

REGULAR MONTHLY MEETING  
TOWN BOARD OF THE TOWN OF LIBERTY  
AUGUST 19, 2013 7:00 p.m.

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At the Regular Monthly Meeting of the Town Board of the Town of Liberty held on August 19, 2013 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 Maurice Gerry  
Councilperson Chris Austin

Absent: Councilperson Thomas Hasbrouck

Recording Secretary: Town Clerk Laurie Dutcher

Also present:

Town Attorney  
Kenneth Klein  
Finance Director Earl  
Bertsch  
Budgeting & Acct.  
Coordinator Cheryl  
Gerow  
Deputy Town Clerk  
Sara Sprague  
Heinrich Strauch CDC  
Director  
Carol Montana  
Fritz Mayer  
Lydia Rolle  
Kyle Mangan  
Denise M. Birmingham  
Lynn Dowe Planning  
Board Chairman  
Joel Rosenfeld  
Evan Bloom  
Elliot Schneider  
Karen Kaner  
Joe Amorosso  
Eli Ravitz  
Joy Johnson  
Morton Neufeld  
Vincent J. McPhillips  
Russell Reeves

Nancy Levine  
Angela Strepp?  
Kathy Sauchuk  
Eli Ruiz Sullivan  
County  
Democrat  
John Sauchuk  
Anne Hart  
Lillian Stettner  
Gail Perlmutter  
Corky Chanov  
Tony DiLorenzo  
Tony  
Scandariato  
Barbara Burton  
Judy Siegel  
Joan Kittredge  
Leonard Sparks  
Kevin McManus  
Henry Zabatta  
Mr. Kaufman  
Todd Gallo  
Helene  
Rothstein

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

## RECOGNIZE THE PUBLIC

Kevin McManus on behalf of Sullivan Resorts, LLC

Dear Supervisor Barbuti and Members of the Town Board;

I am submitting this letter on behalf of Sullivan Resorts, LLC. Sullivan Resorts, LLC is the owner of a total of 582.61 acres located in the Town of Liberty and the Village of Liberty. Approximately 480 acres are situated in the Town of Liberty and 102 acres are located in the Village of Liberty. The property contains the former Grossinger family resort and hotel and surrounds. The property fronts on NYS Routes 17 and 52 and straddles part of Clements Road. Sullivan Resorts, LLC intends to redevelop the property located in the Town of Liberty.

### Existing Conditions:

The Sullivan Resorts property includes many significant features such as the "Big G" championship course and the 30 acre Grossinger's Lake. The property also features several promontories with sweeping views of the surrounding countryside. The site includes hundreds of acres of open space either in the form of golf course or wood lands.

The former Grossinger's resort hotel is located on the property. The resort hotel was comprised of more than three dozen buildings. The resort featured indoor and outdoor tennis, indoor and outdoor pools, championship golf, skating rink, skiing, horse trails and more. The hotel had approximately 600 rooms and is reported to have had as many as 150,000 guests annually. Since its closure almost thirty years ago, the hotel complex has been shuttered and many of the old resort hotel structures remain but are well beyond repair and require demolition. As you know, the golf course continues to be fully operational.

The property is currently zoned R-1 (low density residential). The R-1 zone permits single family and two family homes on lot sizes that vary in minimum size based upon availability of public water and public sewer service. The Sullivan Resorts property has existing connections to both public water and sewer systems and accordingly, our minimum lot size would be calculated to be 10,000 square feet.

## Sullivan Resorts Development

### Proposal:

Sullivan Resorts proposes to redevelop the nearly 600 acre parcel into a state of the art

resort complex to include the following components:

- Demolition of all former resort buildings
- A 300 room luxury hotel
- A casino
- Spa/wellness center
- Convention center and live music venue
- Preserve the "Big G" championship golf course with a new state of the art club house.
- Nightclub & Restaurant
- Recreational activities such as indoor and outdoor pools, tennis, paddle tennis, hiking and cross country trails...
- 500 units of residential single and multi-family mix
- Assisted living
- Support retail
- Hundreds of acres of "open space"

### Anticipate

#### Development Process:

The current R-1 zoning of the property would not permit the proposed diversity or density of the proposed development listed above. However, the Town of Liberty Code (Section 147-

4) does permit "floating districts" known as PUDs (Planned Unit Development) which, as the Town's code notes, "...is to foster in neighborhood design and further the Goals and Objectives of the Town of Liberty Comprehensive Plan." Accordingly, we are requesting a "Large Scale PUD" to be granted under the Town's "Large Scale PUD process" as we believe that our property meets the minimum criteria.

