

**TOWN BOARD OF THE TOWN OF LIBERTY
DEPARTMENT HEAD MEETING
NOVEMBER 3, 2008**

At the Regular Monthly Department Head Meeting of the Town Board of the Town of Liberty held on November 3, 2008 at 4:00 p.m. at Town Hall, 120 North Main Street, Liberty, NY, the following were present:

John Schmidt, Supervisor
Maurice Gerry, Councilperson
Thomas Hasbrouck, Councilperson
Lynn Killian, Councilperson
Clarence Barber, Councilperson

Recording Secretary: Laurie Dutcher, Town Clerk

Also present:

Kenneth Klein, Attorney
Earl Bertsch, Finance Director
Cheryl Gerow, Finance Account Clerk
Sara Sprague, Deputy Town Clerk
Mark VanEtten, Code Enforcement Officer
Kathy Sprague, Assessor
John Lennon, Deputy Highway Superintendent
Maureen Barber, Confidential Secretary

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

DEPARTMENT HEADS

Assessor:

Ongoing and working on:

- 911 Data base update
- 2009 assessment roll
- Exemption Renewals
- Contacting property owners who have the basic STAR, which will be turning 65 for inquiry of the enhanced STAR exemption
- Driver's license renewals

Information:

- County has placed all of the County's inventory on the web (grant)

- (Via grant County-wide Assessing (No reimbursement for Towns though))
- Audrey is back working part-time until January, then full-time
 - STAR rebates have been sent out

County-Wide Assessing – \$8-9,000,000 (Start Up Only)
(More information to follow)

(Property owner not happy, wants to receive a telephone call prior to inspections
– Policy change? Notice in the paper, recollects)

Otherwise business as usual

Highway:

- Updating inventory
- Got through the first snow storm
- Poley Paving has begun work on Youngs Hill
- Business as usual

Code Enforcement:

- 19 complaints
- 11 permits (\$1,700)
- 48 new construction inspections
- Advised that he was still receiving complaints about manure smell coming from James Stoyers property on Briscoe Rd.

Councilperson Lynn Killian will contact Joe Walsh from the Cornell
Co-operative Extension to see if they can contact the manure hauler

- Business as usual

Parks & Recreation:

Absent

Dog Control Officer:

- 79 Calls
- 1 ticket issued
- 743 miles
- 1 dog seized
- 0 bites
- 0 dogs in kennel

Town Clerk / Tax Collector

- Have been busy setting up for the upcoming Presidential Election
- Working w/ M& T Bank and ATC for the 2009 Tax Season. Need software updates to accommodate partial payments.
- Business as usual

Finance Director:

- IT Contract was signed by the Village
- Has found dental coverage through Marshall & Sterling, more money for exact coverage
- Attended a NYRI meeting very interesting.

Attorney

- Gave Town Clerk replacement letter of credit for R&M Farms

BOARD DISCUSSION

Clarence Barber, Councilperson:

- Have we done anything more about snow stops for the Town Barn roof? Need to talk to the Town Engineer.
- Asked Supervisor if he had taken WSS sign to lady for quote and he had
- Wanted to know if there was a sprinkler in the Town Barn. Deputy Highway Superintendent advised him there was not and according to the Engineer they were not needed. The Town's insurance states that there are no sprinklers in the Town Barn.
- Fuel tanks- are we ever going to fix them? (Need to pull out old bids)

Lynn Killian, Councilperson

- Remember to Vote

Thomas Hasbrouck, Councilperson

- Nothing to report

Maurice Gerry, Councilperson

- Nothing to report

John Schmidt, Supervisor

- Nothing to report

BUSINESS

RESOLUTION NO.

TOWN BOARD DECLINES TO EXTEND WARRANTY FOR SOLAR LAMPS

On a motion by Councilperson Thomas Hasbrouck, seconded by Councilperson Maurice Gerry and carried, the Town Board does hereby decline to extend the warranty for the Solar Lamp Posts in Swan Lake.

ALL IN FAVOR-CARRIED

RESOLUTION NO.

