

## **ANNUAL ORGANIZATIONAL MEETING**

**APRIL 4, 2011**

The Board of Trustees held the Annual Organizational Meeting on Monday, April 4, 2011 at the Village Municipal Building, 167 North Main Street, Liberty, New York. Mayor Richard Winters opened the meeting at 7:00 p.m with the Pledge of Allegiance.

**PRESENT:** Mayor Richard Winters, Trustee Shirley Lindsley, Trustee Corinne McGuire, Trustee Joan Stoddard and Trustee Luis Alvarez. Also Present: Judy Zurawski, Clerk/Treasurer.

**ALSO PRESENT:** Lynette Ricco, Chloe Ricco, Scott Kinne, Steven D'Agata, Robert Mir and Daniel Ratner Sr.

### **MAYORAL APPOINTMENTS**

Mayor Winters announced the following appointment:

**DEPUTY MAYOR - CORINNE MCGUIRE - TWO YEARS**

**RESOL.# 9-2011:** Motion by Trustee Stoddard, seconded by Trustee McGuire and unanimously carried approving Resolution #9-2011:

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

**CLERK/TREASURER - JUDY H. ZURAWSKI - TWO YEARS**

**RESOL.# 10-2011:** Motion by Trustee Lindsley, seconded by Trustee McGuire and unanimously carried approving Resolution #10-2011:

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

**BUDGET OFFICER - JUDY H. ZURAWSKI - TWO YEARS**

**RESOL.# 11-2011:** Motion by Trustee Lindsley, seconded by Trustee McGuire and unanimously carried approving Resolution #11-2011:

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

**REGISTRAR OF VITAL STATISTICS - JUDY H. ZURAWSKI - TWO YEARS**

**RESOL.#** Motion by Trustee Lindsley, seconded by Trustee Stoddard and unanimously  
**12-2011:** carried approving Resolution #12-2011.

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

**DEPUTY CLERK - ALICE GONZALES - TWO YEARS**

**RESOL.#** Motion by Trustee Lindsley, seconded by Trustee McGuire and unanimously  
**13-2011:** carried approving Resolution #13-2011:

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

**ATTORNEYS FOR THE VILLAGE – BONACIC, KRAHULIK,  
CUDEBACK, MCMAHON AND BRADY (Langdon C.  
Chapman) - TWO YEARS**

**RESOL.#** Motion by Trustee Lindsley, seconded by Trustee Stoddard and unanimously  
**14-2011:** carried approving Resolution #14-2011:

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

**VILLAGE HISTORIAN - PATRICK KILLIAN - TWO YEARS**

**RESOL.#** Motion by Trustee Lindsley, seconded by Trustee McGuire and unanimously  
**15-2011:** carried approving Resolution #15-2011.

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

**POET LAUREATE - WALTER KELLER - TWO YEARS**

**RESOL. #** Motion by Trustee Lindsley, seconded by Trustee Stoddard and unanimously  
**16-2011:** carried approving Resolution #16-2011.

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

**PLANNING BOARD – DONALD NICHOLS – 5 YEARS**

**RESOL.#** Motion by Trustee Lindsley, seconded by Trustee Stoddard and unanimously  
**17-2011:** carried approving Resolution #17-2011.

## **ZONING BOARD – GEORGE STANG – 5 YEARS**

### **DEPARTMENTS**

Mayor Winters announced the following department delegations:

<b>POLICE DEPARTMENT</b>	- <b>Trustee McGuire/Trustee Alvarez</b>
<b>WATER DEPARTMENT</b>	- <b>Mayor Winters</b>
<b>WASTE WATER TREATMENT- OFFICE</b>	- <b>Mayor Winters</b>
<b>CODE ENFORCEMENT</b>	- <b>Trustee Stoddard</b>
<b>DEPT. OF PUBLIC WORKS</b>	- <b>Trustee Lindsley</b>
<b>PLANNING BOARD LIASON</b>	- <b>Trustee Lindsley/Trustee Alvarez</b>
<b>ZONING BOARD LIASON</b>	- <b>Trustee Lindsley/Trustee Stoddard</b>

### **OFFICIAL DESIGNATIONS**

**RESOL.# 18-2011:** Motion by Trustee Stoddard, seconded by Trustee Lindsley and unanimously carried approving Resolution #18-2011:

**OFF. NEWS-PAPER:** **WHEREAS**, the Board of Trustees has determined that Village Law Section 21-2100(1) requires the designation of an official newspaper.