According to Liberty Zoning Code § 147-23, allowable uses that may be permitted in any PUD include commercial (including retail products and services, excluding wholesale), offices (business or professional, excluding large-scale medical clinics); Single-family dwellings, Multi-family dwellings (including apartments and townhouses), age restricted, assisted living and skilled care facilities, public and/or private recreational facilities (outdoor or indoor public facilities, excluding arcades and gaming), as well as mixed uses (including any combination of above uses). The Town Zoning Code further requires that "the proposed PUD shall have an appropriate ration of mixed uses that are sustainable for its location, Town needs and market considerations." The specific uses to be allowed in the PUD shall be approved by the Planning Board.

The proposed project would include a diverse development plan that would address many of the Town's suggested mixed uses for a PUD. The proposed multi-density housing, assisted living facility, associated retail uses, commercial use of personal services with the spa and wellness center, and the numerous recreational and open space opportunities are all recommended uses for a mixed use, large scale PUD. However, the current PUD requirements do preclude the development of the proposed hotel and casino and are not allowable uses in this zoning district. We contend that the property's former use as well as the best interests of the Town of Liberty would support modification to the current zone text to permit these uses.

We have prepared a Conceptual Master Plan which includes our preliminary version of how we would propose to develop the property to include the proposed uses noted above. It is based upon some study of the property as well as marketing and architectural considerations but we recognize that the entitlement process will likely cause the plan to morph. We have assembled a strong development team and are eager to commence with the approval process

Compliance with the Town Comprehensive Plan:

The Town of Liberty has adopted the Liberty Joint Comprehensive Plan, January 2008. The Liberty Joint Comprehensive Plan's first five of the ten goals identified by the residents of Liberty are:

- balance conservation and development to provide for sustainable growth;
- to provide residents and visitors with a diversity of year round activities while preserving and capitalizing on the town's natural resources;
- meet the housing needs of the existing and future Liberty population;
- create, enhance and promote hamlet and village business centers; and
- encourage the diversification of Liberty's economic base by supporting environmentally conscientious initiatives, while achieving a sustainable balance between the built and natural environment (Liberty Joint Comprehensive Plan, January 2008, page 15).

The Plan further states that "Liberty is determined to improve its economic performance [by] work[ing] towards a diversified tourism industry with a balanced mix of year round activities". The proposed project would meet all five of these goals identified by the Town, thereby addressing many of the Town goals for future development with the proposed diversity of uses. Therefore, the proposed development would be appropriate based on a review of the intended objectives of the Comprehensive Plan.

Requested Zoning changes

The zoning map for the Town of Liberty identifies the subject property as R-1 low-density residential. The proposed project does not comply with the requirements of the R-1 zone. However, the proposed project would meet most of the requirements of the Planned Unit Development overlay zone, including the proposed multi-density housing, assisted living facility, retail uses, and many recreational facilities and open space preservation. It is within the Town Board's power to amend the Town Zoning Law to establish a PUD district for the subject property.

The proposed hotel and casino are currently not permitted uses within the PUD district and would require action by the Town to permit these uses. This also falls within the Town Board's ability to rezone. The hotel and casino would be consistent with the previous land uses on site and would fit in with the existing character of the area. The proposed re-development project would be in keeping with the design intentions of a mixed use large-scale PUD district. We respectfully request the Town Board's consideration of the proposed zoning changes in support of our conceptual plan as well as an approval of our Master Plan. We look forward to working with you, the Town Board and the Planning Board to bring this undertaking to fruition.

