

REGULAR MEETING

FEBRUARY 14, 2011

The Board of Trustees held the Regular Meeting of February 14, 2011, 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 Joan Stoddard, Trustee Shirley Lindsley, and Trustee Corinne McGuire Also Present: Langdon Chapman, Attorney for the Village and Judy Zurawski, Clerk/Treasurer.

ABSENT: Trustee Luis Alvarez

ALSO PRESENT: Henrich Strauch, Daniel Ratner Sr., Daniel Ratner Jr., Peter Parks, Harold Bauman, William Cogswell, Michael McKeon, Roger Cortes, Missy Cortes, Christine Bowden, Rudy Torres, Barbara Burton, Clarence Barber, Michael McKeon, Edward Philpot, Etta Barbanti, Deb Manley, Jack Tompkins, Thelma McIver, David Camacho, Condido Acevedo, Lillian Rubio, Jose Rubio, Victoria Winchester, Carl Light, Dave Ohman (Delaware Engineering), Nick Piatek, Martin Gonzalez, Carl Bloat, Maurice Gerry and Devin Brust.

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

SPECIAL MEETING - JANUARY 5, 2011

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

REGULAR MEETING - JANUARY 10, 2011

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

INCOMING

- Letter from M. Vanyo LCHS Re: Water Service 1/21/11
- Check from Dormitory Authority Re: Sidewalks 1/18/11
- Correspondence Re: \$5,000 grant 1/25/11
- Letter from USDA Re: Pre-planning Grant 1/12/2011
- Letter from NYSDEC Re: Local Law 1/10/11
- Letter from NYSEG Re: Street Light 2/3/2011

OUTGOING

- Letter to M. Vanyo – LCHS Re: Water Service 1/25/11
- Letter to SC Board of Elections Re: Ballot Question 1/20/11

- Letter to Paul Minton Re: Village Streets 2/10/2011

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

Henrich Strauch - Liberty CDC

Henrich reported on the following items:

- ❖ Presented a list of grant opportunities that may be coming available this year and said he will review them and see which ones the Board wants to pursue.
- ❖ Suggested that the Community Development Block Grant that can be applied for (up to \$600,000) be used as a phasing project for the Waste Water Treatment Plant. He said one of the most important starting points would be the redundancy system needed for the UV Ultra Violet System.

Ed Philpot - Our Way Car Service

Ed Philpot from Our Way Car Service suggested the Village consider some taxi medallions strictly for medicad transport. He said he thought it would make for better service for the rest of the Village.

The Board said they thought it was a good idea and they would look into the idea.

Other Public Comment:

Daniel Ratner Sr. (Lake Street) asked the Board to reverse the Justice Court resolution and remove it from the ballot.

Mayor Winters said it is on the ballot so the people can decide.

ATTORNEY

COMMENTS: No Comment

TREAS. REPORT: Treasurer Zurawski discussed the following issues:

- ❖ Informed the Board that the Village Elections to be held on March 15, 2011 will be done on paper ballots.
- ❖ Informed the Board that the State Comptrollers Office will be conducting an audit of the Village of Liberty beginning February 22nd and they will be going back to June 2009.

TABLED BUSINESS: UPDATE ON REVONAH HILL WATER TANK

Dave Ohman (Delaware Engineering) said the engineering report will be finished in approximately two weeks and will be forwarded to the funding agencies. He explained the water storage tank is too costly for the CDBG program so it would not make sense to try and fund it through that grant.

UPDATE ON GREEN LANE SEWER PROJECT

Mayor Winters said he is going to have Delaware Engineering look at a gravity feed system rather than a second pump station. He said at this point we still have time since we have not received a consent order yet.

PROGRESS ON REVIEW IN NON-UNION PERSONNEL POLICY

Trustee Stoddard said that Clerk/Treasurer Zurawski completed the policy. She asked the Board to review it, make any changes they felt necessary and it could be adopted at the March meeting.

CONSIDER VOTE ON – LOCAL LAW #1-2011 – JUSTICE COURT

This matter will remain tabled until after the March 15, 2011 Village Elections.

