**REGULAR MEETING**

SEPTEMBER 3, 2020

# The Board of Trustees held the Regular Meeting of September 3, 2020 at

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

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

# 

**PRESENT:** Mayor Ronald Stabak, Deputy Mayor/Trustee Robert Mir, Trustee Joan Stoddard and Trustee Daniel Wright (arrived at 7:30 p.m.) Also Present: Gary Silver, Attorney for the Village and Judy Zurawski, Clerk/Treasurer.

**PRESENT ON AUDIO CALL:**

Trustee Victoria Ferguson

**ALSO** David Ohman (Village Engineer), Alfred Fusco (Fusco Engineering), Dr. Daisy

**PRESENT:** Stern and D.P.W. Supervisor Lynn Barry

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

**OF** carried approving the following minutes:

**MINUTES:**

REGULAR MEETING – August 20, 2020

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

**PONDENCE**:and anyone can request copies by calling or email.

Incoming

* E-Mail from NYCOM Update 9.3.20

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

**INPUT:**

Dr. Daisy Stern (Winslow Place) expressed her opposition to 5G networks (the fifth generation technology for cellular networks) stating there is a correlation between the 5G and cancer. She said she has been noticing activity by NYSEG between Liberty and Loch Sheldrake which may mean they are getting ready to introduce it.

Mayor Stabak acknowledged her concern, stating in his opinion high speed internet is needed for growth in this area.

Alfred Fusco (Fusco Engineering) discussed his company Fusco Engineering and the proposal to the Village to provide Code Enforcement Services. He said he brings forty-five years of experience between public and private service. The company currently runs seven Building Departments on an annual fee basis (no benefits are involved). The proposal for the Village would include a minimum twenty hours per week, with availability everyday as they also service the Town of Liberty.

Mayor Stabak said the proposal will be discussed by the Board and he would get back to him.

**ATTORNEY**  Attorney Silver said his comments are limited to agenda items.

**COMMENTS:**

**TREAS.** Treasurer Zurawski said she would have a report at the next meeting.

**REPORT:**

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

**BUSINESS:ENGINEERING:**

David Ohman of Delaware Engineering reported on the following:

1. **WWTP Upgrade**

* NYSEFC Clean Water State Revolving Fund (CWSRF) **Project #C3-5352-02-00**
* Project Financing
  + We have been working with Judy and Keough Consulting, and EFC finance department to submit disbursement request, EEO Quarterly Reports, and other related paperwork.
* Professional Services Contract for Design through Construction:
* Design Phase:
* Continuing to Prepare design drawings and specs
* Communicating with equipment supplier and manufacturer’s representative regarding upgrade equipment
* Coordinating with MWBE Subcontractors
* Communicating with Village staff on project issues
* MWBE Subcontracts and Related Work:
* NYSESD/NYSEFC approved Delaware MWBE utilization plan and waiver request on October 28, 2019
* Work on Municipal Solutions, Inc. (MSI), a WBE who assists with MWBE compliance services, is complete.
* Surveying – Topographic and Boundary for Septage

