

## **WORKSESSION MEETING**

**APRIL 20, 2023**

The Board of Trustees held the Worksession Meeting on April 20, 2023 at 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 Eveleese Lake. Also Present: Gary Silver, Attorney for the Village and Judy Zurawski, Clerk/Treasurer.

**ABSENT:** Trustee Joe Aracci

**ALSO PRESENT:** Police Chief Steven D'Agata, David Ohman (Delaware Engineering), Monty Heimlich, Abraham Weiderman, Town of Liberty Supervisor Frank DeMayo, Stephen Lavelle and Wendy Chablis.

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

### **REGULAR MEETING - March 6, 2023**

Motion by Trustee Mir, seconded by Trustee Feasel and unanimously carried approving the following minutes:

### **ORGANIZATIONAL MEETING – April 3, 2023**

Motion by Trustee Mir, seconded by Trustee Feasel and unanimously carried approving the following minutes:

### **PUBLIC HEARING - April 6, 2023**

**CORRESPONDENCE:** Mayor Stoddard said the Village has received the following correspondence.

- ❖ Update from Police Department Re: Street Lights

**PUBLIC COMMENT:** Mayor Stoddard opened the meeting to Public Comment.

#### **Stephen Lavelle – Balsam Drive**

Stephen Lavelle (Balsam Drive) dropped off the Notice of Claim for the damage done to his retaining wall by the Village snowplow.

#### **Frank DeMayo – Town of Liberty Supervisor**

Town of Liberty Supervisor Frank DeMayo commented on the following matters:

- ❖ Asked the Board to let him know if they knew of a local veteran that would like to be a Keynote Speaker at the Memorial Day Service.
- ❖ Discussed the Intermunicipal Agreement for LaPolt Park and said the Town would like the property transferred to them or they need to modify the indemnification and insurance provisions in the proposed agreement.
- ❖ Asked about a meeting to formulate ideas for Creekside Park.

Mayor Stoddard said the Village will be represented by Trustee Lake and Trustee Aracci.

- ❖ Presented the Village with a sample of a False Alarm Ordinance that another municipality is using.
- ❖ Discussed the importance of making a decision about Main Street apartments. He said there are about 240 to 250 parking spaces available.

Supervisor DeMayo said they are continuing to work on the Two Million dollar grant for the Green Building, of which there is interest in having twenty to forty apartments along the Main Street corridor in that area.

### **Village of Liberty Police Chief D'Agata**

Police Chief D'Agata introduced Wendy Chablis to the Board. Wendy is one of the interns working at the Police Department and has been learning in many aspects of the police work.

## **TABLED DELAWARE ENGINEERING – UPDATE ON PROJECTS** **BUSINESS:**

David Ohman presented the following report:

### **1. Lily Pond Road Bridge Waterline**

- Board Action Required at Tonight's meeting:
  - Review status/what's left to do
  - Permanent Watermain Piping – Authorize Village Clerk to issue a purchase order for \$16,500 to C&K Insulation to provide remaining insulation on flexible coupling and spool pieces
- **Construction Status Update**
  - All looks good at temporary crossing
  - The County has completed all bridge work, and reopened the road
- The temporary watermain has been installed and was put into service on 8/22/22.
- Remaining to be completed includes:
  - Investigate leak on the south end; address leak and replace valve? This work may require Village temporary water service to some Parksville area – Village's plan to do so will be confirmed in advance of performing this work.

- Pressure/leak testing, disinfection testing, complete insulation of piping, demo and removal of temporary structures/items and site restoration.
- Investigating the leak today (April 20, 2023)
  - No service interruption planned
  - Osterhoudt doing the digging
  - County posting road for closure
  - Village to supply material needed to backfill the hole and Ken Hessinger (D License) to be on-site; Delaware's Dennis Bacon to be there as well.
  - If leak can be fixed today then will proceed to wrap up remaining work
  - If leak cannot be fixed simply, plan to fix it will be developed.
- Complete Insulation of Exposed Pipe
  - More insulation (and aluminum jacket) is needed on flexible coupling, and on spool pieced on both end of the flexible coupling.
  - C & K Insulation provided a proposal for \$16,500 to install fit tight insulation cover and insulate remaining pipe with 2" Polysio and embossed aluminum. New DI pipe came pre-insulated, above fitting came with insulation kits (insulation and aluminum jacket)
  - The proposed work is necessary to complete the planned work based on the availability of this service and timing required to complete the work
  - **If the Village finds the change acceptable, we recommend that the Village Board resolve to:**
    - **Authorize Village Clerk to issue a purchase order for \$16,500 to C & K Insulation to provide insulation on flexible coupling and spool pieces in accordance with their April 5, 2023 quote.**
- Payments to Vendors & Contractors
- Temporary Watermain Invoices
  - C & M #1 – Temporary Watermain HDPE Pipe = \$2,168.00 - Paid
  - C & M #2 – Temporary Watermain Materials including returned items – \$4,256.98 - Paid
  - Vari-tech – Temporary Watermain HDPE Pipe Vari-Tech PO Approved at 06/02/22 Mtg. - Paid
  - SCDPW Support System and Anchors – **IMA/Invoice Pending**
  - Osterhoudt – Temporary Watermain Installation - \$24,715.44 – Paid
  - White Cap – Temporary Watermain Frost Blankets = \$377.14 – Paid w/Village CC
- Permanent Watermain Invoices
  - C & M #1 – Permanent Watermain Pipe and Materials = \$32,667.50 - Paid
  - C & M #2 – Permanent Watermain DI Pipe & Materials = \$23,686.40 – Paid
  - C & M #3 – Permanent Watermain Flex Joint = \$14,375.00 – Invoice Paid
  - Sherburne Steel Sales – Permanent Watermain Beam = \$8,425 – Paid
  - **C & K Insulation – Flexible Joint Insulation =\$16,500 – Pending Board Approval**