#### **NOW THEREFORE BE IT RESOLVED:**

That the Board of Trustees does hereby designate the **SULLIVAN COUNTY DEMOCRAT** as the official newspaper of the Village of Liberty.

This resolution shall take effect immediately.

**RESOL.# 19-2011:** Motion by Trustee Stoddard, seconded by Trustee McGuire and unanimously carried approving Resolution #19-2011.

**OFF. DEP/BANKS:** **WHEREAS**, the Board of Trustees has determined that Village Law Section 4-412(3)(2) requires the designation of banks or trust companies for the deposit of all village monies.

#### **NOW THEREFORE BE IT RESOLVED:**

That the Board of Trustees does hereby designate the following institutions as depositories of all moneys received by the Village Clerk/Treasurer and Receiver of Taxes:

**CATSKILL HUDSON BANK  
HSBC  
FIRST NATIONAL BANK OF JEFFERSONVILLE  
ORANGE COUNTY TRUST**

This resolution shall take effect immediately.

### **MONTHLY BOARD MEETINGS**

**RESOL.#** Motion by Trustee Lindsley, seconded by Trustee McGuire and unanimously  
**20-2011:** carried approving Resolution #20-2011.

**MONTHLY RESOLVED,** the Village of Liberty Board of Trustee approves the following  
**MEETINGS:** monthly meetings:

**REGULAR MEETINGS –** Second Monday of each month at 7:00 p.m.

**WORKSESSION MEETINGS –** (As Needed) Fourth Monday of each month at  
7:00 p.m.

**DEPARTMENT HEAD MEETINGS –** Second Monday of each month at 8:00  
a.m.

### **ADVANCE AUDIT OF CLAIMS**

**RESOL.#** Motion by Trustee Stoddard, seconded by Trustee Lindsley and unanimously  
**21-2011:** carried approving Resolution #21-2011.

**AUDIT OF ADVANCE CLAIMS:** **WHEREAS,** the Board of Trustees has determined to authorize payment in advance of audit of claims for public utility services, postage, freight and express charges and

**WHEREAS,** all such claims shall be presented at the next Regular Meeting for audit and

**WHEREAS,** the claimant and officer incurring or approving the same shall be jointly and severally liable for any amount disallowed by the Board of Trustees

### **NOW THEREFORE BE IT RESOLVED:**

That the Board of Trustees authorizes payment in advance of audit of claims for public utility services, postage, freight and express charges and all such claims shall be presented at the next Regular Meeting for audit and the claimant and officer incurring or approving the same shall be jointly and severally liable for any amount disallowed by the Board of Trustees.

This resolution shall take effect immediately.

## **MILEAGE REIMBURSEMENT**

**RESOL.# 22-2011:** Motion by Trustee Stoddard, seconded by Trustee Lindsley and unanimously carried approving Resolution #22-2011.

**MILEAGE RATE:** **WHEREAS**, the Board of Trustees has determined to pay a fixed rate for mileage as reimbursement for mileage to officers and employees of the Village of Liberty who use their personal automobiles while performing their official duties on behalf of the Village:

### **NOW THEREFORE BE IT RESOLVED:**

That the Board of Trustees shall approve reimbursement to such officers and employees at the federal rate (currently 51 cents per mile) for mileage reimbursement.

This resolution shall take effect immediately.

## **ATTENDANCE AT SCHOOLS AND CONFERENCES**

**RESOL.# 23-2011:** Motion by Trustee Stoddard, seconded by Trustee Lindsley and unanimously carried approving Resolution #23-2011.

**WHEREAS**, there is to be held during the coming official year:

- a. The New York Conference of Mayors Annual Meeting and Training School;
- b. The New York State Conference of Mayors and Fall Training School for Fiscal officers and Municipal Clerks;
- c. County Association Meetings;
- d. And any other conferences or meeting approved by the Board of Trustees.

**WHEREAS**, it is determined by the Board of Trustees that attendance by certain municipal officers and employees at one or more of their meetings, conferences or schools benefits the municipality.

### **NOW THEREFORE BE IT RESOLVED:**

**SECTION 1:** that the following officers and employees are hereby authorized to attend the following schools: Police Chief, DPW Supervisor, WWTP Chief Operator, Water Supervisor, Code Enforcement Officer and Clerk-Treasurer.

