

REGULAR MEETING

JULY 9, 2012

The Board of Trustees held the Regular Meeting of July 9, 2012 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 Corinne McGuire, Trustee Shirley Lindsley, Trustee Joan Stoddard and Trustee Luis Alvarez. Also Present: Robert Krahulik, Attorney for the Village and Judy Zurawski, Clerk/Treasurer

ALSO PRESENT: David Ohman (Delaware Engineering), Dan Fagnani (Delaware Engineering) Henrich Strauch, Town of Liberty Supervisor Charles Barbuti (arrived at 8:10 p.m.), John Picard and Sergeant Tim Vogler.

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

REGULAR MEETING - JUNE 11, 2012

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

PUBLIC HEARING - JUNE 11, 2012 RE: CDBG

Motion by Trustee Lindsley, seconded by Trustee McGuire and unanimously carried approving the following minutes:

PUBLIC HEARING - June 11, 2012 Re: CDBG

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

- ❖ Letter from Delaware River Basin Re: Notice of Application 6.14.12
- ❖ Letter from NYS of Public Service Re: Lifetime Telephone 6.1.12
- ❖ Liberty Community Calendar (summer months)
- ❖ Correspondence from NYMIR Re: Insurance

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

HENRICH STRAUCH - LIBERTY C.D.C.

Henrich said all his items will be addressed later in the meeting, however he wanted to go on record to compliment Pam Winters who organized the July 4th Festival. He stated she did a wonderful job.

ATTORNEY Attorney Krahulik had no comment.

COMMENTS:

TREAS. TREASURER'S REPORT FROM JUNE 30, 2012
REPORT:

Treasurer Zurawski gave a written report to the Board which included the following:

- ❖ List of Current Taxes, which as of 6/30/2012 is \$1,305,485.65 uncollected
- ❖ List of Delinquent Taxes, which as of 6/30/12 is \$649,939.61
- ❖ Starting and Ending Central Check Numbers for June
- ❖ Starting July 2012 Central Check #8163
- ❖ The Court Revenue received from the Town of Liberty for May, which is \$510.00
- ❖ List of CDBG loans and the payment status of each one

In addition Treasurer Zurawski informed the Board that St. Peter's Church is terminating its bingo program due to lack of players. This will mean that the revenue booked in the 2012/2013 will not be coming in.

TABLED INFORMATIONAL UPDATE ON WATER TANK PROJECT – D. OHMAN/
BUSINESS: DELAWARE ENGINEERING:

David Ohman of Delaware Engineering updated the Public on the Water Tank Project:

Reason for Project

- The 500,000 gallon in ground tank constructed in 1914 is in need of repair; concrete walls are failing – tipping into tank.
- No way to take the tank off line to repair since the tank is needed to maintain pressure and volume to the system.
- Tank leaking (exfiltration) now and could fail anytime.

Planned Work

- Construct a new \$500,000 gallon above ground concrete tank on Village-owned property adjacent to the existing tank.

Status

- Preliminary engineering complete; siting done
- Preliminary funding determination from USDA RD received June 4, 2012
- Final funding application due to USDA RD on August 17, 2012
- Next steps = Detailed design followed by NYSDOH and USDA review, then bidding and construction

Project Cost

- Estimated project cost = \$1,031,000

Project Funding

- Per June 4, 2012, USDA RD preliminary eligibility determination, project funding will be as follows:
 - Grants \$731,000
 - Loan: \$289,000 (2% for 38 years)
 - Local: \$ 11,000 (Cost to do application and SEQR review)

\$1,031,000

- Annual debt service cost for \$289,000 at 2% over 38 years = \$11,000/year
- Spread out over 1,537 service connections results in an estimated \$7/year in addition to the \$286/year already being paid by each service connection

Project Schedule

- | | |
|---|-------------------|
| ○ USDA Final Application Submitted | August 17, 2012 |
| ○ Finalize USDA Funding Application Paperwork | September 2012 |
| ○ Project Design | Sept.-Oct. 2012 |
| ○ NYSDOH and USDA Design Review | Nov. – Dec. 2012 |
| ○ Finalize Design | January 2013 |
| ○ Project Construction Bidding | Jan.-Feb. 2013 |
| ○ USDA Bid Review Process | March 2013 |
| ○ Finalize USDA Paperwork/
Preconstruction Meeting | April 2013 |
| ○ Construction | April – July 2013 |

