At the Department Head Meeting of the Town Board of the Town of Liberty held on October 1, 2018 at 4:00 p.m. at the Senior Citizen Center, 119 North Main Street, Liberty, New York, the following Town Board Members were present:

PRESENT:
Supervisor Brian Rourke
Councilperson Russell Reeves
Councilperson Brian McPhillips
Councilperson Dean Farrand
Councilperson Vincent McPhillips

RECORDING SECRETARY:
Town Clerk Laurie Dutcher

ALSO PRESENT:
Town Attorney Ken Klein
Finance Director Cheryl Gerow
Finance Director Earl Bertsch
Confidential Secretary Keri-Ann Poley
Deputy Highway Superintendent Kevin Austin
Helen Budrock

Court Manager Denise Curry
Water & Sewer Forman Stacey Yaun
Town Engineering Dave Ohman
DCO Joanne Gerow
Vicky LaPolt

COMMENTS FROM PUBLIC RELATED TO AGENDA ITEMS

2018 Golden Feather Award presentation given by Helen Budrock from Sullivan Renaissance.

Helen Budrock presented the Town Board with a plaque for the 2018 Golden Feather Award from Sullivan Renaissance.

2018 Golden Feather Award presentation given by Supervisor Brian Rourke.

Supervisor Rourke presented Helen Budrock from Sullivan Renaissance with a gift basket of behalf of the Town Board for her help with the Golden Feather Award.

DEPARTMENT HEADS

ASSESSOR

I will not be able to attend this month's meeting. I am attending an assessor's conference form 9/30/18 to 10/3/18.

The County Tax Sales Deeds will be coming in soon.
Our Office had 140 phone calls and walk-ins. We processed 41 deeds.

I would like to bring to your attention that we have only had one application for the Board of Assessment Review, (Allen Werlau). The term expired September 30th.

File Totals – 2018 – Prior Year File
Roll Section Town Summary

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<th>#Parcels</th>
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CEO

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</table>
Mineral Springs Road has electrical issues, infestation, mold, drainage, etc. House is condemned. Property is closed down cannot rent or use. The first step is to get the electric signed off on and test other issues. Then each apartment will be checked. Main farm is inhabitable.

Working with Attorney Klein and coming up with new resolutions.

Asbestos reports

Moving forward quite a list of zombie properties….violating them and trying to get owners to secure them. Will do a few a year.

Aggressive stand on billboards

Working with Village on code violations waiting for next court date.

Neighbors have been complaining about Prestige. One neighbor went to Councilperson Vincent McPhillips and stated he sweeps the road and Prestige just gets it muddy again. The CEO is going to go to Prestige this week an issue an appearance ticket. Councilperson Brian McPhillips wanted to revoke their towing license but Attorney Klein said you cannot revoke the license. Previous owner only had 70 units.

Getting more aggressive with everyone and have had success in court.

Part-time temporary clerk need rate and duration. Councilperson Vincent McPhillips would like to know who the person will answer to.

**RATE OF PAY SET FOR PART-TIME TEMPORARY CLERK**

The Town Board of the Town of Liberty does hereby set the rate of pay for the part-time temporary clerk position in the Building Department at $13.00 per hour.

Motion: Supervisor Brian Rourke  
Seconded: Councilperson Dean Farrand  
5 AYES Carried
V&T Appearances     253
Criminal Appearances     283
Ordinance Appearances     0
Civil Appearances     10
Total Fines Collected     $36,550.00
Total Fines to Town     Not available
Total Fines to Village     Not available

Keri-Ann mailed the JCAP grant last week including the walk through metal detector and makeover for court room.

Estimate from Al Fusco for the security window in the amount of $2500. Denise stated that the air and heat will be behind the window. They will either roast or freeze. Al advised that they can work it out. The board would like a drawing before the board approves it.

**DCO**

**DOG BITES – 5**

DCO Gerow gave an update on Mineral Springs Road.

