**REGULAR MEETING**

August 15, 2019

# The Board of Trustees held the Regular Meeting of August 15, 2019 at

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

Mayor Ronald Stabak opened the meeting with the Pledge of Allegiance.

**PRESENT:** Mayor Ronald Stabak,Deputy Mayor/Trustee Robert Mir, Trustee Joan Stoddard, and Trustee Victoria Ferguson. Also Present: Judy Zurawski, Clerk/Treasurer.

**ABSENT:** Trustee Daniel Wright and Gary Silver, Attorney for the Village

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

**PRESENT:** Balidemaj, Mrs. Balidemaj and Attorney Kirk Orseck.

**APPROVAL** Motion by Trustee Stoddard, seconded by Trustee Ferguson and unanimously

**OF** carried approving the following minutes:

**MINUTES:**

REGULAR MEETING - July 11, 2019

**CORRES-** Mayor Stabak said the following correspondence has been received

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

Incoming

* Letter from TOL Re: 9/11 Services 7.12.19
* Letters from Mike and Claire LaJoie Re: Water Issue 7.19.19
* E-Mail Letter from SC Self Insurance Re: Safety Steering Committee 7.18.19
* Letter from SCVA Re: Travel Guide 7.30.19
* Letter from NY Department of Public Services Re: Rates 7.30.19
* Letter from TOL to NYSDOT Re: Directional Signs 8.6.19

**PUBLIC** Mayor Stabak opened the meeting to comments from the public.

**COMMENT:**

Feriz Balidemaj – 14 Upper Ferndale Road

Feriz Balidemaj (14 Upper Ferndale Road) continued his discussions regarding his ongoing sewer problem and his efforts to coordinate with the Village to get it fixed.

He said he was concerned about finding the line and digging to the curb to find the junction.

Mayor Stabak called the Waste Water Treatment Plant Supervisor and discussed the matter. She stated it was very hard to find the connections with the camera due to the heavy flow but she would relook at the lines to see if she could find the junction where they need to connect.

**ATTORNEY** Attorney Silver was not in attendance at the meeting.

**COMMENTS:**

**TREAS.** Treasurer Zurawski’s written report was as follows:

**REPORT:**

* List of Current Taxes and collections thru 07/31/2019 of which there is $778,320.22 outstanding. The current taxes are 85% collected.
* List of Delinquent Taxes, which as of 07/31/19 is $582,623.99 not collected.
* Starting and Ending Central Check Numbers for July 2019
* Starting July Central Check #14919
* Financial comparison of General, Water, Sewer and Sanitation

Treasurer Zurawski said she has received the preliminary Projection for the December retirement billing and it appears that the budgeted amounts will be sufficient.

PFRS - Budget $293,000/Preliminary Figure - $288,000

ERS - Budget $245,000/Preliminary Figure - $234,900

**TABLED UPDATE ON ENGINEERING PROJECTS - D. OHMAN/DELAWARE**

**BUSINESS: ENGINEERING:**

David Ohman of Delaware Engineering reported on the following:

1. **WWTP Upgrade**

* NYSEFC Clean Water State Revolving Fund (CWSRF) **Project #C3-5352-02-00**
  + The Village received a letter from NYSEFC letter on January 18, 2019, to inform the Village that the WIIA program grant award is being revised to $1,914,000 and Total Estimated Project Cost of $7,656,889.
* Project Financing
  + NYSEFC advised the Village that the Project Financing Agreement (PFA) closed on August 8, 2019
  + Village now able to submit for reimbursement of cost and costs going forward.
* Professional Services Contract for Design through Construction:
* Design Phase:
* Continuing to Prepare design drawings and specs
* Communicating with equipment supplier and manufacturer’s representative regarding upgrade equipment
* Coordinating with MWBE Subcontractors
* Communicating with Village staff on project issues
* MWBE Subcontracts and Related Work:
* Prepared MWBE Utilization Plan #1 and Partial Waiver Request and submitted to NYSEFC March 29
* Executed subcontract on April 22 with Municipal Solutions (MSI) (WBE) to assist us in soliciting for MWBE subcontract services and modify our partial waiver request – continuing work with MSI.
* Delaware provided MSI with an updated MWBE solicitation log and related info so that MSI can search the NYS MWBE Directory for certified firms, and provide a list of firms to solicit for services, for tasks and services not already under contract (i.e., Financial Admin and Fiscal Services).
* When the directory search is complete MSI will help Delaware prepare letter summarizing subcontract opportunities, solicitation and the partial waiver request (partially completed from Delaware’s efforts toward the partial waiver request).
* In the latest correspondence, MSI asked Delaware to update the MWBE solicitation log to include the date when the initial contract with the subs listed on the solicitation log occurred, include a column that identifying which tasks each of the proposed subcontractors fit into and the estimated split, and recommended that Delaware solicit for construction observation as we say we may in contract, but state that there is no opportunity in the waiver request letter.
* It was agreed upon that it may be worthwhile to submit/review with EFC the updated waiver request as is (no opportunity for onsite observation)
* We also asked MSI to provide MWBE directory search parameters, search results, and methodology of selection of the certified firms for construction observation that were provided for construction inspection/observation.
* Delaware also asked for MSI to provide search parameters, such results, and methodology of selection of the certified firms for HVAC and SCADA design.
* MIS is waiting on approval from Delaware to submit/review with EFC the updated waiver request letter.
* Delaware is waiting on the additional directory work results
* An Updated schedule for work has been provided
* Other Design Related Items
* Solids Handling and Disposal Options to Consider -
* Existing Belt Filter Press performance is <15-16% Sludge/Solids
* Sludge >20% can go to incinerator ($165/ton Synagro)
* Sludge <20% can go to landfill (Seneca Falls) $170/Ton (GottaDo Contracting)
* Local Hauler Lange can’t keep up with the volume
* Sludge Disposal budget is ≈$300,000/year (100 Wet Ton Monthly Average at 16% solids x 12 Months x $170 Ton = $205K, plus other O & M)
* Upgrade alternatives: Belt Filter Press or Screw Press (in PER), Centrifuge, or Belt Press in conjunction with Aerobic Digester (not in PER)
  + Option 1 – Belt Filter Press and Screw Press performance estimated to be 18% with disposal same as now.
  + Option 2 – Centrifuge performance is estimated to be 21-22% but requires significantly more power 75HP VS <15HP for Belt Filter and Screw Pressing and additional O & M costs with disposal same as

now (increase in cost approximately $240K; need to discuss with NYSEFC if this will require PER Amendment and updated/revised bond resolution as well as a change to the PFA)

* + Option 3 – Belt Press or Screw in Conjunction with Aerobic Digester
    - Existing Sludge holding and decant tanks converted to aerobic digester to produce Class A Bio-solids (fully degraded bio-solids such that pathogens are non-delectable and meet guidelines for land application with no restrictions.
    - Reduced volume and chemical costs
    - Disposal of solids would be much easier and also cost very little to dispose of locally rather than truck to accepting landfill or incinerator
    - Aerobic Digester system equipment cost is approximately $1.4M plus o & P, and Installation (40%) ≈ $2M (not om PER)
    - Added capital cost for this = $2M at 0% interest for 28 years - $71, 500/year plus estimated additional electric cost of will likely be less than the $200,000 being spent now to dispose of sludge.
    - May require sludge building electrical service improvements
    - Do Local disposal options for class A bio-solids?
    - This is not included in the current scope of work or approved engineering report or Project Financing Agreement so it would take some work to include this BUT it would mitigate concerns with future sludge disposal.
    - PER NYSEFC Harry Nelson, not necessarily considered a change in scope as the original project originally contained plans to address solids handling (technically in PER)
    - Adding these additional processes would require PER Amendment/Addendum (for cost and design of selected equipment/process), updated/revised SEQR determination, updated/revised bond resolution. A conference call with NYSEFC will be held in the near future to confirm.
  + New Structure for solids storage? (also not in PER)
  + (may be able to be located on top of the existing sludge storage tanks)
* COMPARISON OF THE THREE OPTIONS
* A DRAFT of Sludge Dewatering Design Calc. that compares operating parameters (e.g. run time, feed rates, chemical and electrical costs, etc.) of a Belt Press (1.5M & 2 M), Screw Press and Centrifuge has been prepared and will be refined as more info arrives.
* A DRAFT Sludge Dewatering/Aerobic Digester Summary that compares financial impacts (i.e. capital costs, user rates, disposal rates and general pros and Cons, etc.) of a Belt Filter Press (1M & 2M), Screw Press, Centrifuge and Aerobic Digester system with a Gravity Belt Thickener (GBT) option has been prepared and will be refined as more info arrives.
  + We are getting a refined scope of work and cost from the ATAD process vendor/rep and will get to the Village to review ASAP along with the potential rate impact.
  + Current plan is to pursue this – does Village agree??
* Rebecca is investigating disposal options

