

WORKSESSION MEETING

October 17, 2024

The Board of Trustees held the Work session Meeting on October 17, 2024 at 7:00 P.M. in the Village Municipal Building, 167 North Main Street, Liberty New York. Mayor Joan Stoddard opened the meeting with the Pledge of Allegiance.

PRESENT: Mayor Joan Stoddard, Deputy Mayor/Trustee Robert Mir, Trustee Ernest Feasel, and Trustee Jayneen Mills. Also Present: Attorney for the Village Gary Silver, Judy Zurawski, Clerk/Treasurer and Denise Corbett, Secretary to the Board.

ALSO

PRESENT: Steve D'Agata, Police Chief, David Burke, Director of Public Works, Dan Fagnani, Dave Ohman, Yna Manzi, Rodrigo Sanchez, J. I. Patel, Dave Bunce and Sandra Hanofee.

ABSENT: Trustee Eveleese Lake

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

❖ **REGULAR MEETING – October 3, 2024**

CORRESPONDENCE:

INCOMING
None

OUTGOING
None

TABLED/OLD BUSINESS:

A. Delaware Engineering Update

1. Lily Pond Road Bridge Waterline

- Board Action Required at Tonight's meeting:
- None

- **Construction Status Update**

- Certification of construction (DOH-5025) and As-Builts will be completed and submitted to NYSDOH soon

2. WWTP Phase 1 Upgrade

- Board Action Required at Tonight's meeting:
- **Consider Application(s) and Certificate(s) for Payment for approval:**
- **Payment No. 23 (Final) for General Contractor – Eastman Associates – \$132,900**
- **Construction Status Update**
- **All WWTP Upgrade work is completed in October 2024**
- Punch list work for General Contractor – Eastman Associates
 - Clarifier Skimmers – Complete
 - Minor site restoration – Complete
 - SCADA – Complete

- **Substantial Completion**

Contract No. VL1-G-21 – General Construction

- All work complete
- The complete closeout package, including final payment application, was forwarded to the Village on 10/16/24
- Final payment pending Board approval at the 10/17/24 meeting, see Payment Request(s) below, and disbursement from NYSEFC
- **Payment Request(s)**
Payment Application No. 23 (Final Payment)
- The full application package was provided to the Village Clerk under separate cover on 10/16/24 (as part of the project closeout package)
- We have reviewed the Payment Application from Eastman Associates, Inc., the contractor for the subject project in the amount of \$132,900 for final partial payment of retainage. The total cost to date of \$5,558,792 equates to 100% of the contract price. All punch list and remaining work items complete. The Village may process final payment.
- We agree with the level of work completed to date and the costs presented therein. As such, we recommend that the Village resolve authorize the Village Clerk to proceed to process Payment Applications No. 23 (Final), for the General Contract No. VL1-G-21 to Eastman Associates, Inc., in the amount of \$132,900 for final payment (all punch list and remaining work items complete) as requested by the contractor, contingent upon receipt of the complete Closeout Package, including submittal of the payment request to NYSEFC for reimbursement, understanding that payment to the contractor will be made following receipt of reimbursement from NYSEFC.
- Therefore, should the Village agree with the foregoing assessment, Delaware Engineering recommends the following:
 - **The Village resolve to authorize the Village Clerk to proceed to process Payment Application No. 23 (Final), for General Contract No. VL1-G-21, to Eastman Associates, Inc., in the amount of \$132,900 for final payment (all punchlist and remaining work items complete) as requested by the contractor, including submittal of the payment request to NYSEFC for reimbursement, understanding that payment**

to the contractor will be made following receipt of reimbursement from NYSEFC.