CONSIDER GOING OUT TO BID FOR SURPLUS EQUIPMENT

This item will remain tabled until the Regular Meeting of March 2011.

CONSIDER RESOLUTION FOR OFFICIALS IN RETIREMENT SYSTEM

This item will remain tabled until the Regular Meeting of March 2011. Mayor Winters said this item pertains only to Trustee Alvarez.

NEW BUSINESS: CONSIDER SURPLUS SALE TO JENNIFER ADAMEC – TAX MAP # 112-4-23 AND 112-4-24

Motion by Trustee Stoddard, seconded by Trustee Lindsley and unanimously carried to appraise a strip of land on Tax Map #112-4-23 and Tax Map #112-4-24, which Jennifer Adamec would like to purchase from the Village for parking for her apartment building. Jennifer Adamec will pay for the appraisal.

CONSIDER ELECTION INSPECTORS FOR MARCH 15, 2011 VILLAGE ELECTIONS

RESOL.# 5-2011 Motion by Trustee Stoddard, seconded by Trustee Lindsley and unanimously carried approving Resolution #5-2011.

RESOLVED, the Village of Liberty Board of Trustees approves the following Election Inspectors for the March 15, 2011 Village Elections:

REPUBLICAN

John Lorincz
Sue Lennon
Glen Kaempf

DEMOCRATIC

Matthew Frumess
John Wombacher
Henry Belser Jr.

CONSIDER LETTER FROM COUNTY RE: HOUSING INSPECTIONS

Mayor Winters said in the past the County of Sullivan inspected homes for people on assistance before allowing the clients to move in. He said there are only a handful of counties in the State that actually provide this service. He explained since receiving this letter the County has depleted the money set aside for this matter and has decided not to continue this service, stating that once the clients move in, if they have an issue they should contact their local Code Enforcement.

CONSIDER BUDGET MODIFICATION FOR DPW ACCOUNT – RE: SIDEWALK GRANT \$7,248.33.

Motion by Trustee Stoddard, seconded by Trustee Lindsley and unanimously carried authorizing Treasurer Zurawski to make the following budget modifications:

Increase Expenditure Code A5110.413 by \$7248.33
Increase Revenue Code A2771 by \$7248.33

CONSIDER EVENT PERMIT – 5K RACE LIBERTY HIGH SCHOOL

Motion by Trustee Stoddard, seconded by Trustee McGuire and unanimously carried approving the Event Permit for 5K race to be held on April 30, 2011 sponsored by Liberty High School Students Against Destructive Decisions. This race would be on Main Street and certain side streets.

CONSIDER RAFFLE CONSENT FORM – LIBERTY INDIAN BOOSTER CLUB

Motion by Trustee Lindsley, seconded by Trustee McGuire and unanimously carried approving the Raffle Consent form for the Liberty Indian Booster Club to sell Raffle Tickets in the Village of Liberty during the calendar year of 2011.

CONSIDER E-MAIL FROM OWEN MCKANE RE: VILLAGE INSURANCE

Owen McKane of the McKane Group send an e-mail requesting that he be included in the Villages bidding process for insurance.

Trustee Stoddard suggested that Mike Pries Insurance and the McKane Group both be contacted and asked what markets they are planning on using in their bidding process.

DISCUSSION OF RED MEAT PROCESSING PLANT

Mayor Winters began the discussion by explaining the Waste Water Treatment Plant's Ultra Violet Disinfection System has been working at fifty (50%) percent for some time and the only redundancy that it is available is the tank that the Red Meat Processing Plant would like to have for their storm water drainage. He explained the system is used from May to October each year. He said it is his opinion that unless the IDA would give the Village, in writing, a new redundancy system he did not feel they should give up the tank. He also said he did not think the N.Y.S.D.E.C. would allow the tank to have double usage.

Daniel Ratner (Planning Board Member) said the IDA will not give, in writing, a new redundancy system to the Village's Waste Water Treatment Facility.