### ESTIMATED COST SUMMARY

	April 20, 2022 Bid Results	May 2022 Estimated/Budget Cost	November 2022 Estimated Cost Osterhoudt
<b>Temporary Water Main</b>	-		-
<ul style="list-style-type: none"> <li>• Piping Materials (Village direct purchase)</li> <li>• C&amp;M Invoice #1 Temporary Watermain HDPE Paid</li> <li>• C &amp; M Invoice #2 Temporary Watermain Matls Paid</li> <li>• Vari-tech PO Approved at 06/02/22 Mtg – Paid</li> <li>• White Cap PO Frost Blankets - Paid</li> </ul>	-	\$15,000	- \$2,168.00 \$4,256.98 \$2,648.00 377.14
<ul style="list-style-type: none"> <li>• Support System and anchors (SCDPW)(cost pending)</li> </ul>	-	\$25,000	\$ 25,000 (cost pending)
<ul style="list-style-type: none"> <li>• Fuse and Install Piping Materials &amp; appurtenances, &amp; testing (H. Osterhoudt) - Paid</li> </ul>	-	\$25,000	\$24,715.44
<ul style="list-style-type: none"> <li>• Misc. Other Cost</li> </ul>	-	TBD	TBD
<b>Permanent Water Main</b>	-		-
<ul style="list-style-type: none"> <li>• Piping Materials (Village direct purchase)</li> <li>• C &amp; M Invoice #1 Permanent Watermain Insulated Pipe - <b>Paid</b></li> <li>• C &amp; M Invoice # 2 Permanent Watermain DI Materials – <b>Paid</b></li> <li>• C &amp; M Invoice #3 Perm Flex Joint - <b>Paid</b></li> </ul>	-	\$40,506	\$32,667.50 \$23,750.50 \$14,375.00
<ul style="list-style-type: none"> <li>• Support - Beam (Sherburne SS) – <b>Paid</b></li> <li>• <b>C &amp; K Insulation – Flex Joint Insulation –</b> Pending Approval</li> </ul>		\$8,425	\$ 8,425 \$16,500
<ul style="list-style-type: none"> <li>• Install Piping, Materials &amp; appurtenances, support system and testing (SCDPW) (Cost Pending)</li> </ul>	-	\$25,000	\$25,000 (cost pending)
<ul style="list-style-type: none"> <li>• Technical oversite and assistance for installation of permanent water main and to resolve issues with leakage testing and disinfection (H. Osterhoudt Excavating Inc., Day Rate During Construction)</li> </ul>	-	\$ 3,500/Day Assume 2 Wks/10 Days \$35,000	\$ 3,500/day Assume 2 ppl,2 Wks/10 Days = \$35,000 (cost pending)
<ul style="list-style-type: none"> <li>• <b>Permanent water main leakage testing, disinfection and sampling (H. Osterhoudt Excavating Inc., Lump Sum</b></li> </ul>	-	\$ 5,000	\$ 5,000 (Cost Pending)
<ul style="list-style-type: none"> <li>• Misc Other Cost</li> </ul>		\$ TBD	\$ TBD
<b>Total Construction Cost</b>	<b>\$259,000</b>	\$ TBD TBD	\$ TBD \$ TBD
<b>Other Miscellaneous Costs</b>			
<ul style="list-style-type: none"> <li>• Engineering (Delaware Engineering D.P.C.)</li> </ul>		TBD	TBD
<ul style="list-style-type: none"> <li>• Village Attorney (Legal Counsel)</li> </ul>		TBD	TBD
<b>Contingency</b>	-	TBD	TBD
<b>Total Village Budget Paid to Date</b>	<b>\$ 259,000</b>	<b>\$179,931</b>	<b>\$219,884</b>
<b>ESTIMATED BALANCE TO FINISH</b>			<b>\$113,384</b> <b>\$106,000</b>

Based on February 2023 discussions with the County, their cost may be less than budgeted above.

## 2. WWTP Upgrade

**Board Action required at tonight's meeting:**

- WWTP Phase 2
- None

- **WWTP Phase 1**
- Consider Applications and Certificate for Payment for approval:
  - Payment No. 12 from General Contractor – Eastman Associates, Inc. - in the amount of \$121,177.23
  - Payment No. 7 from Electrical Contractor – J & J Sass Electric Inc., in the amount of \$135,356.57
  - Payment No. 8 from Plumbing Contractor – Treffeisen in the amount of \$4,113.50
- **Consider Change Order No. 5 for the General Contract related to roof cost increase**

### **For the Enhanced Sludge Project – Phase 2**

- **The Village Clerk forwarded Notice of Bond Resolution (for supplemental resolution from March 16 meeting to adjust project cost from \$7.1 to \$9.9M) for publication on March 24, 2023**
- **Delaware is working on a PER (Preliminary Engineering Report) Amendment to increase the cost of the Phase 2 project from \$7.1M to \$9.9M including Phase 2 and Septage Receiving (which we plan to include as a bid alternate) , and update the schedule.**
- **We plan to have this ready for the Village to review at the May 18 meeting and Village can adopt a resolution that the PER has been reviewed and accepted and approved for submission by Delaware Engineering in the Village’s behalf for submittal to NYSEFC by June 16, 2023**
- **Clean Water State Revolving Fund (CWSRF) Funding Submittal – also covers BIL funding request:**
  - All items need to be in by June 16, 2023
    - Revised PER – in progress
    - PLUS IUP Listing update – waiting for forms
    - New financing application – waiting for forms
    - BIL funding requirements/forms/boxes? (not defined yet)
  - WIIA Grant Funding (25% grant)
    - Application materials have been announced to be available on May 1
    - Deadline to submit application is TDB but we are assuming this may be needed for June 16
    - Required submittals include:
      - Supplemental Bond Resolution – process almost complete
      - New WIIA application form – waiting for application
  - Upcoming Important dates;
    - April 15, 2023 – Bond Resolution is Effective (30 days after Adoption of Bond Resolution)
    - By April 13, 2023 – Village Clerk to forward Estoppel Notice for Publication
    - April 18, 2023 – Publication of Estoppel Notice
    - SRF and maybe WIIA? Application Deadline June 16, 2023
- **Update/Review of Project Progress for Phase 1 WWTP Upgrade:**
- **Construction Schedule**
- **Completion Date: All WWTP Upgrade work planned to be substantially and fully complete and operational by August 2023 – construction has been pushed 3-4 months beyond planned duration.**

## **CONSTRUCTION CONTRACTS**

### ▪ **Summary of Contractor Work**

General- Eastman Associates, Inc. (Contract No. VL1-G-21-General Construction)

- Control Building, Influent Building & Sludge Building Improvements
  - Brick cleaning and pointing - May require additional attention
  - Painting of building façade – Pending
  - New roof installation – Pending May 2023
- Influent Chanel Process Improvements
  - Grit Tank Work (screen, collector, gates, diffusers)
  - Grit – Grit Classifier, start startup (Complete), punch list items open
  - Gates – Complete
  - Mechanical Screen - Complete
- Grit Blowers (2) – Complete, second blower pending
- Influent Area Utility Mark out – Work Complete by J & J Sass Utility Location Services, Eastman Associates to maintain markings during project
- Influent Building Process Improvements
  - Stormwater Tank Recirculation Pump – Complete
  - Stormwater Tank Pumps (2) – Complete
  - Other Work (e.g process pumps and piping, etc.) - Pending
- Secondary Clarifier Process Improvement
  - Valve Replacement – Complete
  - Clarifier Equipment Preliminary Demolition – Complete
  - Clarifier Equipment Full Demolition – Complete
  - Clarifier Tank Repair – Complete
  - Clarifier Equipment Painting – Touch painting remaining, waiting on weather
  - Clarifier Equipment Installation – Complete
  - New Grating Installation – Ongoing
  - Existing Clarifier Improvements - Pending
  - Site restoration – Pending
- Sludge Building Process Improvements
  - PAC Tank installed, piping and controls – Ongoing
    - Eastman continues to work with Village Staff to maintain WWTP treatment process until chemical feed system is complete
  - RAS Pump #2 Installed – Electrical Connection (temporary)
  - RAS Pump #3 Installed – Electrical Connection (temporary)
  - RAS Pump #1 Pad (pump, pad & valves) – Pads, Valves complete, Electrical Connection (temporary)
  - RAS Pump Control Panel – Panel installed, startup pending new building electrical service completion
  - Effluent water system feed (for future/Phase 2) – Work Complete