- **Engineering During Construction**

- Wrapping up and working on closeout and as-builts
- On-Site Construction and Observation Services
- Complete October 2024

3. WWTP Phase 2 Upgrade

- Project is on hold, NYSEFC short-term financing PFA Exhibit Approval Memo pending the final SPDES Permit (in progress) and PER review and approval, and Announcement of Enhanced WIIA Grant Awards

4. Rail CDBG 2023 Rail Trail Project:

- Board Action Required at Tonight's meeting:
 - None

- **Project Status Update**

- October 16, 2024 Update
- Work began on July 1, 2024
- CO No. 3 - Directional Drilling Sewer Installation complete on July 3, 2024
- Culvert Pipe has been delivered and is onsite
- Access roadway roughed in
- Final sewer connection completed on 8/23/24 and partial Restoration completed 8/26/24
- NYSEG utility relocation began on 9/25/24 and was completed by 9/27/24
- NYSEG will not be charging the Village for this work. A \$25,000 allowance was included in the base bid for contractor coordination with NYSEG.
- This amount can be moved to the Balance of Construction Budget (currently \$435,625), see Budget Review below
- This amount will be deducted from Tweedie's construction contract via change order at a later date
- Additional work is pending Tweedie's availability
- Based on discussion with Tweedie, installation of the culvert is now anticipated to occur November-December, or early 2025 before the new contract completion date of July 1, 2025, see Change Order No. 4 – No-Cost Time Extension below

- **Payment Request(s):**

Contract No. VL1-G-24 – General Construction (Tweedie Construction Services, Inc.)

- Payment Application No. 3 – Approved at the 9/19/24 meeting
- Payment Application No. 4 – Pending culvert installation work
 - **Change Order(s):**
 - **Change Order No. 1 – Polymer Coated Corrugated Steel Culvert Pipe**
 - Change Order No. 1 has been fully executed

- **Change Order No. 2 – BABAA Compliance**
 - Change Order No. 2 has been fully executed
- **Change Order No. 3 – Directional Drilling Sewer Installation**
 - Change Order No. 3 has been fully executed
 - Drilling completed July 3, 2024; final connection to sewer completed on 8/23/24 and partial Restoration completed 8/26/24
- **Change Order No. 4 – No-Cost Time Extension**
 - Change Order No. 4 has been sent to the contractor for endorsement
 - The fully executed change order will be distributed via email and hardcopies will be delivered to the Village Clerk when available
 - At the September 19, 2024 meeting, the Village Board authorize the Mayor to execute Change Order No. 4 to Contract No. VL1-G-2024, a no cost change order to extend the contract end date (Final Completion) from November 1, 2024 to July 01, 2025 (243-day extension).
- **Budget Review**
 - Budget currently available to apply to change:
 - Construction budget = \$808,269
 - Tweedie Base Bid = \$324,110
 - Change Order No. 1 = \$21,134
 - Change Order No. 2 = \$27,400
 - Subtotal Tweedie to date = \$372,644
 - Balance of Construction Budget = \$435,625
 - Project Contingency = \$85,900*
 - *included in Construction Budget per Schedule B in the OCR Grant Agreement
 - Balance of Grant Funds Available for Additional Work = \$349,725 with \$85,900 contingency preserved
- **Possible Additional Work/Pending Change Orders:**
 - Prepared project cost estimate spreadsheets and will review the scope of additional work and estimated cost with OCR, for eligibility of work and desired procurement procedures
 - Work may need to be bid as a separate construction contract
 - A conference call with Mark Blauer, OCR, and Dave B. is pending (not currently scheduled)
 - Once OCR determinations have been made, Delaware will provide a more detailed update to the Village for consideration
 - At the June 20, 2024 meeting the Village considered for possible additional work, and agreed to pursue Option 1 – Additional Sanitary Sewer Work, with an estimated Total Cost between \$230-250K
 - Options reviewed at the June 20, 2024 meeting
 - Options to Consider, may need to bid this work – subject to OCR review
 1. Additional Sanitary Sewer Work – **Desired Option**
 2. Paving of Rail Tail – **Not Selected**
 3. Other
 - **Option 1 – Additional Sanitary Sewer Work – Desired Option**
 - Replace 3 manholes and +/- 350 LF of existing vitrified clay pipe – from Rail Trail to West Lake Street
 - See Map of Proposed Additional Sewer Work

