**REGULAR MEETING**

JUNE 11, 2013

# The Board of Trustees held the Regular Meeting of June 11, 2013 at

# the Village Municipal Building, 167 North Main Street, Liberty New York.

Mayor Daniel J. Ratner Sr. opened the meeting with the Pledge of Allegiance.

**PRESENT:** Mayor Daniel Ratner, Trustee Ronald Stabak, Trustee Corinne McGuire, and Trustee Joan Stoddard Also Present: Gary Silver, Attorney for the Village and Judy Zurawski, Clerk/Treasurer.

**ABSENT:** Trustee Luis Alvarez

**ALSO** David Ohman (Delaware Engineering), Police Chief Scott Kinne,

**PRESENT:**  Police Detective Steven D’Agata, Henrich Strauch(Liberty CDC) and

Town of Liberty Supervisor Charles Barbuti.

**APPROVAL** Motion by Trustee Stoddard, seconded by Trustee Stabak and

**OF** unanimously carried approving the following minutes:

**MINUTES:**

REGULAR MEETING – MAY 28, 2013

* With the following changes:

Under D.P.W. Supervisor

Trustee McGuire also expressed concern about the fact that the

2013/14 Budget does not include the hiring a DPW Supervisor

Under Permit for McCable’s

The word should be acceptable.

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

PUBLIC HEARING – MAY 28, 2013 RE: TAXI ORDINANCE

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

JOINT PUBLIC HEARING – JUNE 3, 2013 RE: BITJEMAN ANNEXATION

**CORRES-** Mayor Ratner said the Village has received the following correspondence

**PONDENCE**:and it is available in the Clerk’s Office:

INCOMING

* Information from NYMIR Re: Skate Park

OUTGOING

* Letter to T. Pellam TOL Re: Paving 5/31/2013

**PUBLIC** Mayor Ratner opened the meeting to comments from the Public.

**COMMENTS**:

Henrich Strauch – Liberty CDC

Henrich discussed the seminar he will be attending on June 12th on the DOT Transportation Enhancement Program. He said he will see if it is feasible to work on the Liberty to Parksville Trail.

Henrich said he would draft a letter to the owner of the Liberty Theater regarding the lack of progress and the condition of the theater building.

Henrich also informed the Board that an application will be re-submitted on behalf of Cornell Cooperative Extension for the Community Kitchen.

Supervisor Barbuti thanked the Board for giving the Town permission to pave Creekside Drive. He spoke about additional funding to redo the culvert.

Supervisor Barbuti asked about the tax abatement issue. Mayor Ratner said he would address this issue at the next Board Meeting.

**ATTORNEY**  Attorney Silver discussed the following issues:

**COMMENTS:**

* Presented a draft of the no-smoking local law (for the vicinity 159-167 North Main Street/Municipal Building).
* Discussed the Charlie’s 2 CDBG loan and resolution.

**TREAS.** TREASURER’S REPORT FROM MAY 31, 2013

**REPORT:**

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

* List of Delinquent Taxes, which as of 05/31/13 is $791,061.62
* The Court Revenue received from the Town of Liberty for April, which is $1430.00
* Financial Comparison of General, Water, Sewer and Sanitation

Treasurer Zurawski said her office is busy with tax collection, with $341,000 collected to date.

**TABLED UPDATE ON RENOVAH HILL WATER TANK PROJECT – D. OHMAN/**

**BUSINESS: DELAWARE ENGINEERING:**

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

* Received Letter of Conditions (dated November 27, 2012 and letter dated December 21, 2012 advising Village of what has to be done before bidding and construction can take place.
  + Updated matrix spreadsheet with tasks and schedule of work to be done is completed.
  + Judy and Mark Blauer continue to work through items required prior to bidding
* **Design work and preparation of plans and specifications for the project is done and have been submitted to USDA RD engineer and NYSDOH (Monticello) for review on June 7.**
  + USDA RD and NYSDOH need to review and approve the design and contract documents (plans and specifications before project can go to bid.
  + Planning to meet with NYSDOH and Ken and June 11 to review plans and specs.
  + Current schedule is to go to bid July 2013 with construction beginning in August/September 2013
* Anticipated funding is as follows:
* $731,000 grant
* $289,000 loan – 38 years at 2%
* $11,000 local
* Ken Hessinger and crew conducting site clearing and putting in new access road culvert, backfill and rip rap in stream between exiting and new tanks – to provide access to the new tank.