Dave Ohman continued by stating:

- Other items for tonight:
 - Bond Resolution – adopt tonight – see attached (format taken from 2011 USDA water project)
 - Allows the Village to secure permanent (serial bonds) and short-term (bond anticipation note) financing for the full project (suggest using up to \$1.2 million as project estimate is \$1.1 million)
 - With USDA funding, village needs to borrow money up front and then get reimbursed as the project proceeds so both up front (Full amount) and long-term (lower amount = loan and local share portion as grant is applied) financing is needed.
 - Publication of notice in Village's official newspaper of that Board adopted bond resolution subject to permissive referendum resolution.
 - Need Board to authorize Clerk to publish
 - Clerk publishes this week and obtain Affidavit of Publication from paper and sent to Delaware
 - Publication of notice in Village's official newspaper minimum of thirty (30) days after the Bond Resolution assuming no petitions were filed.
 - Publish in official newspaper August 9th or shortly thereafter and obtain Affidavit of Publication from paper and sent to Delaware before August 15th
 - Need Board to authorize Clerk to publish subject to no petitions being filed.

Other Items for this month

- Amanda Mahar, Dave Ohman are coordinating with Judy and others on these items.

- Note Agreements for Legal services and Bond Counsel (items 15 and 16) need to be done
- Building the notebook with the required info in them for the application.

CONSIDER ADOPTION OF BOND RESOLUTION – TO SEEK FUNDING FOR WATER TANK

RESOL. # 31-2012: Motion by Trustee Stoddard, seconded by Trustee Alvarez and unanimously carried approving Resolution #31-2012.

BOND RESOLUTION DATED JULY 9, 2012

A RESOLUTION AUTHORIZING THE CONSTRUCTION OF, AND APPURTENANT WORK AND SERVICES RELATED THERETO FOR, THE REVONAH HILL WATER STORAGE TANK IMPROVEMENTS, AS PART OF THE WATER DISTRIBUTION SYSTEM OF THE VILLAGE OF LIBERTY, AUTHORIZING THE ISSUANCE OF SERIAL BONDS OF THE VILLAGE OF LIBERTY, SULLIVAN COUNTY, NEW YORK, IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$1,200,000.00 PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE SAID CONSTRUCTION AND RELATED WORK, AND DELEGATING THE POWER TO ISSUE BOND ANTICIPATION NOTES IN ANTICIPATION OF THE SALE OF SUCH BONDS TO THE VILLAGE CLERK/TREASURER

BE IT RESOLVED, by the Board of Trustees of the Village of Liberty, Sullivan County, New York (the "Village") (by the favorable vote of not less than two-thirds of all the members of the Board) as follows:

SECTION 1. The specific purpose (hereinafter referred to as "purpose") to be financed pursuant to this resolution is to perform improvements to the Village's water distribution system, including construction of a new water storage tank and appurtenances, and necessary services related thereto, for the foregoing purpose (the "Project"). The estimated maximum cost of said purpose, including preliminary costs and costs incidental thereto and the financing thereof, will not exceed \$1,200,000.00 and said amount is hereby appropriated therefor.

SECTION 2. The Board of Trustees plans to finance the Village's maximum estimated cost of said purpose by the issuance of serial bonds in an amount not to exceed \$1,200,000.00 of said Village, hereby authorized to be issued therefor pursuant to the Local Finance Law.

SECTION 3. It is hereby determined that said purpose is an object or purpose described in subdivision 1 of paragraph (a) of Section 11.00 of the Local Finance Law and that the period of probable usefulness of said purpose is forty (40) years.

SECTION 4. Current funds are not required to be provided prior to the issuance of the bonds authorized by this resolution or any notes issued in anticipation of the sale of said bonds.

SECTION 5. It is hereby determined that the proposed maturity of the obligations authorized by this resolution will be in excess of five (5) years.