- Eliminates break prone vitrified clay pipe (I/I source near stream bed area)
- OCR has generally agreed to the proposed work, and will likely approve once a formal change request has been submitted
- Estimated Costs
 - Construction = \$200K
 - Additional Engineering = \$40-60K
 - **Total = \$240-260K**
- **Option 2A – Paving of Rail Trail (12’ wide) - Chestnut Street to State Street Gate – Not Selected**
 - Estimated Costs
 - **Total = \$521-541K**
- **Option 2B – Paving of Rail Trail (12’ wide) – Chestnut Street to State Street Gate**
 - Estimated Costs
 - **Total = \$417-437K**
- **Option 2C – Paving of Rail Trail (12’ wide) – Spur Street to State Street Gate**
 - Estimated Costs
 - **Total = \$307-327K**
- **Next Steps**
 - Hold conference call with OCR to review the scope of additional work and estimated cost for eligibility of work and desired procurement procedures
 - Once OCR determinations have been made, Delaware will provide a more detailed update to the Village for consideration

5. 2024 OCR CDBG Application – North Main Street Water main Replacement

- Board Action Required at Tonight’s meeting:
 - None
- Project on hold, pending successful CDBG Grant award announcement, typically November – December

6. DPW Site Groundwater Monitoring/DPW Garage Site/Elm Street Well Remediation

- LaBella no longer NYSDEC contractor as of January 2024
- On 9/5/2024 NYSDEC responded to the Village’s request for the recent sampling reports (from September 2023 to date), and informed the Village that:
- NYSDEC is still in the process of hiring a new contractor. Therefore, no sampling has been conducted since last December. NYSDEC will soon have a consultant assigned to the three open Liberty spills to restart the monitoring program and continue the investigate and evaluate of the Elm Street Well.
- NYSDEC will inform the Village once we have a consultant hired.

- **Elm Street Well Remediation**

- NYSDOH issued a comment letter on August 8, 2024. Under review with the Village.
- A meeting with NYSDEC Region 3 was held on 10/10/24 to review and discuss what had happened where the Village stood, what the Village wanted to accomplish.

- **7. WWTP SPDES Permit Renewal**

- SPDES Permit under review by NYSDEC
- Draft (for public comment) & Final Permit pending

- **8. Pepsico/Frito-Lay**

- **Pre-treatment Improvements/Wastewater Consolidation Related Items**
- On 9/13/2024 MHE on behalf of Pepsico/Frito-Lay requested a status update on the review of Phase 1 Improvements
- Working with Dave Burke to finalize response to Pepsico

- **9. Sanitary Collection System I/I Investigations/EPG Application**

- Board Action Required at Tonight's meeting:
- None

- **Project Funding**

- All required checklist items submitted to NYSEFC on 8/16/2024
- Grant Agreement from NYSEFC is pending
- NYSEFC should be contacting the Village to schedule a scoping call as the next step toward closing a grant agreement. The purpose of the call is to discuss the engineering report scope proposed in the agreement attached and the schedule. Outstanding items that still need to be submitted to enter into a Grant Agreement with EFC will also be reviewed
- Based on the 2/16/24 Award Notification Letter, the Village must enter into a Grant Agreement by September 30, 2024. More recent correspondence with NYSEFC indicates that to receive a Grant Agreement from NYSEFC is a two (2) to three (3) month process from receipt of all checklist items, and the Village should be within this window
- Overall, the goal is to develop an I&I report to do a capital project that is funded by State (SRF & WIIA) and Federal (BIL) funds
- SRF&BIL application deadline is May 30, 2024 (Financing applications, and new project listing deadline) and WIIA application deadline is typically June-July
- This next funding application will be the last for the BIL funding
- Note, funding for this project is being provided through NYSEFC and the Village is required to commit matching funds equal to 20% (\$10,000) of the grant award
- Grant Payments to the Town, with invoices and cost documentation, are as follows.
 - 25% of grant amount (\$12,500) upon Execution of Grant Agreement
 - 25% of grant amount (\$12,500) upon Engineering Report Submittal
 - 50% of grant amount (\$25,000) upon Engineering Report Acceptance