CONSIDER NYSEG EASEMENT NEEDED FOR WATER STORAGE TANK

Motion by Trustee Stoddard, seconded by Trustee McGuire and unanimously carried approving the Right-of-Way Easement for the Water Storage Tank on Revonah Hill and authorize Mayor Ratner to execute the document.

**WWTP IMPROVEMENTS PROJECT – ADD’L EMERGENCY WWTP WORK – PHASE II**

* Work by Ross Electric – Electrical Construction
* All planned work is complete
* Work by TAM Enterprises – General Construction
* WWTP is running Oxidation Ditch 2 on new equipment
* Work anticipated to be 100% complete by the end of June
  + Base Contract Equipment related items to be done by end of April
  + Site restoration, punch list items anticipated to be completed by end of June
* Blower Control Issue
  + Motor Over Temp Fault: Blower No. 1 and Blower No. 2
  + VFD Over Current Fault: Blower No. 2 and Blower No. 3
  + Sanitaire/Kaeser recommended several trouble shooting procedures by checking: pressures at the indicated speed to ensure that they are not over pressurizing causing higher than normal amps, checking the belts, oil level, correct drive motor wiring orientation, enclosure exhaust fan for proper wiring, enclosure exhaust fan for the correct rotation, exhaust air intake and discharge orientation, blower motor parameters compared to VFD input and output parameters etc.
  + It was found that a manual butterfly value to one of the oxidation ditches was turned down (10-15%) to create a low dissolved oxygen (anoxic) zone. It is possible that the increased head during peak hours was causing the blowers to over pressurize the discharge line and cause higher than normal amp draw.
  + WWTP Operators found that there was significant reduction in amount of soda ash (alkalinity) required to maintain a chemically balanced ditch due to alkalinity regained through denitrification promoted by the low dissolved oxygen (anoxic) zone.
  + WWTP Operators checked fault conditions of blowers at time of last fault (May 23) and reported to Sanitaire: all looked within specifications for the blowers; perhaps back to an electrical issue or possible incorrect input or output parameter.
  + Short term Solution:
    - Took front covers off of blowers and set up fan to blow more air in and seems to have resolved over temp issue.
    - Open the manual butterfly valves to both diffused aeration grids and monitor butterfly values to both diffused aeration grids and monitor blower performance.
    - Developing checklist of what to do identify the problem(s) and who is to do what with TAM and Sanitaire and WWTP staff.
  + Possible Long Term Solution (if issues are reoccurring):
    - Install additional blow-off valve to reduce amount of head/back pressure and amount of air/oxygen from entering ditch.
    - To be determined by going through the checklist.

**Contractor Payment Requests:**

**Ross Electric**

* Per Judy, final check cut to Ross on April 10, 2013

**TAM Enterprises Inc.**

* Village resolved at the May 2013 Village Board meeting to provide payment to TAM for Payment Requisition No. 5. **One final payment pending.**
* Remaining work items, work item retainage and any planned change order work will be addressed in the final over/under change order and final payment application.

Project Changes:

* TAM Enterprises:
  + General Contract Change Order No. 1 – Manual Transfer Switch
    - Village resolved at the March 2013 Village Board meeting to accept VL2-G-12 General Contract Change Order No. 1 and authorized the Village Mayor to sign for the quoted price of $3,500 and a revised contract price of $781,812.00. Work complete.
  + General Contract Change Order No. 2 – Air Piping Modification
    - Item No. 1 – Air Intake Piping Modification
    - Item No. 2 – Air Intake Piping Modification Credit
    - Village resolved last month to accept VL2-G-12 – General Contract Change Order No. 2 and authorized the Village Mayor to sign for the total change price of $2,499.20 and a revised contract price of $784,311.20. Work complete.
  + Final Over/Under Change Order and Final Payment Application.
    - Delaware is working with TAM and the Village to come up with Final Over/Under Change Order and Final Payment Application.
    - **Final over/under change order included two deducts – holding off on submitting to Village for execution until the blower issues have been resolved in case some more work is needed.**
  + Additional WWTP Work
    - Village resolves at the May 14, 2013 Village Board meeting to:
      * Award to Liberty Iron Works the additional repairs work – including Clarifier No. 1 Effluent Pipe Patching, Clarifier No. 1 and No. 2 Skirt Patching, and provide new stainless steel plate in the Oxidation Ditch No. 1 Maintenance Pit opening between Stormwater Basin and Ox Ditch No 1 to prevent storm water from flowing into the maintenance pit (currently using plywood) – for their May 13, 20123 quoted price of $2,400.
      * Fund the work utilizing credits from monies originally budgeted under TAM’s Phase 2 Emergency Repairs work.
    - Status:
      * Liberty Iron Works was on-site the week of June 3 to repair:
        + Maintenance pit between Stormwater Basin and Ox Ditch No. 1 – install a plate to prevent storm water from closing the ox ditch maintenance pit (currently using plywood).
        + Clarifier No. 2 Skirt Patching
      * Liberty Iron Works will then need to coordinate with WWTP staff to dewater Clarifier No. 1 to repair
        + Clarifier No. 1 Effluent Pipe Patching
        + Clarifier No 1 Skirt Patching
* Cost Summary
  + Phase 1 and 2 work and Planned Remaining Phase 3 CDBG work – see attached Near Term WWTP Improvements Cost Summary – Revised 05-21-13 – same as last month
  + No significant changes to report
  + Sum of Phase 1 and 2 emergency repairs are anticipated to be within $9,691 of the original budget.

**NEAR TERM WWTP IMPROVEMENTS – OXIDATION DITCH AERATOR AND INFLUENT SCREENS**

* CDBG Application submitted on July 12 for a $600,000 grant was successful
* Work follows through with emergency work (Phase 1 and 2) to complete the Near Term Improvements.
* Key elements of work includes:
  + Oxidation Ditch 1
    - Put in aeration grid
    - Put in second submersible mixer
  + New Influent Mechanical Bar Screens and Building
  + Minor changes in Influent Building (HVAC mods, etc.)
* Mark Blauer continuing to develop and send items to go back to CDBG
* Overall Schedule
  + - Environmental work and design – complete in June 2013
    - CBBG review of materials – June-July
    - Contract Award/Shop Drawings – July
    - On site Work – July 2013 – June 2014
      * New influent screens take four months to manufacture after shop DWGS get approved
* Remaining construction work will need to be bid
* Delaware working with Mark to determine bid document requirements
  + Small Cities will need to review and approve the project specs
  + No NYSDEC review or approval needed
* Mark working through Environmental review requests
* **Delaware working on preparing plans and specs for CDBG review and then public bidding**
* Estimated Cost = $1,027,675

**GRIEBEL PARK DAM – UPDATE FROM DELAWARE ENGINEERING**

Dave Ohman of Delaware Engineering reported as follows:

* Delaware is working with Sullivan County Soil and Water Conservation District (SCSWCD) and NYSDEC Dams Department reviewing the information that SCSWCD has submitted NYSDEC.
  + NYSDEC needs hydraulic analysis and steam bed design conducted to confirm that the new steam bed will convey the 100 year storm event
  + Need to move the embankment into the current pond area and establish the new streambed – may not have enough on-site material.
  + The last week of February we had REGEN, LLC do site surveying to gather some elevation and location information for the stream in and out of the pond, the embankment and the pond depth so that we can run Hydro CAD.
  + Once Revonah Hill tank work is off for NYSDOH review we plan to start looking again at the hydraulic analysis, requirements for relocation of stream bed and dam berm work.