1. **NYSDOH Water System Inspection/Cross Connection Control Program**
   * Have a draft of the CCCP- will submit to the Village soon for review
   * Background below:
   * November 14, 2018 NYSDOH letter summarizes October 19, 2018 inspection and requested that the Village develop a Cross Connection Control Program
   * We worked with the Village to develop a program plan and response letter – which was submitted to NYSDOH Monticello Office on March 6
   * Glenn Illing – NYSDOH responded via email on March 6 accepting the proposed plan.
   * The letter is available for review
   * Upcoming Action Items

* Delaware to refine the draft CCCP document and submit the draft to the Village for review
* Invoice work under the General Services Agreement

1. **Rail Trail Area Culvert Drainage/Blockage**

* Delaware prepared the Engineering Report – at no cost to the Village – with the project scope and cost of $749,900 and submitted to Mark Blauer on July 16, 2019.
* OCR CDBG Grant application package submitted by mark Blauer on July 22, 2019 in advance of the July 26 submission deadline.
* Planned work includes:
  + Furnish and Install New Culvert
  + Install New Headwall, Wing-walls and Improve Culvert Approach
  + Furnish and install Bank Armoring Rip-Rap Stone Downstream of the Culvert (including 3’ Buried Below the Stream Bed)
  + Furnish and Install 8” Replacement Sewer Pipe (inside Existing Culvert, Plus Transitions at Both Ends) – Approximately 150 LF
  + Fill in existing Culvert (sand, Flowable Fill, or Other)
  + Furnish and Install New Riser Section for Existing 4’ Diameter Manhole Upstream of Culvert
  + Other required work

-Relocate Existing NYSEG Utility Pole

-Furnish, Install and Remove Temporary Construction Access

-Temporarily Remove, Store, and Replace Existing Guide Rail Posts

to Allow Access During Construction

-Clearance, Brushing, and Grubbing of Rail Trail for Construction

Access

-Furnish and Install ˜100 LF x 30’ Vertical of Steel Sheeting on

Each Side of the Culvert and Remove after Construction is

Complete

* Provide and Maintain Bypass Pumping Facilities (1 Week)

4. **DPW Garage Site Remediation**

* Based on September and December 2018 sampling report, not much different
* Still seeing values near garage indicting contamination remains
* Next Sampling is June 2019
* NYSDEC will keep going with quarterly monitoring until all results show compliance with water quality standards for a year or more (no real end in sight).
* In addition, we want to pump more water out of Elm Street well a more comprehensive sampling plan is needed.
  + Aztech cannot perform the additional work as NYSDEC believes it would be a conflict so some other firm will need to do it.
  + We can pursue this if desired by the Village.
* Also, right now it looks like there is more stuff to clean up out there
* Some plan forward options:
  + Continue with NYSDEC quarterly monitoring and no more cleanup – status quo
  + Continue with NYSDEC quarterly monitoring and ask NYSDEC to advise what else is being contemplated to accomplish more cleanup
  + Develop Village plan to investigate the extent of the remaining contamination? Any desire to do this?
  + One of the above and look at what is needed to be able to pump more water
* At May 2019 meeting, the Village decided to seek DASNY SAM grant assistance for conducting a site investigation to better identify remaining contamination under, up gradient and near the DPW garage.
* Rough cost to do the investigation should be about $50,000 - $75,000. Does Village want to continue with this? If so we will get a more detailed estimate for the work.
* Tiger’s Den Monitoring Well Decommissioning
* NYSDEC has asked Aztech Environmental (AE) to look at the monitoring wells at the Tigers Den site and make a recommendation about which monitoring wells (for site contamination) to decommission.
* A few of the wells are in the area between the Tiger’s Den site and the Village’s production well. The NYSDEC wanted AE to reach out to the Village and ask if the Village would like to have a few of these monitoring wells not decommissioned in case the Village may want to use them in the future.
* The subject monitoring wells we are considering are MW-13s, MW-13D, MW-14 and MV-17. The well locations are depicted on a map.
* Questioned asked by Delaware
  + If you don’t decommission these well, would the Village have access to them? And if so, for how long?
  + Would the village assume any liability because they are still open?
  + Would the Village be responsible for closing them out?
* AE believes that it is likely the wells will be decommissioned if the Village determines they don’t have a need. AE emailed Keith Browne and Brian Weeks at the DEC to get affirmative answers to your questions. AE let Delaware/the Village know what they say.
* Does Village want to request that NYSDEC keep the wells (don’t decommission now) for possible future use by the Village?
* If we decide to pump at higher rates, would it may be prudent to monitor these wells to see if they are contributing? They would be down gradient of the well.

