

REGULAR MONTHLY MEETING  
TOWN BOARD OF THE TOWN OF LIBERTY  
DECEMBER 15, 2014 7:00 p.m.

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At the Regular Monthly Meeting of the Town Board of the Town of Liberty held on December 15, 2014 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  
Cheryl Gerow Budget and Accounting Clerk  
Water & Sewer Foreman Thomas Kehrley  
Dan Fagnani of Delaware Engineering  
Confidential Secretary Angela Dalton  
Deputy Town Clerk Sara Sprague  
Paula Kay  
Mary Heinle

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

## **CORRESPONDENCE**

1. A copy of the Ag & Markets Municipal Shelter Inspection Report.
2. A copy of the Ag & Markets Dog Control Officer Inspection Report.
3. A copy of the Security Guard Services Agreement from Wawanda Investigations & Security Company, LLC.
4. A copy of the proposal for the development of a Liberty Animal Shelter.
5. A copy of the 2015 Insurance rates.

## **RECOGNIZE THE PUBLIC**

### **Paula Kay**

Ms. Kay advised the Board that the previous potential buyers for Daytop were no longer interested in purchasing the property, but new buyers were interested in it for a more traditional style camp.

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Ms. Kay also showed the board a purchasing agreement whereby they were purchasing the small contiguous piece that they had spoken about at the last meeting.

She wanted to know if the board was receptive to the zoning change from AC to RD.

After a short discussion the board decided that they would agree to have the Town Attorney draw up a local law changing the zoning but they would like to hear what the neighboring people had to say during the public hearing.

**Joanne Gerow**

DCO Gerow detailed to the board her proposal to Alan Gerry to replace the existing dog kennel on Sunset Lake Rd. with a Liberty Animal Shelter.

The Board felt that the numbers needed to be worked on a little more and the staffing needed to be looked into further, however the Board agreed to write a letter stating that they are in support of the conceptual plan.

**RESOLUTION NO 249-14**

*APPROVAL OF AUDIT*

**Motion by Councilperson Dean Farrand**, seconded by **Supervisor Charlie Barbuti**, the Town Board approved the following:

- December, 2014 Abstract:  
Claims #2222 to #2422 totaling \$495,057.45
- November Post Audit:  
Claims #2206 to #2221 totaling \$105,426.67
- November General Ledger Abstract:  
Claims #391 to #419 totaling \$193,229.69

4 AYES - Carried

1 Absent – Councilperson Thomas Hasbrouck

**RESOLUTION NO 250-14**

**APPROVAL OF MINUTES**

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**Motion by Councilperson Brian McPhillips**, seconded by **Councilperson Russell Reeves**, the Town Board approved the following:

- Department Head Mtg. 12/01/14
- Bid Opening UV system 12/10/14

4 AYES - Carried

1 Absent- Councilperson Thomas Hasbrouck

**RESOLUTION NO 251-14**

*UV BID ACCEPTED*

**Motion by Councilperson Brian McPhillips**, seconded by **Councilperson Russell Reeves**, the Town Board approved the following bid received by UV Doctor Systems, LLC, 1184 Ferris Road Amelia, OH for the overhaul of the existing 37 lamp Ultron System at the Swan Lake Wastewater Treatment Plant in the amount of:

One Unit	\$46,440.00
Two Units (at the same time)	\$88,236.00

4 AYES - Carried

1 Absent- Councilperson Thomas Hasbrouck

**RESOLUTION NO 252-14**

*ACCEPTANCE OF MONTHLY REPORTS*

**Motion by Supervisor Charlie Barbuti**, seconded by **Councilperson Brian McPhillips**, the Town Board approved the following:

- Town Clerk's Monthly Report 12/14
- Monthly Town Board Revenue & Expense Report as of 11/30/14
- Supervisor's Report 10/14 & 11/14

4 AYES - Carried

1 Absent- Councilperson Thomas Hasbrouck

**OLD BUSINESS**

1. Loomis Wastewater Treatment Facility Phase II Plans

*Delaware Engineering gave the following report:*

**1. Water System DRBC Application**

- No new comments back from DRBC Application

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**2. Loomis WWTP Upgrade**

- ***Plant Data/Sampling Needs***
  - When significant rain events occur, the Town will continue to collect some wet weather WWTP influent and clarifier effluent data for the design of Phase 2 WWTP (soluble BOD, BOD, TSS, phosphorous, ammonia):
    - 24 hour composite sampling
  