Cancel tanks from Fallsburg Gas. Finance Director Cheryl Gerow asked if she was going to need the existing Fallsburg gas tanks. DCO Gerow advised that she would not need them and go ahead and have Fallsburg gas pick them up.

**FINANCE**

Prepared 2019 Tentative Budget

Submitted disability claim for employee

Submitted miscellaneous incident reports to insurance company

Worked on migrating the hosting site for the website

Calculated sewer user units for budget

Attended various budget work sessions

Met with Employee Relations Committee

Met weekly with County IT Department
Hosting site will no longer host us. Spending a lot of time doing this. It appears that it migrated properly.

3rd or 4th camera is going to Swan Lake Park and P&R will be monitoring it. Cheryl will help Kevin set it up to check it remotely.

Friday we received our fiscal stress report it was very good.

Vince stated that Cheryl should keep track of her time because we may need to hire someone else, etc.

All other daily duties and responsibilities

HIGHWAY

Getting ready for winter

Hauling sand a couple more days and we should have enough

Ahrens Rd. responded to Mr. Muhlig he explained that it was before his time that they were put in. Tim said it's on his list but not high priority.

Anderson Rd. is more of a priority.

Camp Hedva railing knocked into the brook Kevin advised that he would look into it.

PARKS & RECREATION

Football game Friday night

Closing the parks around Mid-October this will allow a couple more rentals

Working on bathrooms at Walnut trying to keep them open for the winter. Need about $2,500 to come out of budget money. We do not really have the money in the budget. May have to close them down again for the winter. Russell suggested a porta-potty. Keep Walnut open even if we don't have bathrooms, board asked about Kevin getting quotes for a porta-potty.

TOWN CLERK

Licenses:

Marriage Licenses 4
Marriage Certificates 3
Building Permits (Collection of $) 40
Dog Licenses    21
Replacement Tags      2
Purebred Licenses      2
Redeemed Dog                                0
Boarding Fees            0
Exempt Dogs               0
Reimbursement of Expenses    0
Photo Copies             18
Postage                     0
EZ Pass                    6
Road Access Permit        0
Conservation              15
Towing License            0
Refuse Collection         0
Peddlers License          0
Firework Permit           0

Advised the Board looking into a grant through LGRMIF. Will update more next month.

**WATER & SEWER**

White Sulphur Springs pipe job is moving along at a pretty good pace. The first part down Rt. 52 has passed and everyone is hooked to the new line. We have a bleeder on this to keep water fresh as they continue down to Schoolhouse Rd., which they are at now waiting for a hydrant so they can fill and test that section. Once done, we will tie it into Schoolhouse Rd. They are also making good progress down White Sulphur Rd. They are at Roth’s house with that line, rain has been a little hindering, but progress is good.

In the beginning of September we had trouble with the phone line in Loomis, leading to telemetry trouble. We are working on radio telemetry to try and get away from lease lines and all the trouble we have with these phone lines. Lease alone cost, for just Ferndale alone is $221.40 per month.
We have talked about looking for water in Ferndale, but in the meantime I would really like to get a move on with the new tank, which would give us a million gallons of storage, which would help a lot right now for our summer rushes.

I would also like to get moving on the Stevensville well site. We have no generator at this site. If we ever had a power failure in the summer months, that would create a bigger crisis than what we had this past summer.

On September 13, 2018 we got a call from service for low water in White Sulphur Springs. We checked things out and found no electric at the WSS tank site. Everyone else in the area had electric. Upon further investigating, the breaker panel has a lot of corrosion in it. I called Ross Electric in and found mice had chewed wires. Looking further into the issue, looking at the whole panel and all of the corrosion, Ross will be putting in a new panel. There is money in the current budget to cover this expense.

