
8/5/2013 Continued.....

Unassessed home improvements:

Painting:	inside/outside
Repointing:	repairing and replacing existing masonry
Replacing:	plumbing; light fixtures (if not part of a complete modernization)/ceilings/sidewalks/drives
Removing:	unused porch/dated exterior trim
Outdoor:	electrical cable/outdoor lights
Sandblasting:	existing masonry
Lawns:	landscaping/sprinkler system/
Roof:	new roof
New furnace:	replacing worn out furnace of same grade
Plaster:	repairs
Redecoration:	including wall paper
Repairing:	porches/steps
Adding:	closets/minor built-ins/electrical outlets/hot water heaters/built-in vent fans
Weather stripping:	storm windows/doors
Exterior awning:	canvas type structure
Add/replace:	gutter downspouts

Assessed home improvements -check on the Capital Improvement Exemption at the Assessor's Office

- Improvements leading to greater comfort and home resale value MAY increase the assessment
- Creating additional living space
- Changing single-family to multiple family use
- New basement replacing no basement or partial basement
- Adding a rumpus room
- New rooms in a finished attic
- Complete modernization and conversion
- Extra bedrooms/baths/fireplaces/porches/decks/recreation rooms/
- Exterior siding (if the value was reduced previously due to condition)

Dept. Head Mtg.
8/5/2013 Continued.....

- Patios
- Rehabilitation/ condition changes from fair to average
- Forced air; hot water; or other automatic heating plant replacing use of stoves as heating units (seasonal to year round use)
- Fair condition to average condition

(Assessment may decrease if old out buildings garages, etc. are torn down. Notify the building department 845-292-8511 (for permits) and assessor prior to March 1st)

Many improvements can be made to house and property without increasing tax assessments. Often time's people put off needed repairs and maintenance because they feel that they cannot afford increases in assessments. Knowing the facts will encourage home improvements and at the same time contribute to the appearance of the neighborhood and community as a whole.

HIGHWAY

Department of Labor inspected Gravel Bank and training records

Patching

Did grinding for Village

Ditched East Hill Road

Cut brush on East Hill Road

Grinding East Hill Road

Cut brush on Benton Hollow Road

Working over at Gravel Bank

Dug out stumps on Devaney Road

Hauled in some sand

Began Mowing

Graded Fox Mountain Road

Weather & breakdowns

Dept. of Labor inspected the gravel bank- no violations

Everyone put in for 7/5/13 off

Old Lily Pond Rd. still on the list

WATER & SEWER

Looking around for a sewer camera. Had one company bring a camera to SLWWTF to show. This camera is about \$ 10,800. Schmidt's Wholesale has a camera company coming next week for a show & tell. Their camera is the same as the Village has. It looks to be less money. USA Bluebook also has a camera that looks to be the same camera that Schmidt's has, but for more money.

Camps are opening. Working on getting SLWWTF up to speed. MLSS is weak. Have been bringing in MLSS from the Village. Also fed the ditch dog food. The F/M is very low.

W.S.S.Pipe job-Survey work has been done. Waiting for Terry Kelly to put together a set of plans and specs.

Loomis WWTF-I was told construction till start in August of this year.

Indian Lake Sewer Collection system needs to have some work done. What does the Board want to do about seeing if we need to fix or replace. Kelly Engineering looked at it and sent a report.

Jaime Piccone-Mtn View Park owner needs to get started. NY Rural Water was there 2 times. He needs to address the problem spots that were found in order to take care of the I & I problem there.

Have a broken hydrant at the W.S.S. Church. This hydrant needs to be replaced. This is a problem spot due to the location of the hydrant. It is very close to Rt. 52 traffic and the Church's retaining wall. Would like to relocate this hydrant to another location. This hydrant has been hit by vehicles many times. Maybe when we do Mineral Springs, we can farm this project out as well.

85 Ferndale Loomis Rd.-Yeshiva Letzirim-The water service is completed. Tap, meter pit, 6" compound meter & 6" backflow preventer. All of this was done at the last minute.

I would like a Board member to call Lillian Heidt, W.S.S. water account #8000, to see if she will let us in to change her meter. This is a meter change that has been delayed for well over a year. This is the last meter in the entire W.S.S. water district that needs to be changed to the new ones.

