

**Town Board
Town of Liberty
Department Head Meeting
April 3, 2017**

2017

At the Department Head Meeting of the Town Board of the Town of Liberty held on April 3, at 4:00 p.m. at Senior Citizen Center, 119 North Main Street, Liberty, New York, the following Town Board Members were present:

TOWN BOARD

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

Town Clerk Laurie Dutcher

PRESENT

Finance Director Earl Bersch
Budget and Accounting Clerk Cheryl Gerow
Town Attorney Kenneth Klein
Confidential Secretary Carman Malanka
Assessor Deborah Shea
Town Engineer Dave Ohman
Water & Sewer Forman Tom Kehrley
Stacy Yaun
DCO Joanne Gerow
Deputy Highway Superintendent Kevin Austin
3 Students
Joel Rosenfeld

CORRESPONDENCE

1. Letter from Sullivan County Manager regarding a Countywide Resiliency Grant.

**RECOGNIZE THE DEPARTMENT HEADS
(Reports as submitted by Dept. Heads)**

ASSESSOR

Legal Notice is posted outside the clerk's office and in the newspaper twice before April 1st for assessment inventory. I am getting ready to send the tentative 2017 roll by the middle of April for printing.

I am also gearing up, gathering sales data for grievance day. Doing grievance recollects for owners not available on the weekends.

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2017

HIGHWAY

- March 1 - Clean up trees from storms
- March 2 - Work on trucks/equipment in shop
Patch
Cut brush
- March 3 - Check beaver dams
Cut brush
Patch
- March 4 - Called in at 4AM
Sand
- March 6 - Work on trucks/equipment in shop
Check beaver dams
Get trucks ready for storm
- March 7 - Called in at 3AM
Sand
- March 8 - Cut Brush
Patch
- March 9 - Cut brush
Patch
- March 10 - Called in 4AM
Plow/sand
- March 13 - Prepare trucks/equipment for storm
- March 14 - Called in 4AM
Plow/sand
- March 15 - Called in 3AM
Plow/sand
- March 16 - Called in 4AM
Plow/sand
- March 17 - Called in 5AM

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- Plow/sand
 - March 19 - Called in 4AM
Plow/sand
 - March 20 - Work on trucks/equipment in shop
 - March 21 - Cut brush
Patch
Work on truck/equipment in shop
 - March 22 - Check Roads
Sand
 - March 23 - Work on trucks/equipment in shop
 - March 24 - Sand Roads-freezing rain
 - March 26 - Called in 5AM-freezing rain
Sand
 - March 27 - Sand all roads
 - March 28 - Ditch parks Rd
Patch
 - March 29 - Ditch Lenape Lake Rd
Patch

WATER & SEWER

Water & Sewer responded to a broken water main on Clements Road on March 8, 2017. Found was an 18 inch split in the 4 inch 1940's cast iron main. I would like to than Matt DeWitt & Tim Pellam for trucking road material to repair the roadway at the end of the repair.

New sewer meters were delivered to the Swan Lake Sewer Plant and two of the three have been installed by Town staff and are awaiting the salesman to calibrate the 2, and we will take the last meter still working off line and install the new one at that time to complete the upgrade.

N Y Rural Water people will be at Swan Lake Sewer Plant on Thursday March 30 to conduct an energy survey at the plant. More information to follow after compilation of the info from the survey.

New culverts have been ordered for the Swan Lake Sewer Plant driveway. The three 24 inch pipes were galvanized pipe and the main driveway has started to fail due to the pipes failing under it. Spoke with Kevin Austin & Matt DeWitt and the highway Dept. will assist Water & Sewer with replacement after the spring melt.

Bid opening for WSS Phase 6 was moved to Friday March 31, 2017 due to some changes from the N Y S DOT. Bids to be opened at 10 am on that day.