After doing 9 interviews for the 2 spots at the Water & Sewer Dept., we decided on 2 people who I think will be a good asset to the Town. We hired Tyler Lopez as our full time new employee, and John Chidik as our temporary employee. He will be working with us until December 18, 2018. If he works out, I would really like to have him back in the spring time to work the summer and possibly make him full time in the fall, bringing us back up with the 2 full time employees we lost.

Ditch #1 is being drained down to get cleaned out prior to winter.

We are trying to get caught up on brush hogging right of ways, marking main valves& manholes, blacktopping dig jobs and all of the rest of the things that need to be done before winter sets in. Rain has not been friendly for this.

I would like to discuss more about the bar screen and press for the S.L.W.W.T.P. as we touched upon a bit at the budget meeting.

I will bring any other items that may arise between now and the Board meeting.

Getting ready for winter

Accountability for Stevensville very high. Got Richie Winters from rural water check on a possible leak by the dam. Tomorrow he can test it and put a gauge on the hydrant and if it is leaking he will have to figure out how he can dig and fix it. Exploratory dig. Hitting bulkhead and going toward the falls. 3 ft. from hydrant. Valve from hotel and hydrant 2 ft. from hydrant. Substantial amount of water. 3 million gallons 7%.

New employee seems ambitious.

**NEED $27,000 FOR STEVENSVILLE WATER**
Increase all water rates .30 per gallon $28,000

650 water bills 60 large users 125 minimum

Surcharge raise $1 would generate approx. $28,000

Letters will be sent out to each user in May.

LARGE USER RATE IN STEVENSVILLE WATER DISTRICT INCREASED BY $1.00 PER THOUSAND

The Town Board of the Town of Liberty does hereby increase the large user rate by $1.00 per thousand in the Stevensville Water District.

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

DELAWARE ENGINEERING

1. White Sulphur Springs Phase 6 - CFA Grant Project
   - All work complete except some minor site restoration which will be done by the contractor, H. Osterhoudt Excavating, Inc.
   - All restoration work complete except for final pavement around the Fire Station fire hydrant; which will be done very soon in conjunction with site restoration paving for Phase 7 by Schoolhouse Road.

2. White Sulfur Springs Phase 7 - CFA Grant Work
   - OCR CDBG grant awarded for $745,299 project
   - Planned work:
     Base Bid:
     - Priority 1 = Remaining 612’ on Route 52
     - Priority 2 = stream crossing by the County box culvert – via directional boring to minimize stream permit requirements and cost
     - Priority 3 = 500 lineal feet from Route 52 intersection down CR 143 towards the culvert crossing (500’ remains to reach the culvert crossing)
     Bid Alternate:
     - Additional footage down CR143
   - Construction Contract:
     - Work continues by H. Osterhoudt Excavating, Inc.
     - Directional boring work, under the stream, started on August 6 and was completed on August 13
     - Work started on Route 52 on August 27 and is nearly complete
     - Open cut waterline work on White Sulphur Road for base bid
and Change Order No. 1 work is nearing completion.
- Anticipate completion of base bid and Change Order No. 1 work by mid-October 2018.

**Contract Changes:**

- **Change Order No. 1/Bid Alternate work:**
  - Nearing completion
  - This change adds 500 lineal feet of waterline and appurtenances along White Sulphur Road (CR 143) to the base bid work. That is, adding this work will complete 1,250 lineal feet of waterline work from the intersection of Route 52 up to and including the directional boring under the stream downstream of the County culvert.
  - This change, approved by the Town Board at the August 6 meeting, utilizes the bid alternate pricing submitted with the bid and has a value of $137,800, which increased the contract price to $503,085. If all other costs come in as planned, the total grant balance remaining after this change is $97,714.