CEO

- 33 Building permits
- 26 Closed Building permits
- 8 complaints
- 5 completed complaints
- 2 Planning Board new applications
- 0 Planning Board approved applications
- 0 Zoning Board new applications

- 0 Zoning Board approved applications

PARKS & RECREATION

Day Camp is filled with 170 children. It started June 24th and is going well.

Swim Lessons are filled. We have 142 children signed up and they begin July 1st.

The pool opened June 15th. Overall everything started up well this year. I'm still trying to get prices for a new diving board and diving board stand. The board is cracked and the stand part is getting really rusty and unsafe so currently there is no diving board.

We will be sponsoring "Wreck-It Ralph" a children's movie on July 19th in conjunction with the outdoor movies nights in the park.

We will be sponsoring the Swing Shift Orchestra concert on August 15th.

We will be sponsoring a Free Youth Fishing Derby at Hanofee Park on July 13th.

We will be holding summer youth football camp on Tuesdays through out July.

The park attendants have been brush hogging up at Walnut to get ready for the Civil War Re-enactment on July 27th, 28th.

The Park Attendants started putting top soil around the driveway by the office.

DCO

No report

TOWN CLERK/TAX COLLECTOR

Licenses:

Conservation	5
Marriage Licenses	6
Marriage Certificates	3
Peddlers Permits	1
Building Permits (Collection of \$)	31
Photocopies	23
Dog Licenses	31

Redeemed Dogs 2

Meetings, minutes, agendas, public notices, etc.

FINANCE

Sent letters to municipalities regarding Joint Fuel Bid

Bonding for Loomis Sewer Phase I and II

Prepared estimated costs and projected capital costs for Loomis Sewer

Started preparation of schedules for 2014 budget

Obtained civil service list of eligible for full-time clerk in Assessor's Office and sent out canvas letters

All other daily duties and responsibilities

CDC

Liberty Main Street Grant

Extension to 8/31 for remaining projects was approved subject to agreement on benchmarks and dated deliverables along the way. Liberty Theatre remains the critical project and is still without a final agreement with DoL on asbestos mitigation.

Liberty Skatepark

BOCES completed their in-kind contribution work and we have secured additional volunteer labor to complete rough grading of site. Moving forward with design company to devise further construction strategy that will allow us to maximize use of available funds.

Community Kitchen project

USDA Rural Development is working to award a \$33k Community Facilities grant to the project, and the CDC is completing another grant application for the project to cover start-up and operational costs for the first 2 years. Deadline for that application is 7/2.

Liberty-Parksville recreational trail

The available public funding options for rails to trails conversions require significant match amounts (20%) with limited in-kind eligibility. A first preliminary assessment of the current state of the railbed suggest the need for extensive clean-up on a 3.5 mile stretch, plus work to identify start/end, additional access points, etc. Successful grant applications would need extensive (and non-reimbursable!) pre-application work from engineering firm on project scope and budget, and from legal counsel pertaining to right-of-ways, etc. I suggested to Legislator Vetter that

the County take a lead on this, creating a county-wide plan for trail development with phased implementation that would include the Liberty-Parksville section.

Miscellaneous:

Will re-submit updated Town grant application for Town Hall renovations through CFA Village considering revolving loan proposals for Young's TKD on Church/South Main Street.
Green Door on South Main Street opening on July 19 with art show
Potential retail / craft tenant for Law Street & North Main (Reisenberg) building
Liberty Museum to open Alan Berube Exhibition on July 4, with public reception on July 6
Summer Movies: All sponsorships covered – see flyer

COURT

	June
V&T Received	530
V&T Appearances	173
Criminal Appearances	507
Ordinance Appearances	19
Civil Appearances	26
Total Fines Collected	\$77,848.50
Total Fines to Town	Not available
Total Fines to Village	Not available

RESOLUTION NO

ANNEXATION PETITION BY 1885 ROUTE 52 LLC, TO

Motion by Supervisor Charlie Barbuti, seconded by **Councilperson Dean Farrand**, the Town Board of the Town of Liberty does hereby appoint Brandon Reeves as an Alternate Planning Board member for a term expiring 12/31/2013.

