

REGULAR MEETING

JANUARY 11, 2010

The Board of Trustees held the Regular Meeting of January 11, 2010 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, Trustee David Simon and Trustee Dawn Green. Also Present: Langdon Chapman, Attorney for the Village and Judy Zurawski, Clerk/Treasurer.

ABSENT: Trustee Corinne McGuire

ALSO PRESENT: Joan Stoddard, Henrich Strauch, Margaret Lindsley, Elizabeth Montag, Deborah Manley, Luis Alvarez, Joseph Lansing, Donny Agopito, Lexie DeFrank, Stephanie Murdock, Sarah March, Melanie Green, Gianni Morales, Ali Wallgreen, Kusar Grace and Sean Hanofee.

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

REGULAR MEETING – DECEMBER 14, 2009

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 State of NY Re: Selective Traffic Enforcement Program
- Planning Board Minutes 12/10/09
- Letter from TOL Re: Committee 12/30/09

OUTGOING

- Letter to M. Giordano Re: Zoning 12/2/09

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

Elizabeth Montag (Wawanda Avenue) commented on the beautiful holiday lights on Main Street.

Henrich Strauch said the Fire Department assisted with them.

Joan Stoddard (Winslow Place) asked the Board to consider going back to two meetings a month.

Kusar Grace (South Main Street) gave the Board a handout to review regarding his request for a basketball court in the Municipal Parking Lot behind the former Fleet Bank Building (59 North Main Street).

Mayor Winters said the Board would review his request and discuss it at the next Board meeting (February 8th)

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

Henrich Strauch addressed the following issues:

- Said the Loan Committee will have two new Community Development Block Grant Applications to review at their meeting set for Monday, January 25th.
- Said that Ed LaGarde and himself are working on two grant applications – one for the Archives Grant Fund, which will provide a Disaster Recovery System for the Village records and one thru NYSEERDA's Energy Efficiency Program. The Energy Efficiency Program conducts an audit of the building and provides grant money that can be used for windows, heating, etc that will make the municipal building more energy efficient.

ATTORNEY Attorney Chapman said he presented the Village's case for RSS Realty LLC
COMMENTS:and S & S Waverly LLC regarding their tax certioraris.

**TREAS.
REPORT:** Treasurer Zurawski reported on the following:

- Said notices have been sent to all taxpayers regarding the 2009/10 taxes of which there is 472,000 in delinquencies. As of today \$17,000 has been paid.
- The bank balance in the General Fund is much lower (\$165,000) than last year at this time making the budget very tight.
- Discussed the County's Solid Waste Fees and the fact that the Village received the solid waste fees on several of their parking lots. She said she has sent everything to Village Attorney Chapman so that he can review the matter.

**TABLED
BUSINESS:** **UPDATE ON ADA COMPLIANCE**

Henrich Strauch discussed the ADA Compliance issues and presented the following spread sheet of proposals from contractors:

Motion by Trustee Lindsley, seconded by Trustee Green and unanimously carried approving the proposal from TK Construction LLC of Liberty, NY in the amount of \$20,545.00 to construct two handicapped accessible bathrooms on the first floor of the Municipal Building at 167 North Main Street, Liberty NY.

CONSIDER PROPOSAL FROM THREE ENGINEERING FIRMS

Motion by Trustee Lindsley, seconded by Trustee Green and unanimously carried to accept the proposal from Delaware Engineering, P.C. of Albany, New York NY in the amount of \$15,000 for the Preliminary Engineering Report needed to apply for a grant which would upgrade the Village's Waste Water Treatment Plant on Willow Lane.

Mayor Winters said this motion is just to work out a contract with Delaware Engineering, P.C. and that no payment will be made to the engineering firm unless they secure grant funding for the upgrades that need to be done at the Village's Waste Water Treatment Plant on Willow Avenue.

CONSIDER E-MAIL FROM ASSESSOR SPRAGUE

Attorney Chapman said this should remain **tabled** until the February meeting of the Village Board, as the County has not acted on the matter as of yet. He said it concerns the cancellation of taxes on a cemetery.

DISCUSS JUSTICE COURT ISSUES

Mayor Winters said he is interested in pursuing the consolidation of the Village and Town Courts and he would like to set up a meeting with the Town of Liberty Board to discuss this issue. Town Councilman Sean Hanofee was in attendance and said he would relay the message back to his Board and see if he could facilitate a meeting. This item will remain tabled until such time dialogue can begin on this matter.