- **Change Order No. 2/Bid Alternate work:**
  - Base bid and Change Order No. 1 work is nearly complete and within the anticipated budget
  - This change will add up to 320 lineal feet of waterline and appurtenances along White Sulphur Road (CR 143) to the work set forth in the base bid and Change Order No. 1 work. That is, adding this work will complete approximately 1,570 lineal feet of waterline work from the intersection of Route 52 to approximately 320' beyond the directional boring under the stream downstream of the County culvert.
  - The change order will utilize the bid alternate pricing submitted with the bid.
  - The proposed change has a value of $97,127 and will increase contract price to $600,212. If all other costs come in as planned, the total grant balance remaining after this change is $587.
  - If the Town authorizes this work to proceed today, work of this change order is planned to be completed with the current project schedule (i.e., before October 31, 2018).
  - In order to maintain the project budget, the total lineal footage of work under Change Order No. 2 will be decreased if it appears that other unforeseen changes are occurring as part of base bid and/or Change Order No. 1.
  - A final over/under change order will be prepared and submitted for Town review once the work of the base bid and Change Order Nos. 1 and 2
are nearly complete.

- We have developed this change order with the Water & Sewer Department and Osterhoudt and recommend that the Town resolve to proceed with this work so that Osterhoudt can complete their work before October 31, 2018.

- Should the Town agree to proceed with this change, then we recommend that the Town Board resolve to authorize the Town Supervisor to execute Change Order No. 2 to Contract No. TL1-G-18 in the amount of up to $97,127.

Schedule:

The updated anticipated schedule is as follows:

<table>
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<tr>
<th>Task</th>
<th>Schedule</th>
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<tr>
<td>Town executes contract with Delaware Engineering – Completed</td>
<td>October 2, 2017</td>
</tr>
<tr>
<td>Site surveying – Completed</td>
<td>October – mid November 2017</td>
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<tr>
<td>Geotechnical Evaluations/Borings – will not be doing</td>
<td>March 2018</td>
</tr>
<tr>
<td>Design – Completed</td>
<td>November 2017 – May 2018</td>
</tr>
<tr>
<td>Review and Comments by OCR, NYSDOT, NYSDOH, SCDPW and Town – Completed</td>
<td>May 2018</td>
</tr>
<tr>
<td>Finalize Contract Documents and secure all approvals – Completed</td>
<td>May 2018</td>
</tr>
<tr>
<td>Bid and Award – Completed</td>
<td>July 10, 2018 contracts fully executed</td>
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<tr>
<td>Contractor obtain permits - Completed</td>
<td>July 27, 2018</td>
</tr>
<tr>
<td>Construction - Underway</td>
<td>Revised completion date October 31, 2018 Boring by County culvert complete Route 52 work 90% complete CR 143: Base Bid Work – Nearly Complete CO No. 1/Bid Alt. Work – Nearly Complete CO No. 2/Bid Alt. Work – Pending Approval</td>
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### Phase 7 Budget and Cost review:

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<th>Estimated cost (July 2016 Eng Report)</th>
<th>Projected Construction (updated September 25, 2018)</th>
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<td>Construction – General Change Order No. 1</td>
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<td>Construction – General Change Order No. 2</td>
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<td>SUBTOTAL - Construction</td>
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<td>Grant Admin and Other Costs</td>
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3. White Sulfur Springs Phase 8 - CFA Grant Work
   - Scope = to replace the remaining waterline not covered under Phase 7 on White Sulphur Road/County Road CR 143 as far up towards the tank as budget will allow.
   - Design will go all the way to the water tank road (end of planned White Sulphur Road work), about 1700 lineal feet.
   - If bids similar to Phase 7 are received, going to water tank road seems possible
   - Project Budget/OCR grant limit = $748,900
   - Project progress:
     - Design is 100% complete
       - Specifications sent to NYS OCR via Mark Blauer for OCR review
         - OCR approval received on August 29
       - Reviewed with Sullivan Co DPW and addressed their comments
     - Submitted final documents to NYSDOH approval on September 5 and received approval on September 10.
     - Completing water line work this year is favored by SC DPW as they want to complete their stormwater upgrades and final paving of White Sulphur Road in 2019.
   - Bid & Award
     - Bid Notice sent to Town Clerk on September 11, 2018
     - A pre-bid will be held on September 28 at 10am
     - Bids opening will be on October 5, 2018
     - Delaware Engineering will prepare a bid review and award package for consideration at the October 15 Town Board Meeting.
       - If current Phase 7 contractor (Osterhoudt) is the lowest responsible bidder, it is possible that they could be finished with all but final site restoration by the end of November 2018