Mr. McManus explained that this was very preliminary and that they were just looking for feedback from the Town Board.

Lily Stettner asked if it would be a gated community. Mr. McManus advised that they do not propose a gated community. She also asked if the retail stores would be accessible to public and Mr. McManus advised that it would.

Kyle Mangan told Mr. McManus that he gave a great presentation but that his partner left a pile of rubble in the Town of Thompson where he proposed about the same pitch 10-15 years ago. It seems like a great presentation. Mr. McManus advised that he had a fair point.

Anthony Scardariato wanted to know if all the buildings would be demolished. Mr. McManus advised that they would all be taken down.

Russell Reeves asked if they would be seeking a tax deferment and who would be paying the taxes on the project. Mr. McManus advised that they would not be seeking a tax deferment on the project and that once a subdivision map is filed the tax base is changed and the sponsor would be obligated to pay taxes.

Mr. Reeves asked if they could build the hotel first. Mr. McManus stated that they may. Mr. Reeves asked where the funding for this project was coming from. Mr. McManus advised that the funding was Mr. Cappelli's personal funds. They would like to begin the demolition first but the process can change.

Gail Perlmutter wanted to know if gambling did come through would it change the configuration. Mr. McManus advised that they haven't made the casino the driving factor of this project they started talking about this before the issue of a casino came into play but that it could and it would depend on who was running the casino. Mrs. Perlmutter asked how much control would someone have if they wanted to run the casino? She applauds them for staying away from the wetlands and the golf course. He advised that someone could come in and want to put the casino in another location and it would basically depend, they are running the risk of modifying the master plan and coming back to the Town Board for their decision. He stated that if this property becomes a destination with a hotel, spa, mixed use then they could work off of it or feed off of it.

Anthony Scardariato asked if Muss who owns 1,000 acres next to this property was ever contacted to work with. Consultant Henry Zabatta advised that they had met several times in the past 6 or 7 years but haven't been able to arrive at an amicable situation where they would want to partner with us or for us to buy them out. To defend them they have had this property for a long time and their interest is to see something happen or doing something themselves. He stated that it was news to them that Muss was partnering with Foxwoods.

Judy Siegel stated that she kind of needs to go back to the question of previous projects and what would get her excited that Mr. Cappelli's name is on this project and why this is the one that is really going to happen. Mr. McManus advised there are steps they need to take to initiate the demolitions right now. Also hand in hand with that is to sit and discuss a schedule of demolition as part of this project. He hopes they can break it out into stages and would hope to have the ability to do construction before all of the demolition.

Lilly Stettner advised that Mr. Cappelli demolished the Concord so why should we be so sure that this is the one? Mr. Zabatta advised that circumstances beyond Mr. Cappelli's control blocked him from fulfilling promises that began in 2000 when Mr. Cappelli said the Concord would open in 2002.

Carol Montana stated that Mr. Cappelli demolished the Concord 20 minutes away and we are being given a similar promise.

Lily Stettner would like to see one building being taken down and then removed.

Lynn Dowe, Chairman of the Planning Board advised that they were off to a good start and that he would like to see a Master Plan. He stated that the Planning Board would work anyway they can to make this happen for Liberty.

Councilman Chris Austin asked how much the residential houses would be going for. Mr. McManus advised in the low to high 2's.

Councilman Maurice Gerry stated that he was very happy to see the Planning Board at the meeting. On a personal level he thinks this is a great idea. He advised that he is just finishing up 20 years on the Board and will do anything to help make this happen for Liberty.

The Town Board gave its conceptual approval to move forward to the next step in the process.

Joy Cole-Johnson of North Eastern Expansion Development Corp.

## ORGANIZATION

Founded in 2008 N.E.E.D. is a nonprofit organization with its Mission of "eradicating poverty using education & affordable housing", our focus is on veteran low income families with children, the disabled and senior citizen. The (2013-2014) mission cycle focus is on NY our home state. In (2014-2015) we will keep the focus on NY and also expand to 46 cities in 20 states. With our signature Cross Roads Project we help veterans from accessing their federal benefits to providing housing and job training. Our corporate weight distributions are employment & housing provider employment supporters: education facilitator; job trainers & health care expeditors. In addition to utilizing Government & Private Grants we achieve our mission by eliciting volunteer assistance to renovate, repair and modify building for transitional homes. We achieve our housing goal by re-purposing hotel & hospital facilities into transition-in place (supportive Housing) for our displaced veterans & families.