SECTION 6. The faith and credit of said Village are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said Village a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

SECTION 7. Subject to the provisions of this resolution and of the Local Finance Law, pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals of said notes and of Section 21.00, Section 50.00, Sections 56.00 to 60.00, Section 62.00 and Section 63.00 of the Local Finance Law, the powers and duties of the Board of Trustees pertaining or incidental to the sale and issuance of the obligations herein authorized, including but not limited to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said notes, are hereby delegated to the Village Clerk/Treasurer, the chief fiscal officer of the Village.

SECTION 8. The Village Clerk/Treasurer is further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the bonds authorized by this resolution, and any notes issued in anticipation thereof, as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and to designate the bonds authorized by this resolution, and any notes issued in anticipation thereof, as "qualified tax-exempt bonds" in accordance with Section 265(b)(3)(B)(i) of the Code.

SECTION 9. The Village has determined that the Project will not have a significant effect on the environment and, therefore, no other determination or procedures under the State Environmental Quality Review Act ("SEQR") are required.

SECTION 10. The expected source of funds to be used to initially pay for the expenditures authorized by Section 1 of this resolution shall be from the Village's General Fund. The Village then reasonably expects to reimburse such expenditures with the proceeds of the bonds or bond anticipation notes authorized by Section 2 of this resolution. This resolution shall constitute a declaration of "official intent" to reimburse such expenditures, as required by the United States Treasury Regulations, Section 1.150-2.

SECTION 11. The validity of said serial bonds or of any bond anticipation notes issued in anticipation of the sale of said serial bonds may be contested only if:

- (1) (a) Such obligations are authorized for an object or purpose for which said Village is not authorized to expend money, or
- (b) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication; or
- (2) Said obligations are authorized in violation of the provisions of the Constitution of New York.

SECTION 12. The Village Clerk/Treasurer is hereby authorized and directed to publish this resolution, or a summary thereof, together with a notice in substantially the form provided by Section 81.00 of said Local Finance Law, in the Sullivan County Democrat, a newspaper having a general circulation in said Village and hereby designated as the official newspaper of said Village for such publication.

SECTION 13. This resolution is adopted subject to permissive referendum pursuant to Section 36.00 of the Local Finance Law.

The question of the adoption of the foregoing resolution was duly put to vote on a roll call, which resulted as follows:

Mayor Richard Winters	VOTING YES
Trustee Shirley Lindsley	VOTING YES
Trustee Corinne McGuire	VOTING YES

Trustee Luis Alvarez
Trustee Joan Stoddard

VOTING YES
VOTING YES

The foregoing resolution was thereupon declared duly adopted.

CONSIDER THE PUBLICATION OF NOTICE IN THE VILLAGE'S OFFICIAL
NEWSPAPER THAT THE BOARD RESOLUTION SUBJECT TO PERMISSIVE
REFERENDUM RESOLUTION

Motion by Trustee Stoddard, seconded by Trustee Alvarez and unanimously carried authorizing the Village Clerk to publish the following legal notice in the Sullivan County Democrat on July 13, 2012:

NOTICE IS HEREBY GIVEN that at a regular meeting held on the 9th day of July, 2012, the Board of Trustees of the Village of Liberty duly adopted a resolution, an abstract of which follows, which resolution is subject to a permissive referendum pursuant to Section 36.00 of the Local Finance Law of the State of New York.

The following is a summary of a resolution adopted by the Board of Trustees of the Village of Liberty on July 9, 2012. Said resolution authorizes the issuance and sale of a serial bond or bonds and a bond anticipation note or notes in anticipation of the issuance and sale of said serial bonds, in an amount not to exceed \$1,200,000.00. The proceeds from the sale of the obligations authorized in said resolution shall be used for the specific purpose of constructing a new water storage tank and appurtenant work, and services there related to, at the Revonah Hill site in the Village's water distribution system. The period of probable usefulness for said purpose is forty (40) years. A copy of the resolution summarized herein is available for public inspection during normal business hours at the Office of the Village Clerk/Treasurer, located at 167 North Main Street, Liberty, New York, 12754.