**WATER CODE UPDATE FOR WATER METERS AND SERVICES**

David Ohman of Delaware Engineering reported on the following:

* Drawings with details and schedule of requirements for different sizes services under development and being reviewed by Ken Hessinger
* These will be technical specs/information that can be referenced by the code and periodically updated within having to substantially modify the code.
* Will get this going again this month.

**WATER SYSTEM VULNERABILITY ASSESSMENT AND EMERGENCY RESPONSE PLAN**

* Working with Ken Hessinger to understand what needs to be updated in each report
* Per Ken, these need to be updated and back into DOH by end of year

**SMALL CITIES APPLICATION FOR CDBG GRANT FOR 2013**

* Village resolved last month to:
  + Retain Blauer Associated to prepare and submit the CDBG application in accordance with their proposal for their quoted price of $3,500.
  + Selected new UV disinfection system for the WWTP as the designated project for the Small Cities Grant Application that would benefit the entire Village.
  + Advertised for and held a public hearing at the June Meeting to provide information on the planned project and receive any public comment. In addition, Board would need to approve necessary resolutions, sign forms, etc.
* Mark Blauer working on general package items
* Delaware working on technical information (details of work, estimated costs, etc.)
* **Per Mark, applications are due August 12th. Access to site begins June 17th**
* **Public Hearing information handout for tonight’s meeting is attached**

QUESTIONS FOR DAVID OHMAN – DELAWARE ENGINEERING

Trustee Stoddard asked about the DWSRF loan/grant and the letter received regarding closure of the program. She asked about the remaining grant and what it could be utilized for.

David Ohman said the Village did get clearance from Environmental Facilities Corporation to use it for the SCADA system, including the computer system that will monitor it.

**CONSIDER ANNEXATION OF IDEAL SNACKS**

CONSIDER NEGATIVE DECLARATION UNDER SEQR

Motion by Trustee Stoddard, seconded by Trustee Stabak and unanimously carried declaring the Village of Liberty as Lead Agency for such unlisted action. The basis for this negative declaration is as follows: that the Annexation of that certain territory described more fully in Schedule “A” and “B” attached hereto into the Village of Liberty, Sullivan County, New York, to permit the Petitioner to use the territory to be annexed as a staging ground for its vehicles in conduct and operation of its business will not violate any of the criteria for determining environmental significance as set forth in part 617 of the Regulations.

RESOLUTION OF IDEAL SNACKS

**RESOL. #** Motion by Trustee Stoddard, seconded by Trustee McGuire and

**38-2013:** unanimously carried approving Resolution #38-2013.

WHEREAS, the Petitioner, Ideal Snacks Corporation, has petitioned pursuant to Article 17 of the General Municipal Law to annex territory to the Village of Liberty, Sullivan County, New York, which territory is owned by the Petitioner and said territory being described in said Petition which is annexed hereto as Exhibit “A” and more fully described in Schedule “B” annexed hereto and made a part hereof pursuant to a Survey as prepared by Jeff Roberts, L.L.S. dated November 2012; and

WHEREAS, a Public Hearing has been held on said Petition on the 14th day of January 2013 at 6:45 p.m. in the Village of Liberty Municipal Building, 167 North Main Street, Liberty, New York at which time said Hearing was attended jointly by the Town Board of the Town of Liberty and the Village Board of the Village of Liberty and at which time all parties interested in the matter were heard and all objections presented; and

WHEREAS, Laurie Dutcher, Town Clerk of the Town of Liberty were also in attendance as was Judy Zurawski, Village Clerk of the Village of Liberty and Ronald S. Kossar, Esq. the attorney for the Petitioner in these proceedings; and

WHEREAS, the Village Board of the Village of Liberty has duly considered said Petition and the evidence presented at said Public Hearing; and

WHEREAS, ninety (90) days from the date of said Hearing, as extended by the Stipulation signed by Gary D. Silver, Esq., attorney for the Village of Liberty, Ronald S. Kossar, Esq., attorney for the Petitioner and Kenneth C. Klein, Esq., attorney for the Town of Liberty, a copy of which is annexed hereto as Exhibit “B”, has not elapsed; and