Water leak at the DiBella water line in Ferndale was repaired by TAM Enterprises with assistance from Rich Winters from NY Rural Water. This leak was on a private water line that was installed by a contractor on private property to one single home. There are 4 homes that are each fed on their own individual line from a meter pit owned by the original builder. In this case, as homes were split up and sold, no easements were given to make repairs to the connecting pit. In this case, a split in the water line was found by Tam Excavating approximately 35-40 feet from the master pit. This type of installation is done when trailers on slabs are put in, due to heated areas to put water meter and long runs from Town water sources due to high copper prices. With the installation of plastic lines, some type of tracing wire or tape needs to be installed at the time of installation for anyone to know where it goes after installation

Update on future Phase work in the WSS district- May require 3 more phases.
Phase 8 finish WS Rd from Cutler RD to water tank-1300 feet.
Shore Rd from Rt. 52 to WSS Well house-1486 feet.

Phase 9 Finish Shore Rd to wells, depending on the bids.
Worden Lane across Rt. 52 & Up Boyd Rd-809 feet to hydrant
1650 feet whole rd.

Phase 10 Dahlia Rd from Rolling Meadows. This main is partial transit to cast. Unknown how far without some test digs. Maybe 670 feet?
Replacement of welded steel storage tank that requires painting every 20 years at a substantial cost, to concrete or glass lined.

We are resending sewer meter install information out for a SECOND time to Green Hills and Village Green Estates, both of whom never signed for the certified letters originally sent out in November and JUST NOW returned to us by the USPS. These 2 properties are the only ones of the 10 required installations, that didn't receive the notifications the first time.

CEO

No Report Submitted

PARKS & RECREATION

Interviews and hiring is in progress for summer employment.
(Day Camp, Pool and Parks)

Received quotes for materials for the ADA Interpretive Trail will be starting construction in April. (Weather permitting)

Registration for Hanofee Summer Day Camp/Swim Lessons for Liberty Residents only opens April 3rd.

Pavilion Rentals for Hanofee and Walnut are underway.

All spring programs are proceeding with great participation.

Article to be in the Democrat newspaper on “Liberty Warriors Pewee Wrestling program.”
(Attached copy of article questions and answers) See below:

When did this year's program start? When does it conclude?

Our Liberty Warriors Pewee Wrestling program started in February and will conclude in Mid-April. Dates and times will change as we continue to grow as a program and start to be more competitive.

How many years has it existed for?

I have been coaching the Liberty Warriors wrestling program for two consecutive years though the Town of Liberty and Recreation Dept.

What is the goal of the program? What you hope kids learn from it?

Our Short term goal is to set individual and team goals such as maximizing participation throughout our community and bring more awareness to our sport. As for long term goals, I would like to build a competitive-dual travel team that would compete at the state and national tournaments. By incorporating our youth program that will coincide with our Liberty High school varsity program will help encourage and foster better relationships at all levels which will allow our varsity team to be more competitive at the state level.

Any other info you'd like to add.

The Liberty Warriors Wrestling program provides an opportunity for our youth athletes to fully develop the values on which this program rests: the advancement of knowledge to the highest potential. The purpose of this program is to develop a unit that transcends our town, schools and its citizens to help provide the necessary tools for the pursuit of individual and team goals, and to recognize this activity from a larger community perspective. Liberty Warriors Wrestling strives

to be more than a team. Rather, the focus is to be a home away from home. Our wrestling family is critical in providing encouragement, understanding, and personal growth during all phases of this program. Our Warriors gains satisfaction from knowing that they did their best to become the best! -James Adam Guara

DCO

768 Miles
5 dogs picked up
0 doges in the Kennel
Washing machine broke-not getting a new one at this time
Cabernet Frank's & The Studio-Cat complaint
Large ferocious dogs intimidating passerby's on Main Street in Parksville- Concerned about people using the Rail Trail
Kennel Project going before the Planning Board on 4/4/17.

TOWN CLERK/TAX COLLECTOR

Licenses:

Marriage Licenses	4
Marriage Certificates	6
Building Permits (Collection of \$)	22
Dog Licenses	23
Replacement Tags	0
Purebred Licenses	0
Redeemed Dog	0
Boarding Fees	1
Exempt Dogs	0
Reimbursement of Expenses	1
Photo Copies	35

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Postage	1
EZ Pass	3
Road Access Permit	0
Conservation	2
Returned Check Fee	0
Junk Yard License	2
Refuse Collection	3

FINANCE

Completed and submitted 2016 Annual Financial Report to the State

Began processing seasonal employees (2 to date)