Trustee Stoddard said she felt that if we did give the tank to the IDA/Red Meat Processing Plant that the County in turn would help the Village seek grant funding for an upgraded Ultra Violet Disinfection System for our Waste Water Treatment Plant. She said a new system would have the redundancy built right in.

Henrich Strauch said the Village could apply for the new system thru the CDBG program, which is up to \$600,000. He said the Village would hear in the fall if the grant was approved.

CONSIDER RESOLUTION TO TRANSFER PROPERTY AND TANK TO IDA/RED MEAT PROCESSING PLANT LOCATED NEAR THE VILLAGE'S WASTE WATER TREATMENT PLANT ON WILLOWW LANE

RESOL. # Motion by Trustee Stoddard, seconded by Trustee Lindsley and
6-2011: unanimously carried approving Resolution #6-2011.

WHEREAS, this is a resolution authorizing the release of a certain personal and real property, hereafter known as "the property", consisting of a tank and the real property it is situated on, which connects to other property ("the other property") the Village has agreed to transfer to the IDA owned by the Village of Liberty, for the purposes of having such tank be utilized by

the red meat processing facility to be owned by the Sullivan County Industrial Development Agency;

RESOLVED, that the Village declares the property, which is to be described in a legal description by the Sullivan County Industrial Development Agency, to be surplus and determines that it is in the interests of the health, safety and welfare of the Village of Liberty to transfer the property to the IDA provided:

- ❖ There is no cost to the Village
- ❖ A determination that the tank is not part of any existing Village permit, such as a SPEDES permit
- ❖ That the total costs of the transfer of the tank and the essential real property relating thereto (including but not limited to legal, engineering and surveying costs) are born by the Sullivan County Industrial Development Agency;
- ❖ That the Industrial Development Agency utilizes the same to effectuate construction of a red meat processing facility;
- ❖ That the Village Attorney and Engineer approve of the description to be provided and the Village of Liberty Planning Board determines the property is an integral part of the development of the read meat processing facility.

Mayor Winters opposed the transfer of the tank and property

CONSIDER ADVERTISEMENT IN CATSKILL DELAWARE SPRING MAGAZINE

Motion by Trustee Stoddard, seconded by Trustee Lindsley and unanimously carried approving a one-quarter-page advertisement by the Village of Liberty in the Catskill-Delaware Spring Magazine at a cost of \$185.00.

This advertisement will include the 2011 Events to be held in the Village of Liberty.

CONSIDER PUBLIC HEARING DATE FOR CDBG APPLICATION AND FUNDING

Motion by Trustee Stoddard, seconded by Trustee Lindsley and unanimously carried to set a Public Hearing for March 14, 2011 at 6:55 p.m. to discuss the New York State Office of Community Renewal Community Block Grant funding and options for the application.

Henrich said the application could be used to apply for a redundancy system for the Waste Water Treatment Plant. This system would be a backup system for the UV Filtration System, which is currently only

operating at fifty (50%) percent. This system is used from May to October of each year.

CONSIDER CDBG REVOLVING LOAN FUND – DEITCHMAN & SONS

Motion by Trustee Stoddard, seconded by Trustee Lindsley and unanimously carried approving a Community Development Block Grant Loan of \$20,000.00 for five (5) years at two (2%) percent interest to Deitchman and Sons to open a store for athletic footwear and apparel in Liberty. This loan contingent upon them finding a suitable location in the Village of Liberty.

Jesse Deitchman currently operates “Sneaker World” in Monticello, which has been open since 2006.

CONSIDER RESOLUTION NAMING THE MONTH OF MARCH AS “MUSIC IN OUR SCHOOLS MONTH”

RESOL. 6-2011: Motion by Trustee Lindsley, seconded by Trustee McGuire and unanimously carried approving Resolution #6-2011.

