

REGULAR MEETING

OCTOBER 13, 2009

The Board of Trustees held the Regular Meeting of October 13, 2009 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 and Trustee Dawn Green. Also Present: Langdon Chapman, Attorney for the Village and Alice Gonzalez, Deputy Clerk

ABSENT: Trustee David Simon and Judy Zurawski, Clerk/Treasurer

ALSO PRESENT: Edward LaGarde, Joan Stoddard, William Cogswell, Robert Grant and Elizabeth Montag.

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

REGULAR MEETING – SEPTEMBER 14, 2009

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

INCOMING

- Planning Board Minutes – 9/10/09
- Letter from State Assembly Re: Reform 9/4/09
- Letter from Attorney General Re: Grant 9/29/09
- Letter from Heritagenergy Re: Plans 9/23/09
- Letter from Jennifer Shea Re: Thank you Peter 10/9/09

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

Joan Stoddard (Winslow Place) asked the Board to consider two meetings a month so it is easier for residents to be in contact with them.

Joan Stoddard asked about the newly designed website and who the contract was awarded to.

Edward LaGarde (Administrative Consultant) said the contract was awarded to Edward Washington at a cost of \$2,500 and will be paid 100% by a grant. He said it will be maintained internally and the only out-of-pocket expense will be the domain name.

William Cogswell (State Route 55) asked what the Village's plan is now that the Sullivan County landfill is closing.

Mayor Winters said for the short term the Village will be taking its trash to the Ferndale Transfer station. He said the Village would look at its options, including incineration and Taylor (Middletown) or Waste Management (Beach Lake). He also said an option is to get out of the garbage business completely although he does not want to do that.

Joan Stoddard (Winslow Place) suggested that municipalities band together to come up with a solution.

Mayor Winters said there is property by the Village Waste Water Treatment Plant that could be used for the Incinerator but it would take a couple of years to develop.

William Cogswell asked the Board if they have a program for background checks for new employees.

Mayor Winters said yes, it is part of the NIMS Compliance and is in place already.

William Cogswell said that Natalio's Restaurant borrowed \$20,000 under the Community Development Block Grant program and is now out of business. He asked how the Village plans on recovering the money.

Mayor Winters said it is under litigation. Mayor Winters also said that new applicants would have to be screened closer.

Trustee Green said that new applicants will now pay application fees and sign personal guarantees and there will be a UCC on equipment.

William Cogswell asked when the website will be up and running.

Edward LaGarde said it will be running by the end of the month and will include pictures of the employees.

William Cogswell said pictures of the Village employees will not help Village residents – the Village is a mess and the website should include pictures of things like North Main Street where there are large holes in the road and the blind spot on Upper Ferndale Road due to all the bushes and weeds.

Mayor Winters said the website will be used for forms, applications and minutes to make things easier for residents.

Trustee Green said the website will consistently change and be updated.

William Cogswell asked about Christmas lights for the Village.

Mayor Winters said unless the Village gets contributions, we would not be able to get new lights.

Joan Stoddard said organizations need to get involved.

Trustee Lindsley said the Liberty CDC (Henrich Strauch) is trying hard to get us some help.

Mayor Winters said residents need to get involved and take pride in the Village.

Trustee McGuire said the sidewalks are in terrible shape and the homeowners don't realize they are responsible for them.

William Cogswell said the landlords don't care; they are down in the city.

Mayor Winters said that during Litterpluck ten to twelve students showed up and only one stayed all morning.

Elizabeth Montag (Wawanda Avenue) asked if it was possible to get clubs from the school to help with cleanups throughout the Village.

Mayor Winters said trying to unite these groups is a problem.

William Cogswell asked about the possibility of re-opening Renovah Park as a picnic and playground area. He said it does not have to include swimming.

Joan Stoddard said there are a lot of people interested in opening it.

Mayor Winters said he would love to open it. He said we would need volunteers such as the Boy Scouts and Girl Scouts.