- The Village needs a plan to have funds in place to pay for all services (\$60,000), until grant is fully reimbursed
- Excerpt from 2023 EFG Grant Summary:
Grant Payments

Grants are disbursed in three or more payments based on the municipality's progress toward completion of an approvable engineering report. The municipality will receive the first disbursement in the amount of 25% of the total grant amount as an advance payment upon execution of the Grant Agreement with EFC. The second disbursement in the amount of 25% of the total grant amount will be made to the municipality when an approvable engineering report has been submitted for review. Note invoices and cost documentation is needed at this time. The third and final disbursement will be made once the engineering report has been accepted as complete by EFC/DEC and the remaining invoices have been submitted.

- The EPG Grant Program is a expenditures reimbursement program, not disbursement like the SRF Program (WWTP Upgrade Phase 1), so the Village needs to expend/incure costs to complete work before the Village can get reimbursed for the balance beyond the initial 25% of grant amount (\$12,500) disbursed upon Execution of Grant Agreement
- In order for our work to proceed, and to be able to apply for SRF/WIIA (state) and BIL (federal) funding next May, we recommend that the Village agrees to set up and fund an account for \$60,000 this month.
- **A/E/ Professional Services Procurement**
- Procurement/Professional Services process for Architectural and Engineering (A/E), and execution of an Engineering Agreement was completed on 8/15/24
- Engineering Agreement currently with NYSEFC for approval
- **Project Schedule**
- The anticipated schedule is as follows:
- Adopt Board Resolutions March 16, 2023 (A)
- Submit NYSCFA EPG Funding Application August 11, 2023 (A)
- Award Announcement February 15, 2024 (A)
- Award Letter received by Village February 16, 2024 (A)
- Award Acceptance Form Submitted March 4, 2024 (A)
- Authorize the Village Clerk to publish the legal notice for RFQ March 7, 2024 (A)
- Deadline to submit an executed Award Acceptance Form March 8, 2024 (A)
- EPG Checklist of Supporting Documentation received by Village March 13, 2024 (A)
- Village adopts updated Board Resolutions and Plan of Finance March 21, 2024 (A)
- RFQ for A/E Procurement May - August 2024 (A)
 - Provide RFQ Legal Notice to the Village May 16, 2024 (A)
 - Village to publish the legal notice May 24, 2024 (A)
 - Deadline to submit RFQ/SOQ June 21, 2024 (A)
 - Village Clerk to distribute and Board to review RFQs/SOQs July 18, 2024 (A)
 - Village Board to score RFQ/SOQ and select firm July 18, 2024 (A)
 - Engineering Contract Submitted to Village August 14, 2024 (A)