4. White Sulfur Springs Phase 9 - CFA Grant Work
   - Waiting for grant announcement in December 2018

5. Loomis Sewer District I/I Program
   - Delaware submitted the Request to Close Order On Consent on July
27, 2018 at no cost to the Town
- NYSDEC Responded on August 10 and indicated that the Department was reviewing the request

6. Stevensville Water Project
- $2.1 M grant and $1.4M low interest loan
- WATER TANK PROPERTY:
  - Finalizing the design now
  - Town to pursue with land owner for tank site to purchase of added site
    - Property deal status?
    - Need this done as design is almost complete
- WATERLINE WORK:
  - Design Complete
- SWAN LAKE CROSSING:
  - Current plan is to install the line within the County Bridge right of way
  - Provided planned boring drawings and met with EIC, the driller on White Sulphur Phase 7 on August 10 to review the feasibility of the planned borings. Provided EIC with some additional information and are awaiting some feedback from them.
  - Met with NYSDEC on April 4 in New Paltz to confirm stream crossing permit requirements for the waterline crossing Swan lake and Birch Lane Area
    - A joint permit application will be needed for directional boring under the lake and in the berm along the Briscoe Road
    - Doing open cut for either would result in a lengthy permit process (site specific) and high costs to achieve turbidity control
    - Preparing and submitting joint NYSDEC/USACOE permit application
      - NYSDEC with box checked for “Stream Disturbance”
      - USACOE with box checked for “Section 404
- Clean Water Act” NYSEFC/NYSDOH Items:
  - No new requests this month from them
- Professional Services Contract for Design through Construction
  - No changes
  - Delaware continuing work with qualified subcontractors to seek compliance with 26% MWBE goal
  - Contracts Executed for:
    - NYSEFC Contract/Financial Assistance with Keough Consulting
      - work continues until project completion
    - Rasmussen Land Surveyors for site surveying
      - work for design phase is complete
    - Geotechnical/Borings – CME Associates
Contract and two amendments executed in April 2017
Work for design phase completed
Geotechnical report received July 25, 2017
Report states that geotechnical engineer needs to be onsite during tank foundation work
We have requested a proposal from CME to provide the services required – we have about $8,000 left in the project budget for subcontracts for MWBE to address this need and meet the 26% MWBE goal
  - Current contracts are approximately 24% of engineering contract; almost attaining the 26% goal.
    - NYSEFC approved Delaware’s MWBE waiver on July 20, 2017
    - Additional work by CME for geotechnical engineering during construction will get us closer to the 26% goal.

7. Capacity Analysis
   - Working on summary sheets for the water system and Swan Lake WWTP with Water & Sewer Dept
   - We have located the USGS aquifer map for the area and have also done a blow up of the Town area and integrated info from the various existing digital info from DEC website and others
   - The drawings are large MB so we will provide hard copy rather than attach and send with this handout

8. Attachments
   - WSS Phase 7 Change Order No. 2 package including Aerial Plan with Phases
   - Town of Liberty water district, aquifer and well information mapping (handout at meeting)

9. Items Reviewed at Meeting but not distributed with this package:

NEW BUSINESS

TOWN SUPERVISOR AUTHORIZED TO EXECUTE CHANGE ORDER NO. 2 TO CONTRACT NO. TL1-G-18 IN THE AMOUNT OF $97,127.

The Town Board of the Town of Liberty does hereby authorize the Town Supervisor to execute Change Order No. 2 for White Sulphur Springs Water System Improvements Phase 7, Contract No.TL1-G-18 in the amount of $97,127.00.