APPROVAL OF ANNEXATION OF THE PREMISES OF COLUMBIA LIBERTY GROUP (RITE AID CORP.)

WHEREAS, a petition, pursuant to General Municipal Law Article 17, was presented to the Town Board of the Town of Liberty, New York (the “Town”) on or about September 15th, 2008, for the annexation of certain territory in the Town to the Village of Liberty, New York (the “Village”), said territory being described in said petition which is annexed hereto as Exhibit “A”, and

WHEREAS, a joint hearing of the Town Board of the Town and the Village Board of the Village was duly held on said petition for annexation, according to the law in such cases made and provided, on October 15th, 2008, at which time all parties interested in the matter were heard and all objections presented, and

WHEREAS, the Town Board of the Town has duly considered said petition and the evidence presented at said hearing,

NOW THEREFORE, BE IT RESOLVED, that the Town Board of the Town finds as follows:

- (1) That the aforesaid petition for annexation substantially complies in form and content with General Municipal Law Article 17; and
- (2) That the proposed annexation of certain territory in the Town to the Village as described in the aforesaid petition is in the overall public interest in that the annexed territory thereby has access to municipal sewer service; that all real or personal property and rights in real and personal property, including, but not limited to, streets, avenues, roads, highways, bridges, overpasses, underpasses, culverts, sidewalks, street lighting fixtures, and conduits, pipes, drains, either above or below the ground surface, and appurtenances and appurtenant rights in relation thereto, owned by the Town shall become the property of the Village; and that any such apportionment of any indebtedness

or and any contract or other liabilities or interest shall be a charge to the Village as required by Article 17 of the General Municipal Law.

NOW THEREFORE, IT IS ORDERED that the consent and approval of the Town Board of the Town is hereby given to the annexation of the territory now situated in the Town and described in the aforesaid petition at Exhibit "A" to the Village.

Town Board of the Town of Liberty, New York

**5 AYES
ALL IN FAVOR – CARRIED**

LETTER OF DISCLOSURE – CONFLICT OF INTEREST

At this point in the meeting the Town Board discussed any final changes they would like to make to the 2009 Budget.

A discussion followed regarding the \$4,500 grant stipend being given to the Supervisor's Confidential Secretary. Councilperson Lynn Killian advised that she did not feel that the receipt of one (1) grant in a year justified the \$4,500 salary. Supervisor Schmidt advised that it requires a lot of work to administer these grants and if we had to pay someone else it would be a greater expense. Discussion followed on possible ways to distribute the money. Finance Director Bertsch advised that it could be left in the budget and modified at a later date. The Board agreed to leave it in the budget and will decide how or if to modify it.

At this point in the meeting Supervisor Schmidt opened the Budget Public Hearings:

**PUBLIC HEARING-Infirmary Road Sewer
NOVEMBER 3, 2008**

At a Public Hearing of the Town Board of the Town of Liberty held on November 3, 2008 at 5:30 p.m. at Town Hall, 120 North Main Street, Liberty, New York to hear oral and written comments from concerned citizens on the 2009 Town of Liberty Preliminary Budget of the Infirmary Road Sewer District.

Supervisor Schmidt called the Public Hearing to order at 5:30 p.m.

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

On a motion by Councilperson Thomas Hasbrouck, seconded by Councilperson Maurice Gerry and carried, the Town Board adjourned the hearing at 5:34 p.m.

RESOLUTION NO.

INFIRMARY ROAD SEWER DISTRICT 2009 BUDGET ADOPTED

On a motion by Councilperson Thomas Hasbrouck, seconded by Councilperson Maurice Gerry and carried, the Town Board adopted the Infirmary Road Sewer District 2009 Budget.

ALL IN FAVOR-CARRIED

**PUBLIC HEARING –Loomis Sewer District/Loomis Sewer District
Extension
NOVEMBER 3, 2008**

At a Public Hearing of the Town Board of the Town of Liberty held on November 3, 2008 at 5:35 p.m. at Town Hall, 120 North Main Street, Liberty, New York to hear oral and written comments from concerned citizens on the 2009 Town of Liberty Preliminary Budget of the Loomis Sewer District and the Loomis Sewer District Extension.

