

REGULAR MEETING

SEPTEMBER 14, 2009

The Board of Trustees held the Regular Meeting of September 14, 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 (arrived at 7:40 p.m.), Trustee David Simon, Trustee Corinne McGuire and Trustee Dawn Green. Also Present: Langdon Chapman, Attorney for the Village and Judy Zurawski, Clerk/Treasurer.

ALSO PRESENT: Harry Rampe, Edward Washington, Henrich Strauch, Edward LaGarde, Joan Stoddard, William Cogswell, Roger Horihan, Stanley Cohen, Kathy Cohen, Richard Wald and Elizabeth Montag.

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

REGULAR MEETING – AUGUST 10, 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 – 8/13/09
- Letter from SC Division of Solid Waste Re: Landfill 8/17/09
- Letter from C. Case Re: Zoning Board

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

Roger Horihan (Owner of Fast Tax) discussed the maintenance of Village sidewalks. He said although he understands the owner of the building is responsible for the sidewalks however many times the garbage cans are overflowing and garbage is strewn about.

Roger Horihan also discussed the problem with business owners parking on Main Street and some solutions he has in mind.

John Stoddard (Winslow Place) asked who would maintain the new Village website.

Edward LaGarde said the employees would be maintaining it.

Joan Stoddard asked if the raise given to the Deputy Court Clerk was in the current budget.

Trustee McGuire said it was not, but it will be next year.

Joan Stoddard commented that many times large raises like that create problems when it comes time to negotiate with the union contracts.

Trustee McGuire said that with the raise her job duties have changed and the collections have improved.

Joan Stoddard asked what percentage the collections had improved.

Edward LaGarde said he thought about five (5%) percent.

Harry Rampe (33 Albion Street) explained that the Village owns the lot next to his property, which they had purchased many years ago to put a water tank on. He said he is very interested in buying the first fifty (50) feet of this property.

Mayor Winters said that it is something the Board will look favorable at and he will research the issue and have an answer for him in the next month. He explained the proper procedures would have to be followed including declaring the property surplus.

Stanley Cohen (Columbia Street) explained he has a water issue on his property, the water is running down Wawanda Avenue and washing away his driveway as well as making trees fall over on his property.

Mayor Winters said he would confer with Peter Parks (Working Supervisor of the DPW) and get the problem rectified.

Elizabeth Montag (Wawanda Avenue) also said he is still dealing with the water problem on her property.

Mayor Winters said the DPW would be getting to the trenches on her street, which will hopefully correct the problem.

Margaret Lindsley (Wawanda Avenue) said she has been observing some theft of beer cans from the Village recycling bins early in the morning.

Trustee Simon said he also observed this action and he is aware of who is doing it and will discuss the issue with the Police Chief.

**CDC
REPORT:** **HENRICH STRAUCH – LIBERTY COMMUNITY DEVELOPMENT
CORPORATION**

Henrich Strauch reported on the following:

- Said that Workforce Development, Sullivan Renaissance, Sullivan County Chamber and the Community Development Corp. are moving forward with the Incubator/Small Business Development Center.
- Said the Meat Processing Plant and the Ag Park is moving forward with the Subdivision Hearing scheduled for October 8th.
- Said the last recipient (Tianguis Tengo Deli Grocery) of the CDBG Loan has come in and paid ahead on his loan stating he would like to get it paid off as soon as possible.

ATTORNEY COMMENTS: Attorney Chapman informed the Board that he has filed two separate actions on Micro Enterprise Loans, one being the Munson Diner and the other Dunbar Dance Studio. He said the Summons and Complaints have been prepared and the Index Number is done in each case.

He said he has also followed up on the Article 7 action that the Village received from Congregation Shearis Nachalauso Inc.

TREAS. REPORT: Treasurer Zurawski said that her staff had sent out over 300 letters to people that have not paid their 2009/10 Village taxes and the response has been positive collecting approximately \$60,000. She said they have also sent letters to the more delinquent taxpayers letting them know that foreclosure action will be commencing if they do not pay however the response to those letters have been minimal.

TABLED BUSINESS PRESENTATION BY WEBSITE DESIGNERS RE: IMPLEMENTATION OF VILLAGE WEBSITE

Edward Washington and Single Step Business Intelligence each gave their presentation on creating a new Village of Liberty website.

Mayor Winters thanked them for their presentations and said the Board would review each presentation as well as their pricing and make a decision.