## POPULATION

This housing project serves either a mixed population of the veterans or identified special need within the housing displaced population. Special needs population include, but are not limited to; mentally disabled persons, including the chronically homeless; families; single adults; the elderly; physically disabled person; persons with HIV illness/Acquired Immune Deficiency Syndrome (AIDS) youth, including young adults aging out of foster care; victims of domestic violence; ex-offenders and individuals with a history of chemical dependency. Note 20% of the housing population can be non-veteran.

## PROJECT MIXED

We are proposing a 60/40 mix where 60% of the housing will be designated to affordable housing and 40% be rented at fair market value.

Homeless Housing and Assistance Program:

## GOVERNMENT GRANTS

NYS has announced funding under the Homeless Housing and Assistance Program to provide housing to support its displaced population. Funding is available for:

- Permanent Housing
- Transitional Housing
- Emergency Shelter
- Housing for Persons with AIDS or HIV-Related Illness

The NYS Office of Temporary and Disability Assistance (OTDA) have released a \$30 million RFP for the development of supportive housing.

### AMOUNT AVAILABLE

\$30 million is available through grants and loans. \$5 million may be reserved for the development of projects serving homeless persons with HIV/AIDS.

### ELIGIBLE USES

Acquisition, construction and rehabilitation of properties in order to expand the supply of housing for low-income persons who are, or would otherwise be, homeless.

### ELIGIBLE APPLICANTS

Nonprofit corporations and their subsidiaries, charitable organizations, municipalities, and public housing authorities

Units must be occupied by homeless, low income households unless otherwise approved by HHAC. A low-income household is defined as one having an income of 60% or less of the area median, adjusted for household size.

### PRIORITY PROJECTS

Priority (including 2 bonus points) will be given to New York City applicants that propose supportive housing developed in accordance with the New York/New York III Agreement for chronically homeless single adults who suffer from a serious and persistent mental illness or are diagnosed as mentally ill and chemically addicted (MICA "Category A"). Priority (including 2 bonus points) will also be given to applications that propose supportive housing projects and/or serve populations specifically identified as priorities

Within an applicable local Continuum of Care (CoC) planning document. Excerpts from the local CoC plan verifying that the project and/or population is considered a funding priority must be included in the Documentation of Need.

#### VOLUNTARISM

In addition to utilizing Government & Private Grants we achieve our mission by eliciting volunteer assistance to renovate, repair and modify building for transitional homes.

#### BUILDING TYPES

We achieve our housing goal by re-purposing shuttered hotel & hospital facilities into transition-in place and supportive housing for our displaced veterans & families.

Time is of the essence for this organization due to limitation on resources. In addition, in our limited research we did not discover any listed supportive housing of this type for your county. Therefore this N.E.E.D project may be the only program that will have a supportive housing based within your county.

Sincerely,

JOY COLE-JOHNSON

Founder & Chief Executive Officer

[jjohnson@need-crp.org](mailto:jjohnson@need-crp.org)      [info@need-crp.org](mailto:info@need-crp.org)

Councilperson Chris Austin advised that if it was for the veterans and only the veterans that he was all for it. He advised that his inclination was that this could be a stop and shop for homeless people all over the place. He advised Ms. Johnson that she needed to do a little more research and come back to the board. Councilman Austin stated that he was not in favor of the Town Board giving a letter of support.

Councilperson Dean Farrand stated that he does not feel comfortable without speaking with the Hamlet Committee.

Supervisor Charlie Barbuti advised that everyone is sensitive to the needs of the veterans but that we have a need for a lot of things in Sullivan County but we do not have a need for more people with great need.