**STATE OF NEW YORK
COUNTY OF SULLIVAN**

-----X

**In the matter of the petition of 1885 Route 52 LLC
to Annex Real Property into The Village of Liberty**

Petition

-----X

PETITION FOR ANNEXATION OF TERRITORY FROM THE TOWN OF LIBERTY, COUNTY OF SULLIVAN, STATE OF NEW YORK, TO THE VILLAGE OF LIBERTY, COUNTY OF SULLIVAN, STATE OF NEW YORK.

To the Town Board of the Town of Liberty, Sullivan County, New York:

To the Village Board of the Village of Liberty, Sullivan County, New York:

Pursuant to General Municipal Law Article 17, 1885 Route 52 LLC (hereinafter "Petitioner"), petitions for annexation of a parcel from the Town of Liberty, New York ("Town") to the Village of Liberty, New York ("Village")

1. The petitioner proposes and petitions that your Honorable Board, permit and allow to be annexed to Village, the parcel now known as Town of Liberty, tax map no. 30-1-76.1 and more particularly described in Exhibit "A", attached hereto, and made a part of this petition.

2. The petitioner, 1885 Route 52 LLC, herein is the sole owner of the entirety of the real property in said parcel as assessed upon the last preceding Town Assessment Roll of the Town of Liberty.

3. The petitioner is the owner of a majority in assessed valuation of the real property described in paragraph "1" of this petition, in such territory assessed upon the last preceding assessment roll of, or utilized by, the local government or governments in which it is situated, adjoining the Village, which parcel the petitioner petitions to have annexed to said Village.

4. Attached hereto, and marked Exhibit "B", is an outline map of the proposed parcel to be annexed.

5. Attached hereto and marked Exhibit "C" is a certificate signed by the sole assessor of the Town responsible for the preparation of the last preceding assessment role of the Town certifying that the petitioners are the owners of a majority in assessed valuation of the real property in the parcel herein proposed to be annexed to the Village and now situated in the Town as shown on the last preceding assessment role of the Town.

6. That said Annexation is in the public interest in that the property to be conveyed consists of improved commercial property which, will improve the Village of Liberty's commercial tax base and that said Annexation will allow the premises to be connected to the Village sewer system, thereby allowing the owner to discontinue the use of its present in-ground system, which has exceeded its useful life.

5 AYES CARRIED

RESOLUTION NO

APPROVAL OF THE 2013 TAX COLLECTION CLOSE OUT REPORT

Motion by Supervisor Thomas Hasbrouck, seconded by **Councilperson Dean Farrand**, the Town Board of the Town of Liberty does hereby accept the following 2013 Tax Collection Close Out Report:

2013 TAX COLLECTION CLOSE-OUT	
Bank Balance:	\$27,976.44
Less Outstanding checks:	\$ 19.46
Less Opening balance:	\$ 10.88
Balance:	\$27,946.10
- Refunds:	\$ 3,150.05
Total	\$ 24,796.05
Penalties	\$21,271.31 (\$4,468.76)
2 nd Notice Fees	\$ 1,201.05
Interest	\$ 26.75 (\$289.74)
Collectors Fees	\$ 1,894.00
Misc	\$ 234.94
Returned Check Fees	\$ -182.00
Paid to Supervisor	\$24,446.05
Balance	\$ 350.00 (To be returned to 2012 revenue)
Total	\$24,796.05 + \$4,758.50 = \$29,554.55

5 AYES CARRIED

RESOLUTION NO

AWARD OF THE AUDITING PROPOSALS

Motion by Councilperson Chris Austin, seconded by **Councilperson Dean Farrand**, the Town Board of the Town of Liberty does hereby award the auditing of the Towns records to Cooper Arias, LLP for the following amounts:

- 2013 \$19,000
- 2014 \$19,500
- 2015 \$20,000

*(GASB 45 NOT included)

5 AYES CARRIED

PARKING ISSUES IN SWAN LAKE

Supervisor Barbuti invited residents of Swan Lake to the Town Board Meeting to express their issues and concerns about the parking problem in Swan Lake.