Attended Annual GFOA Conference

Met with Cornerstone Telephone Company

Submitted Quarterly Reports for Town and Village to both the State and County

Worked with Delaware Engineering to close out Loomis Sewer Project

Researched minimum wage requirements for seasonal employees

Processed unused sick time payments to three former employees

All other daily duties and responsibilities

COURT

V&T Received	703
V&T Appearances	224
Criminal Appearances	227
Ordinance Appearances	8

Civil Appearances 16
Total Fines Collected \$70,781.50
Total Fines to Town Not available
Total Fines to Village Not available

BUSINESS

2017- APPROVAL PAYMENT TO DELAWARE RIVER BASIN COMMISSION

The Town Board does hereby authorize payment to Delaware River Basin Commission for in the amount of \$4,618.00 for the Project Review Final Fees.

Motion: Councilperson Dean Farrand
Seconded: Councilperson Russell Reeves
5 AYES

2017- APPROVAL OF JUNK YARD LICENSE

The Town Board of the Town of Liberty does hereby approve of the issuance of a Junk Yard license to Gary Zalkin dba Liberty Scrap Metal for a period of (1) year.

Motion: Councilperson Dean Farrand
Seconded: Councilperson Brian McPhillips
5 AYES

***2017- APPROVAL OF WAIVER FOR THE 30 DAY WAITING PERIOD FOR AN ON-
PREMISES ALCOHOLIC BEVERAGE LICENSE FOR CREEKSIDE GRILL, LLC
LOCATED AT 857 PARKSVILLE, PARKSVILLE, NY 12768***

The Town Board of the Town of Liberty does hereby have no objection to On-premises Alcoholic Beverage License being granted to Creekside Grill, LLC located at 857 Parksville Road, Parksville, NY 12768 and does hereby grant the 30 day waiver.

Motion: Councilperson Brian McPhillips
Seconded: Councilperson Vincent McPhillips
5 AYES

2017- SET BID OPENING FOR STONE & BLACKTOP ON 4/27/17

The Town Board of the Town of Liberty does hereby set the bid opening for the stone & blacktop for 4/27/17 at 11 a.m. at Town Hall, 120 North Main St. Liberty, NY.

Motion: Supervisor Charles Barbuti
Seconded: Councilperson Russell Reeves
5 AYES

TOWN BOARD MEETING LOCATION CHANGE

The Town Board would like to change the meeting location to The Senior Center 119 North Main Street Liberty, NY 12754. Councilperson Reeves will be contacting the Seeing Eye Dogs.

2017- DETERMINATION OF SEQRA TYPE II ACTIVITY

The Town Board of the Town of Liberty has hereby determined that the 2017 Renaissance Volunteer project round-about and triangle beautification (needed for NYSDOT permit to work within Right of Way) is a Type II activity for the purposes of SEQRA and no further review is required.

Motion: Supervisor Charles Barbuti
Seconded: Councilperson Dean Farrand
5 AYES

2017- APPROVAL OF ENGINEERING FIRM FOR WHITE SULPHUR WATER PROJECT PHASE 7

The Town Board of the Town of Liberty does hereby award Delaware Engineering the White Sulphur Springs Water Project Phase 7 based upon the scores given by Town Board members. (OCR Project 641PW161-16)

- Delaware Engineering scored 463
- KC Engineering scored 405
- Keystone Associates scored 377

Motion: Councilperson Brian McPhillips
Seconded: Councilperson Vincent McPhillips
1 AYE
Abstaining: Councilperson Dean Farrand and Councilperson Russell Reeves

2017- LAYNE CHRISTIANSEN TO COMPLETE WELL PUMP WORK FOR STEVENSVILLE WELLFIELD

The Town Board of the Town of Liberty does hereby accept the proposal submitted by Layne Christiansen to complete well pump work at the Stevensville Wellfield in the amount of \$23,060 utilizing O & M funds and will seek reimbursement from NYSEFC.

Motion: Councilperson Brian McPhillips
Seconded: Councilperson Dean Farrand
5 AYES

2017- APPROVE AND AUTHORIZE SUPERVISOR TO SIGN DRBC CONSTRUCTION COMPLETION CERTIFICATE

The Town Board of the Town of Liberty does hereby approve of and authorize Supervisor Barbuti to sign the DRBC Construction Completion Certificate.