1. **Elm Street Well and Lead and Copper Compliance**

* Have $100,000 SAM grant for well improvements
* At this time the Village is not planning to pursue a WIIA grant (60% possible) for this work and wants to seek SAM grants for the DPW garage site remediation
* The Village plans to apply the $100,000 towards electrical improvements and a possible new generator
* We conducted a site visit in May and are developing a work and cost spreadsheet with possible upgrades – it will be > $100,000 so the Village can identify what they’d like to put as top priorities.
* We will continue to work with Ken to come up with a plan to develop this spreadsheet and come back to the Board with recommendations for work up to $100,000
* DASNY is requesting an updated application from the Village
* Once the Village agrees on the revised scope of work, we will work to prepare for Judy a write-up on scope and cost for the new/revised DASNY application for the revised DASNY application for the revised/lower cost project.

1. Lily Pond Road Bridge/Waterline

* Need to discuss with SCDPW to keep the line on the bridge and generate an agreement.

**UPDATE ON LIBERTY CENTRAL SCHOOL DISTRICT RE: SURVEYOR**

Mayor Stabak said the surveyor has not yet completed the work.

**NEW** **DISCUSSION WITH ATTORNEY ORSECK RE: PARKER – 104-3-2**

**BUSINESS:**

Attorney Kirk Orseck asked the Board to consider allowing Andrea Parker to bring her taxes with the Village of Liberty current. He said she is a retired nurse that has the means to pay but just lost track of the payments. He said in an effort to save her home he filed a bankruptcy notice on her behalf to keep her home from being foreclosed on and sold in the tax auction. He explained that she does not have any debt and would dismiss the proceedings if the Village taxes can be paid in full. He said he would have to know before September 5th which is when he will be appearing on her behalf in court.

Mayor Stabak said the Board would seek advice from the Attorney for the Village and get back to him on this matter.

**CONSIDER LOCAL LAW #2-2019 – GARAGE SERVICE CALL LIST**

Village of Liberty as Lead Agency

Motion by Trustee Mir, seconded by Trustee Stoddard and unanimously carried designating the Village as Lead Agency in the matter of Proposed Local Law #2-2019 to amend Chapter 65 of the Code of the Village of Liberty to expand the geographical area within which a garage or service station may be located to be on the service call list, to provide that permit fees shall be set by Resolution of the Village Board, and to change the insurance requirements for a permittee.

Consider Negative Declaration – Proposed Local Law #2-2019

Motion by Trustee Stoddard, seconded by Trustee Ferguson and unanimously carried to issue a Negative Declaration in the matter of Proposed Local Law #2-2019 to amend Chapter 65 of the Code of the Village of Liberty to expand the geographical area within which a garage or service station may be located to be on the service call list, to provide that permit fees shall be set by Resolution of the Village Board, and to change the insurance requirements for a permittee

Consider Vote on Local Law #2-2019 – Garage Service Call List

Motion by Trustee Stoddard, seconded by Trustee Mir and unanimously carried to adopt Local Law #2-2019 – to amend Chapter 65 of the Code of the Village of Liberty to expand the geographical area within which a garage or service station may be located to be on the service call list, to provide that permit fees shall be set by Resolution of the Village Board, and to change the insurance requirements for a permittee.

