

REGULAR MEETING

SEPTEMBER 7, 2023

The Board of Trustees held the Regular Meeting on September 7, 2023 at The Village Municipal Building, 167 North Main Street, Liberty New York. Mayor Joan Stoddard opened the meeting with the Pledge of Allegiance.

PRESENT: Mayor Joan Stoddard, Deputy Mayor/Trustee Robert Mir, Trustee Ernest Feasel, Trustee Eveleese Lake and Trustee Joe Aracci. Also Present: Gary Silver, Attorney for the Village and Judy Zurawski, Clerk/Treasurer.

ALSO PRESENT: Police Chief Steven D'Agata, Abraham Weberman, Monty Heimlich, Frank DeMayo (Town of Liberty Supervisor), John Lennon, Dean Ferrand (Town of Liberty Council), David Burke, Abraham Mizrahi, Lawrence Kurtz, Marie Decker and Joel Kohn

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

REGULAR MEETING – August 17, 2023

CORRESPONDENCE: Mayor Stoddard said the Village received the following correspondence in this time period.

- ✚ Letter from TOL Re: Tax Map #108.-6-39 – Tax Exempt Status 8.29.23
- ✚ Inside Insights Newsletter – September/October 2023
- ✚ Letter from SC Re: Payroll Certification 8.30.23
- ✚ Letter from Marie Decker Re: Code Violations/Lincoln Place 8.30.23

PUBLIC COMMENT: Mayor Stoddard opened the meeting to comments from the Public.

Town of Liberty Supervisor Frank DeMayo

Supervisor DeMayo discussed the lights in LaPolt Park.

Marie Decker – 73 Lincoln Place

Marie spoke of her frustration over code violations and police issues on her street. Of the many things she addressed, included were:

- ❖ Turkeys and Chickens in excessive amounts on small lots
- ❖ Speeding buses
- ❖ High fences (in excess of the allowance in the Code)
- ❖ Possible Drug dealings
- ❖ People sleeping on outdoor mattresses on the ground

She addressed the fact that she is very ill and all this activity is making it impossible for her to even think that her house will be saleable someday.

Mayor Stoddard said they are addressing the Code Enforcement issues and asked Marie to leave her number so that they could stay in touch.

Joel Kohn – JK Expediting Services Corp.

Joel Kohn approached the Board, stating he is working with the Town on getting a Sewer District Extension to serve tax map 13.-1-20 with municipal sewer. The property is approximately 40 acres and is in the R1 zoning district, which allows for a density of 10,000 square feet per dwelling unit. The buyer is looking to construct up to 100 unit - single family home development with amenities.

Mr. Kohn said the projected flow would be 55,000 per day.

The Board said they would need some time to review the agreement, which was done on May 16, 1977 as well as looking at the lines and the capacity. They suggested that they touch base with Mr. Kohn at the October 19th Board meeting.

Lawrence Kurtz – 80 Dwyer Avenue

Lawrence addressed the Board on the following issues:

- ❖ Said he knows the Village is struggling with garbage/recycling; however he would like to see the recycling separated from the garbage.

Mayor Stoddard said she hopes that within the next couple of weeks they will be back on schedule.

- ❖ Discussed speeding vehicles in the Village

The Mayor said the Police will try to do extra patrols around the area of Dwyer.

- ❖ Said there is loud parties in his area (tent parties) that make the noise a little unbearable.
- ❖ Mentioned that the girls that work in the Village Clerk's Office are wonderful to deal with.

ATTORNEY Attorney Silver said his comments would be related to each agenda item.
COMMENTS:

TREAS. REPORT: Treasurer Zurawski's written report is summarized below:

- ❖ List of Current Taxes and collections thru 08/31/23 of which there is \$597,405.05 outstanding. The current taxes are 87% collected.

- ❖ List of Delinquent Taxes, which as of 08/31/23 - \$332,700.02 is outstanding.
- ❖ Starting and Ending Central Check Numbers for August 2023
- ❖ Starting August 2023 Central Check #18646
- ❖ Financial comparison of General, Water, Sewer and Sanitation

TABLED UPDATE ON INTERMUNICIPAL AGREEMENT RE: SEWER DISTRICT 26-1-59 BUSINESS:

Attorney Silver said Town Attorney Klein had emailed his points regarding this agreement. They will be reviewed and the item will remain **tabled** until all the points are addressed.

Mayor Stoddard suggested all references to water be removed from the agreement.

UPDATE ON INTERMUNICIPAL AGREEMENT RE: LAPOLT PARK

Town of Liberty Supervisor Frank DeMayo said he hopes to have the survey next week and at that point the agreement will be able to be completed.

CONSIDER REQUEST – WATER CONNECTION/THOMAS AVENUE

Attorney Silver began by stating in full disclosure, Kassondra Johnstone is a member of the Village of Liberty Planning Board.

The Board said as soon as they work out the cross connection details they will be able to complete this request.

NEW CONSIDER PUBLIC HEARING – PROPOSED LOCAL LAW #5-2023 - NO BUSINESS: PARKING/155 NORTH MAIN STREET

This matter was **tabled** until the Board and the Police Chief reviews the proposed law and it is written the way they want to present it.