#### MORTY NEUFELD

Mr. Neufeld has been to the board several times regarding the guardrail on Old Lily Pond Rd. He advised that it was wrecked 3 years ago and has never been repaired. He stated that the Highway Superintendent doesn't pay any attention. He advised that he wants it fixed or he may go to a judge.

NANCY LEVINE

Ms. Levine advised the Board that they had discovered a "castle" approx. 20' by 20' located on the Commodore property in Swan Lake. She advised that it was a treasure which had lights, a moat and a fountain. They would like to build a garden and have a place where people could sit and enjoy it. She asked the board if they would pay for the liability insurance for the castle.

The board advised that they would have to check with the insurance company and would also like an agreement.

## CORRESPONDENCE

1. Notification from the Department of State that Local Laws No. 1 & 2 have been filed.
2. A memo from Finance Director Earl Bertsch regarding the renewal of the Infirmary Road Sewer agreement with the Village of Liberty.
3. A letter from Joel Rosenfeld, Director of Machne Gila regarding the RI Zoning designation of properties along Route 55.

## RESOLUTION NO

### *APPROVAL OF AUDIT*

Motion by Councilperson Chris Austin, seconded by Councilperson Dean Farrand, the Town Board approved the following:

- August, 2013 Abstract:  
Claims #1405 to #1638 totaling \$639,068.92
- July, 2013 Post Abstract:  
Claims #1372 to #1404 totaling \$265,681.87
- General Ledger Abstract:  
Claims #223 to #288 totaling \$475,142.96

4 AYES - Carried

1 Absent-Councilperson Hasbrouck

## RESOLUTION NO

### *APPROVAL OF MINUTES*

Motion by Councilperson Dean Farrand, seconded by Councilperson Maurice Gerry, the Town Board approved the following minutes as submitted:

- Dept.Head Mtg. 6/3/13
- Bid Opening 6/13/13

- Public Hearing (1) 6/17/13
- Public Hearing (2) 6/17/13
- Regular Monthly Mtg. 6/17/13
- Dept. Head Mtg. 7/1/13
- Regular Monthly Mtg. 7/15/13 (with corrections)
- Bid Opening 8/8/13

4 AYES - Carried  
 1 Absent-Councilperson Hasbrouck

**RESOLUTION NO**

*ACCEPTANCE OF MONTHLY REPORTS*

Motion by Councilperson Chris Austin, seconded by Supervisor Charlie Barbuti, the Town Board approved the following reports as submitted:

- Town Clerk's Monthly Report 7/2013
- Monthly Town Board Report of Revenue & Expense Summary as of 7/31/2013
- Supervisor's Report 6/13 & 7/13

4 AYES - Carried  
 1 Absent-Councilperson Hasbrouck

**OLD BUSINESS**

1. Loomis Wastewater Treatment Plant grant status report **CARRYOVER**  
*(Schedule for completion in contract should break ground next month)*
2. WSS Water  
 [Did survey this weekend]
3. Summer Camps-definition/Zoning language  
 [Councilperson Farrand and Supervisor Barbuti will discuss in a week or two]

**RESOLUTION NO**

*APPROVAL OF VOUCHER FOR BLAUER ASSOCIATES FOR WSS WATER*

Motion by Councilperson Dean Farrand, seconded by Councilperson Maurice Gerry, the Town Board of the Town of Liberty does hereby approve the payment of a voucher for Blauer Associates in the amount of \$600. for administrative services for the WSS Water District Project.

4 AYES - Carried  
 1 Absent-Councilperson Hasbrouck

**RESOLUTION NO**

*APPROVAL OF VOUCHER FOR BLAUER ASSOCIATES FOR LOOMIS SEWER*

Motion by Councilperson Dean Farrand, seconded by Councilperson Maurice Gerry, the Town Board of the Town of Liberty does hereby approve the payment of a voucher for Blauer Associates in the amount of \$800. for administrative services for the Loomis Sewer District Project.