UPDATE ON ADA COMPLIANCE

Henrich Strauch informed the Board that George Popp (USDA) visited the Village offices last week and discussed the progress the Village has made in their ADA compliance. He said that the next steps would be the counter in the Village Clerk's Office, the outside door on the side of the building and the two bathrooms.

REVIEW PROGRESS ON LP GAS SITUATION IN PARKSVILLE

Attorney Chapman said he would discuss this matter with the Board in Executive Session as it involves potential litigation.

NEW CONSIDER EVENT PERMIT – LIBERTY HARVEST FESTIVAL
BUSINESS: OCTOBER 10, 2009.

Motion by Trustee Lindsley, seconded by Trustee Simon and unanimously carried approving a ***Event Permit*** for the ***16th Annual Liberty Harvest Festival*** on ***Saturday, October 10, 2009*** from 10 a.m. to 4:00 p.m. to be held on North Main Street. ***The street will not be shut down for this event.***

This event is organized by the Liberty Chamber of Commerce.

CONSIDER FALL CLEANUP SCHEDULE

RESOL.# Motion by Trustee Lindsley, seconded by Trustee McGuire and
40-2009: unanimously carried approving Resolution #40-2009

VILLAGE OF LIBERTY
2009 FALL CLEAN UP

Saturday, September 19th
Sunday, September 20th
Monday, September 21th
Tuesday, September 22th
Wednesday, September 23rd
Thursday, September 24th
Friday, September 25th
Saturday, September 26th
Sunday, September 27th

VILLAGE RESIDENTS ONLY – NO COMMERCIAL

All items for clean up must be taken by Village Residents to the Village of Liberty Street Department garage on Elm Street (by M&M Pontiac Buick Cadillac). No items will be accepted without a permit, which must be obtained at the Village Clerk's Office. The permit can be obtained Monday-Friday, 8:00 A.M. to 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** Electronic Equipment except VCR's

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

Monday, September 21st to Friday September 25th 6:30 A.M. - 2:30 P.M.
Saturday, September 19th and September 20th 6:30 A.M.–12:00 P.M.
Sunday, September 20th and September 27th 8:00 A.M. – 12:00 P.M.

This program is made possible by the Sullivan County Legislature.

CONSIDER REQUEST FROM BROOMSTICK RE: CDBG LOAN

The Board said they would accept payment in full on this loan in December and asked Mr. LaGarde to contact the owners and let them know the outcome of their request.

CONSIDER HALLOWEEN PARADE PERMIT

Motion by Trustee Lindsley, seconded by Trustee Simon and unanimously carried approving a ***Parade Permit*** for a ***Halloween Parade on Saturday, October 31, 2009 at 12:00 p.m.*** The parade route will be Church Street to Main Street, up Main Street to the Liberty Parks and Recreation Building. Any extra police presence needed for this event will be handled by the Fire Police of the Liberty Fire Department.

The Town of Liberty Parks and Recreation organize this parade.

CONSIDER JOINT PLANNING SESSION RE: LIBERTY CDC

Henrich Strauch said he is looking to work with the CDC Board, the Town, the Village and the Gerry Foundation to create an operations plan for 2010 and beyond.

The Board said Edward LaGarde, Trustee Lindsley and Trustee McGuire would work with Henrich. Henrich said he would set up a meeting for October.

CONSIDER WATER BILL ADJUSTMENT – ACCOUNT #10-19810

Motion by Trustee Simon, seconded by Trustee Lindsley and unanimously carried approving a credit of \$312.17 for Water Account #10-19810 in the name of Katherine Campbell (30 Main Street, Parksville, New York). This was due to a misunderstanding on the customer's part that the meter had to be removed. She will, however, be responsible for the \$50.00 meter removal fee.

CONSIDER 911 ADDRESS – LIBERTY COMMONS WAY

Motion by Trustee Lindsley, seconded by Trustee Simon and unanimously carried approving Resolution #41-2009.

RESOL.# **WHEREAS,** Kearney Realty and Development Group of Baldwin Place,
41-2009: New York is in the process of building a six (6) Building Apartment

Complex (known as Liberty Commons Apartments) located off Carrier Street (S.B.L. #119-1-71 and 119-1-9) in the Village of Liberty;

WHEREAS, Kearney Realty needs to name the private road that leads into the complex for Sullivan County 9-1-1;

WHEREAS, Kearney Realty is requesting that the name of this private road be "***Liberty Commons Way***";

NOW THEREFORE BE IT RESOLVED, the Village of Liberty Board of Trustees approves the name "***Liberty Commons Way***" for the private road leading into the Apartment Complex known as Liberty Commons.

