

AGENDA
TOWN BOARD OF THE TOWN OF LIBERTY
TOWN HALL, 120 NORTH MAIN ST, LIBERTY, NY 12754
October 3, 2016

DEPARTMENT HEAD MEETING 4:00 p.m.

PLEDGE OF ALLEGIANCE

RECOGNIZE DEPARTMENT HEADS

<i>ASSESSOR</i>	<i>DCO</i>	<i>PARK & REC</i>
<i>CEO</i>	<i>FINANCE</i>	<i>TOWN CLERK</i>
<i>COURT</i>	<i>HIGHWAY</i>	<i>WATER & SEWER</i>

RECOGNIZE THE PUBLIC

CORRESPONDENCE

1. A letter from the Swan in Swan Lake regarding a public hearing held by the Town of Bethel Planning Board on 10/5/16 at 7:30 p.m. for the purpose of obtaining a modified site plan approval for 143 unit residential development.
 2. A letter from the NYS Department of Transportation regarding receipt of the Towns request for a lower speed limit on Briscoe Road.
-

BUSINESS

1. Approval of the following minutes:
 - 9/19/16 Public Hearing
 - 9/19/16 Regular Monthly Mtg.
 - 9/22/16 Surplus Equipment Bid
-

OLD BUSINESS

1. Town Hall Department relocations to 119 North Main Street
 2. New Town Code for Solar installations.
-

EXECUTIVE SESSION

ADJOURN

TOWN OF LIBERTY ASSESSOR'S OFFICE



DEBORAH S. SHEA- *Sole Assessor*

120 North Main Street
Liberty, New York 12754-1893
d.shea@townofliberty.org

845-292-4843
Fax 845-292-2562

DEPARTMENT HEAD REPORT

Monthly Ongoing Updates: collecting data, updating files, splits, merges and renewing exemptions.

- Processed 81 deeds from the County tax sale, this will bring some assessment back on next year's 2017 roll.
- Updated the 2016 roll with sewer unit changes for 94 parcels. This will be for January 1st tax bill. The BAR will have to sign the Assessors petition to change the existing roll. The 3rd BAR meeting of this year is meeting in my office October 4th at 4:00PM.

-submitted 9/29/2016

Town of Liberty Finance Office
120 North Main Street
Liberty, NY 12754
(845) 292-5772
c.gerow@townofliberty.org

DATE: September 30, 2016
TO: Supervisor Barbuti and Town Board Members
FROM: Earl Bertsch/Cheryl Gerow
RE: September Monthly Report

The following took place in the Finance Office for the month of September:

1. Submitted payment request to EFC for Loomis Sewer Phase II totaling \$255,965.90 Total requested and received to date is \$1,029,700.51.
2. Met with Department Heads regarding their 2017 Tentative Budget
3. Made changes to 2017 Tentative Budget according to Town Board discussions
4. Began calculating the effect on sewer units and charges by changing the minimum usage
5. Contacted NYSEG regarding Presidential Estates, lights out on State Route 52 and obtaining an inventory list of the street lights
6. Prepared draft letter to be sent to in-district sewer users regarding the average 3,000 gallons per day average flow
7. Worked on draft agreement for outside sewer users
8. All other daily duties and responsibilities

**TOWN OF LIBERTY
HIGHWAY DEPARTMENT
DEPARTMENT HEAD REPORT
September 2016**

- September 1 - Install pipes Loomis Road
Ditch Breezy Hill Road
Patch Cross Road
Work on trucks/equipment in shop
Work at gravel bank
- September 2 - Driveway patch to new cold pave on Wilbur Klein Road
- September 6 - Ditch Breezy Hill Road
Patch
Work on trucks/equipment in shop
Work at gravel bank
- September 7 - Chip seal Benton Hollow Road
- September 8 - Chip seal Cross Farm Road
- September 9 - Patch Sunset Lake Road
Ditch Loomis Road
Ditch Breezy Hill Road
Work on trucks/equipment in shop
Work at gravel bank
Haul stone
- September 12 - Ditch and patch Breezy Hill
- September 13 - Patch Parks Road
Ditch Loomis road
Sweep Breezy Hill Road
- September 14 - Patch Breezy Hill Road
Move equipment
Ditch Loomis Road
Ditch Doughty Road
Work at gravel bank
- September 15 - Patch
Ditch Doughty Road
Ditch Loomis Road
Work on trucks/equipment in shop
Work at gravel bank

- September 16 - Ditch Doughty Road
Work at gravel bank
Ditch Loomis Road
Work on trucks/equipment in shop
- September 19 - Haul sand
- September 20 - Ditch Doughty Road
Patch Breezy Hill Road
Ditch Loomis Road
Work on trucks/equipment in shop
Work at gravel bank
- September 21 - Sweep Cross Farm Road
Ditch Loomis Road
Ditch Doughty Road
Work at gravel bank
Work on trucks/equipment in shop
- September 22 - Pave Doughty Road (trucks from Village of Liberty, Fremont, Callicoon)
- September 23 - Pave Breezy Hill (trucks from Village of Liberty, Fremont, Rockland)
- September 26 - Pave Loomis Road
- September 27 - Pave Loomis Road



119 NORTH MAIN STREET
LIBERTY, NEW YORK 12754
(845) 292-7690

October 2016
Department Head Report

1. We held an under the lights game for the Liberty Warriors youth football and cheerleading program at the elementary ballfield. We had a tremendous turn out from the community and heard a lot of positive feedback about the program. The school was very supportive also and really helped us out.
2. Matt Dewitt has agreed to help with the Hanofee Ballfield again. We have started getting quotes on replacing the fence and will hopefully start on the infield this fall.
3. We are currently holding registration for our fall programs. Attached is our flyer.
4. We have enough park staffing to keep the park gates open through October. We will try and keep the water on as long as possible.
5. We are continuing to do trail maintenance at both parks.
6. We are taking the seniors from the Liberty Senior Center for a day trip to the Racino on October 4th.
7. We have been setting everything up for our Halloween Parade which will be held October 29th and 12pm. The C.A.C.H.E. Agency is going to join us and sponsor a Trunk or Treat during the event and one of their employees is going to DJ for us.