CONSIDER THE PUBLICATION NOTICE OF BOND RESOLUTION IN THE
VILLAGE'S OFFICIAL NEWSPAPER ON AUGUST 10, 2012 THAT NO
PETITONS HAVE BEEN FILED

Motion by Trustee Stoddard, seconded by Trustee Alvarez and unanimously carried authorizing the Village Clerk to publish the following legal notice in the Sullivan County Democrat on August 10, 2012:

NOTICE IS HEREBY GIVEN that the resolution or summary of such resolution, published herewith has been adopted for the Board of Trustees of the Village of Liberty, Sullivan County, New York, on the 9th day of July, 2012. Such resolution was adopted subject to permissive referendum and the period of time having elapsed for the submission and filing of a petition for such referendum without a valid petition having been submitted and filed, the validity of the obligations authorized by such resolution may be hereafter contested only if:

(1) (a) such obligations were authorized for an object or purpose for which the Village of Liberty is not authorized to expend money or

(b) if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with and an action, suit or proceeding

contesting such validity is commenced within twenty (20) days after the date of publication of this notice; or

- (2) such obligations were authorized in violation of the provisions of the Constitution of New York.

SUMMARY OF RESOLUTION

The following is a summary of resolution adopted by the Board of Trustees of the Village of Liberty on July 9, 2012. Said resolution authorizes the issuance and sale of a serial bond or bonds and a bond anticipation note or notes in anticipation of the issuance and sale of said serial bonds or bonds, in an amount not to exceed \$1,200,000. The proceeds from the sale of the obligations authorized in said resolution shall be used for the specific purpose of constructing a new water storage tank and appurtenant work, and services related there to, at the Revonah Hill site in the Village's water distribution system. The period of probable usefulness for said purpose is forty (40) years. A copy of the resolution summarized herein is available for public inspection during normal business hours at the Office of the Village Clerk/Treasurer located at 167 North main Street, Liberty, New York 12754.

WWTP IMPROVEMENTS PROJECT

David Ohman reported on the following:

Oxidation Ditch – Emergency Repair Work –

- Two (2) ITT-Xylem submersible mixers
 - Both units now on site
 - Will need to be on-site to start up after TAM gets 1st unit installed week of June 18 or 25 (date pending)
- Ross Electric work underway
 - New Mixer panels and variable frequency drives are installed.
 - Ox Ditch 1 Mixer connected and operating
- TAM Enterprises work underway:
 - Mixer and davit crane installed in Oxidation Ditch 1, flow transferred over to this tank and operating since July 2.
 - Working this week to clean Oxidation Ditch 2 and install new mixer and do tank leak patching (between Ox Ditch 2 and Storm water tank)
- Cost remain within the planned \$145,000 budget
- Work is anticipated to be completed by July 20
- WWTP monitoring dissolved oxygen levels and are lower than desired with only one brush aerator working (<1.0 pp,) – affects plant performance (e.g. ammonia removal) – may need to do something more.

Near Term WWTP Improvements – Oxidation Ditch Aerator and Influent Screens

- Working with the Village Grant Writer, Mark Blauer, on the CDBG application for a \$600,000 grant - needs to be submitted July 17.
- Environmental Review
 - Only physical disturbance to land includes excavation for building foundations for the small new screenings building going over top/around the current influent channel – this area has already been excavated/distributed – therefore, this is a Type 2 project

which required no formal review or determinations. However, since the grassy area adjacent to the work is classified as archaeologically sensitive, we prepared and forwarded to SHPO the two page SHPO Project Review form along with descriptive information from our reports to facilitate SHPO review.

CONSIDER MOVING FORWARD WITH FINANCING FOR THE EMERGENCY REPAIRS AT THE WWTP

Motion by Trustee Stoddard, seconded by Trustee McGuire and unanimously carried to move forward with the financing to begin the Emergency Work that needs to be done at the Waste Water Treatment Plant.

The amount to be financed will be \$904,000, plus \$145,000 for the Emergency Oxidation ditch and \$193,000 to pay back money to the other funds that have lent the sewer fund money for these issues. Therefore the total borrowed on a short term basis will be in the range of \$1,242,000.