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

MAYOR STABAK - YES

TRUSTEE MIR - YES

TRUSTEE STODDARD - YES **ADOPTED**

TRUSTEE FERGUSON - YES

**CONSIDER SCHOOL RESOURCE OFFICER CONTRACT**

Motion by Trustee Stoddard, seconded by Trustee Ferguson and unanimously carried approving the Intermunicipal Agreement between the Liberty Central School District and The Village of Liberty for The School Resource Officer Program.

This agreement will be effective commencing with the start of the School Year in September 2019 and will expire June 2022.

Police Chief Kinne explained that there will be three police officers in the school – one in the Elementary, one in the Middle School and one in the High School.

He explained the School District will reimburse the Village at eighty percent (80%) and will be given up to 100 hours of overtime annually for school events.

The 2019/20 cost of reimbursement will be $89,815.00 per officer.

**CONSIDER APPROVAL OF CHEMICAL BIDS FOR WASTE WATER TREATMENT PLANT 2019/2020**

Motion by Trustee Mir, seconded by Trustee Ferguson and unanimously carried approving the following bids for a yearly supply of chemicals at the Wastewater Treatment Plant:

Soda Ash - Slack Chemical Co. 16.93/50 lb. bag

Carthage, NY 13619

Polymer - Slack Chemical Co. $1.99/lb.

Austin, TX 55 pound Bag

Polyaluminum - Holland Company .177 per wet pd

Chloride Adams, MA 01220-1199

All bids received were as follows:

**CONSIDER APPROVAL OF CHEMICAL BIDS FOR WATER DEPARTMENT**

**2019/2020**

Motion by Trustee Mir, seconded by Trustee Ferguson and unanimously carried approving the following bids for the yearly supply of Chemicals for the Water Treatment Facility:

**Chlorine Gas Slack Chemical $148.79/Cylinder**

**54-105CY Carthage, NY $100 deposit/Cyl.**

**Polyalum. Holland Company $.25/wet pd**

**Hycloxyc (PAC) Adams, MA**

**Hydrated Lime Slack Chemical 11.43 bag**

**Carthage, NY 50 lb. bag**

**Soda Ash Slack Chemical 16.93/bag**

**Carthage, NY**

**Ortho-Poly Carus Corporation .56/pd**

**Phosphate Blend Peru, IL**

**Polymer Powder Slack Chemical Co. $190.00/Bag**

**Carthage, NY 50 lb bag**

**Sodium Hypo-Chlorite Slack Chemical Co. $14.93/Gallon**

**Carthage, NY 55 Gallon Drum**

All bids received were as follows:

**DISCUSSS DELINQUENT INSTALLMENT TAX AGREEMENT**

The Board discussed the installment agreement in place with property owner James Gordon (S.B.L. #111-1-29) and the fact that he has fallen behind in his payments.

Mayor Stabak said the agreement that was in place with Mr. Gordon dated back to the private company that we had collecting delinquent taxes for us and was not in compliance with the regulations for installment agreements.

The Board said they are willing to start a new compliant agreement with Mr. Gordon. The original agreement is considered void since he did not stay up to date with his payments.

**CONSIDER PRICE QUOTE FROM SCHMIDT’S WHOLESALE RE: BADGER METER EQUIPMENT**

Motion by Trustee Ferguson, seconded by Trustee Stoddard and unanimously carried approving the price quote of $16,725.00 from Schmidt’s Wholesale for the upgrade of our current Badger System which will no longer function for meter readings after January 2020.

Mayor Stabak explained it is an eighteen year old system and needs the upgrade. The cost will be split between water and sewer.

**CONSIDER HOLD HARMLESS AGREEMENT WITH NEW YORK RURAL WATER ASSOCIATION**

Motion by Trustee Ferguson, seconded by Trustee Stoddard and unanimously carried approving the Hold Harmless Indemnification Agreement with New York Rural Water Association subject to approval from Attorney Gary Silver.

This agreement will allow the New York Rural Water Association to smoke the sewer lines which will help pin point infiltration that should not be coming into the sewer.