Town of Liberty Parks and Recreation



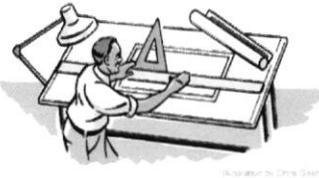
Program Flyer

Fall 2016

YOUTH PROGRAMS

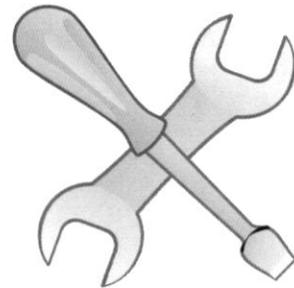
Engineering for Kids

Discover the world of engineering for kids with our range of cool science projects, fun experiments, interesting facts, amazing videos and more! Sign up and learn more about bridges, buildings, electricity and flight engineering!



Day/Date/Time:

Monday's
October 17th - November 7th
3:00pm - 5:00pm



Grade: 2nd - 4th

Cost:

Liberty Resident \$15.00 | Non-Resident \$25.00

Parks and Recreation Staff members will pick-up students 2nd - 4th at the Elementary School

Must Pre-Register at Parks and Rec. Office



Biking



Liberty



Join our biking group as we ride Liberty's Rails to Trails and Walnut Mountain Park.

Bikes and helmets included if needed

Must Pre-Register



Age: 11 - Adult

Day/Time: Sunday's | 11:00am

Date: October 9th, 16th, 23rd, 30th

Cost:

Liberty Resident \$10.00 | Non-Resident \$20.00



Walking Program

Is the weather bad outside? Getting too cold? Then join our walking program! Every Tuesday and Thursday come out to the Liberty High School to walk the halls. Enjoy the warmth of the school, walk at your own pace and get in shape.

Dates: October 18th - December 15th | January 3rd - March 30th, 2016

Time: 6:00 p.m. - 7:00 p.m.

Fee: \$ 10 for Liberty Residents
\$20 Non- Residents



Must Pre-Register



Halloween Parade- Saturday October 29th 2016



Bring your child to the Annual Halloween Day Parade on Saturday October 29th. The parade will begin at 12 noon and journeys through Main Street, ending at the Liberty Parks and Recreation parking lot. Bags, doughnuts, and cider will be given out to all children in costume. There will be a costume contest and more at the Liberty Parks and Recreation parking lot following the parade.

Costume Judging Categories : **Infant – 2:** Cutest, Most Original, Most Humorous
Ages 3+: Scariest, Most Original, Most Humorous
Group Contest and Pet Costume Contest!!!

Float Judging Criteria: Workmanship/Construction, Appearance, & Overall Presentation.

11 :00a.m. - LINE UP AT THE MUNICIPAL PARKING LOT ACROSS FROM THE ELKS LODGE.

11:30 a.m. - **COSTUME CONTEST and FLOAT JUDGING BEFORE THE PARADE AT LINE-UP. No late entries!**

12:00 noon – PARADE BEGINS!!
- Costume and Float awards handed out following the parade at the Liberty Main Street Stage!

* We would like to invite your group/organization/business to participate in our **Annual Halloween Parade**. We would like to have as many floats and or groups marching to make the parade a memorable event for the children in Liberty. If you would like to enter a float in the parade please contact the Town of Liberty Parks and Recreation Department.

For more Information / Enter a float / or Volunteer call: 292-7690

Rain Date: Sunday October 30th Parade starts at 2pm. Line up at the municipal parking lot behind the Elks Club will be at 1 p.m. Judging of the floats and costumes will begin promptly at 1:30 p.m.

New York City Bus Trip

Take a trip to New York City for the day on **Saturday, November 12, 2016**. Partake in your holiday shopping, see a show, visit a friend, or just enjoy the wonderful things that the city has to offer. The Bus stops in the Rockefeller Center area where you are let off to do as you please. The bus leaves from the Liberty Senior Center at 8:30 a.m. and will arrive in the city at 10:30 a.m. The bus will leave the city at 6:30 p.m. and return to Liberty at approximately 8:30 p.m. For more information contact the Town of Liberty Parks and Recreation office.

FEE: \$32 per person

You must pre register at the Parks and Recreation Office.



Liberty Senior Citizen Center

119 North Main Street
Liberty, NY 12754

Are you 60 years of age or older? Come join us at the Senior Center for a hot lunch provided by the Sullivan County Office of Aging weekly on Monday's, Wednesday's, and Friday's. Lunch is served at 12:00 pm (noon).

Cost: Suggested donation of \$3.00. (Must pre-order meal).

Following lunch join us for fun filled activities. Activities start immediately after the nutrition site meal is completed (approximately 12:30 p.m.).

Mondays are Free Bingo Days. Play bingo and win prizes each week.

Wednesdays and Fridays are "Your Choice" days. Enjoy some conversation with friends, playing cards, table games, billiards, table tennis, watch TV and more.

**For more information about lunches and programs,
please contact the senior center at 292-1033**



Liberty Warriors Youth Football & Cheerleading

Schedule



Saturday, September 17th

Rockland @ Liberty 8:30am

Friday, September 23th

Tri-Valley @ Liberty Elementary School

***Under the lights* 5:30pm**

Saturday, October 1st

Liberty @ Rockland 8:30am

Saturday, October 15th

Liberty @ Tri-Valley 8:30am

Sunday, October 23rd

Liberty Tournament @ Liberty



ALL DATES & TIMES ARE SUBJECT TO CHANGE!