- NPW Pumps (2) – Pending (Pumps and CP on site)
- WAS Pumps (2) – Concrete pad work started, installation
- Post Aeration Blowers – Blowers & piping complete, startup pending
- Belt Filter Press – Delivery anticipated late June
- Stormwater Retention Basin Improvement – Work Complete
  - New Electrical Building
    - Floor Slab – Work Complete
    - Siding – Mostly Complete
    - Interior finished – Work Complete
    - Access landing grating & railings – Work Complete
    - Roof installed, flashing & trim work - Pending
- Post Aeration Tanks (complete work by May 1, 2023 for SPDES compliance)
  - Gates – Work Complete
  - Existing equipment demolished, new equipment (diffusers, piping and blowers) installed, blower startup pending new Sludge Building Services
- SCADA & Instrumentation- Work planned to be done by September
  - VFD's – Onsite except for one
  - Instruments – 90% of instruments onsite
- Site Work
  - Control Building PVC roof drain piping – Work Complete
  - Influent Area Utility Mark out – Work Complete, Eastman Associates to maintain markings during project
  - Sludge Building PVC roof drain piping – Work Complete
  - Generator Pipe Bollards – Coordinate installation with EC for generator delivery
- Yard Piping
  - Influent Area – 1" copper water line – Work Complete

Electrical Contract – J & J Sass Electric (Contract No, VL1-E-21-Electrical Construction)

- New Electric Building
  - Layout, sleeves and grounding grid
  - Power up temporary facilities
  - Installing under slab conduits – Work Complete
  - **New electrical power panels – Installed week of 4-10-23**
  - New generator transfer switch – Installed week of 4-10-23
  - Provide temporary E-Power for new electric service
  - New Generator – Shipment anticipated week of September 21
- Control Building
  - Install new outlets, switches, wiring, lighting and conduits - Ongoing
- Influent Building
  - Installing conduits for duct bank connection to buildings – Work Complete
  - Layout of new panel locations for new conduits – Work Complete
  - Installed new power panel – Ongoing

- Installing new lighting – Ongoing, 80% complete
- Sludge Building Service upgrade (CO#3) galv. Conduits – Work Complete
- Installing conduits for equipment – Ongoing, 90% complete
- Installing conduits for SCADA – Ongoing, 80% complete
- Sludge Building
  - Blower Room – Lights & Heating conduit – Ongoing, 80% complete
  - Post Air Blowers – Ongoing, 30% complete
  - Installing conduits for equipment – Ongoing
  - Installing conduits for SCADA - Ongoing
- Oxidation Ditch
  - Install new conduits & conductors to Ox Ditch mixers and CPs – Work Complete
- Secondary Clarifier – Connected with temporary power
- Site Work
  - New underground duct bank, layout complete, installation – Work Complete
- **New disconnect, four (4) received, 30a, 4X disconnects and 30a N12 tentative/anticipated delivery date is tentative/anticipated delivery date is 7/5/23. All other electrical equipment is onsite.**

Plumbing Contract – A. Treffeisen & Son, LLC. (Contract No, VL1-P-21 – Plumbing Construction

- Not onsite
- Sludge Building Water Service – Work Complete
- Control Building Kitchenet – Work Complete

HVAC Contract – A. Treffeisen & Son, LLC (Contract No. VL1-H-21 – HVAC Construction)

- Not onsite
- Provide schedule for new roof curbs (GC anticipates roof installation to start May 2023)
- Control Building heaters – Ongoing
- Electrical Building HVAC - Ongoing
- Influent Building heater installation (1) – Work Complete
- Sludge Building heater installation (2) – Ongoing, one heater installed, temporary power
- **NYSEFC Additional Funding**
  - The NYSEFC Closed on the PFA for the additional funding up to \$9.4M on 6/30/22
  - No further actions required....all set until long term closing
- **Payment Requests:**
  - **Contract No. VL1-G-21 – General Construction**
    - **Application and Certificate for Payment No. 12**
      - **The full application package provided to the Village Clerk under separate cover.**



- The total cost to date of \$965,023.49, equates to 51% of the contract price with a balance to finish, including retainage of \$924,282.50. .
    - We agree with the level of work completed to date and the costs presented therein. As such, we recommend that the Village resolve to authorize the Village Clerk to proceed to process Payment Application No. 7, to Electrical Contract No. VL1-E-21 for J & J Sass Electric Inc. for the period of March 1, 2023 through March 31, 2023 in the amount of \$135,356.57, 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.
  - **Therefore, should the Village agree with our recommendation, then we recommend the following:**
  - **The Village hereby resolves to authorize the Village Clerk to proceed to process Payment Application No. 7, to Electrical Contract No. VL1-E-21 for J & J Sass Electric, Inc. for the period of March 1, 2023 through March 31, 2023, in the amount of \$135,356.57 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.**
- **Contract No. VL1-P-21 – Plumbing Construction**
  - Application and Certificate for Payment No. 5
    - At the March 16 meeting Village resolved to authorize the Village Clerk to process Payment Application No. 5 to Plumbing Contract No. VL1-P-21 for A. Treffeison and Sons, LLC. for the period of February 1, 2023 through February 28, 2023, in the amount of \$24,015.62 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.
    - **No application and Certificate for Payment this month**
- **Contract No. VL1-HV-21 – HVAC Construction**
  - **Application and Certificate for Payment No. 8**
    - **The full application package provided to the Village Clerk under separate cover**
    - We have reviewed the Payment Application from A. Treffeisen and Sons, LLC, the contractor for the subject project, for the period of March 1, 2023 through March 31, 2023 in the amount of \$4,113.50, for partial payment for Mobilization/Bonds, Control Building Demo, NYSEFC Compliance and Stored for Change Order No. 1 – HVAC Modifications.
    - The total cost to date of \$61,900.10 equates to 49% of the contract price with a balance to finish, including retainage of \$63,387.68.
    - We agree with the level of work completed to date and the costs presented therein. As such, we recommend that the Village resolve to authorize the Village Clerk to proceed to process Payment Application No. 8, to HVAC Contract No. VL1-HV-21 for A. Treffeisen and Sons, LLC. for the period of March 1, 2023 through March 31, 2023 in the amount of \$4,113.50, 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.

- Therefore, should the Village agree with our recommendation, then we recommend the following:
  - The Village hereby resolves to authorize the Village Clerk to proceed to process Payment Application No. 8, to HVAC Contract No. VL1-HV-21 for A. Treffeisen and Sons, LLC. for the period of March 1, 2023 through March 31, 2023, in the amount of \$4,113.50, 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.
- **Change Orders**
  - Are now looking at remaining contingency, identified changes yet to be funded and possible more work to do as changes (e.g. paving) to use up contingency.
    - **Contract No. VL1-G-21 – General Construction**
    - **Change Order No. 1** – Add Bid Alternate Belt Filter Press work
      - Totaling \$763,000
      - Change Order sent to NYSEFC for approval on 3/1/22
      - Approved by NYSEFC on 6.24.22
    - **Change Order No. 2** – Update Davis Bacon Wage Rates
      - No Cost Change
      - Approved by NYSEFC on 6.24.22
    - **Change Order No. 3**
      - Totaling \$48,730.65 for:
        - Item 1 – Influent Building Grit Holding Area Unforeseen Conditions, Item 2 – Stormwater Pump Piping Modifications
        - Item 3 - WAS –Piping Modifications and Item 4 – NPW Supply Piping
        - Approved by NYSEFC on 9/21/22
    - **Change Order No. 4**
      - Totaling \$23,882.17 for:
        - Item 1 – Post Aeration Blower Piping, Item 2 – Emergency Generator Bollards
        - Item 2 – WAS Piping Modifications, and Item 4 – NPW Supply Piping
      - Approved by NYSEFC on 11/30/22
    - **Change Order No. 5**
      - The full change order package has been provided to the Village Clerk under separate cover
      - Excerpts of WWTP General Contract No. VL1-G-21 for Eastman – Change Order No. 5 – Roofing Material Cost Increase.
      - **Eastman has requested additional contract funds to address roofing material cost increase (between bid pricing and actual contract award November 2021 – February 2022) due to the delay of bid award in order to do supplemental bond resolution**

