

# REGULAR MEETING

## MAY 5, 2022

The Board of Trustees held the Regular Meeting of May 5, 2022 at the Village Municipal Building, 167 North Main Street, Liberty New York. Mayor 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: Attorney for the Village Gary Silver and Judy Zurawski, Clerk/Treasurer.

**ABSENT:** Trustee Daniel Wright

**ALSO PRESENT:** Police Chief Steven D’Agata, Dan Fagnini (Delaware Engineering), Frank DeMayo (Town of Liberty Supervisor) and Marc Baez

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

### EMERGENCY MEETING - MAY 5, 2022

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

Incoming

❖ E-Mail from County Re: 117-2-7

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

**SPECIAL PRESENTATION – SUPERVISOR FRANK DEMAYO**

Town of Liberty Supervisor Frank DeMayo said he just wanted to have an informal discussion with the Village Board about entertaining businesses that will help our ratables and that will become a revenue generating force for the Town and the Village.

He said they are currently entertaining three big projects:

- ❖ **The Sullivan County Golf Course that is owned by the Sims-Foster Group and is planning a one-hundred home expansion as well as a hotel and glamping sites.**
- ❖ **A one million square foot plant on the old Route 17 Corridor.**
- ❖ **A Holistic Cannibus project at the site of the old Asphalt Plant**

Frank noted that there are infrastructure challenges, stating new businesses will need water and sewer to operate. He suggested that the municipalities consider some sort of break for entities that provide jobs.

Mayor Stoddard asked if he knew how many jobs would be created at the Sims-Foster project site and what type of jobs they would be.

Supervisor DeMayo said there would be approximately 100 employees in the hospitality and maintenance industry.

Frank also discussed the fact that a comprehensive study of the Village and Town would be a good idea to seek information on expansion of services. He said the Town would be willing to work with the Village to bring the Elm Street well back to a useable source of water and the Village has a large capacity of sewer that can be accessed.

Marc Baez (President and CEO of the Sullivan County Partnership) discussed his concerted effort to make Liberty a priority for business expansion. He said Liberty needs to send a message that they want business, as businesses go where people want them. He explained that currently the Monticello zip code (12701) has 60% of the jobs in Sullivan County and the Liberty Zip Code (12754) only has 6%.

Marc said he will keep pushing for Liberty.

**ATTORNEY** Attorney Silver said his comments will be limited to agenda items  
**COMMENTS:**

**TREAS. REPORT:** Treasurer Zurawski's written report is summarized below:

- ❖ List of Current Taxes and collections thru 04/30/22 of which there is \$208,969.41 outstanding. The current taxes are 95% collected.
- ❖ List of Delinquent Taxes, which as of 04/30/22 is \$325,380.94 not collected.
- ❖ Starting and Ending Central Check Numbers for April 2022
- ❖ Starting April 2022 Central Check #17368
- ❖ Financial comparison of General, Water, Sewer and Sanitation

**TABLED BUSINESS:** **DELAWARE ENGINEERING - LILY POND BRIDGE WATERLINE RELOCATION**

Dan Fagnini of Delaware Engineering discussed the Lily Bond Bridge Relocation with the Board:

**1. Board Action Required at Tonight's meeting:**

- Review how to work with SCDPW to have County do the temporary and permanent waterline work.
- Adopt resolution
  - o Authorizing purchase of materials and items needed for the temporary and permanent relocation of the waterline on an emergency basis

- o Allowing the Village Mayor to sign the Intermunicipal Agreement (IMA) with the County to reimburse the County for costs they incur to complete the water main relocation work

## **2. Background**

- On April 29, 2022 the Village met with SCDPW to review how to work with SCDPW to have County do the temporary water main support system and permanent water main work.

## **3. Scope of Work (based on April 29, 2022 meeting with SCDPW)**

### County

- Provide heavy equipment, labor, services and whatever materials they may have available (e.g., temporary supports for temporary water main)
- Install permanent water main
- (Install temporary water main in contract with Vacri)
- Permanent water main pressure, testing, disinfection (e.g., chemical, labor), and sampling
- Demolition of temporary water main
- Provide and maintain and distribute the project schedule

### **Vacri Construction Corporation**

- Provide, labor, (by Village), services a specialty equipment (i.e., butt fusion equipment) to install temporary water main, including pressure testing, disinfection and sampling

### **Village**

- Operate valves
- Purchase materials on emergency basis; working on a list of materials now
- Collect disinfection water samples, take to lab and pay for testing work (for permanent water main)
- Be available when requested by the County
- Provide day to day site visits to check on work progress by Water Department staff
- Is there anything the Village is uncomfortable doing