IDEAL SNACKS – UPDATE FROM DELAWARE ENGINEERING

David Ohman of Delaware Engineering reported that the trapzilla is planned to be installed next week per the 07-06-12 e-mail from Ideal's Jesse Shultis:

Background:

Based on April 26 meeting, Ideal Snack will:

- Install a grease trap (Trapzilla) on the sewer line that discharges in the Village System upstream of the second discharge that already has a Village system upstream of the second discharge that already has a Trapzilla – should reduce fats/oils/grease. Ideal plans to install it very soon.
- Pay for and coordinate clean out Elm Street pump station after second Trapzilla goes in (coordinate with Village DPW)
- With Village DPW (Peter Parks) monitor grease accumulation in Elm Street PS – clean out semi-annually or more frequently if needed.
- Pay for and coordinate cleanout force main from Elm Street PS to gravity sewer if determined to be needed. Look at annually or more frequently of needed.
- Conduct some more wastewater sampling to establish levels of BOD, TSS, FOG going into the Village system and determine if more treatment is needed.
- Village will look at options and cost for installing new grease collection in WWTP secondary clarifier peripheral feed areas and what to do with collected grease.

RED MEAT FACILITY – UPDATE FROM DELAWARE ENGINEERING

David Ohman of Delaware Engineering said there is not anything new to report on this matter.

STATE POLICE BARRACKS NEVERSINK ROAD

David Ohman of Delaware Engineering reported:

- Still working to resolve the scope of improvements work with Sgt. Nishanski
- Agreed upon likely required scope with Pam Winters
- Sent copy of agreement to Sgt so he could see why engineering was required.
- We have reviewed the scope of work and procurement procedures with the Troopers and will be refining a project estimate soon and will be preparing a contract for engineering services for this work for the Village for which cost can then be passed thru to State Police

Background:

- Front entrance, front steps, H/C accessible sidewalk and portions of front sidewalk require repair and replacement.
 - Settlement Issues
 - Deterioration of some concrete
- Cost of repairs will be paid by NYS
- Village desires to have engineering plans done to provide details of repairs for quoting, construction and future record and for code compliance review.

DAYS INN PUMP STATION SANITARY FORCE MAIN – EXPOSED PIPE

David Ohman reported on the following:

Update

- NYSDEC's John Sansalone has agreed in concept to covering the existing pipe with low profile cover as a short-term measure (less than 10 years).
 - Wants us to confirm that Interstate 86 Improvements will not be affecting the existing culvert – if DOT changes are happening, do the permanent solution in concert with DOT changes.
 - Received reply from NYSDOT's Dean Smith that NYSDOT is not planning any major changes
 - We will now respond to NYSDEC's John Sansalone that NYSDOT will not be making any major changes and that Village plans to do short-term low profile cover fix.
- Working to review this with NYSDEC's Permits and Fisheries personnel in a preapplication meeting. Will get a date and contact WWTP personnel [try to have it in Liberty so that DEC can see the issue.
- Contractor who will do the Village work will have to get a DOT work permit.

Background:

- NYSDEC early 2012 inspection of the Village's sanitary collection system and wastewater treatment facility and noted that the Days Inn Pump

Station sanitary force main is exposed at the Mongaup Rover crossing. The force main also crosses under State Highway 17/Future I-87 and continues to WWTP.

