**REGULAR MEETING**

SEPTEMBER 24, 2013

# The Board of Trustees held the Regular Meeting of September 24, 2013 at

# the Village Municipal Building, 167 North Main Street, Liberty New York.

Mayor Daniel J. Ratner Sr. opened the meeting with the Pledge of Allegiance.

**PRESENT:** Mayor Daniel Ratner, Trustee/Deputy Mayor Joan Stoddard and Trustee Ronald Stabak Also Present: Gary Silver, Attorney for the Village and Judy Zurawski, Clerk/Treasurer.

**ABSENT:** Trustee Luis Alvarez and Trustee Corinne McGuire

**ALSO** Police Chief Scott Kinne, Steven Kurlander, Allan Scott, Town Supervisor

**PRESENT:**  Charlie Barbuti (arrived 7:35 p.m.), Elizabeth Montag (arrived 7:40 p.m.) and

Steven D’Agata (arrived 7**:**40 p.m.)

**APPROVAL** Motion by Trustee Stoddard, seconded by Trustee Stabak and

**OF** unanimously carried approving the following minutes:

**MINUTES:**

REGULAR MEETING – September 10, 2013

Motion by Trustee Stoddard, seconded by Trustee Stabak and unanimously carried approving the following minutes:

PUBLIC HEARING – September 10, 2013 Re: Annexation

Motion by Trustee Stoddard, seconded by Trustee Stabak and unanimously carried approving the following minutes:

PUBLIC HEARING – September 10, 2013 Re: Tax Abatement

**CORRES-** Mayor Ratner said the Village has sent the following correspondence

**PONDENCE**:and it is available in the Clerk’s Office:

**OUTGOING**

* Letters to Liberty Central and Livingston Manor C.S. Re: Tax Exemption

**PUBLIC** Mayor Ratner opened the meeting to comments from the Public.

**COMMENTS**:

Steven Kurlander pitched his ideas for writing a Village Newsletter/E-Mailings/Facebook/Twitter Account. He shared his experience which includes writing for the Huffington Post, etc. He explained he prefers to be proactive rather than reactive in his writing skills. His monthly fee is $500.00

The Board said that they would like to discuss this as a joint project with the Town of Liberty and Community Development Corporation as the $500 fee is above the Village’s budget.

Mr. Kurlander said he would attend the Joint Meeting with the Town of Liberty on Monday September 30th to discuss his proposal.

Mayor Ratner said Allan Scott was in attendance on behalf of the IDA. He explained that as the meat packing plant is moving forward for Liberty he wanted to reaffirm Resolution #42-2012 – Resolution #45-2012 regarding this project.

**The Meat Packing Resolutions were passed November 13, 2012 and are as follows:**

Motion by Trustee Stoddard, seconded by Trustee McGuire and

unanimously carried approving Resolution #42-2012.

**RESOLVED**, that the Village Board of the Village of Liberty hereby finds that the property described in Schedules A of the annexed quit claim deeds (two descriptions, one being .76 acres and the other being 5.9 acres) is not necessary for Village purposes, is otherwise unusable for any Village purpose, and is hereby declared surplus.

Motion by Trustee Stoddard, seconded by Trustee Lindsley and

unanimously carriedapproving Resolution #43- 2012.

**RESOLVED,** that the Village Board of the Village of Liberty hereby declares itself lead agency for the unlisted action of the sale of certain real property described in Schedules A of the prior motion (two parcels, one being .76 acres and the other being 5.9 acres)

Motion by Trustee Stoddard, seconded by Trustee McGuire and

unanimously carriedapproving Resolution #44-2012.

**RESOLVED**, that the Village of Liberty hereby issues a negative declaration for the unlisted action of the sale of certain real property described in Schedules A of the preceding motion (two parcels, one being .76 acres and the other being 5.9 acres).

Motion by Trustee Stoddard, seconded by Trustee Lindsley and

unanimously carried approving Resolution #45-2012.

**WHEREAS,** the Sullivan County Industrial Development Agency (IDA) has secured public financing to build a red meat processing facility in the Village of Liberty; and

**WHEREAS**, such facility will create jobs in Sullivan County and reduce costs for agricultural producers within the County; and

**WHEREAS,** the IDA has requested that the Village of Liberty provide the property (5.9 acres) described in Schedule A annexed hereto to the IDA to build a red meat processing facility; and

**WHEREAS**, the IDA has requested that the Village of Liberty provide the property (.76acres) described in the other annexed Schedule A to the IDA so that the IDA can construct a roadway; and

**WHEREAS**, the Village of Liberty, by and through the Village Board hereby determines that the transfer of such properties to the IDA is a public purpose inasmuch as the IDA will cause improvements to be made for the betterment of the people of Sullivan County including the Village of Liberty; and

**WHEREAS**, the Village of Liberty, by and through the Village Board finds that such property otherwise has no practical use or value; now therefore be it

**RESOLVED,** that the Mayor of the Village of Liberty and/or the Clerk/Treasurer of the Village of Liberty is hereby authorized to sign the following documents in consideration for the IDA’s payment of $1 and for the IDA’s commitment to cause to be construed certain road improvements shown on the records of the Planning Board of the Village of Liberty and in construction of a red meat processing facility acceptable to the IDA Board:

* A permanent easement agreement for access to storm water treatment and detention tank;
* A temporary easement agreement for soil storage and disposal except that the IDA shall certify that they are complaint with all laws, rules and regulations regarding such soil storage and disposal and shall agree to indemnify and hold the Village of Liberty harmless for the same
* A quitclaim Deed for the two parcels (.76 acres and 5.9 acres) which are each labeled Schedule A and annexed hereto.