### **Delaware Engineering, D.P.C.**

- Develop material lists and work with Village to procure items on emergency basis
- Observe work during site visits to certify to the installation with NYSDOH (Dennis from WWTP site visits?)
- Onsite construction progress meetings once per month with all parties (County, Water Department, DE)

## **4. Estimated Cost**

- We don't have all of the information yet, but we are maintaining a DRAFT Detailed Project Summary, Material List, Cost Estimate, and Schedule, attached, summary below:

	April 20, 2022 Bid Results	Estimated Cost
<b>Temporary Water Main</b>	-	-
• Piping Materials (Village direct purchase)	-	\$ 15,000
• Support System and anchors (SCDPW)	-	\$ TBD
• Install Piping Materials & appurtenances, & testing (Vacri)	-	\$ 39,000
• Misc. Other Cost	-	\$ TBD
<b>Permanent Water Main</b>	-	-
• Piping Materials (Village direct purchase)	-	\$ 40,506
• Support System - Beam (Village direct purchase)	-	\$ 8,425
• Install Piping, Materials & appurtenances, support system and testing (SCDPW)	-	\$ TBD
• Misc. Other Cost	-	\$ TBD
<b>Total Construction Cost</b>	<b>\$ 259,000</b>	<b>\$ TBD</b>
<b>Other Miscellaneous Costs</b>		
• Engineering (Delaware Engineering D.P.C.)	\$ TBD	\$ TBD
• Village Attorney (Local Counsel)	\$ TBD	\$ TBD
<b>Contingency</b>	-	\$ TBD
<b>Total</b>	<b>\$ 259,000</b>	<b>\$ 102,931</b>

## 5. Authorizing Resolution

- We recommend that the Village Board adopt a resolution authorizing purchase of materials and services needed for the temporary and permanent relocation of the waterline on an emergency basis and
- Authorizing the Village Mayor to sign the Intermunicipal Agreement (IMA) with the County for costs they incur to complete the water main relocation work.

## 6. Plan Forward

- May 5 Board Meeting
  - Adopt Village Resolution
- After May 5 Board Meeting
  - Proceed with purchase of items and services needed for the work

### Delaware Engineering

- Confirm list of items Village and County will do
- DE finalize Village purchase list and services, and issue POs (with cost not to exceed)

### County

- Confirm items County will do (and/or will not do) and provide cost to the Village
- Adopt IMA resolution
- May 19 Meeting
  - Delaware Engineering to provide status update

After a discussion of the project the Board said they would wait until the next meeting to vote on the Resolution so the Estimated Cost numbers would be available.

### **UPDATE ON 157 SOUTH MAIN STREET**

The Board said this item will remain tabled until the foreclosure process can take place.

### **UPDATE OF CODE 87-34/ANIMALS IN THE VILLAGE**

Motion by Trustee Mir, seconded by Trustee Feasel and unanimously carried to set a Public Hearing for Thursday, May 19<sup>th</sup> (2022) at 6:55 p.m. to discuss proposed local law #2-2022 to amend Section 87-34 of the Village Code which addresses the types of animals that are allowed within the Village limits.

### **RESOLUTION TO JOIN THE SULLIVAN O&W RAIL TRAIL ALLIANCE**

**RESOL. # 30-2022:** Motion by Trustee Feasel, seconded by Trustee Lake approving Resolution #30-2022.

**WHEREAS**, the Village of Liberty contains a section of the former O&W railroad corridor; and

**WHEREAS**, a portion of the O&W corridor has been developed into a multi-use rail trail that is owned and maintained by the Village of Liberty;

**WHEREAS**, the Village of Liberty participated with Sullivan County and other municipalities in the creation of the **Sullivan O&W Rail Trail Feasibility Study** that details recommendations for building out the rail trail (Trail) in Sullivan County by connecting the existing developed sections to create a 50+/- mile long facility from Mamakating through Rockland, and by creating a new trail along the former O&W spur line traveling south Monticello; and

**WHEREAS**, the Board of Trustees of the Village of Liberty recognizes the Trail provides a multitude of community benefits including enhanced quality of life, higher property values, economic development, sales tax revenue, and better public health, and that these benefits will increase as the trail is expanded and improved; and

**WHEREAS**, the Village of Liberty has been engaged with other Trail municipalities and stakeholders in implementation of the **Sullivan O&W Rail Trail Feasibility Study**, collaborating on trail branding, marketing and promotion, clean-up, grant-seeking, and other activities; and

**WHEREAS**, the Feasibility Study recommends “the creation of a trail coalition... to assist municipalities operating and maintaining the trail,” further recommending that such group be established as a non-profit 501c3 corporation and that members “should pay dues to fund [its] operations;” and