- NYSDEC requested a report to be submitted on how the problem is to be rectified by May 1, 2012. NYSDEC noted that design standard for pipes in such stream/river crossings call for pipes to be encased in concrete with adequate burial depth.
- Delaware drafted letter for Mayor to send to DEC stating that options were being investigated.
- Issues:
 - NYSDOT:
 - the force main is located in the bottom of NYSDOT's 5'-8' corrugated metal drainage pipe that crosses under Rte 17.
 - DOT is planning to line this culvert pipe
 - Need to determine if DOT has any desires/plan to move the force main before lining the culvert and conform what and when they intend to do.
 - Working in Stream
 - Trout stream so all work needs to take place in accordance with Article 15 streamwork permit which typically requires work to be restricted to June 15 to September 1.
 - Working to set up a pre-application meeting with DEC, Sansalone – as technical person, as well as people from permits, fisheries and habitat.
 - Need to figure out what may be acceptable to DEC
 - Access/ROWs
 - Plan to come in from Days Inn but need to find out what ROWs exist and if they are adequate
 - If directional bore under 17 done, need figure out where to land
 - Scope and cost
 - Option 1 – leave pipe as is and cover with low profile device – construction cost - \$15,000?
 - Option 2 – leave pipe in DOT culvert, cut and lower it in the stream and encase in concrete – \$50,000?
 - Option 3 – take pipe out of DOT culvert, directional bore from Days Inn to other side of Route 17 and reconnect – less than \$100,000?

CONSIDER ELIMINATION OF DAM – GRIEBEL PARK SWIMMING POND/DAM

Mayor Winters said the Cooperative Extension is now involved with helping the Village and all the information to move forward has been given to them by Department Head Kenneth Hessinger.

**CONSIDER POSSIBLE AMENDMENT TO LOCAL LAW RE: WATER
METER SERVICE**

Clerk-Treasurer Zurawski said she would try to work with Ken Hessinger to complete this amendment which will tighten up everything in the code.

NEW BUSINESS: **CONSIDER RESOLUTION RENEWING TAXICAB PERMITS – 2012/13**

RESOL.# Motion by Trustee Stoddard, seconded by Trustee Alvarez and
32-2012: unanimously carried approving Resolution #32-2012.

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, at the May 14, 2012 Village of Liberty Board meeting the Village passed a resolution extending the taxicab permits until June 11, 2012, so that the fees can be processed in the 2012/13 fiscal year; and

WHEREAS, all permits for taxicab licenses have now expired; and

WHEREAS, eleven valid applications for permits 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 11 licenses/permits are for:

Cabquest; NY Reg # 71832LA (Grand Caravan); MediCar Inc; NY Reg # 14985LV (Chevy Venture); MediCar Inc.; NY Reg # 14986LV (Ford Windstar); Medicar Inc; NY Reg # 14001LV (Nissan Quest); Way 2 Go; Reg # 69572LA (Chevy Impala.); A Reliable Transportation; NY Reg. # 50444LA (Chevy Explorer); A Reliable Transportation; NY Reg. #14037LV (Dodge Caravan); A Reliable Transportation; NY Reg. # 50433LA (Dodge); A Reliable Transportation; NY Reg. #50448LA (Dodge Caravan); A Reliable Transportation; NY Reg. # 71823LA (Chrysler Town Car); A Reliable Transportation; NY Reg # 14037LV (Dodge Caravan);

CONSIDER EXTENSION OF SYNAGRO'S SERVICE CONTRACT

Motion by Trustee Stoddard, seconded by Trustee McGuire 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 2012-2013 fiscal year.

The performance bond will be in the amount of \$50,000.

CONSIDER LOAN TO SEWER FUND FROM GENERAL FUND

Motion by Trustee McGuire, seconded by Trustee Stoddard and unanimously carried approving a loan to the sewer fund in an amount of \$40,000 from General fund.

This will help pay for the Emergency problems at the sewer fund until the funding can be put into place.

CONSIDER GOING OUT TO BID WITH TOWN OF LIBERTY FOR FUEL OIL, GASOLINE AND DIESEL FUEL

RESOL. # 33-2012: Motion by Trustee Stoddard, seconded by Trustee Lindsley and unanimously carried approving Resolution #33-2012

WHEREAS, the Board of Trustees of the Village of Liberty approves the joint fuel bid with the Town of Liberty;

WHEREAS, this bid is for fuel oil, gasoline; and diesel fuel;

WHEREAS, the bid will cover the period of September 1, 2012 through August 31, 2013 and there will be a \$100 participation charge.

NOW, THEREFORE, BE IT RESOLVED that the Village of Liberty Board of Trustees authorizes participation in the Joint Municipal Fuel Bid.