4 AYES - Carried  
1 Absent-Councilperson Hasbrouck

**RESOLUTION NO**

*APPROVAL OF VOUCHER FOR KELLY ENGINEERING FOR LOOMIS SEWER*

Motion by Councilperson Dean Farrand, seconded by Councilperson Maurice Gerry, the Town Board of the Town of Liberty does hereby approve the payment of a voucher for Kelly Engineering in the amount of \$4,130. for engineering services for the Loomis Sewer District Project.

4 AYES - Carried  
1 Absent-Councilperson Hasbrouck

**RESOLUTION NO**

*APPROVAL OF VOUCHER FOR KELLY ENGINEERING FOR WSS WATER*

Motion by Councilperson Dean Farrand, seconded by Councilperson Maurice Gerry, the Town Board of the Town of Liberty does hereby approve the payment of a voucher for Kelly Engineering in the amount of \$2,125. for engineering services for the WSS Water District Project.

4 AYES - Carried  
1 Absent-Councilperson Hasbrouck

**RESOLUTION NO**

*AWARD OF FUEL BID*

Motion by Councilperson Dean Farrand, seconded by Councilperson Maurice Gerry, the Town Board of the Town of Liberty does hereby award the following for the Joint Fuel Bid:

*#2 Fuel Oil Tank    Kerosene Tank Wagon    Diesel Fuel Tank    Off Road Diesel*

<i>Wagon Price</i>	<i>Price</i>	<i>Wagon Price</i>	<i>Tank Wagon Price</i>
Ultra Power	Ultra Power	Mirabito	Mirabito
<i>87% Octane Unleaded Tank Wagon</i>	<i>89% Octane Unleaded Tank Wagon</i>	<i>92% Octane Unleaded Tank Wagon</i>	
Mirabito	Mirabito	Mirabito	

<i>87% Octane Unleaded Tank Wagon</i>	<i>89% Octane Unleaded Tank Wagon</i>	<i>92% Octane Unleaded Tank Wagon</i>
Mirabito	Mirabito	Mirabito

4 AYES - Carried  
 1 Absent-Councilperson Hasbrouck

**AWARD OF SURPLUS EQUIPMENT BID - TABLED**  
*Would like Hwy Super to come to the next Dept. Head Mtg.*

**CONSIDER ADOPTION OF INTRO. LL #4 OF 2013**  
*Introduce at next meeting and set public hearing*

**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 19<sup>th</sup> day of August, 2013 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 Maurice Gerry  
 Councilperson Chris Austin  
 Councilperson Dean Farrand
- ABSENT:** Councilperson Thomas Hasbrouck

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

A RESOLUTION AUTHORIZING ENGINEERING FEES AND THE REPLACEMENT OF INDIAN LAKE SEWER LINES FOR THE SWAN LAKE/BRISCOE CONSOLIDATED SEWER DISTRICT, AT A MAXIMUM ESTIMATED COST OF \$35,000, AND PAYMENT THEREFOR BY THE EXPENDITURE OF THE SUM OF \$35,000 FROM THE TOWN OF LIBERTY SWAN LAKE SEWER CAPITAL RESERVE FUND.

**BE IT RESOLVED**, by the Town Board of the Town of Liberty, Sullivan County, New York, as follows:

Section 1. The incurring of engineering fees and the replacement of sewer lines in Indian Lake for the Swan Lake/Briscoe Consolidated Sewer District, at a maximum estimated cost of \$35,000.00, and the expenditure of the sum of \$35,000.00 from the Town of Liberty Swan Lake Sewer Capital Reserve Fund to pay such maximum estimated cost is hereby authorized and approved.

Section 2. The action contemplated hereby authorized has been determined to constitute a Type II Action in accordance with 6 NYCRR §617.5(c)(2) and (5) of the regulations promulgated pursuant to the State Environmental Quality Review Act.

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 Swan Lake Sewer 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 Thomas Hasbrouck voting	ABSENT
Councilperson Maurice Gerry voting	AYE
Councilperson Dean Farrand voting	AYE
Councilperson Chris Austin voting	AYE

The resolution was thereupon declared duly adopted.

