

SPECIAL MEETING

JUNE 29, 2010

The Board of Trustees held the Special Meeting of June 29, 2010 at the Village Municipal Building, 167 North Main Street, Liberty New York. Mayor Winters opened the meeting with the Pledge of Allegiance.

PRESENT: Mayor Richard Winters, Trustee Shirley Lindsley, Trustee Corinne McGuire, Trustee Luis Alvarez and Trustee Joan Stoddard. Also Present: Langdon Chapman, Attorney for the Village and Judy Zurawski, Clerk/Treasurer.

ALSO PRESENT: Harry Rampe, William Cogswell, Lynn Killian, Henrich Strauch, Strauch, Candice Balmer (RCAP Solutions), Dave Ohman (Delaware Engineering), Elizabeth Montag, Chris Kyrakousis (Cab Quest), Andrea Putter (Cab Quest), Scott Kinne and Steven D'Gata.

APPROVAL OF MINUTES: Motion by Trustee Stoddard, seconded by Trustee Lindsley and unanimously carried approving the following minutes:

REGULAR MEETING - MAY 10, 2010

CORRESPONDENCE: Mayor Winters said the Village has received the following correspondence and it is available for review in the Clerk's Office:

INCOMING

- E-Mail from NYS Re: Open Meeting Law 5/17/10
- Letter from Liberty Central School Re: Property Meeting 6/8/10
- Memo from Senator Bonacic Re: Chips 6/10/10

PUBLIC COMMENTS: Mayor Winters opened the meeting to comments from the Public.

Henrich Strauch - Liberty CDC

Henrich reported on the following:

- Gave the Board an update on the CDC projects.
- Informed the Board that a Joint Comprehensive Plan Meeting has been scheduled for June 30th at 6:30 p.m. It will be attended by Mayor Winters, Henrich Strauch, Supervisor Schmidt and Dean Ferrand.
- Said the Town of Liberty Board has approved a bid from American Ramp Company to build a Skate Park at Walnut Mountain Park. He said is pursuing a grant that would be used for bathrooms and landscaping at this new addition in the park.

Elizabeth Montag (Noble Street) said she has serious considerations regarding her street drainage issue and would like to have a meeting with the Mayor before any work is started.

ATTORNEY Attorney Chapman had no comment

COMMENTS:

TREAS. DAVID BODENSTEIN - MIKE PRIES INSURANCE
REPORT:

David Bodenstein of Mike Pries Insurance made his insurance presentation to the Board using Trident (Argonaut Group) Insurance Company, which has an A+ insurance rating. He reviewed the policies, showing the Board the coverage for each business line. He quoted the price for July 1, 2010 thru June 30, 2011 as \$91,622.49, which includes an Umbrella that goes over the liabilities for a total limit of \$10,000,000.

CONSIDER RATIFICATION OF INSURANCE CARRIER FOR 2010/11
INSURANCE COVERAGE

RESOL.# Motion by Trustee Stoddard, seconded by Trustee Lindsley and
26-2010: unanimously carried approving Resolution #26-2010.

WHEREAS, the Village of Liberty Board of Trustees approves insurance coverage with Agent David Bodenstein - Mike Pries Insurance;

NOW, THEREFORE BE IT RESOLVED, the 2010-2011 Insurance Carrier will be Trident Insurance through Mike Pries Insurance Agent at a cost of \$91,622.49.

TABLED UPDATE ON ADA COMPLIANCE
BUSINESS:

Mayor Winters said the front door has been ordered and will be installed as soon as it comes in.

UPDATE ON PREPLANNING GRANT FOR WWTP

Consider Approval of Resolution

RESOL.# Motion by Trustee Lindsley, seconded by Trustee McGuire and unanimously
27-2010: carried approving Resolution #27-2010.

A RESOLUTION AUTHORIZING THE RECEIPT, USE AND DISBURSEMENT OF THE GRANT FUNDS AND AUTHORIZING MAYOR RICHARD WINTERS TO EXECUTE DOCUMENTS PERTAINING TO THE USDA RD PRE-DEVELOPMENT PLANNING GRANT.