CONSIDER AGREEMENT OF LEASE – STATE POLICE

RESOL. # 34-2012: Motion by Trustee Stoddard, seconded by Trustee McGuire and unanimously carried approving Resolution #34-2012.

WHEREAS, the Board of Trustees of the Village of Liberty approves an Agreement of Lease with THE PEOPLE OF THE STATE OF NEW YORK (State Police Barracks);

WHEREAS, the Attorney for the Village has reviewed said lease and found all terms and conditions to be satisfactory;

WHEREAS, this lease will be for a \$1.00 fee for the period of October 1, 2010 through December 20, 2030;

WHEREAS, the Village of Liberty Board of Trustees authorizes Mayor Richard Winters to execute said lease on behalf of the Village;

NOW, THEREFORE, BE IT RESOLVED, the Board approves the Agreement of the lease (LP001476) between the Village of Liberty and New York State Police for the above referenced period and amount.

CONSIDER RESOLUTION IN SUPPORT OF LIBERTY CDC APPLICATION TO NYS OCR/MAIN STREET PROGRAM

RESOL.# Motion by Trustee McGuire, seconded by Trustee Stoddard and
35-2012: unanimously carried approving Resolution #35-2012.

WHEREAS, the New York State Housing Trust Fund Corporation's Office of Homes and Community Renewal has issued a request for applications for the 2012 New York Main Street Program; and

WHEREAS, such program provides monies to assist New York Communities with their Main Street and downtown revitalization efforts; and

WHEREAS, the Liberty Community Development Corporation proposes to submit an application for no more than \$250,000 to fund a **Liberty Main Street Program - Phase 2**;

NOW, THEREFORE BE IT RESOLVED that the Village of Liberty supports the above referenced application.

CONSIDER RESOLUTION IN SUPPORT OF LIBERTY CDC APPLICATION TO NYS OCR/RURAL AREA REVITIZATION PROGRAM (RARP)

RESOL.# Motion by Trustee McGuire, seconded by Trustee Stoddard and
36-2012: unanimously approving Resolution #36-2012

WHEREAS, the New York State Housing Trust Fund Corporation's Office of Homes and Community Renewal has issued a request for applications for the 2012 Rural Area Revitalization Projects (RARP) program; and

WHEREAS, such program provides financial/technical resources to New York communities for the restoration and improvement of housing, commercial areas and public/community facilities in rural areas of the state; and

WHEREAS, the RARP program will provide grants to not-for-profit community based organizations that have a direct interest in improving the health, safety, and economic viability of a rural area or other aspects of the environment that are related to community preservation or renewal activities; and

WHEREAS, the Liberty Community Development Corporation proposes to submit a RARP application for no more than \$200,000 to fund assist with the renovation and rehabilitation of the Liberty Theatre Building on South Main Street;

NOW, THEREFORE BE IT RESOLVED that the Village of Liberty supports the above referenced application.

**RESOLUTION IN SUPPORT OF VILLAGE OF LIBERTY APPLICATION
FOR NYS LOCAL GOVERNMENT PERFORMANCE AND EFFICIENCY
(LGPEP)**

RESOL.# Motion by Trustee Lindsley, seconded by Trustee McGuire and
37-2012: unanimously carried approving Resolution #37-2012.

WHEREAS, the New York State Department of State has requested applications for the Local Government Performance and Efficiency Program (LGPEP); and

WHEREAS, such program provides direct financial awards to local governments in recognition of actions that are producing recurring financial savings; and having a positive impact on reducing the growth in local property taxes; and

WHEREAS, the Village of Liberty intends to submit an application for such grant;

NOW, THEREFORE BE IT RESOLVED

-that the Village of Liberty Board of Trustees authorizes Richard Winters, Mayor of the Village of Liberty to submit an application to said Local Government Performance and Efficiency Program

-that Mayor Winters shall be authorized to execute all financial and/or administrative processes relating to the implementation of the program

-that the Village of Liberty's application for the "Liberty Village Savings" program shall highlight the savings achievements and efficiency improvements through the dissolution of the Village Justice Court and through the reorganization of the operations of the Village of Liberty Police Department.

