

REGULAR MONTHLY MEETING  
TOWN BOARD OF THE TOWN OF LIBERTY  
October 19, 2015

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At the Regular Monthly Meeting of the Town Board of the Town of Liberty held on October 19, 2015 at 7:00 p.m. at Town Hall, 120 North Main Street, Liberty, New York, the following Town Board Members were present:

Present:

Supervisor Charlie Barbuti  
Councilperson Dean Farrand  
Councilperson Russell Reeves  
Councilperson Brian McPhillips

Absent:

Councilperson Thomas Hasbrouck

Recording Secretary:

Town Clerk Laurie Dutcher

Also present:

Town Attorney Kenneth Klein  
Finance Director Earl Bertsch  
Budget and Accounting Clerk Cheryl Gerow  
Helen Budrock

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

## **CORRESPONDENCE**

1. Copy of email from the NYSDOT regarding Pin S4349 Stanton Corners Road Sidewalk Installation.
2. Letter from Finance Director Earl Bertsch regarding the proposals for the Ferndale Water District Line replacement on 10/29/15.

## **RECOGNIZE THE PUBLIC**

**Helen Budrock** gave a short presentation on the 2016 Renaissance Municipal Grant Program

### **206-15 PROPERTY SETTLEMENT W/ GERALD ORSECK & THE TOWN OF LIBERTY**

**Motion: Councilperson Brian McPhillips**

**Second: Councilperson Dean Farrand**

The Town Board came to an agreement with Gerald Orseck regarding the encroachment on the Town of Liberty's property. Virginia Orseck will sign over 1.69 acres of SBL # 116.-1-14.3 to the Town of Liberty, and the Town of Liberty will sign over 1.95 acres of SBL # 116.-1-14.1.

**4 AYES - Carried**

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**1 Absent – Councilperson Thomas Hasbrouck**

**207-15 APPROVAL OF AUDIT**

**Motion: Councilperson Dean Farrand**

**Second: Councilperson Brian McPhillips**

The Town Board approved the following:

- October, 2015 Abstract:  
Claims #1877 to #2057 totaling \$484,744.40
- September, Post Audit:  
Claims #1852 to #1876 totaling \$106,269.06
- September General Ledger Abstract:  
Claims #301 to #334 totaling \$247,614.19

**4 AYES - Carried**

**1 Absent – Councilperson Thomas Hasbrouck**

**208-15 APPROVAL OF MINUTES**

**Motion: Supervisor Charlie Barbuti**

**Second: Councilperson Russell Reeves**

The Town Board approved the Bid Opening for the Ferndale Water Improvements as submitted by the Town Clerk.

**4 AYES - Carried**

**1 Absent – Councilperson Thomas Hasbrouck**

**209-15 ACCEPTANCE OF MONTHLY REPORTS**

**Motion: Councilperson Dean Farrand**

**Second: Councilperson Brian McPhillips**

The Town Board approved the following:

- Town Clerk's Monthly Report 9/15
- Monthly Town Board Revenue & Expense Report as of 9/30/15
- Supervisor's Report 9/15

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**4 AYES - Carried**

**1 Absent – Councilperson Thomas Hasbrouck**

**OLD BUSINESS**

1. Town Hall mold remediation/relocation - Did not have time to follow up on anything that was previously discussed.
2. Emergency preparedness plan- Finance Director Bertsch is going to check and see if we can use the one the County of Sullivan is using.
3. Focus Media next steps-

**NEW BUSINESS**

***210-15 APPROVAL OF TOWN OF LIBERTY 2016 PRELIMINARY BUDGET AS PRESENTED***

**Motion: Councilperson Dean Farrand**

**Second: Councilperson Brian McPhillips**

The Town Board of the Town of Liberty does hereby approve the 2016 Preliminary Budget as the 2016 Adopted Budget.

**4 AYES - Carried**

**1 Absent – Councilperson Thomas Hasbrouck**

***211-15 AUTHORIZE THE SUBMISSION & ADMINISTRATION OF GRANT THROUGH JCAP, OFFICE OF COURT ADMINISTRATION***

**Motion: Councilperson Russell Reeves**

**Second: Councilperson Brian McPhillips**

The Town Board of the Town of Liberty does hereby authorize the submission and administration of a grant application through the 2015-16 Justice Court Assistance Program of the State of New York, Office of Court Administration, for funding in the amount of \$30,000.

**4 AYES - Carried**

**1 Absent – Councilperson Thomas Hasbrouck**

***212-15 APPROVAL OF VOUCHER FOR BLAUER ASSOCIATES***

**Motion: Councilperson Dean Farrand**

**Second: Councilperson Russell Reeves**

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The Town Board does hereby authorize the payment of voucher for Blauer Associates for administrative services for the WSS Water District Phase 5 Improvements Project in the amount of \$375.00.

**4 AYES - Carried**

**1 Absent – Councilperson Thomas Hasbrouck**

**213-15 APPROVAL OF VOUCHER FOR DELAWARE ENGINEERING DPC**

**Motion: Councilperson Dean Farand**

**Second: Councilperson Russell Reeves**

The Town Board of the Town of Liberty does hereby authorize the payment of voucher for Delaware Engineering DPC for engineering services for the WSS Water District Phase 5 Improvements Projects in the amount of \$8,543.64.