**SECTION 2:** this resolution shall take effect immediately.

**CONSIDER READOPTING PROCURENT POLICY**

**RESOL.#** Motion by Trustee Stoddard, seconded by Trustee Lindsley and unanimously  
**24-2011:** carried approving Resolution #24-2011.

**PROCUREMENT POLICY**

**WHEREAS,** Section 104-b of the General Municipal Law requires the governing body of every municipality to adopt a procurement policy for all goods and services which are not required by law to be publicly bid, and

**WHEREAS,** comments have been solicited from all officers in the Village of Liberty involved in the procurement process, now, therefore, be it

**RESOLVED,** that the Village of Liberty does hereby adopt the following procurement policy which is intended to apply to all goods and services which are not required by law to be publicly bid.

**PROCUREMENT POLICY FOR THE VILLAGE OF LIBERTY**

1. Every purchase to be made must be initially reviewed to determine whether it is a purchase contract or a public works contract. Once that determination is made, a good faith effort will be made to determine whether it is known or can be reasonably expected that the aggregate amount to be spent on the item of supply or service is not subject to competitive bidding, taking into account past purchases and the aggregate amount to be spent in a year. The following items are not subject to competitive bidding pursuant to Section 103 of the General Municipal Law: purchase contracts under \$20,000 and public works contracts under \$35,000; emergency purchases; goods purchased from agencies for the blind or severely handicapped; goods purchased from correctional institutions; purchases under State and county contracts; and surplus and second-hand purchases from another governmental entity.

The decision that a purchase is not subject to competitive bidding will be documented in writing by the individual making the purchase. This documentation may include written or verbal quotes from vendors, a memo from the purchaser indicating how the decision was arrived at, a copy of the contract indicating the source which makes the item or service exempt, a memo from the purchaser, or any other written documentation that is appropriate.

2. All goods and services will be secured by use of written requests for proposals, written quotations, verbal quotations, or any other method that assures that goods will be purchased at the lowest prices and that favoritism will be avoided, except in the following circumstances: purchase contracts over \$20,000 and public works contracts over \$35,000; goods purchased from agencies for the blind or severely handicapped pursuant to Section 175-b of the State Finance Law; goods purchased from correctional institutions pursuant to Section 186 of the Correction Law; purchases under State contracts pursuant to Section 104 of the General Municipal Law; purchases under county contracts pursuant to section 103(3) of the General Municipal Law; or purchases pursuant to subdivision 6 of this policy:

3. The following method of purchase will be used when required by this policy in order to achieve the highest savings:

<u>Estimated Amount of Purchase Contract</u>	<u>Method</u>
\$750 - \$2,999	2 verbal quotations
\$3,000 - \$9,999	3 written/fax quotations or written request for proposals

<u>Estimated Amount of Public Works Contract</u>	<u>Method</u>
\$750 - \$2,999	2 verbal quotations
\$3,000 - \$4,999	2 written/fax quotations
\$5,000 - \$34,999	3 written/fax quotations or written request for proposals

A good faith effort shall be made to obtain the required number of proposals or quotations. If the purchaser is unable to obtain the required number of proposals or quotations, the purchaser will document the attempt made at obtaining the proposals. In no event shall the failure to obtain the proposals be a bar to the procurement.

4. Documentation is required of each action taken in connection with each procurement.

5. Documentation and an explanation is required whenever a contract is awarded to other than the lowest responsible offeror. This documentation will include an explanation of how the award will achieve savings or how the offeror

was not responsible. A determination that the offeror is not responsible shall be made by the purchaser and may not be challenged under any circumstances.

6. Pursuant to General Municipal Law Section 104-b(2)(f), the procurement policy may contain circumstances when, or types of procurements for which, in the sole discretion of the governing body, the solicitation of alternative proposals or quotations will not be in the best interest of the municipality. In the following circumstances it may not be in the best interests of the Village of Liberty to solicit quotations or document the basis for not accepting the lowest bid:

- a. Professional services or services requiring special or technical skill, training or expertise. The individual or company must be chosen based on accountability, reliability, responsibility, skill, education, training, judgment, integrity, and moral worth. These qualifications are not necessarily found in the individual or company that offers the lowest price and the nature of these services is such that they do not readily lend themselves to competitive procurement procedures.

