

**REGULAR MONTHLY MEETING
TOWN BOARD OF THE TOWN OF LIBERTY
October 20, 2008**

At the Regular Monthly Meeting of the Town Board of the Town of Liberty held on October 20, 2008 at 7:00 p.m. at Town Hall, Liberty, New York, the following Town Board Members were present:

Present: Supervisor John Schmidt
Councilperson Lynn Killian
Councilperson Clarence Barber
Councilperson Maurice Gerry

Absent: Councilperson Thomas Hasbrouck

Recording Secretary: Town Clerk Laurie Dutcher

Also present: Financial Director Earl Bertsch
Deputy Highway Superintendent John Lennon
Code Enforcement Officer Mark VanEtten
Finance Clerk Cheryl Gerow
Deputy Town Clerk Sara Sprague

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

Town Clerk Laurie Dutcher submitted the following correspondence to the Town Board:

CORRESPONDENCE:

- A. An invitation to attend the observance of Veteran's Day at Clarence Hoyt Post 9217 on November 11th at 10:30 sharp.
- B. A letter from Nancy Levine to the Supervisor and the Town Board thanking them for their support and cooperation in all of their endeavors.
- C. A letter from Senator John J Bonacic regarding support of the Town of Liberty's Resolution in support of addressing road impacts relative to natural gas exploration and development.
- D. A letter from Senator John J. Bonacic regarding the Town of Liberty's Resolution in opposition to proposed changes in the Registrar of Vital Record's duties.

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- E. An updated 2008 Highway inventory.
- F. A letter from Zimmerman Engineering & Surveying, PC advising the Town that they are interested in being considered to provide Consulting Engineering Services.
- G. A notice of appropriation from the NYS Dept of Transportation.

PUBLIC PARTICIPATION

Wes Illing of Parksville updated the Board on the DOT happenings with I-86. Will be having a Committee meeting on 11/3 @ 6:30 p.m. and would like for the Supervisor and Town Board members to attend.

RESOLUTION NO. -08

APPROVAL OF AUDIT

MOTION by **Councilperson Lynn Killian**, seconded by **Councilperson Clarence Barber** to authorize the payment of bills as follows:

- October, 2008 Abstract:
Claims #2052 to #2276 totaling \$533,334.91
- Post September, 2008 Abstract:
Claims #2031 to #2051 totaling \$97,219.51

4 AYES

**ABSENT Councilperson Hasbrouck
CARRIED**

RESOLUTION NO. -08

APPROVAL OF MINUTES

MOTION by **Councilperson Lynn Killian**, seconded by **Councilperson Maurice Gerry** to approve the following minutes as submitted:

9/15/2008	Regular Monthly Mtg.
10/6/2008	Department Head Meeting
10/6/2008	Budget Worksession

4 AYES

**ABSENT Councilperson Hasbrouck
CARRIED**

RESOLUTION NO. -08

ACCEPTANCE OF MONTHLY REPORTS

MOTION by Councilperson Lynn Killian, seconded by Councilperson Clarence Barber to accept the following monthly reports as follows:

- Town Clerk's September, 2008 Monthly Report
- Monthly Town Board Report of Revenue & Expense Summary as of September 30, 2008.

4 AYES

ABSENT Councilperson Hasbrouck

CARRIED

COMPREHENSIVE PLAN UPDATE:

Councilperson Lynn Killian advised that the next meeting would be 11/13 at 7:00 p.m.

OLD BUSINESS- CARRIED OVER

- A. Discussion regarding logging permits.
- B. Legal action w/ Ironic & Reisling
- C. Sidewalks in Swan Lake.
- D. Fuel accountability policy.

RESOLUTION NO. -08

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 20th day of October, 2008 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

REGULAR MONTHLY MEETING
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Councilperson Lynn Killian
Councilperson Clarence Barber

ABSENT: Councilperson Thomas Hasbrouck

The following resolution was introduced by Councilperson Lynn Killian, who moved its adoption, and seconded by Councilperson Maurice Gerry, to wit:

BE IT RESOLVED, that introductory Local Law No. 2 of the Year 2008 entitled “A local law amending the Zoning Map of the Town of Liberty to remove from the RD Rural Development District those portions of tax map parcels 36-1-131.1, 36-1-155 and 37-1-6.7 that are situate therein and add them to the adjoining IC Industrial Commercial District” is hereby introduced before the Town Board of the Town of Liberty, Sullivan County, State of New York; and

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 said local law at the Town Hall, 120 North Main Street, Liberty, New York, at 6:55 p.m., prevailing time, on November, 2008; and

BE IT FURTHER RESOLVED, that the Town Board hereby declares itself lead agency for purposes of state environmental quality review of the proposed local law and determines the question of the adoption of the proposed local law to be a Type I action pursuant to the State Environmental Quality Review Act; and

BE IT FURTHER RESOLVED, that the Town Board hereby directs that a long Environmental Assessment Form be prepared; 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	ABSENT
Councilperson Lynn Killian voting	AYE
Councilperson Clarence Barber voting	AYE

The resolution was thereupon declared duly adopted.