Supervisor Schmidt called the Public Hearing to order at 5:35 p.m.

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

On a motion by Councilperson Thomas Hasbrouck, seconded by Councilperson Lynn Killian and carried, the Town Board adjourned the hearing at 5:39 p.m.

RESOLUTION NO.

*LOOMIS SEWER DISTRICT / LOOMIS DISTRICT EXTENSION 2009 BUDGET
ADOPTED*

On a motion by Councilperson Thomas Hasbrouck, seconded by Councilperson Maurice Gerry and carried, the Town Board approved the 2009 Loomis Sewer District / Loomis Sewer District Extension Budget.

ALL IN FAVOR-CARRIED

**PUBLIC HEARING –Swan Lake- Briscoe Rd. Consolidated Sewer District
NOVEMBER 3, 2008**

At a Public Hearing of the Town Board of the Town of Liberty held on November 3, 2008 at 5:40 p.m. at Town Hall, 120 North Main Street, Liberty, New York to

hear oral and written comments from concerned citizens on the 2009 Town of Liberty Preliminary Budget of the Swan Lake-Briscoe Rd. Consolidated Sewer District.

Supervisor Schmidt called the Public Hearing to order at 5:40 p.m.

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

On a motion by Councilperson Lynn Killian, seconded by Councilperson Maurice Gerry and carried, the Town Board adjourned the hearing at 5:44 p.m.

RESOLUTION NO.

SWAN LAKE-BRISCOE RD. CONSOLIDATED SEWER DISTRICT 2009 BUDGET ADOPTED

On a motion by Councilperson Thomas Hasbrouck, seconded by Councilperson Lynn Killian and carried, the Town Board approved the 2009 Swan Lake-Briscoe Rd. Consolidated Sewer District.

ALL IN FAVOR-CARRIED

**PUBLIC HEARING – Youngs Hill Sewer District
November 3, 2008**

At a Public Hearing of the Town Board of the Town of Liberty held on November 3, 2008 at 5:45 p.m. at Town Hall, 120 North Main Street, Liberty, New York to hear oral and written comments from concerned citizens on the 2009 Town of Liberty Preliminary Budget of the Youngs Hill Sewer District.

Supervisor Schmidt called the Public Hearing to order at 5:45 p.m.

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

On a motion by Councilperson Lynn Killian, seconded by Councilperson Thomas Hasbrouck and carried, the Town Board adjourned the hearing at 5:49 p.m.

RESOLUTION NO.

YOUNGS HILL SEWER DISTRICT 2009 BUDGET ADOPTED

On motion by Councilperson Thomas Hasbrouck, seconded by Councilperson Lynn Killian and carried, the Town Board approved the 2009 Youngs Hill Sewer District Budget.

ALL IN FAVOR-CARRIED

**PUBLIC HEARING-2009 Town of Liberty Preliminary Budget
November 3, 2008**

At a Public Hearing of the Town Board of the Town of Liberty held on November 3, 2008 at 5:50 p.m. at Town Hall, 120 North Main Street, Liberty, New York to hear oral and written comments from concerned citizens on the 2009 Town of Liberty Preliminary Budget.

Supervisor Schmidt called the Public Hearing to order at 5:50 p.m.

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

On a motion by Councilperson Thomas Hasbrouck, seconded by Councilperson Maurice Gerry and carried, the Town Board adjourned the hearing at 5:55 p.m.

RESOLUTION NO.

TOWN OF LIBERTY PRELIMINARY 2009 BUDGET ADOPTED

On a motion by Councilperson Thomas Hasbrouck, seconded by Councilperson Maurice Gerry and carried, the Town Board adopted the 2009 Preliminary Budget as presented. A copy of the entire Town Budget including Special Districts on pages

ALL IN FAVOR-CARRIED

ADJOURN

On a motion by Councilperson Lynn Killian, seconded by Councilperson Thomas Hasbrouck, the Town Board adjourned the meeting at 6:00 p.m.

Respectfully submitted,
Laurie Dutcher
Town Clerk