CONSIDER DECISION ON CDBG LOAN – CYBER SHACK

Trustee Lindsley, seconded by Trustee McGuire and unanimously carried approving a \$20,000 Community Block Grant Loan to Maurice Gallant – Cyber Shack for a term of five (5) years at an interest rate of two (2%) percent.

This approval is conditioned on the approval of the loan with the IDA and the owner providing receipts for all equipment that he purchases with the loan money.

The Cyber Shack will be located in the Mall on Sullivan Avenue and will specialize in computer courses, internet access and games for children and adults.

CONSIDER SURPLUS OF D.P.W. VEHICLES

Motion by Trustee Stoddard, seconded by Trustee McGuire and unanimously carried approving the surplus of the following vehicles:

1994 Ford Pick-Up
1983 Ford Garbage Truck Cab
1983 Ford Single Axle Dump Truck

The above vehicles are in such poor shape that they will be sold directly for scrap metal.

Motion by Trustee Stoddard, seconded by Trustee McGuire and unanimously carried approving the surplus of the following vehicles:

Tow Behind Rotor Rooter
Tow Behind Pressure Washer

The bid opening for these two pieces of equipment will be Tuesday, August 7, 2012.

CONSIDER USING VILLAGE ATTORNEY TO LITIGATE

Motion by Trustee Stoddard, seconded by Trustee McGuire and unanimously carried authorizing Village Attorney Langdon Chapman to litigate on behalf on the Village of Liberty on the matter of Royal Property Holdings LLC ad HCGBH Holdings LLC against the Village of Liberty on the summons dated June 14, 2012.

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

Town Supervisor Charles Barbuti discussed the savings that is realized by combining the Village and Town Courts.

Supervisor Barbuti also discussed the PILOT for Belmont Management.

Trustee Stoddard said she feels the Board did the right thing in accepting another PILOT as it is still managed as a low income senior housing project. She did say, however, Golden Park is not and the PILOT Agreement will be pulled and given to the Village Attorney for his review on this matter.

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

Trustee Alvarez said many positive comments have been made about the July 4th celebration in the Village, as well as the Bicycle Officer. He said public awareness has definitely changed.

Trustee Stoddard said the July 4th celebration was very nice and thanked Pam Winters who was the driving force in putting it together.

Trustee Stoddard also commended Cindy Fracase from Liberty Fitness for paying off her CDBG Loan. She said she had spoken to her and Cindy is working very hard at putting some great programs together.

Trustee Lindsley said she was not able to make it to the July 4th celebration; however she heard it was a great turn out. Trustee Lindsley also said the Police are doing a wonderful job.

Trustee McGuire said the Fourth of July was awesome and that next year celebrates twenty years the Village and Chamber has been hosting the event. She said she would like a banner or something next year to commemorate this milestone.

Clerk-Treasurer Zurawski reminded the Board that Mayor Gozza had started the celebrations in Liberty and it would be nice to honor him on the anniversary.

Mayor Winters said he was away with his family and he was sorry he missed the celebration.

The Board set C.S.E.A. negotiations for the following two possible dates:

Monday, July 16th at 7:00 p.m. or
Tuesday, July 17th at 7:00 p.m.

APPROVAL Motion by Trustee McGuire, seconded by Trustee Stoddard and
OF BILLS unanimously carried approving Voucher #14-094 to Voucher #14-177 in the
FOR PYMT: amount of \$337,721.98.

Post Audit Vouchers

Motion by Trustee Lindsley, seconded by Trustee Stoddard and
unanimously carried approving Post Audit Voucher #14-087 to Voucher
#14-093 in the amount of \$339,971.76.

GREEN LANE SEWER

Motion by Trustee Stoddard, seconded by Trustee Lindsley and unanimously
carried approving the following bill for payment:

TAM ENTERPRISES - \$5000.

-Final payment for Green Lane Sewer

ADJOURN: Motion by Trustee Stoddard, seconded by Trustee Lindsley and unanimously
carried to adjourn the meeting.

THE MEETING WAS ADJOURNED AT 8:37 P.M.

RESPECTFULLY SUBMITTED,

JUDY ZURAWSKI, CLERK/TREASURER