Trustee Lindsley said she would also like to see it opened again.

William Cogswell suggested that the Board should not sell the property it owns on Albion Street to Mr. Rampe, as the Village may still need to put a water tank on this property in the future.

CDC **LIBERTY COMMUNITY DEVELOPMENT CORPORATION – EDWARD**
REPORT: **LAGARDE**

Henrich Strauch was out due to illness. Edward LaGarde reported that on October 23rd there will be a meeting with the Village, Town and the County to discuss various ways to work together. Trustee Lindsley will be attending the meeting.

ATTORNEY Attorney Chapman discussed the following issues:
COMMENTS:

- Said the Board should set a public hearing for the next Meeting date for the revision of existing fees.
- Said the website Contract is completed and the Board should entertain motions to have Mayor Winters execute the same.
- Stated the Liberty Motel Insurance issue has been sent to the carrier and there will be no cost to the Village.
- Stated he has begun legal action on the Community Development Block Grant loan recovery from Anthony Evangelista of Supreme Cleaners in the amount of \$16,000.

TREAS. REPORT: Due to a family illness Treasurer Zurawski was not in attendance.

TABLED BUSINESS: **UPDATE ON ADA COMPLIANCE**

Mayor Winters said that the Village went out to bid for the door and bathroom and received no responses so it will have to be bid out again.

Trustee Green and Trustee McGuire suggested that the Village solicit bids by fax.

REVIEW PROGRESS ON LP GAS SITUATION IN PARKSVILLE

Edward LaGarde informed everyone that for the last several years the Village of Liberty had a LP Gas System at the Water Filtration Plant that did not work under frigid conditions therefore we had a lack of a backup system in the event of a power outage at the plant. After identifying the problem a new system has been installed which is under guarantee (signed contract).

CONSIDER REQUEST REGARDING ALBION STREET FROM HARRY RAMPE

Mayor Winters said the Village is not interested in surplusizing the Albion Street property owned by the Village at this time due to the fact that it may be needed in the future for a water storage tank.

Mayor Winters requested that Mr. Rampe submit a map of the property that he is interested in so that it can be kept open for future discussion.

NEW BUSINESS: **CONSIDER LOAN TO SEWER FUND (FROM GENERAL) FOR DEBT SERVICE PAYMENT**

Motion by Trustee Lindsley, seconded by Trustee McGuire and unanimously carried approving a loan of up to \$40,000 to the sewer fund from the general fund.

This loan is for the debt service payment due October 15, 2009.

CONSIDER ED LAGARDE AS PART TIME COURT CLERK

RESOL. # 43-2009 Motion by Trustee Lindsley, seconded by Trustee McGuire and unanimously carried approving Resolution #43-2009.

RESOLVED, the Board of Trustees of the Village of Liberty approves the following appointment:

PART TIME COURT CLERK - EDWARD LAGARDE

This is a non-paid appointment.

CONSIDER BINGO LICENSE FOR LIBERTY ELKS LODGE BPOE 1545

Motion by Trustee Lindsley, seconded by Trustee Green and unanimously carried approving the ***Bingo License*** for ***Liberty Elks Lodge BPOE 1545***.

This license is for the time period of October 4, 2009 to September 26, 2010.

CONSIDER PUBLIC HEARING - PROPOSED LOCAL LAW #3-2009/FINES AND PENALTIES

Motion by Trustee Lindsley, seconded by Trustee Green and unanimously carried to hold a Public Hearing on Monday, November 9, 2009 at 7:00 p.m. to consider Local Law #3-2009 which will adjust the fines and penalties imposed by the Code of the Village of Liberty.

AUTHORIZE MAYOR WINTERS TO EXECUTE VILLAGE OF LIBERTY WEBSITE CONTRACT

RESOL. # 44-2009: Motion by Trustee Lindsley, seconded by Trustee McGuire and unanimously carried approving Resolution #44-2009.