**Resolution naming the
Month of March
"Music in our Schools Month"**

WHEREAS, the study of music is basic to a complete education, provides the competitive edge for successful educational reform, engages students in individual and group activity, develops creativity, problem solving, critical thinking and evaluative skills; and

WHEREAS, music education helps students acquire skills in the production and performance of music, as well as an understanding of history and culture; and

WHEREAS, the Village of Liberty is concerned with maintaining and improving school music programs for all students, regardless of their socio-economic status or their abilities; and

WHEREAS, the Village of Liberty strives to instill a higher level of awareness and knowledge of music; and

WHEREAS, the Village of Liberty strives to support fine musical experiences through the participation of over 1,100 students in the school's music program; therefore

BE IT RESOLVED that the Village of Liberty, with Mayor Honorable Richard Winters, strongly support quality music education in the Liberty Central School District and that all students should have access to a well balanced, comprehensive, high quality, sequential program of music taught by teachers certified in music education; and

BE IT RESOLVED that the Board of Trustees recognizes and commends the Liberty Central School District for their concern and efforts to enhance the quality of music education in the Village of Liberty;

THEREFORE, the Village of Liberty Board of Trustees and Mayor Honorable Richard Winters hereby proclaim the month of March 2011 as

“Music in our Schools Month”

and endorses this observance as an opportunity to support the purpose and practices of music education and encourages teachers, parents, students and all citizens to participate.

CONSIDER WORDING ON THE MARCH 15, 2011 ELECTION BALLOT FOR THE JUSTICE COURT MATTER.

Motion by Trustee Stoddard, seconded by Trustee Lindsley and unanimously carried approving an amendment to Resolution #4-2011 in which the wording will be as follows:

SHALL THE POSITION OF VILLAGE JUSTICE BE ABOLISHED AT THE END OF THE CURRENT TERM OF THE VILLAGE JUSTICE?

CONSIDER AUTHORIZATION FOR TIME SHEETS AND COMP TIME FROM POLICE DEPARTMENT

Mayor Winters explained the payroll clerk receives individual time sheets and master time sheets from all departments in the Village except for the Police Department. The Police Department only supplies a master time sheet, which does not include any of the comp time they have accumulated. He explained since the state audit is set to begin next week all departments should be supplying the same information.

Motion by Trustee Stoddard, seconded by Trustee Lindsley and unanimously carried to request that the Police Department supply a list of all comp time that is currently on the books for all police department personnel as well as supplying individual time sheets with each payroll.

**TRUSTEE
REPORTS:**

Mayor Winters opened the meeting to comments from the Board.

Trustee Stoddard said she spoke to Lisa Hunt at the Sullivan County IDA

and Lisa informed her that if an IDA recipient pays their PILOT late they do have to pay additional interest. She said she would review Ideal Snacks payment from last year and if there is additional interest due she will try to collect it with this year's payment.

Trustee Stoddard said she also had an issue for Executive Session.

Trustee McGuire – No Comment

Trustee Lindsley said she was glad there was progress on the Red Meat Plant.

APPROVAL Motion by Trustee Stoddard, seconded by Trustee McGuire and
OF BILLS unanimously carried approving Voucher #10-820 to Voucher #10-908 in the
FOR PYMT: amount of \$151,073.05.

Post Audit Vouchers

Motion by Trustee Stoddard, seconded by Trustee McGuire and
unanimously carried approving Post Audit Voucher #10-815 to Voucher
#10-819 in the amount of \$271,466.51.

K-9 Bill for Payment

Motion by Trustee Stoddard, seconded by Trustee Lindsley and
unanimously carried approving the following K-9 Bill for Payment:

VPI Pet Insurance - \$476.60

Disaster Recovery Grant

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

Access Systems - \$4,000.00

EXECUTIVE Motion by Trustee Stoddard, seconded by Trustee McGuire and
SESSION: unanimously carried to go into Executive Session at 8:40 p.m. to receive
Attorney/Client advice.

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

AJOURN: Motion by Trustee Stoddard, seconded by Trustee McGuire and unanimously carried to adjourn the meeting.

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

RESPECTFULLY SUBMITTED,

JUDY ZURAWSKI, CLERK/TREASURER