- ***Phase 2 NYSDEC***
  - Met with NYSDEC at Region 3 New Paltz offices on October 28 to discuss Phase 2, the permit and Consent Order
  - Forwarded a meeting summary on October 29 to NYSDEC
  - Recent correspondence from NYSDEC on Loomis Permit and I/I-see attached.
  - For Loomis WWTP:
    - NYSDEC is still working on a final limit for Phosphorous
    - Will be based on effluent loading at the time of permit changes – 2012
      - This means it should be based on 2 to 2.5 mg/l rather than the 0.5 mg/l that is contained in the current new permit.
      - Loading is the product of concentration (mg/l) x flow (MGD) x 8.34 so at previous permit flow of 80,000 gallons per day (0.08 MGD) the loading limit under a revised permit should be 0.08 MGD x 2 mg/l x 8.34 = 1.3 pounds per day.
        - If our plant flow is less than 80,000 gpd, at the revised loading limit of 1.3 pounds per day, the concentration of phosphorous can be higher than 2 mg/l.
        - This means that if NYSDEC revises the permit as planned it is likely that phosphorous compliance can be met with chemical addition alone and no separate process.
    - NYSDEC does not want any flows to bypass biological (RBC) treatment
      - no Eq Tank overflow directly to Sand Beds
      - May end of diverting flows >50,000 gpd to the process train that is offline prior to sending it thru the sand beds
        - Some more thought required
    - Regarding Consent Order issues – for example - revising interim dates for Phase 2 submissions – need to contact Region 3 Attorney
  - Regarding Loomis I/I:
    - Letter states that current submissions are not acceptable
    - Long list of things they want to see included

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- Can address most of their requested items
  - Have a draft of the Loomis Sewer System Map based on drawings and info obtained from W&S – key item required for the report to show facilities as well as problems, repairs, etc.
  - Working on tables summarizing investigative work, problems noted, repair work to date, etc.
  - Plan for work forward will be minimal since flows appear to be alto lower since Town did work in 2014. We will review this carefully with Town before submitting.
- ***Phase 2 work – most likely elements generally following the CDBG funded/planned path:***
    - Planned items
      - Items needed to finish up Phase 1
      - New Equalization Tank to provide a more uniform hydraulic load to the plant with an overflow to go to existing sand beds
        - Size and type of tank affects site and cost – evaluating
      - Second RBC/clarifier train rated at 50,000 gpd
      - Limited repairs to the existing sand beds
    - remove and replace 4”to 6” of sand (washed sand, low in fines 0.3 to 0.6 mm)
      - working to get good costs from sand suppliers
        - replace top 12” of liner all around
        - replace one section of concrete berm
      - Revised or different waste solids holding tank  
(Draft site plan – roll out)
    - Possible Items
      - Treatment to address total phosphorous
        - Currently proposed limit of 0.5 mg/l under review with NYSDEC
      - Sodium Bicarbonate feed system relocation
      - UV repairs
      - Upgrade influent pumps (depends on location of new Eq tank)
      - Larger Electrical service (working on motor list to see total needs)
      - Larger generator ( working on motor list)
  - ***Phase 2 Budget:***
    - Looking to keep project cost (including construction, engineering, other cost) at less than or equal to \$2M.
    - Looks possible without phosphorous treatment beyond chemical addition
  - ***Delaware’s contract for Phase 2***
    - Phase 2 work budget numbers pending NYSDEC determination of phosphorous limit
      - We are working on the design plans and engineering report now
      - Engineering costs included in the project budget ( overall goal <\$2M)

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- Will submit once we get NYSDEC feedback on phosphorous limit and agree upon a final WWTP process schematic/plan and cost with the Town

**3. Swan Lake WWTP**

- Have been developing concept for new sludge dewatering ( drawing)
- Looking at screw press for dewatering and replacing/repairing clarifier components
- Getting pricing and reviewing with Water and Sewer

**4. Budgets for Waterline Projects for 2015**

- Conducted site visit with W&S on November 25 to Harris Road and Ferndale Road
- Working up estimates for Town

**5. CFA Grants**

- White Sulphur Springs Water Project successful per Mark Blauer's Dec 11 email and attachment – Great news!

**6. Attachments**

- NYSDEC Letters on Loomis WWTP and I/I

**7. Items Reviewed at Meeting but not distributed:**

- Loomis Upgrade site plan (draft)
- Loomis SSES and I/I system map (draft)
- Swan Lake WWTP Dewatering concept plan (draft)

2. Proposed Zoning changes

*Carry over*

3. Emergency Preparedness Plan

*Carry over*

4. Proposed Local Law #3 of 2014

*Ken will make a formal resolution for the 12/30/14 meeting.*

5. Town Court Relocation

**RESOLUTION NO 253-14**

*ACCEPTANCE OF THE LIBERTY POLICE MUNICIPAL COOPERATION AGREEMENT FOR COURT SECURITY*

**Motion by Councilperson Brian McPhillips**, seconded by **Councilperson Dean Farrand**, the Town Board of the Town of Liberty does hereby accept the Municipal Cooperation Agreement for court security with the Village of Liberty Police and does hereby authorize the Supervisor to sign the agreement. *\*On file in the Town Clerk's Office*

4 AYES - Carried

1 Absent- Councilperson Thomas Hasbrouck

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**NEW BUSINESS**

**RESOLUTION NO 254-14**

*APPROVAL FOR JOAN REDINGTON TO CARRY OVER (5) VACATION DAYS TO 2015*

**Motion by Councilperson Dean Farrand**, seconded by **Councilperson Brian McPhillips**, the Town Board does hereby give its approval for Joan Redington to carry over (5) vacation days to 2015.