WHEREAS, it appears to be in the overall public interest that the Village Board of the Village of Liberty consent to such annexation,

NOW, THEREFORE, BE IT RESOLVED AND DETERMINED:

1. That it is in the overall public interest that the Village Board of the Village of Liberty consent to the annexation to the Village of Liberty of certain territory described in the Petition (Exhibit “A”) and more fully described in Schedule “A” attached hereto and is also more particularly described in Schedule “B” annexed hereto and made a part hereof pursuant to a Survey as prepared by Jeff Roberts, L.L.S., dated November 2012.
2. That said Petition substantially complies in form and content with the provisions of Article 17 of the General Municipal Law of the State of New York.
3. That it is in the overall public interest to approve such proposed annexation in that the intended future use of the territory to be annexed by the Petitioner, will inter alia (i) permit the Petitioner to use the territory to be annexed as a staging ground for its vehicles, in the conduct and operation of its business; (ii) enable the Petitioner to continue in the conduct and operation of its business; (iii) enable the Petitioner to preserve exiting employment; (iv) enable the Petitioner to create additional employment; (v) enable the Petitioner to engage in the expansion of its existing business and (vi) generate additional tax revenue to the Town of Liberty and Village of Liberty.

NOW, THEREFORE, IT BE ORDERED that the consent and approval of the Village Board of the Village of Liberty is hereby given to the annexation of the territory now situated in the Village of Liberty and described in the aforesaid Petition (Exhibit “A”) and described more fully in Schedule “A” attached hereto and also more fully described in Schedule “B” annexed hereto and made a part hereto pursuant to the Survey of Jeff Roberts, L.L.S. dated November 2012, to the Village of Liberty, which such property as annexed shall be located in the M (Manufacturing) zoning district of the Village of Liberty,

AND IT IS FURTHER ORDERED that the foregoing consent to the annexation is on condition that that Petitioner, Ideal Snacks Corporation, bear all costs, by direct payment or reimbursement to the Village of Liberty, incurred by the Village of Liberty to comply with General Municipal Law Section 717 in causing to be prepared and filed in the Sullivan County Clerk’s Office a map of the Village of Liberty including the annexed territory and a map showing the exclusion of such annexed territory form the Town of Liberty, and also conditioned upon the boundaries of the property being marked with monuments, if not already performed.

The adoption of the foregoing Resolution and Order was duly put to a vote and the vote was as follows:

MAYOR DANIEL J. RATNER JR. - YES

TRUSTEE JOAN STODDARD - YES

TRUSTEE CORINNE MCGUIRE - YES

TRUSTEE RONALD STABAK - YES

TRUSTEE LUIS ALVAREZ - ABSENT

CONSIDER VOTE ON LOCAL LAW #4-2013 – ANNEXATION OF IDEAL SNACKS

Motion by Trustee Stoddard, seconded by Trustee McGuire and unanimously carried approving Local Law #4-2013 – annexing a portion of the real property presently located in the Town of Liberty (Town of Liberty – Section 23 – Block 1 – Lot 86) into the Village of Liberty and amending the official Village map accordingly.

The vote on this local law was put to a vote, which resulted as follows:

MAYOR DANIEL J. RATNER JR. - YES

TRUSTEE JOAN STODDARD - YES

TRUSTEE CORINNE MCGUIRE - YES

TRUSTEE RONALD STABAK - YES

TRUSTEE LUIS ALVAREZ - ABSENT

**CONSIDER PROPOSED LOCAL LAW #5-2013 – ANNEXATION OF ALBERT BITJEMAN**

Attorney Silver said he will prepare the information needed for this annexation and will present it at the June 25th Board Meeting.

**CONSIDER EXCAVATION PERMITS – WATER, SEWER, DPW**

Mayor Ratner said this item will remain tabled until he can work with the Department Heads and come up with an acceptable permit.