**CONSIDER LEASE OF SKID STEER FOR D.P.W AND WATER DEPARTMENT**

The Board discussed their options for the purchase/lease of a new Skid Steer Machine (used for plowing and digging) for the D.P.W. and Water Department.

The price that DPW Supervisor Peter Parks gave was approximately $39,000.

The Board asked him to get a couple of quotes, including possibly John Deere and Kubota.

**CONSIDER NEW PHONE SERVICE WITH VERZON WIRELESS**

Police Chief Scott Kinne discussed a proposal he has received from Verizon Wireless (Chris Rizzo, Rep.) which would improve the Village’s phone service as well as be a considerable savings to the Village.

He said currently the system is not supported as the representative left the area and no one has replaced him.

He said he and Judy Zurawski have been meeting with the agent and currently the Village pays about $2,000 a month for phone service and this would bring it down considerably with just a couple of one-time costs involved. The cost for the Police Station and Municipal Building would be in the neighborhood of $500 per month.

Motion by Trustee Mir, seconded by Trustee Stoddard and unanimously carried to move forward with the new phone system thru Verizon Wireless, which will be at a substantial savings to the Village.

**CONSIDER MEETING SCHEDULE FOR SEPTEMBER**

The Regular Meeting scheduled for Thursday, September 5th will be rescheduled until Thursday, September 19th.

There will be no Worksession meeting in September.

**PUBLIC** Mayor Stabak opened the meeting to comments from the public.

**COMMENT:**

Police Chief Kinne said he received a telephone call from John Theodore regarding the parking lot behind the Art is Liberty Building at 59 North Main Street. He said they are looking to reconfigure the parking so it flows better.

He presented the attached map (Exhibit A)

The Board said they were fine with the anticipated change.

Police Chief Scott Kinne said Al Killian (former resident) recently came to Liberty for a visit and commented on how much better he feels it is looking compared to the last time he was here.

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

**COMMENTS:**

Mayor Stabak said he had a personnel matter for Executive Session.

Trustee Stoddard said there has not been any recent Planning Board meetings and things are quiet.

Trustee Ferguson mentioned the Land Bank demolitions that will be happening within the next couple of weeks.

The Board discussed the possibility of some positive press regarding these changes.

Trustee Mir – No Comment

**APPROVAL** **POST AUDIT VOUCHERS**

**OF BILLS**

**FOR PYMT:**Motion by Trustee Stoddard, seconded by Trustee Mir and unanimously carried approving Post Audit Voucher #26-156 to Voucher #26-161 in the amount of $310,069.91.

**BILLS FOR PAYMENT**

Motion by Trustee Stoddard, seconded by Trustee Ferguson and unanimously carried approving Voucher #26-162 to Voucher #26-233 in the amount of $339,168.37.

FLOWER FUND

Motion by Trustee Stoddard, seconded by Trustee Mir and unanimously carried approving the following payment from the Flower Fund:

Monticello Greenhouses - $600.00

FEDERAL FORFEITURE ACCOUNT

Motion by Trustee Stoddard, seconded by Trustee Mir and unanimously carried approving the following payment from the Federal Forfeiture Account:

Catskill Hudson Bank (Amazon Purchase) - $343.00

Atlantic Tactical - $ 28.25

CWSRF - Waste Water Treatment Upgrade C#-5352-02-00

Motion by Trustee Stoddard, seconded by Trustee Mir and unanimously carried approving the following payment from the CWSRF – Waste Water Treatment Plant:

Orrick, Herrington and Sutcliffe LLP - $ 7,500.00

Delaware Engineering - $92,443.92

**EXECUTIVE** Motion by Trustee Stoddard, seconded by Trustee Ferguson and unanimously

**SESSION:** carried to go into Executive Session at 9:20 p.m. to discuss a personal matter in the DPW Department.

Motion by Trustee Ferguson, seconded by Trustee Mir and unanimously carried to leave Executive Session at 10:10 p.m.

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

**THE MEETING WAS ADJOURNED AT 10:11 P.M.**

**RESPECTFULLY SUBMITTED,**

**JUDY H. ZURAWSKI**

**CLERK-TREASURER**

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