- Call the Parks and Recreation office for further information. 292-7690

Guided Fall Hike

* Walnut Mountain Park *

Liberty, NY

Check out the infamous Witches Rock and learn the history of Walnut Mountain!
Enjoy the Fall Foliage and Amazing Views!



Date:

5:00 pm Wednesday, October 26, 2016

(Rain Date: October 27th)

Please RSVP by Tuesday, October 25th. Call Liberty Parks and Recreation (845) 292-7690 or email p.r.dept@townofliberty.org or call Lisa Lyons at Morgan Outdoors in Livingston Manor, (845) 439-5507.

Town of Liberty Parks and Recreation Department

Brian Scardefield, Director

James Adam Guara, Assistant Recreation Director

Kevin Delaney, Park Supervisor. Linda Mullen, Secretary

Parks and Recreation Office: 119 N. Main St. Liberty, NY 12754

Phone: (845) 292-7690 **Fax:** (845) 292-3588 **Senior Center:** (845) 292-1033

Email: p.r.dept@townofliberty.org **Web Page:** www.townofliberty.org

Check us out on **Facebook!**

Account#	Account Description	Fee Description	Qty	Local Share
	Health Insurance	Highway Fund DA	1	0.00
			Sub-Total:	\$0.00
A1255	Conservation	Conservation	18	66.31
	Marriage License	Marriage License Fee	3	52.50
	Small Sales	EZ Pass	2	50.00
		Marriage Certificate	4	40.00
			Sub-Total:	\$208.81
A1620.4	Small Sales	Photo Copies	3	0.75
			Sub-Total:	\$0.75
A2544			3	0.00
	Dog Licensing	Female, Spayed	19	108.50
		Female, Unspayed	3	37.50
		Male, Neutered	12	68.00
		Male, Unneutered	3	32.50
		Purebred Licenses	1	25.00
			Sub-Total:	\$271.50
A2545	Dog	Redeemed Dog	1	75.00
			Sub-Total:	\$75.00
B2115	Building Fees	Special Use	2	200.00
			Sub-Total:	\$200.00
B2770	Building Fees	Building Permit	16	1,778.50
		Commercial Establishment Inspections	5	1,135.00
		Municipal Search	15	750.00
			Sub-Total:	\$3,663.50

Total Local Shares Remitted: \$4,419.56

Amount paid to:	Highway Fund DA	568.94
Amount paid to:	Ny State Dept. Of Health	67.50
Amount paid to:	NYS Ag. & Markets for spay/neuter program	61.00
Amount paid to:	NYS Environmental Conservation	1,135.69

Total State, County & Local Revenues: \$6,252.69

Total Non-Local Revenues: \$1,833.13

To the Supervisor:

Pursuant to Section 27, Sub 1, of the Town Law, I hereby certify that the foregoing is a full and true statement of all fees and monies received by me, Laurie Dutcher, Town Clerk, Town of Liberty during the period stated above, in connection with my office, excepting only such fees and monies, the application of which are otherwise provided for by law.

_____ Supervisor	_____ Date	_____ Town Clerk	_____ Date
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DEPARTMENT HEAD REPORT
WATER & SEWER DEPARTMENT
October 3, 2016

1. Ditch #1 at Swan Lake Sewer has been drained and is scheduled to be pumped out on Tuesday October 4th. Once the ditch has been washed out, TAM Enterprises will install the second drain valve in this ditch and will complete the ditch improvements for this year. We are still looking into aeration additions to both ditches and are trying to get a representative that worked on the Village plant to stop and look at system while it is still empty. This ditch needs to be refilled by cold weather. We have been given some used equipment from the Village and will be working to install it in one ditch in house to save us a substantial amount of money.
2. Tentative date for Stevensville well upgrade is set for mid October. At this time, Marks Enterprises will also be completing the lightning damaged equipment at the Sherwood Well site.
3. Generators have been installed at Ferndale PS and Infirmary PS and are awaiting full power testing and turn on is expected in the next few weeks.
4. Would again like to thank Tim Pellam, Matt DeWitt for help on the water main break on Sept. 18th, with road materials to get the WS roadway put back together. A total of 250,000 gallons of water flowed out and down the roadway from this leak. We also did some mowing for Tim at the gravel bank and finished the manhole and valve extension work in the Loomis District repaving.
5. We are awaiting the start up people at the Loomis Sewer plant as most of the project is coming to an end. Final sand addition to beds will be done this week and with electricians on site, most of the electrical work is also getting caught up. Our Dept. has also scheduled the 3rd quarter cleaning and inspection of the Beaumont line for next week as part of the ongoing mandate.
6. Looking for Board approval to move forward with the purchase of a 2017 utility truck to replace Stacey's truck. Budget is already set with funds to allow for purchase.
7. Also getting final quotes in order for the spray foam for the pole barn at the Swan Lake Sewer plant. The quote from the local insulation company is owner/operator, so prevailing wage was not applied to the quote of \$16,500. Since all districts store equipment in this building, I have enclosed a breakdown of cost to each district and this can be done with this year's budget, if approved.
8. Anything else that may arise prior to this meeting.

TOWN OF LIBERTY
WATER & SEWER DEPARTMENT
120 NORTH MAIN STREET
LIBERTY, NY 12754
Phone: (845) 292-5620
Fax : (845) 292-3041
TTY/TTD: 711

Cost to spray foam insulate pole building - \$16,500.