**4 AYES - Carried**

**1 Absent – Councilperson Thomas Hasbrouck**

**CARRIED OVER-** Introductory Local Law #2 of 2015 as Local Law #2 entitled “A Local Law amending the Zoning map of the Town of Liberty with respect to tax map parcels 12.-1-18, 12.-1-19, and 12.-1-20.3.”

*239 review from the County*

**214-15 APPOINTMENT OF CARLTON FRITZ TO FIRE ADVISORY BOARD**

**Motion: Councilperson Brian McPhillips**

**Second: Councilperson Russell Reeves**

The Town Board of the Town of Liberty does hereby appoint Carlton Fritz to the Fire Advisory Board for a term expiring on 12/31/2016.

**4 AYES - Carried**

**1 Absent – Councilperson Thomas Hasbrouck**

Direct Town Attorney to write up a Capital Resolution for the Parks and Recreation Department to purchase a new Gator not to exceed \$7,000.

**215-15 APPROVAL TO SPEND \$49,000 W/ FOCUS MEDIA**

**Motion: Councilperson Brian McPhillips**

**Second: Councilperson Russell Reeves**

The Town Board has agreed to spend \$49,000 with FOCUS MEDIA as follows:

Retainer agreement      \$3,000 per month (6 month commitment) \$18,000

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Website Development \$15,000  
Website Support \$6,000  
Online Videos \$10,000 (3- 1 minute videos)

**4 AYES - Carried**

**1 Absent – Councilperson Thomas Hasbrouck**

**216-15 APPROVAL OF AND AUTHORIZATION FOR SUPERVISOR TO SIGN AMENDMENT #1 UPPER FERNDALD WATER DISTRICT IMPROVEMENTS**

**Motion: Councilperson Dean Farand**

**Second: Councilperson Brian McPhillips**

The Town Board does hereby approve of and authorize the Supervisor to sign Delaware Engineering's Amendment #1 for Engineering Services for the Upper Ferndale Rd. Water District Improvements in the amount not to exceed \$42,500.

**4 AYES - Carried**

**1 Absent – Councilperson Thomas Hasbrouck**

**217-15 GRANT PIN S4349 IS COMPLETE & BALANCE OF \$1,426 NOT NEEDED**

**Motion: Councilperson Dean Farand**

**Second: Councilperson Russell Reeves**

The Town Board of the Town of Liberty has completed Grant PIN S4349 and the remaining \$1,426 is not needed.

**4 AYES - Carried**

**1 Absent – Councilperson Thomas Hasbrouck**

**218-15 EXECUTIVE SESSION**

**Motion: Councilperson Dean Farrand**

**Second: Councilperson Brian McPhillips**

1. The Town Board does hereby go into Executive Session to discuss the medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation at 8:40 p.m.
2. Discussion regarding proposed pending or current litigation.

**4 AYES - Carried**

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**1 Absent – Councilperson Thomas Hasbrouck**

**219-15 OUT OF EXECUTIVE SESSION**

**Motion: Councilperson Dean Farrand**

**Second: Councilperson Brian McPhillips**

The Town Board does hereby come out of Executive Session at 9:18 p.m.

**4 AYES - Carried**

**1 Absent – Councilperson Thomas Hasbrouck**

**220-15 POSITION OF CODE ENFORCEMENT OFFICER ABOLISHED EFFECTIVE 12/31/2015**

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 October, 2015 at 7:00 p.m. prevailing time.

The meeting was called to order by Supervisor Barbuti and upon roll call being called, the following were:

PRESENT: Supervisor Charlie Barbuti  
Councilperson Dean Farrand  
Councilperson Russell Reeves  
Councilperson Brian McPhillips

ABSENT: Councilperson Thomas Hasbrouck

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

**WHEREAS**, the Town Board was provided a budget proposal and request by the Building Department for fiscal year 2016 to provide services at the necessary level; and

**WHEREAS**, the Town Board has ascertained that such necessary level of service can be obtained at a substantially lower cost than presented by the Building Department by outsourcing to a qualified independent contractor the work that would otherwise performed in-house by existing and proposed additional personnel who would perform the code enforcement and building inspection activities;

**NOW, THEREFORE, BE IT RESOLVED**, by the Town Board of the Town of Liberty, that the firm of Fusco Engineering & Land Surveying P.C. (“Fusco”) be engaged, effective 12:00 a.m, prevailing time, on

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January 1, 2016 to perform code enforcement and building inspection services for the Town of Liberty in accordance with the terms and conditions set forth in the agreement provided to the Town by Fusco, dated October 14, 2015,; and

**BE IT FURTHER RESOLVED**, that effective as of 11:59 p.m., prevailing time, on December 31, 2015, the position of Code Enforcement Officer as a full-time salaried employee of the Town of Liberty be and the same hereby is abolished, following which such qualified person as shall be employed and assigned by Fusco shall be designated as Code Enforcement Officer of the Town of Liberty.

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	Yes
Councilperson Thomas Hasbrouck voting	Absent
Councilperson Dean Farrand voting	Yes
Councilperson Russell Reeves	Yes
Councilperson Brian McPhillips	Yes

The resolution was thereupon declared duly adopted.

**Motion: Councilperson Brian McPhillips**

**Second: Councilperson Russell Reeves**

**ADJOURN**

**Motion: Councilperson Brian McPhillips**

**Second: Councilperson Russell Reeves**

Adjourned 9:21p.m.

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Laurie Dutcher, Town Clerk