Don Sherwood:

- Summer residents have no consideration
- Have had a fire call and could not get through luckily not life threatening

Kathy Sauchuk

- Cannot see either way
- Need a sign no parking or standing in both directions to the corner
- Seasonal barricades-metal bars not orange cones – dangerous situation

Mrs. Harper

- Mrs. Harper owns the store where the parking issue is
- States there is no sign saying no parking
- Made a white line, no tickets
- New problem as of last Friday
- Pay a lot of taxes for the parking lot. 70 parking spots
- Doing the best she can for her customers

Supervisor Barbuti suggested a sign with an arrow pointing to the parking lot.

Sam? From the Pizza shop advised that when the police watched the traffic every Friday night everything ran smoothly.

Councilperson Dean Farrand suggested a constable for Friday / Sundays in Swan Lake & Parksville

It was also recommended to notify the County to reline the road and to think about a constable during budget talks.

APPROVAL OF RESOLUTION IN "SUPPORT TO AMEND THE NEW YORK STATE CONSTITUTION TO AUTHORIZE THE APPROVAL OF THE COMMERCIAL CASINO GAMING CONSTITUTION AMENDMENT"

TABLED

RESOLUTION NO

AUTHORIZE THE PURCHASE OF A CAMERA FOR THE WATER & SEWER DEPT @ A COST NOT TO EXCEED \$11,000

Motion by Councilperson Chris Austin, seconded by **Councilperson Dean Farrand**, the Town Board of the Town of Liberty does hereby authorize the purchase of a camera for the Water & Sewer Dept. at a cost not to exceed \$11,000.

5 AYES CARRIED

RESOLUTION NO

APPROVAL FOR SUPERVISOR TO APPLY FOR GRANT FOR SWAN LAKE WASTEWATER TREATMENT FACILITY

Motion by Councilperson Chris Austin, seconded by **Councilperson Dean Farrand**, the Town Board of the Town of Liberty authorize the Supervisor to apply for a grant up to \$50,000 with a 20% local match for planning improvements of the Swan Lake Wastewater Treatment Facility.

5 AYES CARRIED

RESOLUTION NO

ADOPTION OF LOCAL LAW #1 OF 2013 ENTITLED "A ZONING LAW AMENDING THE ZONING LAW & THE ZONING MAP OF THE TOWN OF LIBERTY"

MOTION by Councilperson Dean Farrand, seconded by **Councilperson Thomas Hasbrouck**, the Town Board of the Town of Liberty does hereby adopt Local Law #1 of 2013 entitled "A Zoning Law amending the Zoning Law & Zoning Map of the Town of Liberty".

5 AYES CARRIED

RESOLUTION NO

ADOPTION OF LOCAL LAW #2 OF 2013 ENTITLED "A LOCAL LAW AMENDING CHAPTER 133 OF THE CODE OF THE TOWN OF LIBERTY TO PROVIDE A FIRST-TIME HOMEBUYER TAX EXEMPTION"

MOTION by Councilperson Thomas Hasbrouck, seconded by **Councilperson Maurice Gerry**, the Town Board of the Town of Liberty does hereby adopt Local Law #2 of 2013 entitled "A Local Law amending Chapter 133 of the Code of the Town of Liberty to provide a first-time homebuyer tax exemption".

5 AYES CARRIED

ADOPTION OF INTRODUCTORY LOCAL LAW #3 OF 2013 AMENDING SECTION 147-30 OF THE ZONING LAW OF THE TOWN OF LIBERTY

TABLED (NEED TO SEND 239 REVIEW)

RESOLUTION NO

SUPERVISOR CHARLIE BARBUTI APPOINTED AS REPRESENTATIVE FOR THE CATSKILL WATERSHED

Motion by Councilperson Thomas Hasbrouck, seconded by **Councilperson Dean Farrand**, the Town Board of the Town of Liberty does hereby appoint the Supervisor Charlie Barbuti as the Town Representative for the Catskill Watershed.

5 AYES CARRIED

Supervisor Barbuti will invite Georgianna Lepke to a future meeting.

ADJOURN

On a motion by Councilperson Chris Austin, seconded by Councilperson Dean Farrand, the Town Board does hereby adjourn the meeting at 6:05 p.m.

Respectfully submitted,

Laurie Dutcher

Laurie Dutcher,

Town Clerk