The following is a breakdown of what each district would contribute to this:

Loomis Sewer	\$ 990.00
Swan Lake Sewer	\$ 5,940.00
Young's Hill Sewer	\$ 165.00
Infirmiry Sewer	\$ 825.00
Loomis Water	\$ 495.00
Ferndale Water	\$ 3,135.00
Stevensville Water	\$ 3,630.00
W.S.S. Water	\$ 825.00
Indian Lake Water	\$ 165.00
Cold Spring Water	\$ 165.00
Route 55 Water	\$ 165.00
Total	\$ 16,500.00

In accordance with Federal Law and U.S. Department of Agriculture policy, this institution is prohibited from discriminating on the basis of race, color, national origin, sex, age, or disability.
(Not all prohibited bases apply to all programs.)

To file a complaint, write USDA, Director, Office of Civil Rights,
Room 326-W, Whitten Building, 1400 Independence Avenue, SW, Washington, DC 20250-9410
Or call (202) 720-5964 (voice and TDD). USDA is an equal opportunity provider and employer.

September 19, 2016

The Swan in Swan Lake

Re: Bethel Tax Map #'s: 8-1-60.1, 61, 64, 68, 83

Dear Property Owner,

Please take notice that there will be a Public Hearing held by the Town of Bethel Planning Board on October, 5th at 7:30 PM at the Duggan Community Center, located on 3460 SR 55, White Lake, for the property located between State Route 55 and Old White Lake Turnpike in Swan Lake, NY.

This public hearing is for the purpose of obtaining a modified site plan approval for a 143 unit residential development.

If you have any comments or concerns regarding the above matter, you may contact the Town of Bethel Building Department at 845-583-4350 Ext 15 or attend the public hearing.

Sincerely,

Wasson Engineering



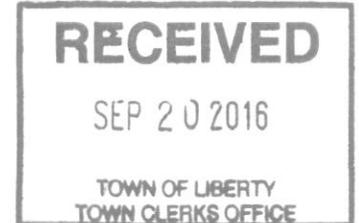
Department of
Transportation

ANDREW M. CUOMO
Governor

MATTHEW J. DRISCOLL
Commissioner

JOHN R. WILLIAMS, P.E.
Regional Director

September 15, 2016



Mr. Edward McAndrew, Commissioner
Sullivan County Division of Public Works
Sullivan County Government Center
100 North Street
PO Box 5012
Monticello, New York 12701

Dear Commissioner McAndrew:

Re: **REQUEST FOR SPEED LIMIT EXTENSION
CR 142, BRISCOE ROAD
TOWN OF LIBERTY, SULLIVAN COUNTY**

We received your August 26, 2016 letter requesting a lower maximum speed limit on CR 142 in the Town of Liberty. Our office will perform a review of the speed limit on this County road to assess the current situation and outline opportunities for improvement. We will notify you and the appropriate agencies of the results of our review.

If you have any questions, please feel free to contact me at (607) 721-8072.

Sincerely,

Pamela Gendron, P.E.
Regional Operations Engineer

c: Dermot P. Dowd, L.S., Civil Engineer
Laurie Dutcher, Town Clerk, Town of Liberty

TOWN BOARD OF THE TOWN OF LIBERTY
PUBLIC HEARING
September 19, 2016

At a Public Hearing of the Liberty Town Board held on September 19, 2016 at 6:30 p.m. at Town Hall, 120 North Main Street, Liberty, NY, to hear oral and written comments from concerned citizens with regard to Introductory Local Law entitled "A local law amending the sewer use regulations in Chapter 121 of the Code of the Town of Liberty, Sullivan County, NY."

PRESENT:

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

Finance Director Earl Bertsch
Budget and Accounting Clerk Cheryl Gerow
Water & Sewer Foreman Thomas Kehrley
Town Attorney Kenneth Klein
Confidential Secretary Carmen Malanka

ALSO PRESENT:

Keith & Kim Torrens
Helen Budrock
Lillian Stettner
Nancy Levine
Richard Winters of Delaware Solar Co.

Supervisor Barbuti called the Public Hearing to order at 6:30 p.m.

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

Adjourn

Motion by **Councilperson Vincent McPhillips**
Seconded by **Councilperson Brian McPhillips**
Adjourned 6:35 p.m.

Laurie Dutcher, Town Clerk

REGULAR MONTHLY MEETING
TOWN BOARD OF THE TOWN OF LIBERTY
September 19, 2016

Claims #1649 to #1677 totaling \$138,358.50

- August General Ledger Abstract:
Claims #239 to #303 totaling \$755,520.49

Motion: Councilperson Russell Reeves
Second: Councilperson Brian McPhillips
5 AYES - Carried

2016-99 *APPROVAL OF MINUTES*

The Town Board approved the following minutes with changes.

- 8/15/16 Public Hearing
- 8/15/16 Public Hearing
- 8/15/16 Regular Monthly Mtg.
- 8/29/16 Joint Meeting
- 9/6/16 Dept. Head Mtg.

Motion: Councilperson Dean Farrand
Second: Councilperson Brian McPhillips
5 AYES - Carried

2016-100 *ACCEPTANCE OF MONTHLY REPORTS*

The Town Board approved the following:

- Town Clerk's Monthly Report 8/2016
- Revenue & Expense Report 8/2016
- Supervisor's Report 8/2016

Motion: Supervisor Charlie Barbuti
Second: Councilperson Russell Reeves
5 AYES - Carried

2016-101 *APPROVAL OF VOUCHER FOR BLAUER ASSOCIATES*

The Town Board does hereby authorize the payment of voucher to Blauer Associates for administrative services for the WSS Water District Phase 5 Improvements Project in the amount of \$500.00.

Motion: Councilperson Dean Farrand
Second: Supervisor Charlie Barbuti
5 AYES - Carried

REGULAR MONTHLY MEETING
TOWN BOARD OF THE TOWN OF LIBERTY
September 19, 2016

2016-102 *APPROVAL OF VOUCHER FOR DELAWARE ENGINEERING, DPC*

The Town Board of the Town of Liberty does hereby authorize the payment of voucher to Delaware Engineering DPC for engineering services for the WSS Water District Phase 5 Improvements Project in the amount of \$2,046.58.