**NEW CONSIDER RESOLUTION RENEWING TAXICAB PERMITS – 2013/14**

**BUSINESS:**

**RESOL.#** Motion by Trustee Stoddard, seconded by Trustee McGuire and

**39-2013:** unanimously carried approving Resolution #39-2013.

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 28, 2013 Village of Liberty Board meeting the Village passed a resolution extending the taxicab permits until June 11, 2013, so that the fees can be processed in the 2013/14 fiscal year; and

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

WHEREAS, twenty-two 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 22 licenses/permits are for:

A.B.C.; NY Reg # 34646LA (Nissan Sentra); A Reliable Transportation Service; NY Reg # 50443LA (Dodge Subn); A Reliable Transportation Service; NY Reg #14037LV (Dodge Subn.); A Reliable Transportation; NY Reg #71823LA (Chrysler Subn); A Reliable Transportation; NY 50448LA (Chevrolet Suburban); Sureway Taxi; Reg # 14979LV (Dodge Cvn.); Sureway Taxi; NY Reg. # 14984LV (Dodge Cvn); Sureway Taxi NY Reg. #10807TY (Chrysler Subn); Sureway Taxi; NY Reg. # 71845LA (Dodge); Sureway Taxi; NY Reg. # 16918 LV (Dodge Subn.); Sureway Taxi; NY Reg. # 71822LA (Chrysler Tow); Sureway Taxi; NY Reg # 14032LV (Dodge Caravan); Sureway Taxi; NY Reg #71830LA (Dodge Subn); Sureway Taxi; NY Reg.#14992LV (Dodge Cvn); Sureway Taxi; NY Reg #20050TX (Dodge Caravan.); Sureway Taxi; NY Reg. 17906 LV (Dodge); Sureway Taxi; NY Reg. 71810LA (Dodge Subn.); Sureway Taxi; NY Reg. 17908 LV (Dodge Subn); Sureway Taxi; NY Reg #14018LV (Chrys Town).; Sureway Taxi; NY Reg. #71828LA (Dodge Cvn); Sureway Taxi; NY Reg#14012LV (Dodge Cvn.); Sureway Taxi; NY Reg. #14004LV (Dodge Crn); Sureway Taxi; NY Reg. #71822LA (Dodge Caravan); Sureway Taxi; NY Reg. #14991LV (Dodge Caravan); Sureway Taxi; Reg #74732LA (Dodge).

**CONSIDER ELECTRIC CARRIER/CONTRACT FOR 2013/14 FISCAL YEAR**

Motion by Trustee Stoddard, seconded by Trustee McGuire and unanimously carried approving the bid from Integrys for electric power supply for existing Village owed accounts for a fixed rate of .005594, which includes Ancillary, Losses and UFE. The capacity rate is floating.

This is the only bid received.

Attorney Silver discussed the termination of the current contract and the fact that are asking for ninety (90) days’ notice. Clerk-Treasurer Zurawski said she would get a confirmation in wiring regarding this matter.

**CONSIDER GOING OUT TO BID FOR WWTP CHEMICALS FOR THE 2013/2014 FISCAL YEAR**

Motion by Trustee Stoddard, seconded by Trustee McGuire and unanimously carried to go out to bid for Waste Water Treatment Chemicals for the period of August 1, 2013 thru July 31, 2014.

The bid opening will be Wednesday, July 17, 2013 at 11:00 a.m.

**CONSIDER GOING OUT TO BID FOR WATER CHEMICALS FOR THE 2013/2014 FISCAL YEAR**

Motion by Trustee Stoddard, seconded by Trustee McGuire and unanimously carried to go out to bid for Water Chemicals for the period of August 1, 2013 to July 31, 2014.

The bid opening will be Wednesday, July 17, 2013 at 11:30 a.m.

**CONSIDER GOING OUT TO BID FOR FLOW METERS FOR THE WWTP**

**FOR THE 2013/2014 FISCAL YEAR**

Motion by Trustee Stoddard, seconded by Trustee McGuire and unanimously carried to go out to bid for Flow Meter Calibration at the Waste Water Treatment Plant.

The bid opening will be Wednesday, July 17, 2013 at 11:15 a.m.