Motion: Councilperson Dean Farrand
Seconded: Councilperson Russell Reeves
5 AYES

2017- WHITE SULPHUR PHASE 6 TO BE RE-BID

The Town Board of the Town of Liberty does hereby reject all bids submitted for the White Sulphur Springs Phase 6 project. Town Engineer Dave Ohman will revise and it will be re-bid.

Motion: Councilperson Dean Farrand
Seconded: Councilperson Brian McPhillips
5 AYES

OLD BUSINESS:

1. Proposed zoning changes

2017- EXECUTIVE SESSION

The Town Board of the Town of Liberty does hereby go into Executive Session at 5:28 p.m. for a personnel matter.

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

2017- OUT OF EXECUTIVE SESSION

The Town Board of the Town of Liberty does hereby come out of Executive Session at 5:39 p.m.

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

2017- RECESSED

The Town Board of the Town of Liberty does hereby recess the meeting until 6:30 p.m.

Motion: Councilperson Dean Farrand
Second: Councilperson Russell Reeves

PUBLIC HEARING

6:30 P.M. SENIOR CITIZENS CENTER, 119 MAIN STREET, LIBERTY, NY

TEMPORARY SUMMER CAMP LAND USE MORATORIUM

PRESENT:

Supervisor Charlie Barbuti
Councilperson Dean Farrand
Councilperson Brian McPhillips
Councilperson Russel Reeves
Councilperson Vincent McPhillips
Town Clerk Laurie Dutcher
Town Attorney Kenneth Klein

Harold G. Huggler, Jr
Thomas Huggler
Sue Huggler
Judy Miller
Fred Kahn
Bill Cogswell
Ron Stabak
Robert Mir
Mike Fritz
Deanna Fritz
Luis Alveraz
Joe Aracci
Carolyn Croney
Bill Prince
Cindy Prince
Casey Green

Don Nichols
Dan Wright
Daniel Ratner, Sr.
Sara Sprague
Sal Craccoli

Autumn Schanil
Sharon Mungeer
Michael Abbott
Sean Zigmund
Debbie Maxwell
Joe Maxwell
Gene Burns
Julie Burns
Branden Reeves

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2017

Helene Rothstein
Victor Dadras
Robert Dadras
Fran Kurpil
Brian Rourke
Chereen McNellis
Antonio DiPietro
Kayi Gule-Thomas
Adam Thomas
Ariane Thomas
Anne Gadziala
Alan Schwartz
Linda Schwartz
Candy Gatta
Paul Gatta
Veronica Basn?

Joan Kittredge
Castres Longobardi
Natasha Karmiloff
Ann Hart
Fritz Mayer
Joanne Gerow
Cheryl Gerow
Earl Bertsch
Denise Reeves
Cara Dutcher
Kate Papa
Tina Edwards
Etta Barbanti
Jean Dermer
John Nichols
Marilyn Wood

ROBERT DADRAS

Totally in favor of moratorium
Family owns many properties in the Town
Bold step

JAY ZEIGER

Attorney for Camp Bresloff
Application pending for summer camp submitted 10/16
Hasn't seen local law but would like to comment on moratorium
Has done a lot of research on moratoriums and this is not sustainable
(1) Actual emergency some reason why you need to put a halt on development while you make changes to your law need to justify the municipality has enacted to a dire crisis and is rectifying
(2) Zoning Law may be enacted for a limited period of time to prevent "rush of diligence"
Does not believe Moratorium is valid
Objecting to the Town stopping his client from moving forward with his site plan
Not proper if it concerns one particular camp
Deprives someone of the use of their property, the moratorium is not proper

GENE BURNS

The emergency is our tax base is suffering

Paying way too many taxes and too many properties are going off the roll

In need of a moratorium

It is an emergency and we are overburdened with our taxes

SEAN ZIGMUND

Not in favor or against but has to ask to question why was this being proposed after the Town Board has been working on zoning changes for the last (5) years and that has yet to be passed

If you look at your tax bill and you will see that the highway is 25% of your tax bill

Need to look at the levy details and do the analytics

Why isn't this included in the currently proposed zoning

Has never seen any of these people at any zoning meeting

Stated that Russell and Dean have been working on this for 5 years why is this being fast tracked