**WHEREAS**, Trail stakeholders, including representatives of the Village of Liberty have met to plan for the creation of such a group, determining to establish the

Sullivan O&W Rail Trail Alliance (Alliance) for the purposes of conducting project development, fundraising and grant seeking, maintenance, marketing and promotion, and special events related to the Trail,

**NOW, THEREFORE, BE IT RESOLVED**, that the Village of Liberty

1. will be a member of the Sullivan O&W Rail Trail Alliance, when established, and hereby acknowledges the terms and conditions of the Alliance Bylaws, including the administrative compliance and audit requirements.; and
2. will appoint a representative and alternate to serve on the Alliance Board and to apprise the Village Board of Alliance activities and Trail development; and
3. will adhere to the design guidelines and brand guide in the **Sullivan O&W Rail Trail Feasibility Study** when implementing trail expansion and/or improvements; and

**BE IT FURTHER RESOLVED**, that the Village of Liberty does hereby authorize funding for the Sullivan O&W Rail Trail Alliance in a minimal annual amount, determined by fiscal health of the municipality.

**Trustee Mir voted against joining the Rail Trail Alliance.**

**CONSIDER MONETARY CONTRIBUTION TO THE RAIL TRAIL ALLIANCE**

Motion by Trustee Lake, seconded by Trustee Feasel and unanimously carried to pledge a minimum amount of \$100.00 per year to the Rail Trail Alliance.

Such funds shall be used for operating expenses; trail marketing and promotion, fundraising, and such common maintenance activities as may be determined by the Alliance.

**CONSIDER EAST COAST INDUSTRIAL – VILLAGE SWEEPING**

Motion by Trustee Feasel, seconded by Trustee Lake and unanimously carried approving the hire of East Coast Industrial to sweep the Village Streets at a cost not to exceed \$8,000.

**NEW BUSINESS: CONSIDER MEDICAL TAXI PERMIT – AMERICARE TRANSPORTATION**

**RESOL.# 31-2022:** Motion by Trustee Lake, seconded by Trustee Feasel and unanimously carried approving Resolution #31-2022:

**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, 2022;

**WHEREAS**, thirteen medical taxi 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 thirteen medical taxicab permits (also known as a Medical Taxicab license) 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 thirteen license/permit are for:

**AmeriCare Transportation – 13 Medical Permits**

**CONSIDER NEW COPIER LEASE FOR COPIERS IN CLERKS OFFICE/CODE ENFORCEMENT**

Motion by Trustee Mir, seconded by Trustee Feasel and unanimously carried approving the lease quote for two new photocopiers in the amount of \$189.31 per month. The previous lease was for \$255.55 per month.

The click rate is currently .0146 and it will decrease to .0089.

**CONSIDER PARADE PERMIT – MEMORIAL DAY**

Motion by Trustee Lake, seconded by Trustee Mir and unanimously carried approving the **Parade Permit** for a **Memorial Day Parade on Monday, May 30, 2022** sponsored by the Town of Liberty.

The parade will begin at 10:30 a.m. and will march all of Main Street

**CONSIDER RESOLUTION 2022/23 WATER RENTS**

**RESOL.# 32-2022:** Motion by Trustee Feasel, seconded by Trustee Mir and unanimously carried approving Resolution #32-2022.

**WHEREAS**, the Village Board has authority pursuant to Section 84-6 of the Village Code to set, modify and change by Resolution water rents, service changes and penalties for non-timely payment,

**WHEREAS**, the Village Board has previously set water rates effective June 1, 2021 by Resolution, and

**WHEREAS**, in order to avoid confusion since the Village, has, at times in the past, adopted and/or amended water, services charges and penalties for non-timely payments by Local Law, and

**WHEREAS**, on April 22, 2002 the Village of Liberty has repealed such Local Law and has amended Section 84-6 of the Village Code to clarify its intent in order to avoid any further confusion, it is

**RESOLVED**, that effective as June 1, 2022, inside water rates in the Village of Liberty shall be \$7.45 per thousand gallons inside rate and \$13.10 per thousand gallons outside rate, and it is further

**RESOLVED**, that effective as of the date of adoption of this Resolution by the Village Board, all of the water rents (including service charges not paid within thirty (30) days shall be charged a 10% penalty fee.