Motion: Councilperson Brian McPhillips
Seconded: Supervisor Brian Rourke
5 AYES Carried
APPROVAL TO PAY VOUCHER TO THE LIBERTY CENTRAL SCHOOL DISTRICT TAX COLLECTOR

The Town Board of the Town of Liberty does hereby authorize payment to the Liberty Central School District Tax Collector for the following parcels:

- 13.-1-17    $1,556.34
- 13.-1-18    $ 397.03
- 13.-1-19    $ 333.50

For a total amount of $2,286.87.

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

TOWN ATTORNEY AUTHORIZED TO OBTAIN APPRAISAL ON PROPERTY LOCATED ON WATER TOWER ROAD

The Town Board of the Town of Liberty does hereby authorize the Town Attorney to obtain an appraisal on property located on Water Tower Road.

Motion: Supervisor Brian Rourke  
Seconded: Councilperson Brian McPhillips  
5 AYES  Carried

OLD BUSINESS

2019 PRELIMINARY BUDGET ACCEPTED AS 2019 TENTATIVE BUDGET

The Town Board of the Town of Liberty does hereby accept the 2019 Preliminary Budget as the 2019 Tentative Budget.

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

NY MAIN STREET TECHNICAL ASSISTANCE GRANT UPDATE

An informational session was held at the Dead End Café in Parksville. Only one person attended the session. The maximum amount for the grant is $5,000.
PAM WINTERS SUBMITTED THE FOLLOWING LETTER REGARDING NAMING A TRAIL AT HANOFEE PARK AFTER ERNEST “BUCKY” FREDENBURGH

Dear Board Members,

You may have heard or read that Ernest Fredenburgh recently passed away at the age of 71.

"Bucky", as he was more commonly known to everyone, was a life-long resident of Liberty, one of five generations of Fredenburgh's who settled here and remain here.

Bucky was a wounded Vietnam veteran, recipient of two purple hearts, three bronze medals, as well as several other medals and awards. He was family to many, a friend to everyone and considered by locals to be a hometown hero.

Years ago he began a habit of walking the trail around the lake at Hanofee Park, every morning, without fail. He thoroughly enjoyed the sights and sounds along the way and looked forward to starting his day in this manner. Sadly, it was immediately after such a walk that he suffered a massive heart attack and passed away in the park. He died in a place he thought to be beautiful; doing something he loved to do, with his brother by his side on 9/11.

On behalf of his many, many friends and family, we'd like to see Bucky remembered in a fitting manner. We believe the nicest thing we could do is to ask you, the Board, to allow us to place a small sign at the beginning of the trail he walked more than a thousand times. The sign would simply read "Bucky's Path" with the emblem of the U.S. flag on it. It's such a small gesture but it would have such a huge impact on those who knew him best.

I am asking that our request be placed onto your next agenda for consideration and support. Thank you for your time.

Sincerely,

Pam Winters and others

TRAIL TO BE NAMED “BUCKY’S PATH” AT HANOFEE PARK IN HONOR OF ERNEST “BUCKY” FREDENBURGH

The Town Board of the Town of Liberty does hereby authorize a small sign be placed at the trail at Hanofee Park where Ernest “Bucky Fredenburgh walked daily.

Motion: Councilperson Brian McPhillips
Seconded: Supervisor Brian Rourke
EXECUTIVE SESSION

The Town Board of the Town of Liberty does hereby go into Executive Session at 6:04 p.m. to discuss the VanEtten litigation.

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

OUT OF EXECUTIVE SESSION

The Town Board of the Town of Liberty does hereby come out of Executive Session at 7:15 p.m.

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

ADJOURN

Motion: Supervisor Brian Rourke
Second: Councilperson Brian McPhillips

The Town Board does hereby adjourn the meeting at 7:19 p.m.