**CONSIDER GOING OUT TO BID FOR ULTRA SLIMLINE LAMPS FOR THE WWTP FOR THE 2013/2014 FISCAL YEAR**

Motion by Trustee Stoddard, seconded by Trustee McGuire and unanimously carried to go out to bid for 130 – Ultra Violet Slimline instant start, hot cathode, germicidal lamps for the Waste Water Treatment Plant.

The Bid opening will be Wednesday, July 17, 2013 at 11:20 a.m.

**CONSIDER PERMANENT APPOINTMENT OF POLICE CHIEF**

Motion by Trustee Stoddard, seconded by Trustee McGuire and unanimously carried approving the permanent appointment of Scott Kinne as Village of Liberty Police Chief. The Board authorized Mayor Ratner to sign all applicable County of Sullivan paperwork needed for this appointment.

The Board said Chief Kinne has been doing a great job.

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

**RESOL. #** Motion by Trustee Stoddard, seconded by Trustee McGuire and

**40-2013:** unanimously carried approving Resolution #40-2013

**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, 2013 through August 31, 2014 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.

Mayor Ratner opposed the fee of $100, stating in the joint relationship of the Town and Village he did not feel it was necessary for them to charge us.

**CONSIDER APPOINTMENT TO PLANNING BOARD**

**RESOL. #** Motion by Trustee Stoddard, seconded by Trustee McGuire and

**41-2013:** unanimously approving Resolution #41-2013.

**RESOLVED,** the Board of Trustees of the Village of Liberty approves the

following appointment:

**PLANNING BOARD – JEFFREY MILLER – Term to Expire April 1,**

**2015**

**CONSIDER INTERMUNICIPAL AGREEMENT BETWEEN LIBERTY CS AND VOL**

**RESOL. #** Motion by Trustee Stoddard, seconded by Trustee Stabak and unanimously

**42-2013:** carried approving Resolution #42-2013.

**WHEREAS**, The Village of Liberty Board of Trustees approves the **INTERMUNICIPAL AGREEMENT BETWEEN LIBERY CENTRAL SCHOOL DISTRICT AND VILLAGE OF LIBERTY FOR THE SCHOOL RESOURCE OFFICER PROGRAM;**

**WHEREAS,** This agreement made and entered into this date allows the Liberty Police Department to provide services to the Liberty Central School District located within the Village of Liberty and entering into this agreement will assist in providing additional law enforcement services to these and schools and will assist Liberty Central School District with meeting its principal goals

**WHEREAS,** the Liberty Central School and Liberty Police Department and through the Village Board of the Village of Liberty desire to provide for a partnership between Liberty Central School District and Liberty Police Department to provide School Resource Officer(s) on Liberty Central School District campuses;

**NOW, THEREFORE BE IT RESOVED**, the Board authorizes Mayor Ratner to execute the Intermunicpal Agreement between Liberty Central School District and the Village of Liberty for the School Resource Officer Program as displayed in Exhibit A.

**CONSIDER RELEASE OF PART 2 – CDBG FUNDS TO CYBERSHACK**

This item was tabled until the Cyber Shack provides its financials to date.

**CONSIDER CDBG LOAN REQUEST – DUSTIN PRITZERT/VIP FITNESS**

Motion by Trustee Stoddard, seconded by Trustee McGuire and unanimously carried denying the request from Dustin Pritzert/VIP Fitness to open a franchise gym at the Liberty Mall.

The Board stated the fixed costs (rent, franchise fees, etc.) seemed too high for him to be able to support a business at that location.

The Board said they would entertain the proposal again if he comes back with a new fiscally reasonable package.

**CONSIDER THE RE-PURPOSING OF C-CAP MONEY**

Motion by Trustee Stoddard, seconded by Trustee McGuire and unanimously carried to reallocate the funding available from the C-Cap Grant (which was obtained thru Assemblywomen Gunter) to the purchase of a backup generator for the municipal building.