**OLD CONSIDER WATER/SEWER/DPW EXCAVATION PERMITS, ETC.**

**BUSINESS:**

Attorney Silver said once he receives the form from Mayor Ratner he will finish the local law.

**CONSIDER PUBLIC HEARING – AMEND TAXI ORDINANCE**

Motion by Trustee Stoddard, seconded by Trustee Stabak and unanimously carried to a hold a Public Hearing on Tuesday, October 8, 2013 at 6:50 p.m. to consider Local Law #7-2013 which would amend Section 75-1-1A and 75.2F of the Code of the Village of Liberty to provide for the payment of the fees for a taxicab and inter-community medical taxicab permit in two separate installments, and for the forfeiture of the permit if the second payment is not made within sixty (60) days of the date that the applicant is mailed notice of approval by the Village Board of the permit by the Village Clerk.

**CONSIDER PUBLIC HEARING – WATER METER SERVICES**

Motion by Trustee Stoddard, seconded by Trustee Stabak and unanimously carried hold a Public Hearing on Tuesday, October 8, 2013 at 6:55 p.m. to consider Local Law #8-2013 which would amend Chapter 84 of the Village Code entitled Water Service. This public hearing will address Article IV (Chapter 84) Water System Components – Sections 9 – 13.

**CONSIDER ANNEXATION OF 1885 ROUTE 52 LLC**

Attorney Silver said that Mayor Ratner and Supervisor Barbuti must finalize negotiations for the sewer line and a contract must be ratified.

The Board discussed the sewer line agreement between the Town and the Village, which would include going to manhole number 9, which is the last manhole on Route 52 on the south side (same side as Kasofsky). In return the Village will give the Town a $40,000 reduction in utility bills or $1,000 off each quarter for ten (10) years.

Mayor Ratner said the lawyers will complete the agreement.

**NEW CONSIDER EVENT PERMIT – WELCOME HOME PARTY 10/5**

**BUSINESS:**

Mayor Ratner said this party is not applicable to an Event Permit and that the applicant would have the same rights as everyone else when it comes to the noise ordinance, etc.

**CONSIDER BELMONT MANAGEMENT CONTRACT**

This item was tabled to be discussed in Executive Session so the Board can receive advice from the Attorney for the Village on this matter.

**CONSIDER BANKRUPTCY OFFER – AMES DEPT. STORE**

Motion by Trustee Stoddard, seconded by Trustee Stabak and unanimously carried to accept the Bankruptcy Plan for Ames Department Store, Inc. – Chapter 11- Case No. 01-42217. The Ballot for Class 3 General Unsecured Claims will be returned with our acceptance.

**FIRST QUARTER FINANCIAL PRESENTATION – AS OF AUGUST 31, 2013**

Clerk-Treasurer Zurawski presented the Board with a Handout of the Financial Outlook for the first quarter of the 2013-2014.

Mayor Ratner said rather than review it tonight, the Board should take it home and review it and come back with any questions they have.

**CONSIDER PLANNING BOARD MEMBER**

**RESOL. #** Motion by Trustee Stoddard, seconded by Trustee Stabak and

**54-2013:** unanimouslycarried approving Resolution #54-2013.

**RESOLVED,** the Board of Trustees of the Village of Liberty approves the

following appointment:

**PLANNING BOARD – CRAIG CASE – TERM TO EXPIRE APRIL 1, 2017**

**CONSIDER STIPEND FOR REGULAR MEETING MINUTES**

**RESOL. #** Motion by Trustee Stabak, seconded by Trustee Stoddard and unanimously

**55-2013**: carried approving Resolution #55-2013.

RESOLVED, the Village Board of Trustees sets a $35.00 stipend for any personnel required to come to the Regular Meetings of the Board of Trustees to take and write the minutes of the meeting. This excludes the Village Clerk/Treasurer.

**PUBLIC** Mayor Ratner opened the meeting to comments from the Public.

**COMMENT:**

There were no comments from the Public.

**TRUSTEE** Mayor Ratner opened the meeting to comments from the Board.

**REPORTS:**

Trustee Stoddard said it might be worth discussing the New York State Tax Exemption Laws at the Joint Meeting. Tax Exemptions are not the same in all states.

Trustee Stoddard said she thought the Asus tablets coming out on October 18th with Windows 8.1 would be an excellent one for the Board Meetings.

Trustee Stabak said he had a couple of matters for Executive Session, including a union grievance and a personnel matter for an employee in the Office.

Mayor Ratner discussed the Emergency Preparedness Plan, Chapter 28 in the Village Code which states the Mayor can be the Emergency Coordinator or he can designate someone. He said he would like to designate Police Chief Kinne.

**CONSIDER EMERGENCY COORDINATOR**

Motion by Trustee Stoddard, seconded by Trustee Stabak to designate Police Chief Kinne as Emergency Coordinator (per Chapter 28 of the Village Code) in the case of a State of Emergency in the Village.

**EXECUTIVE**Motion by Trustee Stoddard, seconded by Trustee Stabak and

**SESSION:** unanimously carried to go into Executive Session at 8:35 p.m. to discuss a

Union Grievance and a personnel matter in the Village Offices.

Motion by Trustee Stoddard, seconded by Trustee Stabak and unanimously

carried to come out of Executive Session at 9:22 p.m.

**ADJOURN:** Motion by Trustee Stoddard, seconded by Trustee Stabak and

unanimously carried to adjourn the meeting.

**THE MEETING WAS ADJOURNED AT 9:23 P.M.**

**RESPECTFULLY SUBMITTED,**

**JUDY H. ZURAWSKI, CLERK/TREASURER**

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