

**Public Hearing
Liberty Town Board
October 17, 2011**

At a Public Hearing of the Liberty Town Board held on October 17, 2011 at 6:50 p.m. at Town Hall, 120 North Main Street, Liberty, New York, to hear oral and written comments from concerned citizens with regard to the prospective sale of certain real property owned by Loomis Water District of the Town of Liberty consisting of approximately 6.45 acres of land with miscellaneous improvements situated on Loomis Road and being tax map parcel 35D-3-1.1 in the Town of Liberty, Sullivan County, NY at a selling price of \$63,001.00. The following board members were present:

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

Recording Secretary: Town Clerk Laurie Dutcher

Also present: Town Attorney Kenneth Klein
Finance Director Earl Bertsch
Budget & Accounting Coordinator Cheryl Gerow
Deputy Town Clerk Sara Sprague
Ann Hart
Fritz Mayer
Charlie Barbuti
Dean Farrand
Leonard Sparks

Supervisor Schmidt called the meeting to order at 6:50 p.m.

No one from the public wished to be heard and no written comments were received.

Adjourn

On a motion by Councilperson Thomas Hasbrouck, seconded by **Councilperson Lynn Killian** and carried, the Town Board adjourned the Public Hearing at 6:49 p.m.

Respectfully submitted,

Laurie Dutcher

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Town Clerk

TOWN BOARD OF THE TOWN OF LIBERTY
REGULAR MONTHLY MEETING
October 17, 2011
7:00 p.m.

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 Lynn Killian
Councilperson Thomas Hasbrouck
Councilperson Chris Austin

Recording Secretary: Town Clerk Laurie Dutcher

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

CORRESPONDENCE

1. An invitation from the Boys and Girls Club to join their club members for the National "Lights On Afterschool" Celebration on 10/20/2011.
2. An invitation from the VFW, Clarence Hoyt Post No. 9217 to join them in observing Veteran's Day at the Liberty Elks Lodge 1545 at 21 John Street, Liberty at 10:30 a.m.
3. A letter from Ivan Orisek, President, Rally New York, Ltd. regarding the closing of certain highways in the Town of Liberty for International Rally New York on October 22-23, 2011.

COMPREHENSIVE PLAN UPDATE

RESOLUTION NO

PROCEED W/ SALE OF LOOMIS PROPERTY

Motion by Councilperson Chris Austin, seconded by **Councilperson Lynn Killian**, the Town Board of the Town of Liberty does hereby direct the Town Attorney to proceed with the sale of the Loomis Property SBL# 35D-3-1.1 to Robin-Ann Realty Co., Inc., One Cablevision Center, PO Box 311, Liberty, NY, in the amount of \$63,001.00.

5 AYES - Carried

RESOLUTION NO

WORKSESSION SET FOR NON-CONFORMING USE LAW ON 11/14/2011

Motion by Councilperson Lynn Killian, seconded by **Councilperson Chris Austin**, the Town Board of the Town of Liberty does hereby set a worksession meeting to discuss the proposed non-conforming use law for 11/14/2011 at 7:00 p.m. at Town Hall, 120 North Main Street, Liberty.

5 AYES - Carried

PLANNING & ZONING BOARD MINUTES

None received

RECOGNIZE THE PUBLIC

Matthew Palmer of Delaney Group

Updated the Board on the progress of I-86 and requested an extension of the temporary variance.

RESOLUTION NO.

TEMPORARY VARIANCE EXTENSION ISSUED TO DELANEY GROUP UNTIL 10/31/11

Motion by Councilperson Chris Austin, seconded by **Councilperson Thomas Hasbrouck**, the Town does hereby extend the temporary variance to the Delaney Group to perform nighttime excavation and embankment operations until 10/31/2011.