CONSIDER APPROVAL AND PAYMENT TO COMPUTER DOCTORS FOR POLICE SERVER – BUDGETED ITEM (2023-24 BUDGET)

Motion by Trustee Mir, seconded by Trustee Lake and unanimously carried approving the purchase and payment to Computer Doctors for the purchase of a Dell T550 Series Custom Server in the amount of \$9998.67.

In order to place the order for the server a down payment of \$5,000.00 will be made.

This is a state bid item and must be ordered by September 12, 2023.

CONSIDER FALL CLEANUP

RESOL# Motion by Trustee Aracci, seconded by Trustee Feasel and unanimously carried
46-2023: carried approving Resolution#46-2023

**VILLAGE OF LIBERTY
2023 FALL CLEAN-UP**

Monday, September 25th
Tuesday, September 26th
Wednesday, September 27th
Thursday, September 28th
Friday, September 29th
Saturday, September 30st
Sunday, October 1st

All items for clean-up must be taken by Village Residents to the Village of Liberty Street Department garage at 46 Elm Street. No items will be accepted without a permit showing Village residency which can be obtained at the Village Clerk's Office 167 North Main Street between the hours of 8:00 a.m. and 4:00 p.m.

METAL WILL BE ACCEPTED. NO large stumps or rocks. **NO** household Garbage. **NO** batteries. **NO** tires. **NO** hazardous waste. **NO** yard debris. **No** Fuel Tanks, Oil Drums and Propane Tanks. **NO** Paint. **NO** Electronic Equipment

Village crews will not make pick-ups at individual residences and the Sanitation Department will not take items left out for clean-up.

Hours of Operation:

Monday September 25th - Friday, September 29th - 6:30 A.M - 2:30 P.M.

Saturday, September 30th - 8:00 A.M.–12:00 P.M.

Sunday, October 1st - 8:00 A.M. – 12:00 P.M.

After the Villages allotment is used up, the gates will be closed.

This program is made possible by the Sullivan County Legislature.

CONSIDER SURPLUS BID

Motion by Trustee Lake, seconded by Trustee Aracci and unanimously carried to declare the following as surplus:

- ❖ Honda GX 160 5.5 HP Pressure Pump
- ❖ 5 HP 20" Toro Push Mower w/Metal Bagger
- ❖ Model FP 250B Homelite Pressure Pump

- ❖ Kubota L235 Diesel 2WD Tractor with Harris Cab Plow and Belly Mower
- ❖ Cam Superline, Deck Over Dump Trailer 6 ½ x 10'
- ❖ 8 Foot Rubber Cutting Edge
- ❖ Champion Air Compressor 80 gallon – Model VR5-8 208-230/460 Volt
- ❖ 1989 International s 2500 Dump Truck w/ Plow and Wing

Motion by Trustee Lake, seconded by Trustee Feasel and unanimously carried to go out to bid on the following surplus equipment/vehicles:

- ❖ Honda GX 160 5.5 HP Pressure Pump
- ❖ 5 HP 20" Toro Push Mower w/Metal Bagger
- ❖ Model FP 250B Homelite Pressure Pump
- ❖ Kubota L235 Diesel 2WD Tractor with Harris Cab Plow and Belly Mower
- ❖ Cam Superline, Deck Over Dump Trailer 6 ½ x 10'
- ❖ 8 Foot Rubber Cutting Edge
- ❖ Champion Air Compressor 80 gallon – Model VR5-8 208-230/460 Volt
- ❖ 1989 International s 2500 Dump Truck w/ Plow and Wing

All items will be sold As Is, Where is.

The bid opening will be Thursday, October 12, 2023 at 11:00 a.m.

CONSIDER LETTER FROM JOSE SANZ/104.-14-1.2

RESOL. # 47-2023: Motion by Trustee Lake, seconded by Trustee Feasel and unanimously carried approving Resolution #47-2023.

WHEREAS, The Village of Liberty currently has possession Tax Map #104.-14-1.2 due to the default of taxes by the previous owner, Jose Sanz;

WHEREAS, Jose Sanz would like to repurchase this property;

WHEREAS, in order to repurchase this property, known as Tax Map #104.-14-1.2, Jose Sanz will be responsible for the following:

- Village, County and Town Taxes must be paid prior to repurchase
 - If paid by 09/30 Village Taxes would be \$1,219.68 and County/Town would be \$1,012.83 (including all fees)
 - If paid in October (on or before 10/31) the Village Taxes would be \$1,227.21 and the County and Town taxes would be \$1,019.25 (including all fees)
- 5% of the equalized assessed value of the property - \$810.00 (Equalized assessed value/\$16,207)
- Transfer Tax = \$14.00
- Filing Fee for the TP-584 = \$5.00

- Filing Fee for the RP-5217 = \$250.00 (Vacant Land)
- Recording Fee for the Deed = \$65.00
- Legal Fees = \$500.00

WHEREAS, the Village Board has reviewed this matter and is in agreement to allow Mr. Sanz to repurchase the property if he closes by October 31, 2023;

NOW, THEREFORE, BE IT RESOLVED, that once all taxes and fees have been paid the property known as Tax Map 104.-14-1.2 will be transferred to Jose Sanz.