- Execute Agreement with selected firm (at Board meeting) August 15, 2024 (A)
- Submit EPG Checklist & Supporting Documentation August 16, 2024 (A)
- Deadline to submit EPG Checklist Supporting Documentation August 31, 2024 (A)
- Execute PFA (See Project Funding above) September - November 2024 (T)
- Deadline to Execute Grant Agreement September 31, 2024 (A)
- Local Funding Needed (\$60,000) November 2025 (T)
- Complete I/I Engineering Report October 2024 – April 2025 (T)
- Field Work (CCTV & Investigations) November 2024 (T)
- Execute Grant Agreement by January 31, 2024 (T)
- Village Review of the I/I Engineering Report May 2025 (T)
- Submit the I/I Engineering Report to NYSEFC by May 30, 2025 (T)
- New project listing deadline for the FFY 2026 IUP (PER) & SRF Application May 30, 2025 (A)
- WIIA Application Deadline June – July 2025 (A)
- Deadline to Complete I/I Engineering Report (2-year period) September 2026 (A)
- I&I work and reporting to occur October 2024 – May 2025 (T)
- **I&I Study Engineering Work Status Update**
- Working on base system map
- Plan to solicit subcontractors provide cleaning and closed-circuit television (CCTV) inspection services, pending execution of the Grant Agreement with NYSEFC
- Need funding in place to pay subcontractors
- Working with Dave B., Mark & Rebecca, and Lynn to develop a list of target areas for CCTV work and Highlight/note locations of planned cleaning/CCTV work on the system map
- Continuing to summarize WWTP flows and precipitation
- More work pending
- **Other I&I Work**
- Smoke testing scheduled with NYRWA for July 9, 10, & August 27, and October 23, 2024
- The results of these investigations will be shared with Delaware to be incorporate into the I&I Study

10. Lead & Copper Rule Revisions service line inventory requirements

- **Board Action Required at Tonight's meeting:**
- **Consider adopting the Liberty (V) LSLI (DWSRF Project No. #19636) Grant Acceptance Resolution**
- **Project Funding**

- The SRF Acknowledgement and Acceptance Form, SRF Application, and Engineering Services agreement have been submitted to NYSEFC for review
- **Grant Agreement pending Grant Acceptance Resolution**
- **NYSEFC is requiring a Board resolution officially accepting the Grant (of up to \$845,609) to complete the inventory**
- **If the Village desires to proceed with the Grant (of up to \$845,609) to complete inventory, then we recommend that the Village adopt the Liberty (V) LSLI (DWSRF Project No. #19636) Grant Acceptance Resolution (attached).**
 - **Excerpt from the Grant Acceptance Resolution: *The Village of Liberty accepts the BIL-LSLR Grant Award (DWSRF# 19636) of up to \$845,609.***
 - In April 2024 the Village adopted a resolution that authorized the Village Mayor to confirm acceptance and intent to proceed with this funding by completing and signing the Acknowledgement and Acceptance of BIL-LSLR Funding Award (DWSRF# 19636), and
 - In August 2024 the Village adopted August 15, 2024, the Village adopted a resolution authorizing the Village Mayor to sign the SRF Application Form and for Delaware Engineering D.P.C. to submit the application on behalf of the Village.
- All other required documents have been submitted to NYSEFC

Table 5.0-1 Project Budget Summary

PROJECT TASK:	ESTIMATED TOTAL PRICE:
A. RECORD SEARCH, REVIEW, & MAPPING SUBTOTAL =	\$29,610
B. PUBLIC OUTREACH SUBTOTAL =	\$29,659
C. BID DOCUMENT PREPARATION AND ADMINISTRATION SUBTOTAL =	\$25,500
D. FIELD INVESTIGATION, INSPECTIONS, AND POT-HOLING SUBTOTAL =	\$564,000
E. DOCUMENT PREPARATION WORK SUBTOTAL =	\$25,750
F. OTHER (FISCAL SERVICES, BOND COUNSEL, ETC.)	\$23,000
G. SUBTOTAL =	\$697,519
H. PROJECT CONTINGENCY (10% OF ESTIMATED PROJECT COSTS) =	\$69,752
I. SRF ISSUANCE COSTS (3%) =	\$23,018
J. SHORT-TERM FINANCING COSTS (ASSUMING 7% INTEREST) =	\$55,320
K. TOTAL ESTIMATED COSTS =	\$845,609

- **Project (Inventory) Status Update**
- **The initial inventory was submitted to NYSDOH on 10/15/24**
- **Consumer Notification (Tier 2) due by November 15, 2024. Village will need to do a mailing to get the notification to all customers**
- Continuing to assist Village on the initial inventory for the October 16, 2024 deadline, and final inventory for the 2025 Deadline
- In addition to complying with the current Lead and Copper Rule (LCR), water systems must comply with the following provisions under the Lead and Copper Rule Revisions (LCRR) by October 16, 2024:
 - **Initial lead service line inventory** (inventory) submission requirements – **Complete**
 - **Consumer notification** of known/potential lead service line and **associated reporting requirements (Tier 2) - In Progress**