**to revise the project cost to include the left press work and revised financing as required to get NYSEFC to allow for award of the construction contracts.**

- Eastman has provided backup documentation, including scope, costs and other supporting information, provided on 2/1/23 (basic information) and 2/28/23 (additional information) for the proposed change
- These documents highlight the cost escalation of roofing materials and provide a timeline of changes between the date of bidding (November 2021) and award of the General Contract (February 2022) due to the delay of bid award in order to do the supplemental bond resolution to revise the project cot to include the bid alternate belt press and revise financing as required to get NYSEFC to allow for award of the construction contracts.
- Change Order No. 5 will result in a \$57,730 increase to the contract.
- **We have reviewed this change with EFC, and have been informed this work is eligible for funding under the project.**
- All funds to cover this change will come from the project contingency.
- All change orders to date, including pending Change Order 5 (but excluding the belt press change order) are equal to \$162,726.20 (3.6% of the original general contract)
- **The remaining available contingency funds, following execution of this change, would be \$539,235.83.**
- **If the Village Board finds this change acceptable, we recommend that the Village board resolve to:**
  - **Authorize the Mayor to execute Change Order No. 5 for Contract No. VL1-G-21, for additional roofing costs based on the scope and costs represented in the 2/1/23 & 2/28/23 change proposals from Eastman Associates Inc., in the total amount of \$57,730 which will increase the contract cost to \$5,423,642.82.**
- **Possible/Pending Change Order(s)**
  - Secondary Clarifier Slab Repair
    - \$7,500 tank repair allowance
    - Eastman estimate = \$9,464
    - Work needs to be done. Dennis is tracking T & M, will work additional cost into a change order at a later date
  - Control Floats & HOAs for New Equipment in Existing Panels
    - Control Floats
      - **Getting cost info and will prepare CO for Village action**
      - **Control Floats**
        - Stormwater Basin (2-floats)
        - Drain Well (3-Floats)
        - HOAs
    - HOAs for New Equipment in Existing Panels
      - Grit Screw Collector (2)
      - Sludge/Stormwater Blowers (2)
      - Drain Well Pump (1)
  - **Cable Internet (Spectrum to WWTP)**

- Coaxial will work for the SCADA system needs – to replace slow land line and dial up
- Cost to provide Spectrum high speed cable internet to WWTP is more expensive than previous quote of \$21 - \$25,000 for Coaxial – this was quoted as if it was a residential service so that isn't possible
- Recent quote for Commercial Service
  - Fiber Internet to WWTP
  - Construction \$46,079.52 (Spectrum to absorb \$20,000)
  - Monthly cost for \$165
- Current Verizon Phone/Internet is \$1,448.00/Yr. \$121/Mo.
- Spectrum Business Internet (coaxial cable) Rates
  - Year One - \$204.99
- Coaxial will work with suffice SCADA system
- We would like to have this completed as soon as possible to support startup of the new CADA System.
- Does the Village still want to move forward with this change?
- If so, we recommend that the Board resolve to authorize the Village Clerk to issue a Purchase Order to Spectrum to provide coaxial cable and connection at the WWTP for the quoted cost of \$57,061.84 and any ancillary charges as required completing the installation and connection.
- We will continue to work with Judy to issue the Purchase Order

#### **Contract No. VL1-E-21 – Electrical Construction**

- **Change Order No. 1** – add Bid Alternate Belt Filter Press Work
  - Totaling \$96,000
  - Approved on 6.24.22 by NYSEFC
- **Change Order No. 2** – Update Davis Bacon Wage Rates
  - No cost change
  - Approved by NYSEFC on 6.24.22
- **Change Order No. 3 – 600A Service Upgrade for the Sludge Building**
  - Totaling \$18,306
  - Approved by NYSEFC on 11/30/22
- **No new Change Orders this month**
- **Pending Change Orders (s)**
  - None

#### **Contract No. VL1-P-21 – Plumbing Construction**

- **Change Order No. 1** – Update Davis Bacon Wage Rates
  - No Cost Change
  - Approved on 6.24.22 by NYSEFC
- **Change Order No. 2 – Influent and Sludge Building's PRVs**
  - Totaling \$5,689
  - Approved on 09/23/22 by NYSEFC
  - **No New Change Orders this month**
  - **Pending Change Orders (s)**
    - None

**Contract No. VL1-HV-21 – HVAC Construction**

- **Change Order No. 1** – Update Davis Bacon Wage Rates
  - No cost change
  - Approved on 6.24.22 by NYSEFC
- **Change Order No 2 – New Sludge Building Exhaust Fan & New Control; Building Garage Utility Heater**
  - Item 1 – New Sludge Building Exhaust Fan
  - Totaling \$8,387.78
  - Approved by NYSEFC on 11/30/22
- **No New Change Orders this month**
- **Pending Change Orders(s)**
  - **None**
- **Monthly Construction Meeting**
  - The latest monthly construction meeting was held on site on 04.12.23 with the prime contractors, Delaware and Village Staff.
  - **NYSEFC attended this meeting for program compliance inspection (e.g., AIS, DB labor standards, EEQ Inspection reports, Record Drawings/As-Builts, etc.)**
  - **NYSEFC has requested some follow up information which we are working through**
    - i. **AIA Certs for granting secondary clarifier beams, which are exempt, we are relaying this to NYSEFC**
    - ii. **EEO & DB Posters, Eastman provided photo conforming, we are still working through this.**

**2. Engineering During Construction**

- 3. Continuing to receive and process material and equipment submittals, and application for payment**

• **On-Site Construction and Observation Services**

- Full time services continuing, when contractors are onsite
- Excerpt from the Revised Anticipated Project – **project has pushed about 1 month since last month and about 3 – 4 months beyond the planned schedule**

February 21, 2022	Supplemental Bond Resolution becomes effective (20 days from Publication)
February – March 2022	Issue Notice of Award, and prepare execution copies of contract, and issue Notice to Proceed March 23, 2022 – Pre-Construction meeting
March 2022 – August 2023	Construction to Substantial Completion (Eastman Schedule shows 8/31/23, General delivery has been pushed to 9.21)
September 2023	Construction Completion (Final) and Project Closeout
November 2023	Long Term Loan Closing

- **Document Collection**
    - **Nothing new this month**
    - The document Collection Form, and requested documents were uploaded on January 17, 2023 (ahead of the January 20, 2023 deadline).
    - On February 13, 2023 NYSEFC provided notice that, project documents were reviewed and no follow-up actions are recommended.
  