WHEREAS, the Village of Liberty's Wastewater Treatment Facility needs to be upgraded in a cost effective and energy efficient way; SEQR environmental review needs to be executed in conjunction with the upgrades; and

WHEREAS, Delaware Engineering, P.C. has been hired to perform the evaluation of the Wastewater Treatment Facility, compile a Preliminary Engineering Report with recommendations for upgrades and improvements and conduct a SEQR review. Corresponding work will cost a total of \$20,000; and

WHEREAS, the USDA Rural Development is offering a Pre-Development Planning grant for municipalities which will cover half of the total cost. Mayor Richard Winters will be responsible for the transfer of grant funds,

NOW, THEREFORE BE IT RESOLVED, that the Village of Liberty in Special Meeting convened, petitions Mayor Winters as follows:

Petition 1. This motion sanctions Mayor Winters to authorize the receipt, use and disbursement of the grant funds and authorizes the Mayor to execute documents pertaining to the USDA RD Pre-Development Planning Grant.

Petition 2. This resolution shall take effect immediately.

Approval of Notice of Intent - WWTP

Motion by Trustee Stoddard, seconded by Trustee Lindsley and unanimously carried approving the Public Notice – Intent to File an Application with the USDA Rural Development, Rural Utilities Services. The notice will read as follows:

The Village of Liberty, Sullivan County, New York intends to file an application for funding consideration with the USDA, Rural Development. Funding will be used for the upgrade of the Waste Water Treatment Plant (WWTP) and SEQRA Environmental Review corresponding to the upgrades. The WWTP services a total of 1,537 private residences and businesses located in the Village of Liberty. Upgrades will be preformed on both equipment and infrastructure. The Project will cost \$20,000.

CONSIDER BID RESULTS ON ALBION STREET BUILDING LOT

Motion by Trustee McGuire, seconded by Trustee Stoddard and unanimously carried to accept the bid on a surplus piece of land (50 foot strip) located on Albion Street, adjacent to 33 Albion Street in the amount of \$6,000 from Harry Rampe of 33 Albion Street, Liberty, NY 12754.

This was the only bid received.

The next step in this process is for Mr. Rampe to approach the Planning Board on this matter.

DICUSSION OF REVONAH HILL WATER TANK – DELAWARE ENGINEERING P.C.

David Ohman of Delaware Engineering P.C. informed the Board that Delaware Engineering completed an inspection of the Revonah Hill water storage tank in January 2010. He explained the tank was installed in 1914 with a liner replacement in the 1970's. He said the tank is essential to the daily operation of the water system and its useful life is over, stating the tank could fail at any time and that Kenneth Hessiger (Water Supervisor) already feels it has begun to leak. He said as the tank deteriorates the Village will have pressure issues.

Mr. Ohman said it would be their plan to build a new tank along side of the old tank and bring it on line while maintaining operation of the old tank. He said the first steps are to complete a survey and borings. He said they would start the project before winter, at an estimated total cost of \$400,000 to \$600,000.

The engineers noted that funding may be available through USDA Rural Development (RD) or the Village might qualify under the \$600,000 Community Development Block Grant funding.

Trustee McGuire also said she would look into the Sullivan County Loan Fund.

The Board said due to the seriousness of this issue the Village will have to move ahead with this matter.

UPDATE ON GREEN LANE SEWER ISSUE

Mayor Winters explained that in April a sewer collapse in the vicinity of Green Lane was catastrophic to the Village and required around the clock attention by the Village employees. An intermediate solution was introduced, which was the addition of a small pump station to serve the homes in that area. He said the lower half of the project has been completed and the whole project should be completed next week.

Attorney Chapman said he is still working on finding an appraiser to work on the easement that is needed for this project.

McGoey, Hauser and Edsall have proposed to prepare a Preliminary Engineering Report that can be used for the ultimate final design of a new pump station on Green Lane. The cost of the report would be \$5,000 and

the total project cost will fall in the range of \$500,000 to \$1,000,000. The engineering report can be used to prepare USDA funding applications and aid in the procurement of professional services for full design. A possible source of funding will be USDA Rural Development (RD) loan/grant program.

NEW BUSINESS: CONSIDER APPROVAL OF TAXI LICENSES FOR 2010/2011 FISCAL YEAR

Motion by Trustee Stoddard, seconded by Trustee Lindsley and unanimously carried approving the following taxi licenses for the 2010/2011 fiscal year:

Sureway Taxi - Permit # 1, 2, 3, 4, 5, 6, 7, 8, 9, 12, 23, 24, 2, 26, 27, 29 and 30

Country Taxi - Permit # 11 and 28

ABC Cab Service - Permit #16

A Reliable Transportation Services - Permit #10, 13, 14, 15, 21
and 22

Medi Car Inc. - Permit #17, 18 and 19

Permit #20 was tabled until it can be determined if Cab Quest or Medi Car Inc. was clocked in first at the Police Station.