- Initially, within 30 days of the completion of the initial LSL inventory (Due by October 16, 2024), the Village must provide the following notification to every customer with an LSL, GSLRR, or unknown SL.
- You must repeat the notification annually until the entire service connection is no longer an LSL, GSLRR, or unknown SL. For new customers, you need to provide the notice at the time-of-service initiation.
- **Notification requirements:**
 - **Provide notification to persons served by the water system at the service connection with an LSL, GRR, or lead status unknown service line.** If the water system serves communities with a large proportion of non-English speaking consumers, as determined by the state, public education materials must be in appropriate languages or contain a telephone number or address where persons served may contact the water system to obtain a translated copy of the materials or to request assistance in the appropriate language.
 - **Timing: Notification within 30 days after completing of initial inventory (by November 15, 2024) and repeated annually until only non-lead remains.** For new customers, water systems must also provide this notice at the time of service initiation.
 - **Content:** Statement about service line material, lead health effects, and steps to minimize lead exposure in drinking water. If:
 - Confirmed LSL, must include opportunities to replace the LSL, any available financing programs, and statement that the system must replace its portion if property owners notify the system they are replacing their portion.
 - GRR, must also include opportunities for service line replacement.
 - Lead status unknown, must also include opportunities to verify the material of the service line.
 - **Delivery:** By mail or by another method approved by the state.
 - **Reporting to states:** Demonstrate that the water system delivered the notification and provide a copy of the notification and information materials to their states annually by July 1 for the previous calendar year.
- **Tier 1 public notification for lead action level exceedance and associated reporting requirements**
 - **Effective October 16, 2024, Lead Action Level Exceedances will require Tier 1 public notification and certification that the required Tier 1 public notification was completed.** Such notification will be required within 24 hours of the system determining that a Lead Action Level Exceedance has occurred by downloading and using the 90th percentile calculator
- Delaware Staff is working with Dave Burk to prepare the required **Consumer Notification (Tier 2)**. **Village will need to do a mailing to get the notification to all customers**

- Tier 1 public notification for lead action level exceedance and associated reporting requirements should be addressed by Village Staff at the time of exceedances
- **SEQR**
- SEQR Type II Resolution Complete August 15, 2024 meeting
- **A/E/ Professional Services and Contract Execution**
 - **Engineering Services Agreement submitted to NYSEFC on 9/19/24 – Approval pending**

Contract Execution and Negotiation

- Contract Execution and Negotiation was completed on 9/19/24
- At the September 19, 2024 meeting the Village Board authorized the Village Mayor to execute Delaware Engineering, D.P.C.’s Professional Services Agreement for engineering/professional associated with the Lead Services Line Inventory (DWSRF Project No. 19636), for a total not to exceed cost of \$272,019, and authorized the Village Mayor to sign the Certification for Architectural/Engineering Services Procurement (NYSEFC form) for the Professional Services Agreement with Delaware Engineering, D.P.C. dated 8/15/24 for engineering/professional associated with the Lead Services Line Inventory (DWSRF Project No. 19636)

SCOPE & COST OF PROFESSIONAL SERVICES

Delaware will provide the following professional services for the project:

Task 1 – Record Research, Review and Mapping	\$29,610
Task 2 – Public Outreach	\$29,659
Task 3 – Bid Document Preparation & Administration	\$25,500
Task 4 – Field Investigations/Inspection	\$146,500
Task 5 – Inventory and Summary Document Preparation and Submittal	\$25,750
Task 6 – Subcontract Services	
• Financial Administration	\$15,000
• Total Professional Services	\$272,019

- A detailed description of services that Delaware will provide under each task is contained in the agreement
- Funding for this project is being provided through the NYS Environmental Facilities Corporation (NYSEFC) and 100% of the eligible project costs will be reimbursed by the grant. There is no commitment of local funds required.
- All costs in this agreement are the same as presented in the Engineering Report Appendix A - Project Budget Estimate (attached), that was used to secure the \$845,609 grant award to complete the Water Service Line Inventory for the Village water system.