Motion: Councilperson Dean Farrand

Second: Supervisor Charlie Barbuti

5 AYES - Carried

2016-103 *APPROVAL OF VOUCHER FOR DELAWARE ENGINEERING, DPC*

The Town Board of the Town of Liberty does hereby authorize the payment of voucher to Delaware Engineering DPC for engineering services for the WSS Water District Phase 6 Improvements Project in the amount of \$8,285.00.

Motion: Councilperson Dean Farrand

Second: Supervisor Charlie Barbuti

5 AYES - Carried

2016-104 *ADOPTION OF LOCAL LAW #3 OF 2016 (SEWER CHANGES)*

The Town Board of the Town of Liberty does hereby adopt Introductory Local law #4 of 2016 as Local Law #3 of 2016 entitled "A Local Law amending the sewer use regulations in Chapter 121 of the Code of the Town of Liberty, Sullivan County, New York".

Motion: Supervisor Charles Barbuti

Second: Councilperson Russell Reeves

5 AYES - Carried

2016-105 *ADOPTION OF INTRODUCTORY LOCAL LAW #4 OF 2016 (SOLAR MORATORIUM)*
(NO ACTION TAKEN)

TOWN BOARD REQUESTS THAT THE COUNTY OF SULLIVAN PETITION THE STATE NEW YORK, DEPARTMENT OF TRANSPORTATION TO ESTABLISH A LOWER SPEED LIMIT ON LOOMIS RD., NY

The Town Board of the Town of Liberty does hereby request with the submittal of a completed TE-9 that the County of Sullivan Department of Public Works request the State of New York Department of Transportation to establish a 30 mile per hour speed limit on Loomis Rd. TR #104, Liberty, NY.

REGULAR MONTHLY MEETING
TOWN BOARD OF THE TOWN OF LIBERTY
September 19, 2016

Motion: Councilperson Russell Reeves
Second: Councilperson Dean Farrand
5 AYES - Carried

2016-107 INFORMATIONAL ZONING MTG SET FOR 10/4/16 AT 6:30 P.M. AT LIBERTY HIGH SCHOOL

The Town Board of the Town of Liberty does hereby set an Informational Zoning Meeting for 10/4/16 at 6:30 p.m. at the Liberty High School.

Motion: Councilperson Russell Reeves
Second: Councilperson Brian McPhillips
5 AYES - Carried

2016-108 APPROVAL TO RUN FULL PAGE AD TO HONOR JOANNE GEROW AS WOMAN OF THE YEAR AT A COST OF \$135

The Town Board of the Town of Liberty does hereby approve the expenditure of \$135 to run a full page ad congratulating Joanne Gerow as Woman of the year.

Motion: Councilperson Dean Farrand
Second: Councilperson Brian McPhillips
5 AYES - Carried

2016-109 SMART WATT ENERGY, INC TO PROVIDE TOWN W/ FREE PRELIMINARY FEASIBILITY ASSESSMENT

The Town Board of the Town of Liberty does hereby authorize Smart Watt Engery, Inc. to provide a free preliminary feasibility assessment.

Motion: Councilperson Dean Farrand
Second: Councilperson Brian McPhillips
5 AYES - Carried

2016-110 APPROVAL TO REPAIR STEVENSVILLE WELL #3 MOTOR AT THE COST OF \$14,692

The Town Board of the Town of Liberty does hereby authorize the additional cost of \$2,192 above the original approved amount of \$12,500 to \$14,692 for the repair to the motor at Stevensville Well #3. (Increase due to updated quotes)

Motion: Councilperson Brian McPhillips
Second: Supervisor Charlie Barbuti
5 AYES - Carried

REGULAR MONTHLY MEETING
TOWN BOARD OF THE TOWN OF LIBERTY
September 19, 2016

2016-111 *AMENDMENT TO STEVENSVILLE WATER PROJECT CONTRACT & AUTHORIZATION FOR SUPERVISOR TO SIGN*

The Town Board of the Town of Liberty does hereby approve amendment #1 to Delaware Engineering's Engineering Services Contract in order to be eligible for reimbursement through the DWSRF program, the March 2016 contract required an amendment to include the SRF Bid Packet for Non-Construction Contracts. The amendment includes the bid package addition with no other change in scope or cost. The board authorizes the Supervisor to sign the amendment.

Motion: Councilperson Dean Farrand
Second: Councilperson Brian McPhillips
5 AYES - Carried

AUTHORIZATION TO PAY LIBERTY CDC \$5,000

The Town Board of the Town of Liberty does hereby agree to pay the Liberty CDC \$5,000.

Motion: Councilperson Brian McPhillips
Second: Councilperson Russell Reeves
Opposed: Councilperson Vincent McPhillips
4 AYES - Carried

AUTHORIZATION TO HIRE A PART TIME PERSON TO WORK IN BUILDING DEPT. AT A COST NOT TO EXCEED \$2,000

The Town Board of the Town of Liberty does hereby authorize the hiring of a part time person to work in the Building Department approximately 5-6 weeks at a cost of \$12 per hour, not to exceed \$2,000.

Motion: Supervisor Charlie Barbuti
Second: Councilperson Russell Reeves
Opposed: Councilperson Vincent McPhillips
4 AYES - Carried

APPROVAL TO SPEND \$350 ON APPRAISAL FOR PROPERTY ON WATER TOWER RD.

The Town Board of the Town of Liberty does hereby authorize the expenditure of \$350 to appraise property on Water Tower Rd.

Motion: Councilperson Dean Farrand
Second: Councilperson Brian McPhillips
5 AYES - Carried

REGULAR MONTHLY MEETING
TOWN BOARD OF THE TOWN OF LIBERTY
September 19, 2016

EXECUTIVE SESSION

The Town Board of the Town of Liberty does hereby go into Executive Session at 8:10 p.m. to discuss possible litigation.