  - **Professional Services Contracts**
  - **Nothing new this month**
- WWTP Upgrade Project
- **Since Construction schedule has pushed put a few months. We will be reviewing costs to date and will come up with an amendment with what we believe will be needed to make it to the end beyond the current budgets.**
  - **This would come out of project contingency**
  - At the November 5, 2020 meeting, the Village Board resolved to authorize the Mayor to endorse Professional Services Contract Amendment No. 1, to the design through construction contract for the Village WWTP upgrade to be financed through NYSEFC, dated October 28, 2020, associated with revisions to the Original Phase 1 Engineering Report, to initially include and then remove enhanced sludge processing and related work from the original report, in an amount not to exceed \$40,000. Accepted by the Board and forwarded to NYSEFC on November 9, 2020. NYSEFC indicated in early-December 2020 that they would review it.
  - NYSEFC approved this amendment on 3/8/22
  - Need to modify our contract and costs to include the Grit Pump work and possibly to add belt press to Phase 1 (design, CA & CI) – Will look to do this after closing on short term loan since costs will come out of contingency since financing cost is capped at \$9.4 M.

Phase 2 Sludge Handling WWTP Upgrade Project

- **Contract amendment or new contract will need to be prepared to cover PER modifications and design through construction phase work. Village could follow RFQ process to allow for funding under SRF rather than just using WIIA Fund.**
- Historic Info:
  - On hold until a plan forward can be agreed to now that WIIA funding has been denied for Phase 2
  - At the October 15, 2020 meeting, the Village Board resolved to authorize the Mayor to endorse the Professional Services Contract for Planning phase work in the amount not to exceed \$24,900. Accepted by the Board and forwarded to NYSEFC on October 21, 2020.
  - Based on the Feb 24, 2021 call with NYSEFC, NYSEFC will not be approving this in the near term as there is no Project Financing Agreement in place and the project will now be on hold.
  - When the Village decides to move forward with some or all of Phase 2, Delaware will submit engineering services contact amendment for design through construction services, following the Announcement of NYSEFC WIIA Grant Awards, if the grant application is successful.

- **NYSDEC WWTP Upgrade Reviewed/Updated SPDES/Permit Review Meeting**
  - **DEC would like to have a meeting with Delaware Engineering to discuss the upgrade project at the Village of Liberty WWTF.**
  - The purpose of the meeting will be to get a full understanding of the planned upgrade at the facility and to coordinate the work with the reviewed/updated SPDES permit to come.
  - **What are some dates that would work for Joan & WWTP Staff to meet with Delaware Engineering and NYSDEC?**

### **3. Elm Street Wellfield/Electrical Improvements**

- Nothing new to report this month – on hold

### **4. Rail Trail Area Culvert Drainage/Blockage**

- **Board Action Required at Tonight’s meeting:**
  - **Action for Local funds and SEQR Resolutions**
- **2023 CDBG Application**
  - Our guess is that CFA round will open May 1<sup>st</sup> with applications due July 28<sup>th</sup>
  - Mark Blauer contacted CDBG and confirmed that we could conduct a FY 2023 CDBG hearing before the CFA announcement
  - The engineering RFO process from last year is still valid
  - We are currently revising the Engineering Report to address exit interview comments, update the schedule, etc. – reviewing with Mark Blauer
  - Public Hearing was held on April 6, 2023
  - **Local Funds & SEQRA Resolution**
    - **Mark Blauer recommends adopting Local Funds & SEQRA Resolutions**
- **Hazard Mitigation Grant Program (HMGP) – FEMA & Dept. of Homeland Security**
  - **All information submitted in July 2022.**
  - DHSES informed the Village that sub application appeared to meet all the requirements and that it was forwarded to the Federal Emergency Management Agency (FEMA) for review.
  - **No action required at this time**
- **Sullivan County Planning – Northern Border Regional Commission funding**
  - **After discussion with the Village Board, we have concluded that there is no way for the Village to come up with a 20% match.**
  - **The Village will continue to look for additional funding sources for you on this project. Hopefully this is the year you are successful with the CDBG application.**
  - Sullivan County Planning Department is preparing a Notice of Interest to the Northern Boarder Regional Commission for funding to complete the Rail Trail Project.
  - Funding award will require a 20% match, which is based on the CDBG budget totals \$209,784. Federal funds cannot be used for the match commitment.
  - SCPD has requested DE’s and Mark Blauer’s assistance with completing the budget forms. The Village will need to decide whether or not they are prepared to commitment the 20%

### **5. DPW Site Groundwater Monitoring/DPW Garage Site Remediation**

- Based on sampling results still seeing values near garage indicating contamination remains

- March 2023 sampling report indicated levels nearly the same as in December 2022 for MW-22B & MW-22A (near the garage) and significantly lower for MW-8 (closer to the well) slightly lower than September 2022 for the MW-22B & MW-22A and slightly higher for MW-8
- Next sampling to be conducted in June 2023

## 6. NYSDOH Water System Inspection/Cross Connection Control Program

- **Delaware will submit a draft soon for Village Board, Village Code & Village Attorney Review**
- A digital version of the Village's response to the December 9, 2021 NYSDOH Water Supply Inspection Letter regarding the Cross Connection Control Program was submitted on February 4, 2022 and included the plan forward.
- No word back from NYSDOH to date. We plan to continue to move ahead with the CCP plan document per the below listed:
  1. Update the list of water users who are believed to be subject to this program (ongoing)
  2. Develop a draft cross connection control program document utilizing system information, current codes and reference documents (target date June 2022)
  3. Provide a draft document for Village Board, Village Code, Village Attorney review and receive feedback (July 2022)
  4. Provide Village reviewed documents to NYSDOH – Monticello District Office for review and comment (target date August 2022)
  5. Address NYSDOH comments and recirculate to Village for final review (target date September 2022)
  6. Work through modifying the local law and code to include CCCP requirements (September – December 2022)
  7. Forward final document to NYSDH – Monticello District Office (target date January 2023)
  8. Village adopts program (January 2023)

## 7. WWTP SDPES Permit

- On January 23, 2023 the Village received notice that NYSDEC has reviewed the NY-2A application, and that there are some items that either are missing or need further clarification, and provided a Notice of Incomplete Application detailing the deficient items, including minor comments on the Application Form and sampling information.
- Delaware reviewed the comments, developed draft responses pending collection of missing information. NYSDEC has reviewed the draft responses and plan forward and determine it to be acceptable.
- **We reviewed the latest sampling result and determined that some sampling needs to be redone for Acid-Extractable Compounds and Base Neutral Compounds using noted acceptable EPA methods, working on with Village and laboratory.**
- **On April 17, 2023 we are provided the laboratory with a package indicating what sampling is a required and required testing method.**
- **The only other outstanding piece of missing information is the following and is related to Pepisco to determine/conform that they are a Significant Industrial User (SIU)**
- **What does the Village need to do to confirm that Pepisco is an SIU?**
  - **Meet with Pepisco – Pending**
  - **Collect available monitoring data – Pending meeting with Pepisco**
  - **Conduct additional sampling and monitoring**
  - **Summarize and compare against current Village Code and a Guidance for Identification of Significant Industrial Users, NYDEC 1989**
  - **We are not sure of the timeline to determine SIU status (NYSDEC wants NY-2A ASAP)**

## 8. Liberty Ridge Development

- **Nothing new this month**
- At the May 19 meeting, developers' rep advised to consider connecting to the sewer main located on Buckley Street rather than line on West Street that flows into line behind former Yaun bldg. and Green Lane.
- Nothing new received by DE
- Consider checking flow in manholes on Buckley and downstream with Lynn.