11. WWTP Clarifier Drain Valve Replacement

- Clarifier No. 1 drain valve (8" plug, buried 22' deep) has failed and won't operate to drain the tank, and the exact reason is unknown
- Eastman has completed WWTP Upgrade punchlist work in this clarifier
- **Since the last meeting, and since Eastman's work has been completed, Village staff decided that this clarifier can now be put online for the winter, to avoid groundwater and freezing issues for the winter, until the drain valve can be repaired**
- Cost to replace the valve will exceed \$35K for construction and will need to be publicly bid (General Municipal Law)
- Final scope and cost not fully established (e.g., just dig and replace valve, put valve in a structure to facilitate future access, type of valve, etc.), so project cost is yet to be refined; but overall budget is likely to be between \$70-120K, for construction and additional costs will be incurred for engineering work
- **The Village has the following options (choose one):**
 - Option 1 – No Action – will require WWTP staff to pump out clarifier when necessary
 - Option 2 – Bid – Estimated Cost \$70-120K
 - Option 4 – Budget for FY 2026 – Estimated Cost \$70-120K
 - Option 3 – Include in Phase 2 WWTP Upgrade (schedule >2025) – Estimated cost \$75K
- **Which option does the Village want to do now?**
- Does the Village want Delaware to prepare a bid package, including legal notices, General Condition, Bid Form, Prevailing Wage Schedule, valve specification, etc., to get pricing the valve replacement for Village consideration?
- If yes, how does the Village want to proceed?
 - On Time and Materials (T&M) under the 2024 General Services Agreement, or
 - Provide the Village with an agreement with a not-to-exceed cost, for bid package preparation, bidding, and minor engineering and construction oversight, for Village consideration at next month's meeting?

12. Attachments:

- Lead & Copper Rule Revisions service line inventory
 - Liberty (V) LSLI (DWSRF Project No. #19636) Grant Acceptance Resolution

13. Other Drawings/Handouts/Items Reviewed at Meeting but not attached:

- WWTP Upgrade Phase 1
 - Payment Applications
 - General Contract No. VL1-G-21 for Eastman - Payment App. No. 23 (Final)
 - Closeout
 - General Contract No. VL1-G-21 for Eastman – Project Closeout Package

B. Discussion on moving Bus Stop

Trustee Mir stated that he has received an email from the engineers stating that they did not have a problem with moving the bus stop on the corner of Lake Street. We will need a work permit and they need to know who will be doing the work. Trustee Mir stated that he would like to meet with Lynn Barry and try to include Coach USA. He is hoping that Coach will help. Trustee Mir also stated that the State DOT is starting work next week and that they marked the curbing all the way to Mirabito gas station. If they plan on taking up the sidewalks, there is no point in moving the bus stop now.

Mayor Stoddard asked if there is any way to find out for sure what the DOT's scope of work is?

Gary Silver stated that we can find that out.

Trustee Mir stated that he showed the plans and engineering at the last meeting from the DOT and the plans show the bus stop in the same location that we chose.

C. Update from Village Attorney – Tax Parcel 120-1-3

Mayor Stoddard stated that we need to get in touch with the legislator in order to get the taxes forgiven. Mayor Stoddard will contact our legislator and some others as well. We should know in a week or two.

D. Update on Subcommittees

-Peddlers Permits- Trustee Mills and Trustee Feasel

Trustee Mir stated that there are a few vendors in the audience. Trustee Mir stated that the Board has been discussing the current law and that having to move every 15 minutes is just not feasible.