RESOLUTION NO. -08

FERNDALE WATER MAIN REPAIR

MOTION by Councilperson Lynn Killian, seconded by **Councilperson Maurice Gerry** the Town Board does hereby award the bid for the Ferndale Water District Water Main Repair to H. Osterhoudt Excavating in the amount of \$26,960.

4 AYES

**ABSENT Councilperson Hasbrouck
CARRIED**

RESOLUTION NO. -08

ISABEL CORP. dba CHARLIE'S RESTAURANT & PIZZA GRANTED 30 DAY WAIVER FOR ON-PREMISES LIQUOR LICENSE

On a motion by **Councilperson Clarence Barber**, seconded by **Councilperson Maurice Gerry** that the Town Board of the Town of Liberty does hereby have no objection to the On-Premises Liquor License being granted to Isabel Corp. dba Charlie's Restaurant & Pizza located at 2010 State Route 17, Parksville, New York, and do hereby grant the 30 day waiver.

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3 AYES
1 ABSTENSION Lynn Killian
1 ABSENT
Carried

RESOLUTION NO. -08

APPROVAL OF REFUSE COLLECTION LICENSE FOR RAYMOND L. HOUGHTALING, JR.

MOTION by Councilperson Maurice Gerry, seconded by **Councilperson Clarence Barber** the Town Board does hereby approve, upon inspection by the Code Enforcement Officer, a refuse collection license for Raymond L. Houghtaling, Jr. This license will be valid from 10/20-12/31/08.

4 AYES
ABSENT Councilperson Hasbrouck
CARRIED

RESOLUTION NO. -08

2008 BUDGET MODIFICATIONS

MOTION by Councilperson Lynn Killian, seconded by **Councilperson Clarence Barber** the Town Board does approve the following Budget modifications:

Account Number	960 Appropriation	510 Estimated Revenue
A 7110.4	\$1484.89	
A 2680		\$1484.89
Insurance claim on Hanofee Park Well Pump/Insurance Recoveries		
W2 8310.4	\$2005.00	
W2 2680		\$2005.00
Insurance claim on Ferndale Water Tank and Water Replacement/Insurance Recoveries		

4 AYES
ABSENT Councilperson Hasbrouck
CARRIED

RESOLUTION NO. -08

RE-APPOINTMENT OF HARRY RAMPE TO BAR

MOTION by Councilperson Clarence Barber, seconded by **Councilperson Lynn Killian** the Town Board does hereby re-appoint Harry Rampe to the Board of Assessment Review for a term expiring on 9/30/2013.

4 AYES

ABSENT Councilperson Hasbrouck

CARRIED

BOARD DISCUSSION

Councilperson Clarence Barber

- If sidewalks are installed in Parksville, they will eventually need money for maintenance
- Highway inventory is still not right

Councilperson Lynn Killian

- Shared Municipal Services Committee's Informational Mtg. was well attended approx. 175 people
- Received 87 surveys back and they contradicted what was said at the meeting
- 10/21 SMSI Committee Mtg. to review surveys and to follow up on mtg.
- Thanks to P&R Dept. who went above and beyond.
- Thanks to Maureen for getting letters out to groceries & restaurants
- Would like to put Capital Planning on hold for now

Councilperson Maurice Gerry

- What is happening with the second circle? It is way overdo.

Supervisor John Schmidt

RESOLUTION NO. -08

APPROVAL TO HIRE ARTUSO TO CLEAN SENIOR CENTER FLOORS

MOTION by Councilperson Maurice Gerry, seconded by **Councilperson Lynn Killian** the Town Board does hereby give approval to the Supervisor to hire Artuso to clean the Senior Center floors at a cost of \$450.

4 AYES

ABSENT Councilperson Hasbrouck

CARRIED

REGULAR MONTHLY MEETING
October 20, 2008 Continued

Adjourn

On a motion by Councilperson Thomas Hasbrouck, seconded by Councilperson Clarence Barber, the Town Board adjourned the meeting at 8:45 p.m.

Respectfully submitted,

Laurie Dutcher, Town Clerk