DISCUSS AND CONSIDER POLICE PURSUIT VEHICLE

Motion by Trustee Mir, seconded by Trustee Lake and unanimously carried to lease purchase a 2023 Durango Pursuit All Wheel Drive, WDEE 75 for the Police Department in the amount of \$39,567.80.

The 2021 Police Pursuit (Durango) that was recently totaled in an accident will receive an insurance settlement of \$36,285.00 (\$32,585 Vehicle/\$3,700 Equipment Removal) and has an outstanding balance of \$10,119.00.

The insurance settlement will pay off the lease and allow for a down payment on the 2023 Durango.

CONSIDER MEDICAL TAXI PERMIT – ABC LIMO INC. 2023-34

RESOL.# Motion by Trustee Aracci, seconded by Trustee Feasel and unanimously
48-2023: carried approving Resolution #48-2023

WHEREAS, the applications for taxicab licenses (also known as Taxicab permits, such terms being intended to describe the license or permit described as a taxicab permit in the definitions provision in Article 1, Section 75-1 of Chapter 75 of the Village Code), having been submitted by the attached taxi company's pursuant to the Village Code, such as Sections 75-1 75-1.1, and 75-2 of the Village of Liberty Village Code; and

WHEREAS, the Village Code provides that the existing taxicab permits expire annually on May 31; and

WHEREAS, all permits for taxicab licenses expired June 1, 2023;

WHEREAS, one medical taxi licenses have been reviewed by the Village of Liberty Police and are now pending before the Village Board; now therefore be it

RESOLVED, that the Village Board of the Village of Liberty hereby issues taxicab permits (also known as a Taxicab license) for the annexed applicants (said taxicab license not to be confused with the taxicab driver's license issued under Article II of Chapter 75 of the Village Code); and be it further

RESOLVED, that for reference purposes, the medical license/permit is for:

ABC Limousine Inc.

PUBLIC Mayor Stoddard opened the meeting to comments from the Public.

COMMENTS:

There were no comments from the Public.

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

COMMENTS:

Mayor Stoddard said she and Trustee Mir toured the theater and it is coming out beautiful. The upstairs offices are almost all rented including a radio station, zoom meeting room and the Chamber of Commerce.

Mayor Stoddard said Bruce is also looking into lighting along John Street from the Elks to the theater so it will be a safe walking path.

Trustee Mir – No Comment

Trustee Feasel – No Comment

Trustee Aracci said he would like to see the lights on Mill Street fixed as he knows of a person that was nearly hit because it is so dark.

The Board said they would research the contract and see if they could make contact with NYSEG regarding this issue.

Trustee Lake – No Comment

**APPROVAL POST AUDIT VOUCHERS
OF BILLS**

FOR PYMT: Motion by Trustee Mir, seconded by Trustee Lake and unanimously carried approving Voucher #260 to Voucher #270 in the amount of \$1,320,930.19

FLOWER FUND

Motion by Trustee Mir, seconded by Trustee Feasel and unanimously carried approving the following payment from the Flower Fund:

MONTICELLO GREENHOUSES - \$100.00

EXECUTIVE SESSION: Motion by Trustee Mir, seconded by Trustee Feasel and unanimously carried to go into Executive Session at 8:20 p.m. to discuss a personnel matter in the Code Enforcement Office and an employee in the Village Offices.

Police Chief D'Agata and Director of Public Works David Burke were invited into Executive Session.

Motion by Trustee Lake, seconded by Trustee Mir and unanimously carried to come out of Executive Session at 9:10 p.m.

KRISTEN YOUNG – EMPLOYEE #100

Motion by Trustee Lake, seconded by Trustee Feasel and unanimously carried authorizing the Mayor to sign the Notice of Termination for Dispatcher Kristen Young (Employee #100).

CONSIDER RATE OF PAY FOR CHARLES NYSTROM (EMPLOYEE #337) – PART TIME CODE ENFORCEMENT OFFICER

Motion by Trustee Aracci, seconded by Trustee Mir and unanimously carried approving \$45.00/hour to work two days a week to Charles Nystrom (Employee #337) as a Part Time Code Enforcement Officer.

This would begin with the payroll week of September 4, 2023.

CONSIDER CHANGE OF SCHEDULE FOR CSEA WORKERS

Motion by Trustee Lake, seconded by Trustee Aracci and unanimously carried authorizing a schedule change for two people in the D.P.W. on Monday and Thursdays. This change would allow them to come in at 4 a.m. to man one sanitation truck.

This change must be approved by the CSEA union.

ADJOURN: Motion by Trustee Mir, seconded by Trustee Lake and unanimously carried to adjourn the meeting.

THE MEETING WAS ADJOURNED AT 9:13 P.M.

RESPECTFULLY SUBMITTED,

JUDY H. ZURAWSKI, CLERK/TREASURER