Gary Silver stated that we need to either allow the peddlers or we need to change the law to be more feasible.

Chief D'Agata stated that he is holding up the applications of the two vendors that are here tonight because the law just isn't feasible. Chief D'Agata stated that the Board is working on changing the law.

J.I. Patel asked about setting up his food truck at the ShopRite Parking lot or in the DSS building over by Hanofee Park.

Mayor Stoddard stated that the DSS building is in the Town of Liberty, not the Village so we don't govern that.

Yna Manzi asked if this law would pertain to her ice cart?

Chief D'Agata replied yes.

Mayor Stoddard explained the process of changing a law and how we need to follow certain steps. We need to get a draft law put together and schedule a public hearing.

Gary Silver stated that a law needed to be drafted and we have to wait 10 days before we can vote to have a public hearing scheduled.

Mayor Stoddard asked that we work on the draft law and have it ready for review on November 7, 2024. If we have it by then, we can possible schedule a public hearing for November 21, 2024.

- Speed Reduction – Mayor Stoddard and Trustee Lake
- Parking – Trustee Mir
- Noise Ordinance – Trustee Mills and Trustee Feasel

Trustee Feasel stated that he and Trustee Mills need to meet to discuss the Noise Ordinance and the Peddler's Permits. He suggested a Zoom meeting. The Zoom meeting will take place on Tuesday, October 22, 2024 at 6:30 p.m.

- HONK – Mayor Stoddard and Trustee Lake

E. Discussion on Adjustments to Water Fund Rates/Fees

Mayor Stoddard stated that Judy Zurawski put together some numbers that was included in your packets. Mayor Stoddard stated that this may help by getting people to pay their bills faster. Mayor Stoddard stated that we need to be able to cover the costs to the Village ie: employee time, gas etc. Mayor Stoddard suggested the Board look at the proposed increases and decide. Mayor Stoddard stated that we need to do this sooner than later.

Dave Bunce stated that what is being proposed at \$1.07 doesn't cover the costs. The proposed increase to \$1.07 only decreases the deficit and does not bring in any money. We are still at a deficit, just a smaller deficit.

Mayor Stoddard asked Dave Bunce if he can meet with Judy Zurawski to go over the numbers? Dave Bunce will meet with Judy Zurawski on Tuesday, October 22, 2024 to go over the numbers.

F. Discussion on Administrative Tribunal – Department of Health

Gary Silver asked that we respond to the Department of Health as quickly as possible. Gary Silver stated that if we have a meeting to discuss items that

have anything to do with the Department of Health or if we fix a water issue or leak that we should be sending an email immediately to the Department of Health immediately. Gary Silver stated that any positive action that we take should be reported. Gary Silver also stated that there should be regular meetings.

NEW BUSINESS:

- A. Authorize Mayor Stoddard to sign a letter of support for Round 2 of the NY Forward Initiative

Trustee Mir made a motion to approve with a condition that this money would be for the community and not for individuals. Trustee Feasel seconded. Motion carried unanimously.

BILLS FOR PAYMENT:

Vouchers for payment

Voucher #355 to Voucher #440 in the amount of \$247,019.00

Trustee Feasel made a motion to approve. Seconded by Trustee Mills. Motion carried unanimously.

CDBG RAIL TRAIL PROJECT #642PR120-23

Delaware Engineering - \$8,070.12

Trustee Mir made a motion to approve. Seconded by Trustee Feasel. Motion carried unanimously.

CWSRF Project No. C3-5352-02-00

Eastman Associates - \$132,900

EXECUTIVE SESSION:

There are no items to discuss.

ADJOURN: Motion by Trustee Mills, seconded by Trustee Feasel and unanimously carried to adjourn the meeting.

THE MEETING WAS ADJOURNED AT 8:05 P.M.

RESPECTFULLY SUBMITTED,

DENISE CORBETT, SECRETARY TO THE BOARD