Motion: Councilperson Russell Reeves
Second: Supervisor Charlie Barbuti
5 AYES - Carried

OUT EXECUTIVE SESSION

The Town Board of the Town of Liberty does hereby come out of Executive Session at 9:05 p.m.

Motion: Councilperson Russell Reeves
Second: Supervisor Charlie Barbuti
5 AYES - Carried

*The Town Board discussed **GO Fund Me** Pages on the Town website and it was decided that they would not be allowed.

The Town Board also decided to move forward with relocating the Building & Assessor Offices to the Park & Recreation Building.

ADJOURN

Motion: Councilperson Russell Reeves
Second: Supervisor Charles Barbuti

Adjourned 8:30 p.m.

Laurie Dutcher, Town Clerk

**SURPLUS EQUIPMENT BID OPENING
1999 18' PARKE LANDSCAPE TRAILER
TOWN OF LIBERTY
9/22/16
11:00 a.m.**

At a Bid Opening held on 9/22/16 at 11:00 a.m. at the Office of the Town Clerk, Town Hall, 120 North Main Street, Liberty, New York to receive and open bids for (1) Used 1999 Parke 18' Landscape Trailer, the following persons were present:

Town Clerk Laurie Dutcher
Finance & Accounting Clerk Cheryl Gerow

After presenting the necessary "Affidavit of Publication" and "Proof of Posting", Town Clerk Laurie Dutcher called the Bid Opening to order at 11:00 a.m.

The following bid was received:

Travis O'Dell 426 Arlyn Milk Rd. Long Eddy, NY 12760 845-807-2630	\$726.00
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A non-collusion bidding certificate was attached.

The Bid Opening was adjourned at 11:05 a.m.

Laurie Dutcher, Town Clerk

§ 220-35 Renewable energy systems.

- A. Intent. It is the intent of this § 220-35 to encourage business and residential use of renewable energy systems in the Town of Delaware, including geothermal, solar and wind energy systems, as defined herein. It is further intended to facilitate the placement of required infrastructure for such systems on buildings and lots, recognizing these improvements often involve special design and location requirements.
- B. Definitions. The following special definitions shall apply to this section:

GEOTHERMAL ENERGY SYSTEM

Equipment that transfers thermal energy to and/or from the ground for the purposes of heating and/or cooling a building. A geothermal energy system consists of a closed-loop system of pipes filled with liquid, a heat exchanger and heat pump.

SOLAR ENERGY SYSTEM

Equipment that directly converts and then transfers or stores solar energy into usable forms of thermal or electrical energy. For the purposes of this chapter, a solar energy system does not include any solar collection system of four square feet in size or less.

WIND ENERGY SYSTEM

Equipment used to produce electricity by converting the kinetic energy of wind to rotational, mechanical and electrical energy. A wind energy system consists of the turbine apparatus (rotor, nacelle and tower) and any other buildings, support structures, or other related improvements necessary for the generation of electric power.



- C. General standards. The following standards shall apply to all renewable energy systems, including geothermal, solar and wind energy systems:
- (1) Use classification. Except for systems designed to produce 100 kW or the equivalent in energy, which systems shall be considered manufacturing and industry uses for purpose of this chapter, all renewable energy systems shall be considered accessory uses permitted in conjunction with any principal use permitted in any zoning district. Notwithstanding this classification, such accessory uses may be placed on a lot separate from the principal use they serve, provided such principal use is located on an adjoining parcel in the Town of Delaware or an adjoining municipality.
 - (2) Setbacks. Renewable energy systems are not permitted within 10 feet of any property line or 35 feet of front lot line, except for underground systems, which may extend to within five feet of a property line, provided that no stand-alone renewable energy system structure shall be placed within a distance equal its own height from such property line or block the majority of sunlight from entering the window of any structure on an adjoining property. An easement granted by an adjoining landowner shall suffice as a setback.
 - (3)

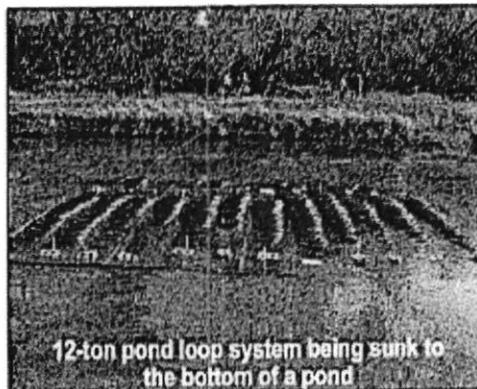
Compliance with Building Code. Any installation of a renewable energy system shall comply with any and all applicable provisions of the New York State Uniform Building and Fire Prevention Code and associated codes.

- (4) Utility notification. No alternative energy system shall be installed unless evidence has been provided to the Town of Delaware that the utility company has been informed of the customer's intent to install an interconnected customer-owned power generation system. Off-grid systems shall be exempt from this requirement.
- (5) Permit requirements. Building permits shall be required for all renewable energy system installations as defined herein.
- (6) Installation. All renewable energy system installations shall be made by qualified installers, and prior to operation, the electrical connections must be inspected by the Town and by an appropriate electrical inspection agency as determined by the Town.^[1]

[1] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).*

D. Geothermal energy system standards.

- (1) Location. Ground-source geothermal energy systems shall be located entirely within the subject property or within appropriate easements secured for this particular purpose. No part of any such system shall be located within public rights-of-way. The heat-exchanger part of a geothermal system may also be located within a pond or lake on the landowner's property, subject to the requirements of New York State law and site plan review by the Town of Delaware Planning Board, but no portion of a geothermal system shall be located within a stream or the Upper Delaware River. Fluids used shall be identified.