Believes that this is spot zoning

Laws are created based on stupid, fast decisions

No traffic analysis, water systems studies, not the way you create laws

To the people who are worried about their taxes they need to go on the Sullivan County tax mate

KEN WALTER

Former Fallsburg Zoning Board of Appeals member

A developer buys a piece of land and that is what they are stuck with

To change the property for one person, one group of people or a developer is totally inappropriate

Zoned for one purpose not to be changed for somebody's pocket or benefit

Can't change rules to suit one's own purpose or benefit one person

They bought it knowing what it was and now they are stuck with it

Everyone is entitled to their quality of life on their property

A moratorium is not going to take away the personal enjoyment of their property

NATASHA (YARA) KARMILOFF

Member of Castle Hill Community and lives across from property in question

In favor of appropriate development in the TOL

The issue of what summer camp is a complex issue and should be thoroughly and fairly investigated

Speaking of conflict of interest one of the board members sitting at the table is the seller of the land

MIKE ABBOTT

Does not live on Castle Hill but has lived in the general area for 26 years

Concerned that a project of this will totally change the rural nature of the proposed area

Roads are not good now

ANNE GADZIALA

Her property and house are right in the center of where the proposed camp would be built
It affects the environment, water, sewer, and infrastructure.

Tax base is ridiculous

The road is not designed to have that kind of traffic

Support the moratorium

Have invested everything we have in our property to make it something special for the
community and are afraid of what might happen

Husband is also highly opposed to this

Where would people of this camp park on camp day, we would not be able to get out of our
driveway

The road I live on is falling apart

JOHN NICHOLS

Our tax base continues to drop

Liberty is in crisis

We keep losing tax base

Lost 5-7 million last year looking at another 5 million this year

Moratorium gives us a year to take the time and change the zoning that makes the most sense for
the Town

It's a time out so we can figure out what we want to do

Camp zone no camp zone to figure out the zoning the way it makes the most sense for our town

Take a time out

Not about percentage of taxes go to the road, it's about how much taxes we pay

All for the moratorium

SUE HUGGLER

Lived here all her life

For the moratorium it will give us some time

Has 5 kids only a few have chosen to live here

Moratorium will give us some time

Everything that we have worked for is going to go away

DON NICHOLS

Town has 22-23 summer camps in the Town of Liberty

No other Town has nearly that many camps

Asked for a show of hands in support of moratorium ½ the room raised their hands

More taillights going out of Town than coming in

ANNE HART

In favor of the moratorium

Thank you to the board for doing it

KAJA GULA-THOMAS

Support the moratorium
This town will not last much longer

JOEL ROSENFELD

Owns land in the Town of Liberty and pays taxes
3 of the 5 highest paying taxpayers are religious Hasidic Jews from Brooklyn
Also works at the non-profit summer camp in this Town
Listened to last week's meeting tape and was a little mixed up, people were upset that summer camps look like bungalow colonies, some didn't like that camps were too close to their homes, some complained about dents in their cars, the noise, etc.
People need to decide what the issue is
Feels that any Town Board member who lives within 500 ft of the proposed camp should recuse themselves for a conflict of interest
If this law is just to keep one camp out of the town it should be written into the law
Ironically yesterday was Autism Awareness Day and this Town is going to stop a camp that wants to treat autistic kids just for some personal reasons and I just think it is wrong

SHARON MUNGEER

Does not live on Castle Hill but knows that what goes up must also come down
Has no problem with camps or treating kids
Cannot take any more tax exempts
Lived here our whole lives and were looking elsewhere cannot afford to stay here

JOAN KITTREDGE

Very much in favor of moratorium should have considered and included it in current zoning in hindsight and retrospect
Would like the board to include it with the current zoning update

VERONICA BASFIELD

Fallsburg resident
Have a moratorium in Fallsburg main issues they were facing were the traffic and sewer system is at the breaking point
Went to PB meetings seen applications for very large developments
Cannot drive on some days from Fallsburg to Liberty
Do not go out of my house, has had people coming at me in my lane while driving
Townships are adjacent pay more taxes because there closer to Rt. 17
In favor of the moratorium
Has lived here for 21 years
Infrastructure, emergency vehicles, etc.