CONSIDER REQUEST FROM PARKS CONSULTING RE: VILLAGE SEWER

Mayor Winters said this matter would remain tabled until Granite Associates (Mr. Alan Gerry, owner) makes a decision regarding the Village sewer.

**NEW CONSIDER LOADING ZONE IN FRONT OF PARKS AND
BUSINESS: RECREATION – 119 NORTH MAIN STREET**

Mayor Winters said he discussed this matter with Police Chief Robert Mir and DPW Supervisor Peter Parks and they felt rather than a Loading Zone it would be better to eliminate a Parking Space at 119 North Main Street and make a No Parking Zone.

Motion by Trustee Lindsley, seconded by Trustee Green and unanimously carried to authorize Attorney Chapman to draw up a local law (#2-2010) for a No Parking Zone in front of the Parks and Recreation/Senior Center Building at 119 North Main Street.

As soon as a local law is drafted and presented to the Board a Public Hearing can be set regarding this matter.

CONSIDER ADOPTION OF LOCAL LAW #1-2010

**CONSIDER THE VILLAGE AS LEAD AGENCY IN THE PROPOSED LOCAL LAW
#1-2010 AMENDING THE FINES AND FEE SCHEDULE OF VILLAGE OF
LIBERTY CODE**

Motion by Trustee Lindsley, seconded by Trustee Simon and unanimously carried declaring the Village as lead agency in this unlisted action known as proposed local law (#1-2010) amending the Fines and Penalties imposed by the Code of the Village of Liberty.

NEGATIVE DECLARATION

Motion by Trustee Lindsley, seconded by Trustee Simon and unanimously carried to issue a Negative Declaration in this matter, the possible adoption of Local Law#1-2010 amending the fines and penalties imposed by the Code of the Village of Liberty

See SEQR attached.

CONSIDER VOTE ON PROPOSED LOCAL LAW #1-2010 RE: FINES

Motion by Trustee Green, seconded by Trustee Lindsley and unanimously carried approving local law #1-2010 updating the fines and penalties imposed by the Code of the Village of Liberty. This local law was put to a vote, which resulted as follows:

MAYOR WINTERS	-	YES	
TRUSTEE SIMON	-	YES	
TRUSTEE LINDSLEY	-	YES	<u>ADOPTED</u>
TRUSTEE MCGUIRE	-	ABSENT	
TRUSTEE GREEN	-	YES	

CONSIDER BUDGET MODIFICATIONS FOR 2009/2010 BUDGET

RESOL.# Motion by Trustee Lindsley, seconded by Trustee Simon and unanimously
1-2010: carried approving Resolution #1-2010:

WHEREAS, the Village of Liberty Board of Trustees approves the following Budget Modifications for the 2009-2010 Budget Year:

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

Trustee Simon – No Comment

Trustee Green – No Comment

Trustee Lindsley – No Comment

Mayor Winters commented on the County Solid Waste Fee and the fact that the county residents are paying for the past when the County allowed

outside firms to dump at \$50 per ton when the residents were paying \$75 per ton. He stated that the Village will be paying \$10 more per ton to dump and have the garbage transported under this new plan making it impossible to lower our rates to help off set the difference that the County is charging.

Mayor Winters said that due to the budget restrictions the Village has not picked up any snow on Main Street as it costs between \$3,000 – \$5,000 to hire trucks to do it. He said on Tuesday night (1/12) the DPW workers would be coming in a few hours early and removing the snow on Main Street.

APPROVAL Motion by Trustee Lindsley, seconded by Trustee Simon and unanimously
OF BILLS carried approving Voucher #9-695 to Voucher #9-777 in the amount of
FOR PYMT \$128,185.07.

Post Audit Vouchers

Motion by Trustee Lindsley, seconded by Trustee Simon and unanimously carried approving Post Audit Voucher #9-690 to Voucher #9-694 in the amount of \$239,093.74.

Office Renovations Account

Motion by Trustee Lindsley, seconded by Trustee Green and unanimously carried approving the following Office Renovations Account bill for payment:

McGoey, Hauser and Edsall - \$6,798.45 – ADA Engineering

AJOURN: Motion by Trustee Green, seconded by Trustee Simon and unanimously carried to adjourn the meeting.

THE MEETING WAS ADJOURNED AT 7:30 P.M.

RESPECTFULLY SUBMITTED,

JUDY ZURAWSKI, CLERK/TREASURER