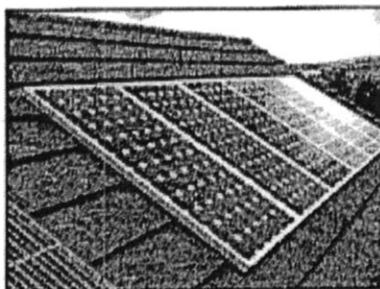
- (2) Water well protection zones. Geothermal energy systems within designated water well protection zones shall comply with all State of New York and Town of Delaware requirements pertaining to protection of public water supply systems and be subject to site plan review by the Town of Delaware Planning Board. Vertical or deep-bore geothermal systems are not permitted within these zones.
- (3) System design. Open-loop geothermal systems that include one or more supply wells and one or more diffusion, recharge, return or injection wells shall comply with all New York State Department of Environmental Conservation standards and be subject to site plan review by the Town of Delaware Planning Board. Water removed from an aquifer must be returned to that same aquifer and within 50 feet vertically, in either direction, of the withdrawal point.

E. Solar energy system standards.

- (1) Location. Solar panels or arrays shall be placed on a principal or accessory structure, on the ground or on a monopole not exceeding 35 feet in height.
- (2) Height. The height of the solar panel or array shall be the minimum necessary to generate usable energy but shall not exceed the height limitations for any structure to which it is attached, provided that structures intended solely for purposes of supporting such solar equipment shall not exceed 35 feet, and any placements

on existing structures at a height of more than 35 feet shall be subject to site plan review by the Town of Delaware Planning Board. The height of the equipment or the building and equipment combined shall, in all instances, be measured with the solar panel or array oriented toward a full tilt, where applicable.

- (3) Setbacks. A solar panel or array shall, where attached to an existing structure, comply with the required setbacks for such structure, provided that attachments to existing nonconforming structures shall not further encroach on such setbacks where already exceeded.
- (4) Surface area. The total surface area of all ground-mounted and freestanding solar panels and arrays on a lot shall not exceed 1,200 square feet, provided that nonresidential placements exceeding this size may be approved by the Town of Delaware Planning Board, subject to site plan review and a determination that such placement will still constitute an accessory use and not conflict with the Upper Delaware Scenic and Recreational River Management Plan.



- (5) Solar hot water. All solar hot water systems shall be subject to the same standards outlined herein as may be applicable.
- (6) Energy storage. When solar storage batteries are included as part of the solar energy system, they must be placed in a secure container or enclosure meeting the requirements of the New York State Uniform Building and Fire Prevention Code and associated codes when in use. When no longer used, such devices shall be safely disposed of in accordance with the laws and regulations of New York State and the Town of Delaware.
- (7) Removal. If a solar collector ceases to perform its originally intended function for more than 24 consecutive months, the property owner shall remove the collector, mount and associated equipment and facilities within 90 days of an order by the Town of Delaware Building Inspector for such removal.
- (8) Restriction on prohibitions. No homeowners' or property owners' association shall prohibit solar energy systems. Covenants and restrictions connected with projects requiring special use permits, site plan review or subdivision approval shall be reviewed for purposes of ensuring there are no such prohibitions.

“(9) Commercial Solar Systems – Non-farm commercial solar systems with nameplate capacity of 25kW or more of energy for sale to utility companies or for other commercial use shall, notwithstanding any other provisions of this law, be considered Special Uses permitted in the RU Rural District subject to the following additional standards and review criteria:

- (a) The owner of a commercial solar system shall, as a condition of approval and prior to constructing the system, provide evidence of approval to connect the solar system to the utility electrical grid and meet all applicable standards for such interconnection.
- (b) Nothing in this law shall be deemed to give any applicant the right to cut down surrounding trees and vegetation on any adjoining property to increase direct sunlight to the solar energy facility. Nothing in this law shall be deemed a guarantee against any future construction or Town approvals of future construction that may in any way impact the sunlight flow to any solar energy facility. It shall be the sole responsibility of the facility operator or owner to acquire any necessary solar energy easements, or rights to remove vegetation.

- (c) All commercial solar system applications shall, in addition to other ordinarily required site plan data, include the following:
- [1] Drawings of the solar installation signed by a licensed Professional Engineer showing the proposed layout of the system and any potential shading from nearby structures.
 - [2] Proposed changes to the site landscape, grading, vegetation clearing and planting, exterior lighting (which shall be limited), screening vegetation or structures; this shall include a visual analysis depicting prospective views from key observation points.
 - [3] A description of the solar facility and the technical, economic and other reasons for the proposed location and design with confirmation by a licensed professional engineer that it complies with all applicable Federal and State standards.
 - [4] Electrical diagram detailing the solar system layout, solar collector installation, associated components, and electrical interconnection methods, with all National Electrical Code compliant disconnects and over-current devices.
 - [5] Documentation of the major system components to be used, including the PV panels, mounting system, and inverter.
 - [6] An operation and maintenance plan which shall include measures for maintaining safe access to the installation as well as general procedures for operational maintenance of the installation.
 - [7] Information on noise and reflectivity/glare of solar panels and any potential impacts on adjoining or nearby property owners.
 - [8] Location of the nearest residential structure(s) on the site and located off the site, and the distance from the nearest proposed solar farm equipment.
- (d) The total surface area of all ground-mounted and freestanding solar collectors and impervious surfaces associated with the solar system, regardless of tilt, shall not exceed 50% of the land area used for the commercial solar system, including such buffers and setbacks as are required to comply with this section. Other impervious surfaces on the lot shall be limited to such proportion of the lot area as normally permitted for the zoning district. See illustration below.

