

REGULAR MEETING

MAY 10, 2010

The Board of Trustees held the Regular Meeting of May 10, 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 Corinne McGuire, Trustee Luis Alvarez and Trustee Joan Stoddard. Also Present: Langdon Chapman, Attorney for the Village and Judy Zurawski, Clerk/Treasurer.

ALSO PRESENT: Harry Rampe, Sam Miller, Police Chief Robert Mir, Josh Brown, Ashley Negron, Nathaniel Serrano, Timothy Burgio, Scott Franke, Collin Witte, Nelson Sarevia, Alyssa Corbett, Evangelia Fritzpatrick, Shannel Patterson, Jason Levine, Molly Olson, Nigel Cronk, Morgan Kortwright, Samantha Light, Michael Crawley, Scott Kaplan, Brent Kaplan, Mike Weeks (McGoey, Hauser and Edsall), David Fritz (McGoey, Hauser and Edsall), Debra Manley, Henrich Strauch, Stephen Green, Peter Parks, Candice Balmer (RCAP Solutions), Tamara Snyder and several members of the United Methodist Church of Liberty, New York.

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

REGULAR MEETING - APRIL 12, 2010

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

PUBLIC HEARING - APRIL 26, 2010

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

SPECIAL MEETING - APRIL 26, 2010

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

SPECIAL MEETING - MAY 5, 2010

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

INCOMING

- Meeting Minutes - Liberty CDC 4/7/10

- Letter from Liberty Democratic Committee Re: Snow Removal 4/23/2010
- Letter from NYSDEC Re: Sewer Collapse 4/26/10
- Letter from McGoey, Hauser and Edsall Re: Dam Regulation Updates 4/26/10
- Letter from Boy Scout Troop 95 Re: Eagle Ceremony 4/12/2010
- E-Mail from NYCOM Re: New Dissolution Law 4/20/2010
- Letter from Sullivan County Re: Equipment Auction 5/6/2010
- Letter from NYSDEC Re: Green Lane 5/4/2010
- Proposal from JS Electric Re: Pole Lights 5/5/2010
- Letter from LibertyNY Tea Party Re: Thank You 5/3/2010

PRESENTATION OF CERTIFICATE OF APPRECIATION TO PASTOR JOHN THOMASON AND MEMBERS OF THE LIBERTY UNITED METHODIST CHURCH

Mayor Winters and the Board of Trustees presented a ***Certificate of Appreciation*** to Pastor John Thomason and the Members of the United Methodist Church of Liberty for their participation in “Change the World Saturday” in which they participated in Litterpluck and various other projects, including mulching trees, giving out books, dusting and cleaning the library.

The members that were involved in this project were:

PASTOR JOHN THOMASON
 TIM, MARISA AND STEPANIE HEISLER
 PAUL AND VALERIE MINTON
 KITTY REIGLER
 STEFANIE AND KAITLYN KELLAM
 HENRIETTA PHELPS
 ROSIE HEWLETT
 BARBARA BENDELL
 BIRDIE BENNING
 STEPHANIE AND JESSICA WATSON
 PAT MCCOACH
 PAM WINTERS
 ROBIE BURYIAK
 CRISTINA ACEVEDO

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

Henrich Strauch - Liberty CDC

Henrich reported on the following:

- Presented the Board with his May Report
- Informed the Board that the Liberty Chamber of Commerce is launching its website
- Reminded everyone that they are invited to the Liberty Commons Ribbon Cutting Ceremony on Friday and to march in the Memorial Day Parade on May 31st.
- Set a Loan Committee Meeting for Monday, May 17th at 5:30 p.m. Trustee Alvarez and Trustee Lindsley are members of this committee.
- Said the one proposal he received to date to install the new lamps and move the clock seem to be expensive. He said he would pursue other quotes.

Pankonin Insurance Center - Tamara Snyder

Tamara Snyder of Pankonin Insurance Agency discussed a plan with the Village Board that is offered by their company. It offers government employees and retirees a benefit plan through Kaempfer Independence Insurance, which offers reduced automobile and homeowners insurance. She explained that it at no cost to the Village and is handled completely by their agency and does not require any payroll deductions.

The Board said it would be a nice benefit for employees and said they would move forward with the plan.

ATTORNEY Attorney Chapman had no comments.

COMMENTS:

TREAS. REPORT: Treasurer Zurawski reported that everything is at the printers for the 2010/2011 tax bills.

TABLED BUSINESS: UPDATE ON ADA COMPLIANCE

Henrich said everything is still in a holding pattern and that the contractor will be here when the door is ready to be installed.