CONSIDER REQUEST FOR TAXI COMPANIES LOG BOOKS

Motion by Trustee Stoddard, seconded by Trustee McGuire and unanimously carried, pursuant to Chapter 75-7 of the Code of the Village of Liberty, the Board requests that each cab company supply their log books for review by the Board of Trustees no later than August 1st.

CONSIDER BANNER PERMIT FOR JULY 4TH FESTIVAL

Motion by Trustee Stoddard, seconded by Trustee Lindsley and unanimously carried approving a **Banner permit** to hold a **July Fourth Festival** on **Sunday, July 4, 2010** sponsored by the Town of Liberty Parks and Recreation.

CONSIDER PARADE PERMIT FOR JULY 4, 2010

Motion by Trustee Stoddard, seconded by Trustee Lindsley and unanimously carried approving the ***Parade Permit*** to hold an ***Independence Day Parade on July 4th*** (2010) at 11 a.m. sponsored by Liberty Chamber of Commerce, the Village of Liberty and the Town of Liberty.

CONSIDER USING SYNAGRO FOR SLUDE REMOVAL AT THE WASTE WATER TREATMENT PLANT FOR THE 2010-2011 FISCAL YEAR

Motion by Trustee Stoddard, seconded by Trustee Lindsley and unanimously carried to continue with Synagro of Naugatuck, CT at a cost of \$95.00 per wet ton for the removal of sludge from the Waste Water Treatment Plant during the 2010-2011 fiscal year.

CONSIDER BANNER PERMIT FOR CIVIL WAR RE-ENACTMENT AT WALNUT MOUNTAIN PARK

Motion by Trustee Lindsley, seconded by Trustee Stoddard and unanimously carried approving a ***Banner Permit*** to advertise the ***143rd New York Volunteer Infantry's Annual Civil War Reenactment*** (*23rd Annual*) which will be on July 24-25, 2010.

The banner must be removed by August 7, 2010.

CONSIDER AMENDMENT FOR BINGO AND GAMES OF CHANCE LICENSES – LIBERTY ELS LODGE #1545

Motion by Trustee Alvarez, seconded by Trustee Lindsley and unanimously carried approving the following amendments to the Liberty Elks Lodge 1545 Bingo License:

1. Two cancelled occasions to be made up on the following dates:

Wednesday, July 21, 2010
Wednesday, August 18, 2010

2. To change a Member in Charge
3. To change the prize structure
4. To change the purpose of the games

CONSIDER RESOLUTION IN SUPPORT OF OUR FARMERS MARKET

RESOL.# Motion by Trustee Lindsley, seconded by Trustee McGuire and unanimously
28-2010: carried approving Resolution #28-2010.

**VILLAGE OF LIBERTY
NATIONAL FARMERS MARKET WEEK
AUGUST 1 – 7, 2010**

WHEREAS, Farmers Markets are important nationwide outlets for agricultural producers, providing them with increased marketing opportunities; and

WHEREAS, more than 4,800 Farmers Markets across the country offer consumers affordable, convenient, and healthful products sold directly from the farm in their freshest possible state; and

WHEREAS, Farmers Markets can help promote child health and reduce childhood obesity by increasing children's access to fresh fruits and vegetables; and

WHEREAS, Farmers Markets play a key role in developing regional food sheds, thus benefiting consumers and the environment; and

WHEREAS, Farmers Markets support the sustainability of small family consumers the opportunity to interact; and

WHEREAS, Farmers Markets increasingly offer electronic benefits transfer technology for food stamp recipients and support local anti-hunger initiatives through donations of unsold food to feeding programs for those in need; and

WHEREAS, the United States Department of Agriculture strongly supports and promotes the development, operation and expansion of Farmers Markets and other direct-to-consumer marketing activities for agricultural producers; and

WHEREAS, the Secretary of the United Department of Agricultural has declared August 1 through August 7, 2010 as **NATIONAL FARMERS' MARKET WEEK**; and

WHEREAS, The Cornell Cooperative Extension Program is sponsoring the Liberty Farmers Market in downtown Liberty every Friday 3 p.m. to 6 p.m. from May 7th through October 8, 2010;

NOW, THEREFORE, The Village of Liberty Board of Trustees hereby proclaims the week of August 1 through August 7, 2010 as **FARMERS' MARKET WEEK IN THE VILLAGE OF LIBERTY**.