THE MOTION WAS PUT TO VOTE, WHICH RESULTED AS FOLLOWS:

<b>MAYOR STODDARD</b>	-	<b>YES</b>
<b>TRUSTEE MIR</b>	-	<b>YES</b>
<b>TRUSTEE WRIGHT</b>	-	<b>ABSENT</b>
<b>TRUSTEE FEASEL</b>	-	<b>YES</b>
<b>TRUSTEE LAKE</b>	-	<b>YES</b>

**CONSIDER RESOLUTION – 2022/23 SEWER RENTS**

**RESOL.# 33-2022:** Motion by Trustee Feasel, seconded by Trustee Mir and unanimously carried approving Resolution #33-2022.

**WHEREAS**, the Village Board has authority pursuant to Section 67-7 of the Village Code to set, modify and change by Resolution sewer rates, service changes and penalties for non-timely payment,

**WHEREAS**, the Village Board has previously set sewer rates effective June 1, 2021 by Resolution, and

**WHEREAS**, in order to avoid confusion since the Village, has, at times in the past, adopted and/or amended sewer, services charges and penalties for non-timely payments by Local Law, and

**WHEREAS**, on May 14, 2014 the Village of Liberty has repealed such Local Law and has amended Section 67-7 of the Village Code to clarify its intent in order to avoid any further confusion, it is

**RESOLVED**, that effective as June 1, 2022, inside sewer rates in the Village of Liberty shall be \$8.37 per thousand gallons inside rate and \$12.99 per thousand gallons outside rate, and it is further



**RESOLVED**, that effective as of the date of adoption of this Resolution by Village Board, there shall be a \$1.50 per month service charge for sewer line maintenance (i.e. \$4.50 per quarter), and it is further

**THE MOTION WAS PUT TO VOTE, WHICH RESULTED AS FOLLOWS:**

<b>MAYOR STODDARD</b>	-	<b>YES</b>
<b>TRUSTEE MIR</b>	-	<b>YES</b>
<b>TRUSTEE WRIGHT</b>	-	<b>ABSENT</b>
<b>TRUSTEE FEASEL</b>	-	<b>YES</b>
<b>TRUSTEE LAKE</b>	-	<b>YES</b>

**CONSIDER RESOLUTION – 2022/23 SANITATION RATES**

**RESOL.# 34-2022:** Motion by Trustee Feasel, seconded by Trustee Mir and unanimously carried approving Resolution #34-2022.

**WHEREAS**, the Village Board has authority pursuant to Section 35-17 of the Village Code to set, modify and change by Resolution sanitation user fees;

**WHEREAS**, the Village Board has previously set sanitation user fees effective June 1, 2021 by Resolution, and

**WHEREAS**, in order to avoid confusion since the Village, has, at times in the past, adopted and/or amended sanitation user fees by Local Law, and

**RESOLVED**, that effective as June 1, 2022, the sanitation user fees will be as follows:

**COMMERCIAL**

1 Dumpster/1 Pickup per week	-	\$ 1619
1 Dumpster/2 Pickups per week	-	\$ 2830
No Dumpster/1 Pickup per week	-	\$ 681
No Dumpster/2 Pickups per week	-	\$ 1191

**RESIDENTIAL**

Single	-	\$ 324
Two Family	-	\$ 648
Three Family	-	\$ 972
Apartment/Dumpster	-	\$1619

**OPT OUT FEES**

Single	-	\$162
Two Family	-	\$324
Three Family	-	\$486
Commercial users/Apartment Units	-	\$810

**RESOLVED**, that all the above sanitation user fees will be effective as of June 1, 2022.

**THE MOTION WAS PUT TO VOTE, WHICH RESULTED AS FOLLOWS:**

<b>MAYOR STODDARD</b>	-	<b>YES</b>
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<b>TRUSTEE MIR</b>	-	<b>YES</b>
<b>TRUSTEE WRIGHT</b>	-	<b>ABSENT</b>
<b>TRUSTEE FEASEL</b>	-	<b>YES</b>
<b>TRUSTEE LAKE</b>	-	<b>YES</b>

**CONSIDER BANNER PERMIT – FARMERS MARKET**

Motion by Trustee Mir, seconded Trustee Feasel and unanimously carried approving the Banner Permit for the Farmers Market which will be held from June to October 2022.

The Farmers Market is sponsored by Catskill Mountainkeepers with Eugene Thalmann as the contact.

The banner will be up from June to October 2022.

**CONSIDER BANNER PERMIT – FREE YOGA/IN CONJUNCTION WITH FARMERS MARKET**

Motion by Trustee Mir, seconded Trustee Lake and unanimously carried approving the Banner Permit for the Free Yoga during the Farmers Market (from 5 to 6 p.m. on Fridays) which will be held from June to October 2022.

The Farmers Market is sponsored by Catskill Mountainkeepers with Eugene Thalmann as the contact.