UPDATE ON GREEN LANE/SEWER ISSUE AND PREPLANNING GRANT FOR WASTE WATER TREATMENT PLANT

McGoey, Hauser and Edsall

Mike Weeks and Dave Fritz of McGoey, Hauser and Edsall Engineering discussed the Engineering Report, which they had prepared on the sewer main break on Green Lane. They explained it is not feasible to repair it and discussed the solutions for the problem:

Short Term Solution – Running two or three manned pumps twenty-four hours a day.

Interim Solution - Construction of a temporary pump station with electric power. This solution can be done under a State of Emergency so it can be moved on quickly. They explained they plan on having it out to three contractors with a bid opening next week.

Long Term (Permanent) Solution – New Pump Station on a location yet to be decided, possibly behind Yaun Company or on Village property on the south side of Lewis Creek.

Mayor Winters explained to the Board there are two projects being worked on right now. The first one being the Preplanning Grant to upgrade the Waste Water Treatment Plant, which we are in contract with Delaware Engineering. The Second project being this sewer issue on Green Lane, which is being handled by the Village's, engineering firm, McGoey, Hauser and Edsall. Mayor Winters feels the second project supersedes everything else due to the State of Emergency it is causing.

Mayor Winters explained that he would like Candice Balmer of RCAP Solutions (a division of USDA) to work with both engineering firms on both projects to offer any services that she can.

Candace Balmer of RCAP Solutions explained the Procurement that is need for the long term funding, including such things as women and minorities in the workplace. In order to qualify for EFC Grants/Loans all engineering reports must be in to them by August 1st. She explained that we would go on the annual list twice, once for the Green Lane Emergency Work and once for the Waste Water Treatment Plant upgrade. Candace said we do not need to procure the Emergency portion of the work.

CONSIDER APPROVAL OF CONTRACT WITH MCGOEY, HAUSER AND EDSALL FOR THE PRELIMINARY ENGINEERING REPORT OF THE PERMANENT SOLUTION ON THE GREEN LANE SEWER PROJECT

Motion by Trustee Stoddard, seconded by Trustee Lindsley and unanimously carried authorizing Attorney Chapman to review the contract between the Village of Liberty and Engineering firm McGoey, Hauser and Edsall for the preliminary engineering report needed for the permanent solution on the Green Lane Sewer Project and authorize Mayor Winters to execute said agreement.

CONSIDER AUTHORIZING ATTORNEY CHAPMAN TO MOVE FORWARD WITH ANY EASEMENTS AND/OR AQUISIONS NEEDED FOR THE GREEN LANE SEWER PROJECT

Motion by Trustee Lindsley, seconded by Trustee Stoddard and unanimously carried to allow Attorney Chapman to work on any easements and/or acquisitions needed to move forward on the Green Lane sewer issue.

CONSIDER REQUEST FROM H. RAMPE RE: ALBION STREET BUILDING LOT

Motion by Trustee Stoddard, seconded by Trustee Alvarez and unanimously carried to go out to bid on a surplus piece of land (50 foot strip) located on Albion Street, adjacent to 33 Albion Street. The minimum bid will be \$6,000. The winning bidder shall pay the costs of letting bid and the entire Village's legal and recording costs. Winning bidder shall also pay all subdivision/lot line improvement costs.

The bid opening will be Monday, June 7, 2010 at 11:00 o'clock.

**NEW
BUSINESS:**

CONSIDER ALLOWING EMPLOYEES TO CARRY OVER VACATION TIME

Motion by Trustee Stoddard, seconded by Trustee McGuire and unanimously carried approving the following vacation carryovers for Village of Liberty employees:

JUDY ZURAWSKI - 30 Days
ALICE GONZALEZ - 25 Days
PAMELA WINTERS - 25 Days
PETER PARKS - 40 Days
KEN HESSINGER - 36 Days

**CONSIDER LOAN TO WATER/SEWER FUND FROM SANITATION FUND
RE: DEBT SERVICE**

Motion by Trustee Stoddard, seconded by Trustee Lindsley and unanimously carried approving a loan to the water fund from the sanitation fund in an amount of up to \$25,000.00 to be paid back as soon as possible.

This loan will be used to pay the debt service payment to DWSRF.

Motion by Trustee Stoddard, seconded by Trustee Lindsley and unanimously carried approving a loan to the sewer fund from the sanitation fund in an amount of up to \$65,000 to be paid back as soon as possible.

This loan will be used for a debt service payment.

CONSIDER EXTENSION OF HACK AND TAXI LICENSES TO JUNE 14, 2010

Motion by Trustee Stoddard, seconded by Trustee McGuire and unanimously carried to extend the hack and taxi licenses until June 14, 2010. This will allow the money to be collected in the new fiscal year as well as all the paperwork to be processed.