The backup generator would cost approximately $18,000 - $20,000 and Mayor Ratner has been discussing the matter with Congressman Gibson to try and obtain Homeland money for the additional $6,000 needed for the purchase.

**CONSIDER PUBLIC HEARING ON PROPOSED LOCAL LAW – SMOKING BAN**

Motion by Trustee Stoddard, seconded by Trustee McGuire and unanimously carried to set a Public Hearing for Tuesday, June 25th at 6:55 p.m. to discuss proposed local law #6-2013 – to consider a smoking ban in front of the municipal building 159 – 167 North Main Street.

**CONSIDER SETTLEMENT OF ACTION – CHARLIE’S 2**

Motion by Trustee Stoddard, seconded by Trustee McGuire and unanimously carried approving (a) the settlement of the action by the Village against Charlie’s 2 (and others) pursuant to the terms of the proposed Stipulation, copies of which were provided to the Trustees, (b) authorized Gary Silver, as Attorney for the Village to revise it before it is signed to recalculate the sums due if the Stipulation of Settlement was not signed before June 15, 2013 (when the next payment is due) and if the Attorney for the Village deems it necessary and (c) authorize Mayor Ratner to sign it once it is finalized.

**CONSIDER LEASE – PURCHASE OF POLICE VEHICLE**

Motion by Trustee Stoddard, seconded by Trustee McGuire and unanimously carried approving the lease-purchase of the 2013 Dodge Truck for the Police Department which is under state bid for the amount of $27,303.

**CONSIDER HIRE OF A POLICE OFFICER TO REPLACE SRO OFFICER DEVIN BRUST**

Motion by Trustee Stoddard, seconded by Trustee Stabak and unanimously carried approving the hire of a Police Officer to replace the School Resource Officer (Devin Brust).

Police Chief Scott Kinne said he has the process narrowed to three candidates which he will discuss with the Board in Executive Session.

**PUBLIC** Mayor Ratner opened the meeting to comments from the Public.

**COMMENT:**

Supervisor Barbuti discussed the Village’s dam failure and the roll that the insurance companies are taking in these matters.

Police Chief Kinne discussed the following matters:

* The purchase of a new police vehicle
* The hire of a Police Officer to replace the School resource Officer
* The taxi medallions for 2013-14 fiscal year.

**TRUSTEE** Mayor Ratner opened the meeting to comments from the Board.

**REPORTS:**

Trustee Stoddard said she would like to begin receiving her Board packets paperless.

Attorney Silver said he would also.

Trustee Stoddard discussed having Mayor Ratner and Supervisor Barbuti work with the County to try and get some stores into the Liberty Mall.

Trustee Stabak said he was pleased with the Village Attorney’s responsiveness when he worked with him on some recent matters.

Trustee McGuire discussed the problems with Ideal Snacks.

Mayor Ratner said he has been working on many issues, including Ideal Snacks.

**APPROVAL** Motion by Trustee Stoddard, seconded by Trustee McGuire and

**OF BILLS** unanimously carried approving Voucher #16-001 to Voucher #16-088 in the

**FOR PYMT:** amount of $161,968.05

Post Audit Vouchers

Motion by Trustee Stoddard, seconded by Trustee McGuire and unanimously carried approving Post Audit Voucher #15-136 to Voucher #15-143 in the amount of $283,770.87.

DARE Account

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

Creative Product Sourcing - $38.00

**EXECUTIVE** Motion by Trustee Stoddard, seconded by Trustee McGuire and

**SESSION:** unanimously carried to go into Executive Session at 9:30 p.m. to receive

Attorney Advice and to discuss a Personnel Matter in the Police Department.

Motion by Trustee Stoddard, seconded by Trustee McGuire and unanimously carried to come out of Executive Session at 9:43 p.m.

**ADJOURN:** Motion by Trustee Stoddard, seconded by Trustee McGuire and

unanimously carried to adjourn the meeting.

**THE MEETING WAS ADJOURNED AT 9:44 P.M.**

**RESPECTFULLY SUBMITTED,**

**JUDY ZURAWSKI, CLERK/TREASURER**

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