The banner will be up from June to October 2022.

**CONSIDER CERTIFICATES FOR SENIOR VOLUNTEERS**

**RESOL.# 35-2022:** Motion by Trustee Mir, seconded by Trustee Feasel and unanimously carried approving Resolution #35-2022.

**WHEREAS,** (Name of Volunteer) has been a part of the Liberty School District Foster Grandparent Senior Program for many years; and

**WHEREAS,** these years have been marked by dedicated service to the youth of our community as she has served as instructor, friend, and general counsel for the students; and

**WHEREAS,** through the years this program has been a definite influence for the good in our school system and community; and

**WHEREAS,** each individual Foster Grandparent Volunteer has made a positive contribution;

**NOW, THEREFORE, BE IT RESOLVED** that I deem it an honor and pleasure to extend this Certificate of Appreciation to (Name of Volunteer) and urge all our residents to join and honoring this program and its volunteers.

**RESOLUTION TO RELEVY UNPAID WATER/SEWER BILLS AND ACCOUNTS RECEIVABLE BILLINGS TO 2022/2023 VILLAGE TAXES**

**RESOL.# 36-2022:** Motion by Trustee Feasel, seconded by Trustee Lake and unanimously carried approving Resolution #36-2022.

**RESOLVED**, that pursuant to Chapter 67.5 and Chapter 83 of the Code of the Village of Liberty pertaining to unpaid water and sewer rents, the following listing of unpaid rents billed from April 1, 2021 and unpaid by May 1, 2022 shall be added to the real property tax of the owner of the property whose property benefited by the use of the water/sewer systems, and the Village services to wit:

The total amounts are:	Water	-	\$40,115.70
	Sewer	-	\$50,063.35
	Accts. Rec.	-	\$ 6,500.00 - Gen
			\$ 1,156.25- San

**TOTAL TO RELEVY: \$97,835.30**

**CONSIDER APPROVAL AUTHORIZING VILLAGE CLERK TO PUBLISH A REQUEST FOR QUALIFICATIONS/RAIL TRAIL SEWER CDBG**

Motion by Trustee Mir, seconded by Trustee Feasel and unanimously carried to allow the Village Clerk to publish a request for qualifications for the Rail Trail Sewer Grant.

**CONSIDER COST INCREASE FOR CLEANING SERVICES – CONSTABLE CUSTODIAL**

This item is to be discussed in Executive Season.

**CONSIDER EVENT PERMIT – GROOVILLE METHODIST CHURCH**

Motion by Trustee Feasel, seconded by Trustee Mir and unanimously carried approving the **Event Permit** to be held on Sunday, May 15, 2022 and sponsored by the Grooville Free Methodist Church in Livingston Manor, NY.

The Event will consist of people holding signs about the value of human life.

The sponsor has provided their Certificate of Insurance and paid the \$25.00 fee for the Permit.

**PUBLIC COMMENT:** Mayor Stoddard opened the meeting to comments from the Public

There were no comments from the Public.

**TRUSTEE COMMENTS:** Mayor Stoddard opened the meeting to comments from the Board.

Trustee Feasel – No Comment

Trustee Mir – No Comment

Trustee Lake – No Comment

Mayor Stoddard let the Board know that the Fire Department had a drill and opened up the hydrants which caused muddied water in the Village.

Trustee Mir said he would talk to the Fire Company about the issue.

Mayor Stoddard said she is horrified at the amount of garbage around the Village. She suggested we try and start the Adopt-A-Road Program.

Trustee Feasel said he would address the issue with the Honor Society as they do some community service work

Trustee Lake said the Boy Scouts and Girl Scouts would be another organization that may be able to help.

Mayor Stoddard said the Little League has already agreed to participate.

**APPROVAL POST AUDIT VOUCHERS  
OF BILLS**

**FOR PYMT:** Motion by Trustee Mir, seconded by Trustee Lake and unanimously carried approving Post Audit Voucher #1932 to Voucher #1942 in the amount of \$470,340.88

**EXECUTIVE SESSION:** Motion by Trustee Mir, seconded by Trustee Feasel and unanimously carried to go into Executive Session at 8:45 p.m. to discuss a particular contract and to receive Attorney Advice. The Board invited Chief D’Agata and Clerk-Treasurer Zurawski into the Session.

Motion by Trustee Mir, seconded by Trustee Lake and unanimously carried to come out of Executive Session at 8:55 p.m.

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

**THE MEETING WAS ADJOURNED AT 8:56 P.M.**

**RESPECTFULLY SUBMITTED,**

**JUDY H. ZURAWSKI  
CLERK-TREASURER**