CONSIDER HEALTH INSURANCE FOR VILLAGE BOARD OF TRUSTEES

Motion by Trustee McGuire, seconded by Trustee Lindsley and unanimously carried allowing all Village Board Members, if they so desire, to purchase health insurance from the Village at no cost to the Village.

The payment for the health insurance is due by the 20th of each month for the following month and the current rates are as follows:

Single Plan - \$598.58

Family Plan - \$1282.17 (Prices Subject to change January 2010)

CONSIDER LITIGATION ON SUPREME CLEANERS RE: CDBG LOAN

Motion by Trustee Green, seconded by Trustee McGuire and unanimously carried authorizing Attorney Chapman to commence litigation on the CDBG Loan of Supreme Cleaners and Anthony Evangelista as guarantor.

**TRUSTEE
REPORTS:**

Mayor Winters opened the meeting to comments from the Board

Trustee Simon - No Comment

Trustee McGuire discussed the following items regarding the Justice Court:

- Said they had submitted the Villages response to the last audit to the Office of Court Administration and they will continue to monitor everything.
- Said Justice Bauman has requested that Ed LaGarde be appointed Deputy Court Clerk so that he has access to agencies that he needs to use to help the court make improvements.
- Introduced Michael Wald, who is an intern from Sullivan County Community College. He will be assisting the Justice Court.

CONSIDER ED LAGARDE AS DEPUTY COURT CLERK

RESOL. # 42-2009 Motion by Trustee McGuire, seconded by Trustee Lindsley and unanimously carried approving Resolution #42-2009.

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

DEPUTY COURT CLERK - EDWARD LAGARDE

This appointment is subject to the rules of Civil Service for this position.

Trustee Green discussed the Loan Committee that has been set up to review all CDBG and Micro Enterprise Loans. She said the Loan Committee would consist of the following people:

Trustee Green
Trustee Lindsley
Edward LaGarde, Advisor to the Committee
Roger Horihan, Owner of Fast Tax Service

Trustee Green said the Loan Committee would meet the fourth Monday of every month to review any new loans and the payment history of all existing loans.

Trustee Lindsley volunteered her services once a week to help the Justice Court with their collections.

Trustee Lindsley said the Water Department is doing a wonderful job.

Mayor Winters informed everyone that Albion Street should be finished next week (blacktop) and that the Village is working on the issues on Kaempfer Lane and they will soon try to get to Wawanda Avenue to fix the drainage.

APPROVAL Motion by Trustee Lindsley, seconded by Trustee Simon and unanimously
OF BILLS carried approving Voucher #9-264 to Voucher #9-365 in the amount of
FOR PYMT \$117,098.16.

Post Audit Vouchers

Motion by Trustee Lindsley, seconded by Trustee McGuire and unanimously carried approving Post Audit Voucher #9-258 to Voucher #9-263 in the amount of \$328,995.72.

DWSRF

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

McGoey, Hauser and Edsall -1,039.20

McGoey, Hauser and Edsall - 1,024.02

EXECUTIVE Motion by Trustee Lindsley, seconded by Trustee Simon and
SESSION: unanimously carried to go into Executive Session at 8:50 p.m. to discuss a matter of potential litigation with Ideal Snacks and to seek legal advise on the LP Gas Situation in the Water Department.

Motion by Trustee Green, seconded by Trustee McGuire and unanimously carried to come out of Executive Session at 9:30 p.m.

CONSIDER HIRING INDIVIDUAL FOR VILLAGE OF LIBERTY WEB DESIGN

Motion by Trustee McGuire, seconded by Trustee Lindsley and unanimously carried to engage Edward Washington for the design and maintenance of the Villages web site pursuant to the contract he offered and authorize Mayor Winters to sign the same.

CONSIDER CONTINUED EMPLOYMENT FOR EDWARD LAGARDE AS BUSINESS ADMINISTRATOR

Motion by Trustee Green, seconded by Trustee McGuire and unanimously carried approving Edward LaGarde to continue on in the capacity of Administrative Consultant for one more month at a salary not to exceed \$3,500. This board authorized Attorney Chapman to provide a redrafted contract to better describe Mr. LaGarde's duties and responsibilities.

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

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

THE MEETING WAS ADJOURNED AT 9:31 P.M.

RESPECTFULLY SUBMITTED,

JUDY ZURAWSKI, CLERK/TREASURER