Parcel
00,000.00
500 acres

(Illustration Not to Scale)

Impervious
Surface Area at
50% of 20 Acres
= 10 Acres

Area Allowed for Solar Farm
20 Acres



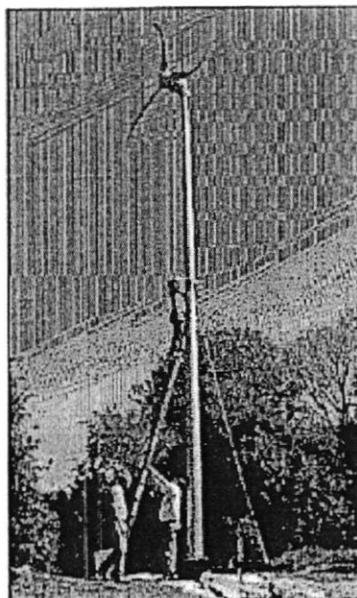
Town Highway

- (e) A vegetated perimeter buffer shall be installed and maintained to provide year round screening of the system from adjacent properties. Such buffer shall include a naturalized mix of trees, shrubs and ground cover in alternating rows designed to provide year-round screening. An earthen berm may also be required. The Planning Board, however, may waive such requirements where adequate vegetative buffers already exist, provided they are maintained so as to continue to accomplish the intended screening. Regardless, all commercial solar systems shall, under any circumstance, be designed and located so as to prevent reflective glare toward any habitable buildings, as well as public streets.
- (f) All ground-mounted panels shall not exceed twelve (12) feet in height.
- (g) All mechanical equipment, including any structure for batteries or storage cells, shall be completely enclosed by a minimum 8' high fence with a self-locking gate.
- (h) All onsite utility and transmission lines shall, to the extent feasible, be placed underground.
- (i) A clearly visible warning sign concerning voltage shall be placed at the base of all pad-mounted transformers and substations.
- (j) All commercial solar system components shall have a minimum 100 foot setback from any lot lines.
- (k) Solar modular panels shall not contain hazardous materials or shall be designed in such fashion that any such materials shall be confined and protected from the possibility of any spills in the event of panel damage from normal wear and tear or due to weather.
- (l) There shall be no signs except announcement signs, such as "no trespassing" signs or signs required to warn of danger. A sign shall be placed at any entrance to the facility that identifies the owner and operator with an emergency telephone number where the owner and operator can be reached on a 24-hour basis.
- (m) The commercial solar system owner or operator shall provide a copy of the project summary, electrical schematic, and site plan to the local fire department. Upon request, the owner or operator shall cooperate with local emergency services in developing an emergency response plan.
- (n) The commercial solar system shall, at all times, be maintained in good condition. Site access shall be maintained to a level acceptable to the local Fire Department and Emergency Medical Services.

- (o) A valid performance bond or other financial surety suitable to the Town Board shall be assigned to the Town of Delaware for decommissioning purposes and all applications for a solar farm shall be accompanied by a decommissioning plan to be implemented upon abandonment and/or in conjunction with removal of the facility. Such plan shall include an engineering cost estimate for completing the decommissioning, which estimate shall be reviewed by the Town Engineer to guide the Town Board in arriving at the bond amount.”

F. Wind energy system standards.

- (1) Height. The height of a wind energy system shall be the minimum necessary to produce usable power. No part of a wind energy system, including the rotor blades while in operation, shall exceed 75 feet above ground level or 20 feet above the base height limit of the underlying zone, whichever is greater. The height may be increased to a maximum of 150 feet on parcels of five or more acres by the Town of Delaware Planning Board, subject to site plan review and findings that granting of the additional height would allow use of a wind energy system where none would otherwise be practical and the support structures are designed to blend in with the architectural character and/or landscape of the surrounding area.
- (2) Size. The maximum length of rotor blades shall be no more than 10 feet, provided that this length may be increased to a maximum of no more than 15 feet where such increased rotor length is documented as the minimum necessary to produce usable power. Longer length rotor blades may be permitted on properties of three acres or more in lot area, subject to site plan review by the Planning Board and findings that granting of the additional length would allow use of a wind energy system where none would otherwise be practical and the support structures are designed to blend in with the architectural character and/or landscape of the surrounding area.
- (3) Clearance of blades. No part of a wind energy system shall extend within 10 feet of the ground. No blades shall extend over parking areas, driveways or sidewalks.
- (4) Noise. Wind energy systems shall not exceed 60 dBA as measured at the nearest adjacent property or easement line. A noise study verifying that the maximum level is not being exceeded may be required to be submitted where equipment is to be located within 100 feet of a property line. An easement granted by an adjoining landowner shall suffice as a setback.
- (5) Transmission lines. Power transmission lines from the tower to any building or other structure shall, to the maximum extent practicable, be located underground.
- (6) Communications equipment. No television, radio or other communications antennas may be affixed or otherwise made part of any wind turbine, except with approval by the Town of Delaware Planning Board based upon site plan review to ensure such equipment will not interfere with existing communications equipment or overwhelm the primary purpose of generating renewable energy.



(7) Visual impacts. No advertising signs are allowed on any part of the wind energy facility, including fencing and support structures. Other measures to reduce the visual impact of wind turbines shall also be employed to the maximum extent practicable, and such facilities shall not conflict with the Upper Delaware Scenic and Recreational River Management Plan. Monopole towers shall be used wherever practicable. All structures in a project shall be finished in a single, nonreflective matte-finished color or a camouflage scheme. Except for danger warnings, no lettering, company insignia, advertising or graphics shall be on any part of the tower, hub or blades.

G. Modification of standards. The Town of Delaware Planning Board may, subject to the limitations of this section and site plan review, appropriately modify other development standards of this chapter and Chapter 186, Subdivision of Land, including but not limited to building and lot coverage, to accommodate renewable energy system; the purpose of this section being to promote rather than restrict the use of such systems.