## 9. PepsiCo

- **Meeting will be scheduled with Pepsico (Walter) and Mark Kellam to discuss SIU**
- Based on the November 2022 sampling results and the Sewer use code, PepsiCo at present is a Significant Industrial User and we need to respond to Item 7. WWTP SDPES Permit.
- Need to identify who we/Village can call to have a meeting to understand their plans forward to become an SIU and to see what plans they may be considering to reduce WW strength to meet the code requirements for an SIU and if they will now or have plans to discharge > 25,000 gallons per day on average.
- Wastewater sampling conducted in November 2023 – received from Mark Kellam from PepsiCo
- BOD5=8110m mg/l, COD = 11,700 mg/l, TSS 404 mg/l, pH 4.8, FOG = 54 mg/l
- This analysis is Part of PepsiCo's ongoing efforts to design and implement an engineering solution for their waste management. This may include future wastewater treatment. The entire scope of the project is still being assessed. PepsiCo will be continuing to do analysis like this to further characterize their wastewater in the coming months.
- What are the plans for the facility?
- Will there be more buildings?
- More water needed or wastewater discharged?
- Reviewing discharge data with WWTP staff

## 10. Economic Development Water and Sewer Infrastructure Capacity Planning Study

- Held a kick off meeting with Town on November 14, 2022
- Met at Village Hall on February 7 with Village (Mayor Joan, Judy, Lynn Barry, Dave Harman and Mark Kellam) and Town (Supervisor DeMayo and Dean Farrand) with the focus on Village infrastructure and needs.
- Meeting notes were sent to the Town and Village on 3/14
- Delaware is working on a DRAFT of this report
- Delaware will follow up with additional information needs with the Village
  - **Need budget and rate information from 2022-23 and planned for 2023-24**
- **Planning a site visit of Lily Pond WTP – will happened soon**
- Will involve planning staff as well as Town and Village water and sewer staff
- At the September 6, 2022 meeting the Board authorized the Town Supervisor to endorse the Economic Development Water and Sewer Infrastructure Capacity Planning Study, dated August 15, 2022 to conduct:
  - Economic Development Water and Sewer Infrastructure Capacity Planning Study
  - Update to Parksville Sewer Service Alternatives Study
  - Select Grant Writing

## 11. NYS DOH – Water Supply Emergency Response Plans Update

- The Village received notice on September 30, 2022 from NYSDOH that they need to provide Water Supply Emergency Response Plans Updates.
- This is a generic letter reminding the Village that the Emergency Response Plan and Vulnerability Assessment must be kept up to date and that every 5 years needs to be submitted to the commissioner for review, and provides other generic information about other relevant requirements.
- There are some things that the Village will need to do to comply with the requirements in letter, but nothing that required immediate attention.
- The “small systems” templates that the Village’s ERP and VA are based have been revised to meet regulatory requirements and systems wishing to continue small systems templates must use the 2022 version. We will have to extract the information from the Village’s current ERP and VA, and update the new template.
- There are a few new sections in the templates that will require new information (e.g., pandemics and supply chain shortages, strategies to detect malevolent acts or natural hazards that threaten system security and resilience, water sampling data tables, etc.).
- There aren’t any specific deadlines, but we will plan to work with the Village over the next few weeks to convert to the new templates, update the information and fill in any new or missing information.
- **We will work with the Village to update these**

## 12. USEPA Administrative Order

- **The Village received an email from the USEPA regarding Certification of the Water System Emergency Response Plan (ERP) Risk & Resilience Assessment (RRA) on March 21, 2023 with the Administrative Order attached requiring the Village to provide a plan to achieve compliance with ERO requirements.**
- **In January 2023, the Village signed ERP and RRA certifications and worked to upload those to USEPA. So the certifications requested in 2021 were done but were not successfully received by USEPA thus the AO.**
  - The Village set up an account with the EPA this month and certified through their secure online portal, confirmed that the RRA was certified, certified the Villages ERP.
  - The Village will need to respond to EPA’s Administrative Order (by 4/20/23).
  - This will require the Village to respond to the EPA’s Administrative Order by email that says the information in the RRA and certification are accurate and complete.
- **We worked with the Village to prepare the email response, sent to the Village, and the Village has submitted the required response to EPA by 4/19/23**

## 13. Sanitary Collection System I/I Investigations

- **Delaware working on an Engineering Planning Grant application for submit in July (CFA Program submission inform deadline for up to \$50,000 for I/I investigations.**

Board Action Required at Tonight’s meeting

- None for EPG
- Decide if the Village has staff to do I/I work this year. If so, select dates (dates from last month may no longer be available)
- Note: CFA Program not announced yet, program requirements could change from last year
- Planning to submit Engineering Planning Grant Application by anticipated July 2023 deadline.

#### 14. Church Street Culvert Repair

- Two galvanized culvert pipes by the Jeff Bank (4-foot diameter) because the bottoms are rotting out, which is causing sink holes in the Jeff Bank parking lot
- The Village desired to seek a grant for the two galvanized culvert pipes by the Jeff Bank
- There is a lot involved with culvert work – NYSDEC permits, fish passage, etc.
- Delaware made a site visit to do an inspection, take photos, measure pipes, etc.
- Plan is to schedule a meeting with the Bank to discuss what their needs are and if they would consider opening up the enclosed waterway to make it potentially eligible for GIGP funding
- Lynn contacted the Bank to see what engineering drawings they have for the building site that would have put in the culverts. Per Lynn they don't have any information.
- We have culvert GIGP grant application on our list
- No culvert drawings from Jeff Bank available
- Need to determine Village's responsibility
- Is culvert on private property?

#### 15. Liberty Planning Board Review – Stewart's Shop

- Final applicant comments responded and sent to Village and applicant on April 12, 2023
- We believe all work is done

#### 16. DRBC WWTP Discharge and Water Withdraw Docket renewal

- We plan to work with Village to submit DRBC WWTP Discharge and Water Withdraw Docket renewal
  - WWTP – Date Approved June 10, 2015, **Expiration Date: June 10, 2020 (Expired)**
  - Lily Pond Backwash Discharge – Date Approved: December 10, 2014, **Expiration Date: January 31, 2022 (Expired)**
  - Water Withdrawal – Approval Date: December 4m 2013, **Expiration Date: December 4, 2023 (Expires in 7 months)**

#### **CONSIDER VOTE ON PROPOSED LOCAL LAW #2-2023**

Motion by Trustee Lake, seconded by Trustee Feasel and unanimously carried Approving Local Law #2-2023 to amend Section 87-26 of the Village Code of the Village of Liberty to render it consistent with NY Executive Law § 616.