WHEREAS, the Village of Liberty is in the process of establishing a new website under the address of **villageofliberty.org**;

WHEREAS, the Village of Liberty is in the process of contracting with Edward Washington of Liberty, New York for the design and set up of this website for a fee of \$2,500.00;

NOW BE IT RESOLVED, the Village of Liberty Board of Trustees authorizes the acceptance of the website contract between the Village of Liberty and Edward Washington and authorizes Mayor Winters to execute said contract.

**TRUSTEE
REPORTS:**

Mayor Winters opened the meeting to comments from the Board.

Trustee Simon - Absent

Trustee McGuire said that Edward LaGarde is checking the parking ticket collections and will be coming to the Board with ideas for possible surcharges.

Trustee Green – No Comment

Trustee Lindsley said she has been helping Edward LaGarde one day a week for the collections of fine and fees in the Justice Court.

Trustee Lindsley said she has been working with Henrich Strauch to solicit donations to help decorate the Village with lights for the Christmas holiday.

Mayor Winters discussed the following issues:

- Read the Letter from the VFW regarding their Veteran’s Day observance on November 11th.
- Read a letter from Jennifer O’Shea thanking Peter Parks and the DPW for the excellent job they did on Kaempfer Lane.
- Said Peter has cleaned the force main on Elm Street and replaced the two sewer pumps in the pump station at Elm Street. He said the sewer pumps were not in the budget however; Peter is going to try to contribute some money towards the pumps.
- Stated that Albion Street is finished, Wawanda Avenue will be next and after that the drainage and patching will be completed.
- Said the Town will possibly put the aluminum bridge (on West Street) in by the end of November.

APPROVAL OF BILLS FOR PYMT Motion by Trustee Lindsley, seconded by Trustee McGuire and unanimously carried approving Voucher #9-373 to Voucher #9-465 in the amount of \$170,129.87.

Post Audit Vouchers

Motion by Trustee Lindsley, seconded by Trustee Green and unanimously carried approving Post Audit Voucher #9-366 to Voucher #9-372 in the amount of \$271,464.32.

DWSRF

Motion by Trustee Lindsley, seconded by Trustee Green and unanimously carried approving the following bills for payment:

McGoey, Hauser and Edsall -73.50

EXECUTIVE Motion by Trustee Green, seconded by Trustee McGuire and
SESSION: unanimously carried to go into Executive Session at 8:10 p.m. to discuss a personnel matter.

Motion by Trustee Green, seconded by Trustee Lindsley and unanimously carried to come out of Executive Session at 9:00 p.m.

CONSIDER CONTINUED EMPLOYMENT FOR EDWARD LAGARDE AS BUSINESS ADMINISTRATOR

Motion by Trustee Green, seconded by Trustee Lindsley and unanimously carried approving Edward LaGarde to continue on in the capacity of Administrative Consultant at a salary not to exceed \$3,500 per month. The Board authorized Deputy Mayor Lindsley to execute the Professional Services Contract for Edward LaGarde.

Mayor Winters abstained from voting on this matter due to a family relationship.

DISCUSSION OF REQUEST FROM THE LAW ROUKE, FINE & JANUSAS RE: EASEMENT

The Board discussed a request from the law firm of Rourke, Fine & Janusas to grant an easement to a prospective purchaser of a property in the Village. The stairway and a portion of the property's porch (on tax map #112-4-5) is situated on Village owned property shown at tax map #112-4-24. The Mayor questioned whether the Village owned lot was buildable. The consensus was the Board should first ask the potential purchaser to determine whether the stairway could be relocated given the external and internal configurations of the building at tax parcel 112-4-5. The Board also asked for a determination as to whether or not the granting of the easement would make tax parcel 112-4-24 less valuable if the Village would later sell it.

ADJOURN: Motion by Trustee Green, seconded by Trustee McGuire and unanimously carried to adjourn the meeting.

THE MEETING WAS ADJOURNED AT 9:01 P.M.

RESPECTFULLY SUBMITTED,

ALICE GONZALEZ, DEPUTY CLERK