In determining whether a service fits into this category the Village Board of Trustees shall take into consideration the following guidelines: (a) whether substantial formal education or training is a necessary prerequisite to the performance of the services; and (b) whether the services require a personal relationship between individual and municipal officials. Professional or technical services shall include but not be limited to the following: services of any attorney; services of any physician; technical services of an engineer engaged to prepare plans, maps and estimates; securing insurance coverage and/or services of an insurance broker; services of a certified public accountant; investment management services; printing services involving extensive writing, editing or art work; management of municipally owned property; and computer software or programming services for customized programs, or services involved in substantial modification and customizing of pre-packaged software.

- b. Emergency purchases pursuant to Section 103(4) of the General Municipal Law. Due to the nature of this exception, these goods or services must be purchased immediately and a delay in order to seek alternate proposals may threaten the life, health, safety or welfare of the residents. This section does not preclude alternate proposals if time permits.
- c. Purchases of surplus and second-hand goods from any source. If alternate proposals are required; the Village is precluded from purchasing surplus and second-hand goods at auctions or through specific advertised



sources where the best prices are usually obtained. It is also difficult to try to compare prices of used goods and a lower price may indicate an older product.

- d. Goods or services under \$750. The time and documentation required to purchase through this policy may be more costly than the item itself and would therefore not be in the best interests of the taxpayer. In addition, it is not likely that such de minimis contracts would be awarded based on favoritism.

This policy shall go into effect immediately and will be reviewed annually.

### **CONSIDER RESOLUTION FOR ABOLITION OF VILLAGE JUSTICE/COURT**

**RESOL. #** Motion by Trustee Stoddard, seconded by Trustee Lindsley and unanimously  
**25-2011:** carried approving Resolution #25-2011.

**WHEREAS**, the voters of the Village of Liberty dissolved the position of Village Justice effective April 1, 2011; and

**WHEREAS**, the transition period has ended and the Town of Liberty Justice Court is responsible for the former Village Court matters; it is hereby

**RESOLVED**, that positions of Court Clerk and Deputy Court Clerk are hereby abolished effective at the conclusion of business March 31, 2011 and the Village Clerk is authorized and directed to notify the persons holding such positions that those positions have been abolished effective that date, and to further notify the Sullivan County Civil Service Department of the abolition of the Village Justice Court and the said positions.

This resolution was put to a vote, which resulted as follows:

MAYOR RICHARD WINTERS	-	YES
TRUSTEE CORINNE MCGUIRE	-	YES
TRUSTEE SHIRLEY LINDSLEY	-	YES <u>RESOLUTION</u>
TRUSTEE LUIS ALVAREZ	-	YES <u>ADOPTED</u>
TRUSTEE JOAN STODDARD	-	YES

### **SET DATE FOR ORGANIZATIONAL MEETING – 2012**

Motion by Trustee Stoddard, seconded by Trustee McGuire and unanimously carried to set the date for the 2012 Organization Meeting for Monday April 2, 2011 at 7:00 p.m.

**CONSIDER CERTIFICATE OF APPRECIATION – ESTHER WOLF 100<sup>TH</sup> BIRTHDAY CELEBRATION**

**RESOL.#** Motion by Trustee Stoddard, seconded by Trustee McGuire and unanimously  
**26-2011:** carried approving Resolution #26-2011.

**CERTIFICATE OF RECOGNITION**

**ESTHER WOLF**

**WHEREAS,** Esther Wolf will be honored by friends and relatives on the occasion of her 100<sup>th</sup> birthday on April 7, 2011; and

**WHEREAS,** Esther has been a member of this community for many years;

**WHEREAS,** during a long and productive lifetime, she has demonstrated in countless ways her dedication to the welfare of others and has earned the respect and affection of people from all walks of life and all ages; and

**WHEREAS,** Esther has lived during the most eventful century of this world's history, and in her quiet way has been a force for good and a stabilizing influence on those during these years,

**NOW, THEREFORE,** by virtue of the authority vested in me as Mayor of the Village of Liberty, I do hereby deem it an honor and a pleasure to extend this Certificate of Recognition to Esther Wolf on the occasion of her 100<sup>th</sup> birthday, with sincere congratulations and best wishes for many more happy, productive years in the future.

In Witness Whereof, I do hereby set my hand, and cause the Corporate Seal of the Village to be affixed this 7<sup>th</sup> Day of April 2011.

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

**THE MEETING WAS ADJOURNED 7:15 AT P.M.**

**RESPECTFULLY SUBMITTED,**

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