5 AYES - Carried

RESOLUTION NO

APPROVAL OF AUDIT

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

- October, 2011 Abstract:
Claims #1885 to #2050 totaling \$339,292.40
- September, 2011 Post Abstract:
Claims #1860 to #1884 totaling \$218,684.56
- September, 2011 General Ledger Abstract:
Claims #256 to #319 totaling \$398,832.31

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5 AYES - Carried

RESOLUTION NO

APPROVAL OF MINUTES

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

- Regular Monthly Mtg. 9/12/2011
- Public Hearing 9/19/2011
- Regular Monthly Mtg. 9/19/2011
- Dept. Head Mtg. 10/3/2011

5 AYES - Carried

RESOLUTION NO

ACCEPTANCE OF MONTHLY REPORTS

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

- Town Clerk's Monthly Report 9/2011
- Monthly report of revenue & expense summary as of 9/30/2011
- Supervisor's Report 8/2011

5 AYES - Carried

OLD BUSINESS

1. Non-conforming use law (Mtg. set for 11/14/2011 @ 7:00 p.m.)
2. Finalize hand gun policy (Councilperson Austin will work on)

RESOLUTION NO

APPROVAL TO PAY BLAUER ASSOCIATES IN THE AMOUNT OF \$1,300.00 FOR THE WSS WATER INTERCONNECT PROJECT

Motion by Councilperson Chris Austin, seconded by **Councilperson Lynn Killian** the Town Board does hereby give approval to pay Blauer Associates the amount of \$1,300.00 for the White Sulphur Springs Water Interconnect Project.

5 AYES - Carried

RESOLUTION NO

APPROVAL TO PAY KELLY ENGINEERING IN THE AMOUNT OF \$2,650.00 FOR THE WSS WATER INTERCONNECT PROJECT

Motion by Councilperson Thomas Hasbrouck, seconded by **Councilperson Maurice Gerry** the Town Board does hereby give approval to pay Kelly Engineering the amount of \$3,075.00 for the White Sulphur Springs Water Interconnect Project.

5 AYES - Carried

***Board would like detailed dates & inspections**

RESOLUTION NO

APPROVAL OF RFP FOR ENGINEERING SERVICES FOR LOOMIS SEWER DISTRICT TREATMENT FACILITY (SUBJECT TO AWARD OF GRANT)

Motion by Councilperson Chris Austin, seconded by **Councilperson Thomas Hasbrouck** the Town Board does hereby accept the RFP received by Kelly Engineering for Engineering Services for the Loomis Sewer District Wastewater Treatment Facility in the amount of \$55,000 subject to the award of grant.

5 AYES - Carried

RESOLUTION NO

APPROVAL OF RFP FOR ADMINISTRATIVE SERVICES FOR LOOMIS SEWER DISTRICT TREATMENT FACILITY (SUBJECT TO AWARD OF GRANT)

Motion by Councilperson Thomas Hasbrouck, seconded by **Councilperson Lynn Killian** the Town Board does hereby accept the RFP received by Blauer Associates for Administrative Services for the Loomis Sewer District Wastewater Treatment Facility in the amount not to exceed \$21,600, subject to the award of grant.

5 AYES - Carried

RESOLUTION NO

PETITION TO RE-LOCATE LIBERTY SCRAP METAL

Motion by Councilperson Lynn Killian, seconded by **Councilperson Maurice Gerry**, the Town Board does hereby determine that the petition submitted by Gary Zalkin of Liberty Scrap Metal to

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re-locate merits further consideration and does hereby direct the Town Clerk to notify the Planning Board.

5 AYES - Carried

RESOLUTION NO

2005 CHEVY SILVERADO BID AWARDED

Motion by Councilperson Thomas Hasbrouck, seconded by **Councilperson Lynn Killian**, the Town Board does hereby accept the high bid of \$7,300 submitted by Scott Davis, PO Box 1356, Livingston Manor, NY for (1) used 2005 Chevy Silverado 1500 4WD Ext Cab Truck, VIN #2GCEK19V951231155, sold as is.

5 AYES - Carried

RESOLUTION NO

APPROVAL OF SHARED SERVICES BETWEEN NYSDOT AND TOWN OF LIBERTY

Motion by Councilperson Thomas Hasbrouck, seconded by **Councilperson Lynn Killian**, the Town Board does hereby approve of and authorize the Town Highway Superintendent to sign the following agreement between the NYSDOT and the Town of Liberty:

5 AYES - Carried

BOARD DISCUSSION

Councilperson Lynn Killian

Complimented the emergency responders for there response to the collapse at the Mobil Station on Main Street.

Attended the ribbon cutting for Phase I of the Liberty School renovation.

ADJOURN

On a motion by Councilperson Lynn Killian, seconded by Councilperson Maurice Gerry, the Town Board does hereby adjourn the meeting at 7:35 p.m.

Respectfully submitted,

Laurie Dutcher,
Town Clerk

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