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

MAYOR JOAN STODDARD	-	YES	
TRUSTEE ROBERT MIR	-	YES	
TRUSTEE ERNEST FEASEL	-	YES	<b><u>ADOPTED</u></b>
TRUSTEE EVELESSE LAKE	-	YES	
TRUSTEE JOSEPH ARACCI	-	ABSENT	

**CONSIDER TEXTMYGOV**

Mayor Stoddard said the Board is still researching all its options for this type of program. There will be another Zoom meeting with Nixel on Tuesday to continue discussions.

**CONSIDER PRIVATE SALE OF 121.-3-7.2**

This item was **tabled** until the meeting of May 4, 2023.

**CONSIDER CDBG - IMMACULATE CONCEPTS**

Motion by Trustee Lake, seconded by Trustee Feasel and unanimously carried approving a **\$34,350.00 Community Development Block Grant Loan to Immaculate Concepts Inc.**, personally guaranteed by Joel Guandulla.

The loan will be at two (2%) percent interest.

Mayor Stoddard said Mr. Guandulla has a thriving business in the Village and has paid all loans back timely. She said his plan is to have the building rehabilitated and finished in eighteen months.

Attorney Silver will draw up the documents needed to close the loan.

**UPDATE ON INTERMUNICIPAL AGREEMENT WITH TOL RE: SEWER DISTRICT 26.-1-59**

The Board discussed the Intermunicipal Agreement with the Town of Liberty relative to providing Water and Sewer services and creating a new sewer district for Town of Liberty Parcel 26.-1-59. The Board thought they would like to deal with it solely as a new sewer district that will encompass tax map parcel 26.-1-59.

Attorney Silver said he would draw up the agreement as such and present it to the Village and Town Boards for review.

**UPDATE ON INTERMUNICIPAL AGREEMENT WITH TOL RE: LAPOLT PARK**

The Board discussed the Intermunicipal Agreement with Frank DeMayo (Town of Liberty Supervisor). Mr. DeMayo said the Town would like the property transferred to them so that they can maintain (which they have been doing). He said if not they would need to modify the indemnification and insurance provisions in the Intermunicipal Agreement.

The Village would like, in return, to have the Town no longer tax certain parcels owned by the Village (that are in the Town) but used for Village purposes.

**NEW REVIEW PROCUREMENT POLICY  
BUSINESS:**

**RESOL.#** Motion by Trustee Mir, seconded by Trustee Feasel and unanimously carried  
**#28-2023** approving Resolution #28-2023.

**VILLAGE OF LIBERTY  
PROCUREMENT POLICY**

**WHEREAS**, Section 104-b of the General Municipal Law requires the governing body of every municipality to adopt a procurement policy for all goods and services which are not required by law to be publicly bid, and

**WHEREAS**, comments have been solicited from all officers in the Village of Liberty involved in the procurement process, now, therefore, be it

**RESOLVED**, that the Village of Liberty does hereby adopt the following procurement policy which is intended to apply to all goods and services which are not required by law to be publicly bid.

**PROCUREMENT POLICY FOR THE VILLAGE OF LIBERTY**

1. Every purchase to be made must be initially reviewed to determine whether it is a purchase contract or a public works contract. Once that determination is made, a good faith effort will be made to determine whether it is known or can be reasonably expected that the aggregate amount to be spent on the item of supply or service is not subject to competitive bidding, taking into account past purchases and the aggregate amount to be spent in a year. The following items are not subject to competitive bidding pursuant to Section 103 of the General Municipal Law: purchase contracts under \$20,000 and public works contracts under \$35,000; emergency purchases; goods purchased from agencies for the blind or severely handicapped; goods purchased from correctional institutions; purchases under State and county contracts; and surplus and second-hand purchases from another governmental entity.

The decision that a purchase is not subject to competitive bidding will be documented in writing by the individual making the purchase. This documentation may include written or verbal quotes from vendors, a memo from the purchaser indicating how the decision was arrived at, a copy of the contract indicating the source which makes the item or services exempt, a memo from the purchaser, or any other written documentation that is appropriate.

2. All goods and services will be secured by use of written requests for

proposals, written quotations, verbal quotations, or any other method that assures that goods will be purchased at the lowest prices and that favoritism will be avoided, except in the following circumstances: purchase contracts over \$20,000 and public works contracts over \$35,000; goods purchased from agencies for the blind or severely handicapped pursuant to Section 175-b of the State Finance Law; goods purchased from correctional institutions pursuant to Section 186 of the Correction Law; purchases under State contracts pursuant to Section 104 of the General Municipal Law; purchases under county contracts pursuant to section 103(3) of the General Municipal Law; or purchases pursuant to subdivision 6 of this policy:

3. The following method of purchase will be used when required by this policy in order to achieve the highest savings:

<b>Estimated Amount of Purchase Contract</b>	<b>Method</b>
\$999 - \$3,499.99	2 written/fax quotations Including shipping
\$3,500 - \$19,999	3 written/fax quotations Including Shipping

<u>Estimated Amount of Public Works Contract</u>	<u>Method</u>
\$999 -\$4,999.99	2 written/fax quotations Including Shipping
\$5,000 - \$34,999	3 written/fax quotations Including Shipping

**All quotes of \$999 and above must be approved by the Department Liaison before the purchase and payment of the product can be made.**

A good faith effort shall be made to obtain the required number of proposals or quotations. If the purchaser is unable to obtain the required number of proposals or quotations, the purchaser will document the attempt made at obtaining the proposals. In no event shall the failure to obtain the proposals be a bar to the procurement.

4. Documentation is required of each action taken in connection with each procurement.
5. Documentation and an explanation is required whenever a contract is awarded to other than the lowest responsible offeror. This documentation will include an explanation of how the award will achieve savings or how

the offeror was not responsible. A determination that the offeror is not responsible shall be made by the purchaser and may not be challenged under any circumstances.

6. Pursuant to General Municipal Law Section 104-b(2)(f), the procurement policy may contain circumstances when, or types of procurements for which, in the sole discretion of the governing body, the solicitation of alternative proposals or quotations will not be in the best interest of the municipality. In the following circumstances it may not be in the best interests of the Village of Liberty to solicit quotations or document the basis for not accepting the lowest bid:
  - a. Professional services or services requiring special or technical skill, training or expertise. The individual or company must be chosen based on accountability, reliability, responsibility, skill, education, training, judgement, integrity, and moral worth. These qualifications are not necessarily found in the individual or company that offers the lowest price and the nature of these services are such that they do not readily lend themselves to competitive procurement procedures.

In determining whether a service fits into this category the Village Board of Trustees shall take into consideration the following guidelines: (a) whether substantial formal education or training is a necessary prerequisite to the performance of the services; and (b) whether the services require a personal relationship between individual and municipal officials. Professional or technical services shall include but not be limited to the following: services of any attorney; services of any physician; technical services of an engineer engaged to prepare plans, maps and estimates; securing insurance coverage and/or services of an insurance broker; services of a certified public accountant; investment management services; printing services involving extensive writing, editing or art work; management of municipally owned property; and computer software or programming services for customized programs, or services involved in substantial modification and customizing of pre-packaged software.