4 AYES - Carried

1 Absent- Councilperson Thomas Hasbrouck

**RESOLUTION NO 255-14**

*RESOLUTION OF THE TOWN OF LIBERTY, NEW YORK, ADOPTED DECEMBER 15, 2014, APPROVING AND ENDORSING THE JOINT CONSOLIDATION AGREEMENT WITH RESPECT TO THE LOOMIS SEWER DISTRICT, THE LOOMIS SEWER DISTRICT EXTENSION NO. 1, AND THE LOOMIS SEWER DISTRICT EXTENSION NO. 2*

A regular meeting of the Town Board of the Town of Liberty, in the County of Sullivan, New York, was held at the Town Hall, 120 North Main Street, Liberty, New York, on December 15, 2014.

There were present: Charles Barbuti, Supervisor; and  
Councilpersons: Councilperson Dean Farrand  
Councilperson Russell Reeves  
Councilperson Brian McPhillips

There were absent: Councilperson Thomas Hasbrouck

Also present: Laurie Dutcher, Town Clerk

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Councilperson Dean Farrand offered the following resolution and moved its adoption:

RESOLUTION OF THE TOWN OF LIBERTY, NEW YORK,  
ADOPTED DECEMBER 15, 2014, APPROVING AND  
ENDORING THE JOINT CONSOLIDATION AGREEMENT  
WITH RESPECT TO THE LOOMIS SEWER DISTRICT, THE  
LOOMIS SEWER DISTRICT EXTENSION NO. 1, AND THE  
LOOMIS SEWER DISTRICT EXTENSION NO. 2

Recitals

WHEREAS, the Town Board of the Town of Liberty, in the County of Sullivan, New York (herein called the "Town") has reviewed the proposed Joint Consolidation Agreement in connection with the proposed consolidation of the Loomis Sewer District, the Loomis Sewer District Extension No. 1, and the Loomis Sewer District Extension No. 2;

Now, therefore, the Town Board hereby resolves as follows:

Section 1. The proposed Joint Consolidation Agreement in connection with the consolidation of the proposed consolidation of the Loomis Sewer District, the Loomis Sewer District Extension No. 1, and the Loomis Sewer District Extension No. 2, in substantially the form appearing in Exhibit A hereto, is hereby approved and endorsed.

Section 2. A public hearing shall be held at the Town Hall, 120 North Main Street, Liberty, New York on January 20, 2015 at 6:45 P.M. to hear those in favor

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of and those in opposition to the proposed consolidation of the Districts and the Town Clerk is hereby authorized and directed to publish and post notice of such public hearing pursuant to applicable law.

Section 3. This resolution shall take effect immediately.

\* \* \* \* \*

Supervisor Charlie Barbuti seconded the motion for the adoption of the foregoing resolution and said resolution was adopted by a roll call vote, as follows:

Supervisor Charles Barbuti	voting	AYE
Councilman Dean Farrand	voting	AYE
Councilman Thomas Hasbrouck	voting	ABSENT
Councilman Brian McPhillips	voting	AYE
Councilman Russell Reeves	voting	AYE

\* \* \* \* \*

The resolution was declared adopted.

**RESOLUTION NO. 256-14**

*RECOMMEND THE RE-APPOINTMENT OF MARK MCCARTHY AS THE CATSKILL WATERSHED REPRESENTATIVE*

**Motion by Supervisor Charlie Barbuti**, seconded by **Councilperson Russell Reeves**, the Town Board of the Town of Liberty does hereby recommend the re-appointment of Mark McCarthy as the Catskill Watershed Representative.

4 AYES - Carried

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1 Absent- Councilperson Thomas Hasbrouck

**RESOLUTION NO 257-14**

*EXECUTIVE SESSION*

**Motion by Supervisor Charlie Barbuti**, seconded by **Councilperson Brian McPhillips**, the Town Board of the Town of Liberty does hereby go into Executive Session at to discuss (2) specific personnel matters.

4 AYES - Carried

1 Absent- Councilperson Thomas Hasbrouck

**RESOLUTION NO 258-14**

*OUT OF EXECUTIVE SESSION*

**Motion by Supervisor Charlie Barbuti**, seconded by **Councilperson Brian McPhillips**, the Town Board of the Town of Liberty does hereby come out of Executive Session at 9:40 p.m.

4 AYES - Carried

1 Absent- Councilperson Thomas Hasbrouck

**ADJOURN**

On a motion by Councilperson Brian McPhillips, seconded by Councilperson Russell Reeves the Town Board of adjourned the meeting at 10:25 p.m.

Respectfully submitted,

Laurie Dutcher,  
Town Clerk