## RESOLUTION NO

### *RESOLUTION SUPPORTING CLASS III GAMING IN THE STATE OF NEW YORK*

Motion by Councilperson Chris Austin, seconded by Councilperson Dean Farrand,

WHEREAS, Governor Andrew M. Cuomo and the New York State Legislature have enacted the Upstate NY Gaming Economic Development Act, which includes an amendment to the New York State Constitution to allow Class III Gaming in New York State and authorizes the development of *up* to seven casinos; and

WHEREAS, the legislation authorizes the establishment of four destination gaming resorts in three distinct regions (Regions 1, 2 and 5), in Upstate New York, with a maximum of two projects to be located in the Catskills/Hudson Valley region (Region 1); and

WHEREAS, Sullivan County has been recognized as a premiere vacation destination in New York State for generations and has historically served as host to some of the world's most famous destination resorts; and

WHEREAS, Sullivan County, like the rest of New York State and the Country, has suffered significant negative economic impacts as a result of the recent global economic downturn; and

WHEREAS, Sullivan County has sought the legalization of Class III Casino Gaming for more than four decades, and

WHEREAS, gaming, as a single component within a destination resort, will provide the much needed catalyst to stimulate further economic growth in Sullivan County and support of our local community; and

WHEREAS, the development of destination gaming resorts would bring thousands of much needed quality jobs to Sullivan County; and

WHEREAS, the establishment of destination gaming resorts in Sullivan County will provide financial support for education and desperately needed property tax relief for Sullivan County taxpayers and communities statewide; and

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**WHEREAS,** the establishment of destination gaming resorts will stop the flow of revenues for tourism and gaming crossing our borders into neighboring states and keep those dollars in New York State; and

**WHEREAS,** it is vital to the people of Sullivan County and the entire State of New York that the referendum appearing on the November 4, 2013 ballot authorizing Class III Gaming be approved, and

**WHEREAS,** the benefits associated with the passage of a constitutional amendment authorizing Class III gaming will support job creation throughout New York State, benefitting individuals and families in all areas of New York, and

**WHEREAS,** The Town of Liberty and its residents would benefit greatly from the development of destination resort casinos in Sullivan County through attendant job creation, investment and real estate and commercial development opportunities,

**NOW THEREFORE BE IT RESOLVED,** that the Town of Liberty enthusiastically supports the enactment of the constitutional amendment authorizing Class III Gaming in New York State, and asks that all municipalities of New York State join in expressing support for the amendment.

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

4 AYES - Carried

1 Absent-Councilperson Hasbrouck

***AGREEMENT W/ BEN WEITSMAN & SON - TABLED***

*Need to discuss the time frame and dollar amount for bond to clean up Fishman Rd. in Parksville*

**RESOLUTION NO**

***APPROVAL AND AUTHORIZATION FOR SUPERVISOR TO SIGN AGREEMENT WITH TOWN OF LIBERTY, VILLAGE OF LIBERTY AND 1885 ROUTE 52 LLC***

Motion by Councilperson Dean Farrand, seconded by Councilperson Chris Austin, the Town Board of the Town of Liberty does hereby approve of and authorize the Supervisor to sign agreement between the Town of Liberty, Village of Liberty and 1885 Route 52, LLC.

4 AYES - Carried  
1 Absent-Councilperson Hasbrouck

## BOARD DISCUSSION

Councilperson Chris Austin

- Nothing to report

Councilperson Dean Farrand

- Thanked everyone for coming out
- Tom Hasbrouck is in the hospital again and he wanted to wish him well very soon

Councilman Thomas Hasbrouck

- Absent

Councilperson Maurice Gerry

- Nothing to report

Supervisor Charlie Barbuti

- Highway did an excellent job w/ the recent flooding. Was sending a letter to Tim thanking him and his crew.
- Advised that Georgianna Lepke would be attending our next meeting to talk about the Watershed Towns.

## ADJOURN

On a motion by Councilperson Chris Austin, seconded by Councilperson Dean Farrand, the Town Board does hereby adjourn the meeting at 7:32 p.m.

Respectfully submitted,

*Laurie Dutcher*

Laurie Dutcher, Town Clerk