CONSIDER GOING OUT TO BID FOR WWTP CHEMICALS FOR THE 2010/2011 FISCAL YEAR

Motion by Trustee Lindsley, seconded by Trustee McGuire and unanimously carried to go out to bid for Waste Water Treatment Chemicals for the period of July 31, 2010 thru July 31, 2011.

The bid opening will be Monday, July 26, 2010 at 11:00 a.m.

CONSIDER GOING OUT TO BID FOR WATER CHEMICALS FOR THE 2010/2011 FISCAL YEAR

Motion by Trustee Stoddard, seconded by Trustee McGuire and unanimously carried to go out to bid for Water Chemicals for the period of July 31, 2010 to July 31, 2011.

The bid opening will be Monday, July 26, 2010 at 11:30 a.m.

CONSIDER GOING OUT TO BID FOR FLOW METERS FOR THE WWTP FOR THE 2010/2011 FISCAL YEAR

Motion by Trustee Lindsley, seconded by Trustee McGuire and unanimously carried to go out to bid for Flow Meter calibration for the Waste Water Treatment Plant.

The bid opening will be Monday, July 26, 2010 at 11:15 a.m.

CONSIDER GOING OUT TO BID FOR ULTRA SLIMLINE LAMPS FOR THE WWTP FOR THE 2010/2011 FISCAL YEAR

Motion by Trustee Stoddard, seconded by Trustee McGuire and unanimously carried to go out to bid for 130 – Ultra Violet Slimline instant start, hot cathode, germicidal lamps for the Waste Water Treatment Plant.

The Bid opening will be Monday, July 26, 2010 at 11:20 a.m.

CONSIDER PUBLIC HEARING FOR ZONING AMENDMENT

Motion by Trustee Lindsley, seconded by Trustee McGuire and unanimously carried to set a Public Hearing on Monday, July 12, 2010 at 6:50 p.m. to consider Local Law #2-2010 to amend the Zoning Law of the Code of the Village of Liberty. This Zoning Amendment deals with side and rear set backs in the Commercial District.

CONSIDER CDBG LOAN – GOZZA GRAPHICS

Motion by Trustee Alvarez, seconded by Trustee Stoddard and unanimously carried approving a Community Development Block Grant loan to Christine

Gozza for Gozza Graphics, LLC on 9 Maple Street in the Village of Liberty. This loan will be for \$20,000 at two (2%) percent interest for a term of five (5) years with monthly payments in the amount of \$350.56.

CONSIDER PURCHASE (LEASE) OF TRUCK FOR DPW

Motion by Trustee Stoddard, seconded by Trustee Lindsley and unanimously carried approving the lease purchase of a 2010 Chevrolet Silverado – one ton single rear wheel pickup with utility body and plow package for the Department of Public Works. The cost of the truck is \$32,694.39.

Trustee Alvarez voted no on this matter.

**CONSIDER APPROVAL OF RAFFLE FOR TOWN OF LIBERTY
DEMOCRATIC COMMITTEE**

Motion by Trustee Alvarez, seconded by Trustee Lindsley and unanimously carried approving the Raffle Consent Form submitted by the Town of Liberty Democratic Committee for a 2010 Fund Raiser. This is for a raffle drawing to be held on August 10, 2010. The raffles will be sold June 20, 2010 thru July 20, 2010 and include the following raffle prizes:

First Prize – Foursome @ “Big G” – Grossigers Gold Course (\$260 Value)
Second Prize – Two night stay at the Hampton Inn – Matamoras, PA (\$200)
Third Prize - \$50.00 American Express Gift certificate
Fourth Prize – Beanie Baby collection – 50 beanies

**CONSIDER AMENDMENT TO VEHICLE AND TRAFFIC LOCAL LAW RE:
WRITING TICKETS IN FIRE LANES**

Motion by Trustee Stoddard, seconded by Trustee Alvarez and unanimously carried to set a Public Hearing on Monday, July 12, 2010 at 6:55 p.m. to consider Local Law #3-2010 to amend Chapter 80 of the Code of the Village of Liberty. This proposed law is a law to regulate the movement in front of, parking, standing or stopping in front of the following buildings:

Liberty Square Mall – 187 Mill Street
Shoprite Mall – 1939 State Route 52
Great American – 261 North Main Street
Liberty Diner – Sullivan Avenue
Liberty (Sears) Shopping Mall – Sullivan Avenue

CONSIDER RESOLUTION FOR RED MEAT PROCESSING PLANT

Resolution from the Village of Liberty acknowledging that the organization is acting in cooperation with officials of that subdivision

RESOL.# Motion by Trustee McGuire, seconded by Trustee Lindsley and unanimously
29-2010: carried approving Resolution #29-2010:

WHEREAS, the Village of Liberty has worked for years to ensure the necessary infrastructure and access for the proposed red meat processing facility, and

WHEREAS, the Village of Liberty has sold the Willow Avenue project site to the Sullivan County Industrial Agency for one dollar in an effort to foster the development of a red meat processing facility, and

WHEREAS, the development and success of a red meat processing facility is in the best interest of the Village of Liberty and particularly important to the County of Sullivan's agricultural economy.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of the Village of Liberty supports the Sullivan County Industrial Development Agency in its efforts to develop the Southern Catskills Red Meat Processing Facility, and

BE IT FURTHER RESOLVED, that the Sullivan County Industrial Development Agency is acting in cooperation with the Board of Trustees of the Village of Liberty in its efforts to develop this facility.

CONSIDER LOAN TO SEWER FUND FROM SANITATION FUND

Motion by Trustee Stoddard, seconded by Trustee Lindsey and unanimously carried approving a loan to the sewer fund from the sanitation fund in the amount of \$7,000 for working capital. This loan will be paid back within one week.

CONSIDER DELAWARE ENGINEERING P.C. ASSISTANCE ON LOG BID SEQR

Motion by Trustee Stoddard, seconded by Trustee Lindsley and unanimously carried authorizing Delaware Engineering to assist with the SEQR for the log bid that Village is currently working on.

Dave Ohman said this assistance would be given at no charge.

TRUSTEE Mayor Winters opened the meeting to comments from the Board.

REPORTS: Trustee Alvarez – No Comment

Trustee Stoddard commented on the following items:

- Said at the last Town Board Meeting she requested information in the West Liberty Street Bridge.
- Reminded the Board members to send back the Accountants Questionnaire.
- Said the Presbyterian Church is celebrating its 200th Anniversary in August and it would be nice if the Board presented them with a Resolution honoring them.
- Asked if the www.Stopthetaxshift.org could be linked on the Village's website.
- Said the Village looks real good and that the merchants and employees need to be commended. She also said the planters and baskets of flowers look beautiful this year.
- Discussed the Mission Statement and Job Descriptions of the Police Department.
- Discussed late charges and post audit vouchers.
- Said she asked the D.P.W. about putting in a half-door and counter at the Justice Department.

Trustee McGuire discussed the following issues:

- Said the Justice Court monthly review looks good.
- Complimented the Village on how incredible it looks.
- Said finding a credit card company should be a priority.
- Thanked the Police Department for their reports and press releases.

Trustee Lindsey thanked the Police Department for their excellent service they recently provided her.

Trustee Lindsley also commented on how beautiful the Village looks.

Mayor Winters said he believes in the positive things that are happening in the Village.

APPROVAL Motion by Trustee Lindsley, seconded by Trustee Stoddard and unanimously **OF BILLS** carried approving Voucher #10-001 to Voucher #10-106 in the amount of **FOR PYMT** \$185,162.82.

Post Audit Vouchers

Motion by Trustee Lindsley, seconded by Trustee Stoddard and unanimously carried approving Post Audit Voucher #9-1158 to Voucher #91-1164 in the amount of \$327,411.69.

EXECUTIVE Motion by Trustee Stoddard, seconded by Trustee Lindsley and **SESSION:** unanimously carried to go into Executive Session at 9:30 p.m. to discuss The PBA contract, which is currently being negotiated.

Motion by Trustee Stoddard, seconded by Trustee Alvarez and unanimously carried to come out of Executive Session at 9:45 p.m.

CONSIDER HIRING PRACTICE

Motion by Trustee McGuire, seconded by Trustee Stoddard and unanimously carried reaffirming the fact that no hiring or promotions shall occur in any Village Department without the consent of the Village Board.

CONSIDER VOTE ON PBA CONTRACT BEGINNING JUNE 1, 2010

Motion by Trustee Alvarez, seconded by Trustee McGuire and unanimously carried approving the *Employment Agreement (Contract) between the Village of Liberty and the Liberty P.B.A. (Police Department) for the period beginning June 1, 2010* and authorizing Mayor Winters to sign said agreement providing it is consistent with the Memorandum Agreement approved by the Board.

AJOURN: Motion by Trustee Lindsley, seconded by Trustee Alvarez and unanimously carried to adjourn the meeting.

THE MEETING WAS ADJOURNED AT 9:50 P.M.

RESPECTFULLY SUBMITTED,

JUDY ZURAWSKI, CLERK/TREASURER