- b. Emergency purchases pursuant to Section 103(4) of the General Municipal Law. Due to the nature of this exception, these goods or services must be purchased immediately and a delay in order to seek alternate proposals may threaten the life, health, safety or welfare of the residents. This section does not preclude alternate proposals if time permits.
- c. Purchases of surplus and second-hand goods from any source. If alternate proposals are required, the Village is precluded from purchasing surplus and second-hand goods at auctions or through specific advertised sources where the best prices are usually

obtained. It is also difficult to try to compare prices of used goods and a lower price may indicate an older product.

- d. Goods or services under \$999. The time and documentation required to purchase through this policy may be more costly than the item itself and would therefore not be in the best interests of the taxpayer. In addition, it is not likely that such de minimis contracts would be awarded based on favoritism.

#### 7. Equal Opportunity Employer

- a. Pursuant to Article 15 of the Executive Law and all other State and Federal statutory and constitutional non-discrimination provisions, the Village of Liberty will not discriminate against any employee or applicant for employment because of race, creed, color, sex, national origin, sexual orientation, age, disability, genetic predisposition or carrier status, or marital status.

#### 8. Equal Opportunity for Minorities and Women

- a. The Village of Liberty will not discriminate against any employee or applicant for employment because of race, creed, color, sex, national origin, sexual orientation, age, disability, genetic predisposition or carrier status, or marital status and will undertake or continue existing programs of affirmative action to ensure that minority group members and women are afforded equal employment opportunities with discrimination.

#### 9. Business

- a. Pursuant to Section 3 (CFR 85.36) of the Housing and Urban Development Act of 1968, the Village of Liberty will ensure that employment and other economic opportunities will be available to low-moderate income families and businesses and that all procurement transactions will be conducted in a competitive manner.

This policy shall go into effect immediately and will be reviewed annually.

### **CONSIDER PARADE PERMIT – 5.6.23**

Motion by Trustee Lake, seconded by Trustee Feasel and unanimously carried approving the **PARADE PERMIT** scheduled for **Saturday, May 6, 2023** to celebrate Cinco De Mayo.

The parade is sponsored by the Town of Liberty and will begin at 11 a.m.

**CONSIDER SEWER CREDIT – MARTELLO/ACCOUNT #4-800**

Motion by Trustee Mir, seconded by Trustee Feasel and unanimously carried approving a sewer credit of \$1,055.46 for Water/Sewer Account #4-800 in the name of Sandra Martello.

Matthew MacArthur of the Water Department verified the leak, which partially did not go into the sewer system.

**CONSIDER TAXI PERMITS**

**BUSINESS:**

**RESOL.# 29-2023:** Motion by Trustee Feasel, seconded by Trustee Lake and unanimously carried approving Resolution #29-2023:

**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**, all permits for taxicab licenses are due to expire June 1, 2023;

**WHEREAS**, four regular licenses has been reviewed by the Village of Liberty Police and is now pending before the Village Board; now therefore be it

**RESOLVED**, that the Village Board of the Village of Liberty hereby issues four regular licenses for the annexed applicant (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**, those for reference purposes, the license/permits are for:

**Community Transportation - Permits 16, 17,19, 20**

**CONSIDER AMENDMENT TO INTERMUNICIPAL AGREEMENT BETWEEN LIBERTY CENTRAL SCHOOL AND THE VILLAGE OF LIBERTY RE: SRO**

Motion by Trustee Lake, seconded by Trustee Feasel and unanimously and carried approving the Amendment to the Intermunicipal Agreement between Liberty Central School and the Village of Liberty which pertains to the School Resource Officers. This amendment will allow body cameras to be worn by the School Resource Officers.

**CONSIDER PEST CONTROL FOR D.P.W. GARAGE AT ELM STREET**

The Board reviewed the proposal from Pestech Pest Solutions to have a monthly service call at the Department of Public Works Garage located at 46 Elm Street, which would be at a cost of \$55.00 per month. The service is needed due to mice and rats in the break room as well as around the exterior of the building.

The Board said they would also like to seek a Proposal from **Nuisance Pest Control** (Dave Luczynski, Woodridge, NY) before making a decision as well as getting more details on the work the companies will provide.

**CONSIDER PURCHASE ORDER FOR C & K INSULATION RE: LILY POND BRIDGE WORK**

Motion by Trustee Lake, seconded by Trustee Feasel and unanimously carried to authorize the Village Clerk to issue a purchase order for \$16,500 to C & K Insulation to provide insulation on flexible coupling and spool pieces in accordance with their April 5, 2023 quote. These materials will be used in the Lily Pond Bridge work.

C & K Insulation Inc. will install fit tight insulation cover and insulate remaining pipe with 2" Polyiso and embossed aluminum.

**CONSIDER PAYMENT REQUESTS FOR WWTP PROJECT**

Motion by Trustee Mir, seconded by Trustee Lake and unanimously carried authorizing the Village Clerk to proceed to process Payment Application No. 12 to General Contract No. VL1-G-21 for Eastman Associates, Inc. for the period of March 1, 2023 through March 31, 2023, in the amount of \$121,177.23 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.

Motion by Trustee Mir, seconded by Trustee Feasel and unanimously carried authorizing the Village Clerk to proceed to process Payment Application No. 7 to Electrical Contract No. VL-E-G-21 for J & J Sass Electric, Inc. for the period of March 1, 2023 through March 31, 2023, in the amount of \$135,356.57 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.

Motion by Trustee Lake, seconded by Trustee Feasel and unanimously carried authorizing the Village Clerk to proceed to process Payment Application No. 8 to HVAC Contract No. VL1-H-21 for A. Treffeisen & Sons LLC. for the period of March 1, 2023 through March 31, 2023, in the amount of \$4,113.50 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.

**CONSIDER CHANGE ORDER #5 – CONTRACT VL1-G-21 – WWTP UPGRADE**

Motion by Trustee Lake, seconded by Trustee Feasel and unanimously carried to authorize the Mayor to execute Change Order 5 for additional roofing costs based on the scope and costs represented in the February 1, 2023 & February 28, 2023 change proposals from Eastman Associates, Inc., in total amount of \$57,730, which will increase the contract cost \$5,423,642.82.

**CONSIDER INTERNET/CABLE FOR WASTE WATER TREATMENT PLANT**

Motion by Trustee Mir, seconded by Trustee Lake and unanimously carried to authorize the Village Clerk to issue a Purchase Order to Spectrum to provide coaxial cable and connection at the WWTP for the quoted cost of \$57,061.84 and any ancillary charges as required completing the installation and connection.

**APPROVAL BILLS FOR PAYMENT  
OF BILLS**

**FOR PYMT:** Motion by Trustee Mir, seconded by Trustee Feasel and unanimously carried approving Voucher #2937 to Voucher #3023 in the amount of \$238,300.66

**EXECUTIVE SESSION:** Motion by Trustee Mir, seconded by Trustee Lake and unanimously carried to go into Executive Session at 8:27 p.m. to discuss a particular employee in the Department of Public Works.

Motion by Trustee Lake, seconded by Trustee Feasel and unanimously carried to come out of Executive Session at 8:38 p.m.

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

**THE MEETING WAS ADJOURNED AT 8:39 P.M.**

**RESPECTFULLY SUBMITTED,**

**JUDY H. ZURAWSKI  
CLERK-TREASURER**