CONSIDER BUDGET MODIFICATIONS FOR 2009-10 FISCAL YEAR

RESOL.# Motion by Trustee Stoddard, seconded by Trustee McGuire and
24-2010: unanimously carried approving Resolution #24-2010.

RESOLVED, the Board of Trustees of the Village of Liberty approves the following Budget Modifications for the 2009/2010 fiscal year:

CONSIDER RELEVY RESOLUTION FOR WATER/SEWER/ACCOUTS REC TO 2009/10 TAXES

RESOL.# Motion by Trustee Stoddard, seconded by Trustee McGuire and
25-2010: unanimously carried approving Resolution #25-2010.

RESOLVED that pursuant to Chapter 67.5 and Chapter 83 of the Code of the Village of Liberty pertaining to unpaid water and sewer rents, the following listing of unpaid rents billed before March 1, 2010 and unpaid by May 1, 2010 shall be added to the real property tax of the owner of the property whose property benefited by the use of the water/sewer systems, and the Village services to wit:

The total amounts are:	Water	-	\$45,840.06
	Sewer	-	\$51,191.30
	Accts. Rec.	-	\$ 2,449.73

TOTAL TO RELEVY: \$99,481.09

CONSIDER MEMORIAL DAY PARADE – MAY 31, 2010

Motion by Trustee Lindsley, seconded by Trustee McGuire and unanimously carried approving a *parade permit* to hold a *Memorial Day Parade* on *Monday, May 31, 2009* at 10:30 a.m. sponsored by the Town of Liberty and the American Legion.

DISCUSSION OF REVONAH HILL WATER TANK

This discussion was tabled until the June 14th meeting. Trustee Stoddard asked if the engineers may be able to summarize what needs to be done so the Board would have a better understanding of the project.

CONSIDER CONTINUING EDUCATION REQUESTS

Motion by Trustee Lindsley, seconded by Trustee McGuire and unanimously carried approving the following continuing education requests:

PETER PARKS - WATER CERTIFICATION - 6/23/2010 - \$25.00

PETER PARKS - WATER CERTIFICATION - 7/25/2010 - \$75.00

PETER PARKS - WATER CERTIFICATION - 8/25/2010 - FREE

KEITH SMITH - WATER CERTIFICATION - 8/25/2010 - FREE

**TRUSTEE
REPORTS:**

Mayor Winters opened the meeting to comments from the Board.

Trustee Alvarez said he would like to get moving on the Police Contract. The contract will be negotiated by Trustee McGuire and Trustee Alvarez.

Trustee Stoddard discussed the memorandum from Treasurer Zurawski regarding the delinquent CDBG Loans, accounts receivable and taxes that are on the books.

Attorney Chapman said the statute of limitations is six years and that he would like to look into it with the Treasurer and Accountants to see the best way to pursue this matter.

Trustee Stoddard commented that Sam's Service Center has done a wonderful job with their landscaping and it would be nice if we wrote them a letter acknowledging it.

Trustee McGuire said the Justice Court monthly report indicates they are on track with their collections.

Trustee Lindsey commented on the great job the Justice Court is doing as well as the employees that are handling the sewer problem on Green Lane.

Mayor Winters discussed the following issues:

- Said he would like Attorney Chapman to look at the legalities of removing the dam completely at the Park.
- Complemented the Village Work Force on the great job they are doing on Green Lane with the sewer issue.
- Read the following letter from the Liberty Democratic Committee, which complements the Department of Public Works on the great job they did with the Village streets this winter.

APPROVAL Motion by Trustee Lindsley, seconded by Trustee Stoddard and unanimously
OF BILLS carried approving Voucher #91-075 to Voucher #91-157 in the amount of
FOR PYMT \$124,708.23.

Post Audit Vouchers

Motion by Trustee Lindsley, seconded by Trustee McGuire and unanimously carried approving Post Audit Voucher #91-066 to Voucher #91-074 in the amount of \$379,624.70.

EXECUTIVE Motion by Trustee Stoddard, seconded by Trustee Lindsley and
SESSION: unanimously carried to go into Executive Session at 8:10 p.m. to discuss a former employee of the Sanitation Department and an employment issue in the Police Department.

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

CONSIDER PURCHASE OF A POLICE VEHICLE WITH DRUG SEIZURE MONEY

Motion by Trustee Stoddard, seconded by Trustee Lindsley and unanimously carried to purchase a police vehicle from the County of Sullivan – 2003 Ford Explorer in the amount of approximately \$7,000.00

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

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

RESPECTFULLY SUBMITTED,

JUDY ZURAWSKI, CLERK/TREASURER