DAN RATNER

Home and friend to many camps no question that we share a camaraderie with our residents
Let us support our children of special needs

Stop and reconsider the moratorium it makes sense
What affects the Town affects the Village
Large population need to be reviewed
We are saturated with camps and other businesses need to stop and reconsider
We come with solutions and at this time the moratorium makes sense
Some areas have been this way for generations

HAROLD HUGGLER

Where are we going to get the money to put in our roads
Burden on the taxpayer
25% of our taxes go to the roads how are we going to get more money to fix the roads after all the traffic from the camps

BRENT FARRAND

Fallsburg has a moratorium
The lawyer challenged that a moratorium was not allowed in NYS

JUDY MILLER

Lives on 258 East Mongaup Rd. within a couple miles of a camp
This camp is applying for another dormitory
Inundated with camp buses 200 children and trash all over property
What about the quality of life for the people paying taxes for their whole life
Wish you would look into the zoning before any other projects are built in the Town
Fire personnel cannot get through

JULIE BURNS

Problems on the roads during the summer during summer visiting days
Emergency vehicles cannot get through

VERONICA BASHFELD

Moratorium is just a time out

MITCHELL SCHWARTZ

Do not see any plan in place for the moratorium

JIM PARKS

Lived here for 50 years and wonders if the people of Liberty are going to have to pay for the legal repercussions
Supports moratorium
Half the problem is this board

LINDA SCHWARTZ

We voted this board in because we trusted them to make the right decision

Town of Liberty website needs a lot of work – could do a better job

JOANNE GEROW

Wanted to know if the Town Board juristic's the sale of a home of any employee in the Town of Liberty

The prior woman that said the board member at the table is in conflict of interest and that's ridiculous

The local law will be referred to the County by the Town Clerk for a 239 Review. The county will have (30) days to give their input.

BOARD DISCUSSION

Councilperson Russell Reeves

Councilperson Reeves feels that the moratorium is an important issue for the Town. He stated that we live in a beautiful area. The Town has 26 camps encompassing 1,200 acres and time is needed to define what constitutes a camp. He states that unfortunately our resources are limited and our taxpayers are stressed. Councilperson Reeves advises that this is a definition issue. He feels that we need time to form a comprehensive plan. He also feels that the one thing that has driven us to this, in his opinion, is one of the proposed actions before the planning board (which he stated that there were pictures in the back of the room of the proposed summer camp on Castle Hill Rd.) does not look like a summer camp. He advises that it looks like housing. It has a kitchen, dining room, washer & dryer area. Councilperson Reeves stated that the Planning Board has asked repeatedly for help to defining a summer camp. He stated that as a councilperson he has been entrusted to use his best judgement to be fair and equitable to all parties involved. He feels this is the right thing and that certain things are worth fighting for and this is one.

Councilperson Dean Farrand

Councilperson Farrand stated that this is not a new issue and that some of the people in the room were part of the 2012 "Zoning Review Committee" which was asked to deal with summer camps and non-conforming uses. He advised that it got resistance and blocking and didn't go anywhere. He stated that the proposed project brought it back to light. He stated that it had not been addressed "forever" and that it needs to be addressed. Councilperson Farrand stated that a plan needs to be set in place and that the moratorium just freezes everything the way it is in the RD district until the board can decide what is best for everyone. Councilperson Farrand advised that this is not solely an issue with the Castle Hill project. He stated that it happens in a lot of places in the Town of Liberty. He stated that we need to find a reasonable and equitable solution for all.

Councilperson Brian McPhillips

Councilperson McPhillips stated that he appreciated every coming out and voicing their opinions. He stated that he takes everyone's opinion into consideration. He feels that we have a very integrate and diverse situation that we face. He feels we need to address this issue but wishes it was included in our current zoning update. He agreed that taxes were an issue. He stated that we have our most beautiful land in the RD District. Councilperson McPhillips advised

that there were other uses in the RD that should be reviewed. He stated that the Board would take all the comments and make a decision that is best for the people of the Town.

The Introductory Local Law for a moratorium will be sent to the Sullivan County Planning & Environmental Management Office for a required 239 Review. The County has 30 days in which to respond.

Supervisor Barbuti thanked the public for coming and thanked everyone for being civil.