receiving area

* Complete
* Topographic survey was provided on 12/27/19
* Boundary survey was provided on 01/27/20
* Delaware has executed a sub-consultant services agreement amendment for additional services with Rasmussen Land Surveyors, PLLC to perform boundary survey of limits Village parcels (WWTP and adjacent) and off adjoining NYS Route 17, in the amount of $1,800. Subcontract Services Agreement amendment for additional services will be submitted to EFC for disbursement.
* Geotech Evaluations
* Subcontracted with Atlantic Testing (WBE) to do one boring and Geotech evaluation for the new septage receiving facility.
* Onsite work completed; Geotech report pending.
* Special Inspections and Construction phase materials testing
* Delaware will work to complete preparation and execution of remaining subcontracts with WBE firm Atlantic Testing for Special Inspections and Construction phase materials testing once design is complete and the extent of their services are more defined.
* Schedule
* Continuing with work
* Revised schedules were provided for Phase 1 (base contract 09-20-20) and 2 (09-20-20 enhanced sludge processing and associated work)
* Engineering Report Amendment
* Delaware prepared an amendment to the currently approved Engineering Report to add the enhanced sludge processing and associated changes, with septage receiving but not including FOG (grease) equipment.
  + Submitted to NYSEFC for review and approval on February 7, 2020.
  + Increased project cost to $12.6M as discussed at previous meetings.
  + Nearly the same projected rate impact as the original $7.6M project Village agreed to move ahead in 2017 (since a WIIA grant for the original project and 0% financing is now in place).
  + The Village agreed to not adjust the financing until after bidding (e.g., bond resolution, modification of PFA, etc.)
  + Amendment not approved by NYSDEC due to change in course of action – see below
* Project Course Change
* Based on April 23, 2020 call with NYSEFC (Tim Burns and Harry Nelson), they suggest that the Village proceed with the Enhanced Sludge handling as its own project – Separate it from the original scope of work and treat it as new project.
  + This allows the Village to apply for a WIIA Grant (25%) for the Enhanced Sludge Handling/Septage Receiving work
  + The design on the original/base project will continue independent of this Enhanced Sludge Handling Work.
  + Current estimated project cost is $5M – however, we may pull other sludge related work (e.g. belt press replacement, sludge building upgrades) into this work as well since it is all related to sludge. This would increase this by about $3M or more but would come out of the original project.
  + Going with Phase 1 (base contract) and Phase 2 (sludge) contract will allow some work to proceed while Village applied for more grant funding.
  + It will require:
    - For the current Project – Phase 1:
* Revising and resubmitting the approved Engineering Report to remove sludge related work as possible to allow other work to proceed.
  + - * Ultimately revising the Project Finance Agreement
    - For the sludge project – Phase 2
      * Before May 1 – put in a new Project Listing (PLUS) from the project so that we get on the NYSEFC project list as a distinct new project
      * If the Board agrees, we will get this filled out and up before May 1 – we will put $9M as the new project cost since we will likely move dewatering work from the current project into this one – this can be revised next year once we have more detail.
      * Preparing a new Engineering Report
      * Doing SEQR again
      * Do a new Board Resolution
      * Prepare a new NYSEFC funding application for a WIIA grant
    - This two-phase approach will allow work to move forward on upgrades to non-sludge related work while we seek more funding.
    - It will add more engineering and soft costs as we now have to do two projects rather than one, redo some steps – but if successful, will secure 0% for both contracts and more grant money than if we did it as one project.
    - There may also be stimulus money coming out that may allow the Village to receive more than typical grants
* At the April 23, 2020 meeting the Village resolved to authorize Delaware Engineering to proceed to prepare documents necessary to separate the WWTP upgrade into two projects and seek additional funding for the enhanced sludge/septage and related improvements. This will include, but not be limited to preparation of and submission to NYSDEC of a new PLUS listing form, preparing a new Engineering Report, conducting SEQR activities, conducting design, bid/award and construction phase services to implement the Phase 2 project, as to be defined in a new professional services contract. Also revising the current Engineering Report and related items to remove the items to be covered under the second phase project.
* Update on Work Related to the Project Course Change
* Proceeding with design of original project and preparing revised engineering reports for the Base Project and the sludge/septage add on.
* Also working on Professional Services Contract Changes – Plan to get those to the Village very soon.
* Going with Phase 1 (base contract) and Phase 2 (sludge) contract will allow some work to proceed while Village applies for more grant funding.
* It will require:
* For the current Base project – Phase 1:
* Revising and resubmitting the approved Engineering Report to remove sludge related work as possible to allow other work to proceed. IN PROGRESS
* Ultimately revising the Project Finance Agreement
* For the Enhanced Sludge project – Phase 2 – Schedule Provided
* Put in a new Project Listing (PLUS) from the project so that we get on the NYSEFC project list as a distinct new project.
* At the April 23, 2020 meeting, the Board agreed; we filled out the forms and $9M as the new project cost since we will likely move dewatering work from the current project into this one – this can be revised next year once we have more detail. DONE.
* Doing SEQR again for the entire project UNDERWAY, Part 1 out for review and comment; Part 2 and 3 review and determination completed at August 20 Board Meeting.
* Preparing a new Engineering Report – In progress – finalize and submit to NYSEFC prior to September 21, 2o2o deadline to finalize the IUP and get the annual list for financing.
* Prepare a new Smart Growth Form for Phase 2 and submit to NYSEFC proper to September 21, 2020 deadline to finalize the IUP and get on the annual list for financing.
* Do a new Bond Resolution for the Phase 2 project – to be done at tonight’s meeting.
* Consolidated Funding Application (CFA program) including the WIIA Grant funding up in the air right now – nothing set for this year.

SEQR

* Completed.
* Part 2 and 3 review and determination completed at the August 20, 2020 Board Meeting
* Determination sent via email to the NYSDEC website on August 26, 2020
* Resolution and Items for Notice of Publication as provided by Bond Counsel on 9-1-20.
* Professional Services Contract Amendment
  + At the February meeting the Village Board resolved to authorize the Mayor to execute Delaware Engineering’s professional services contract Amendment No. 1 (dated February 18, 2020), associated with recent changes to add enhanced sludge processing, septage receiving and related changes, in the amount of $254,000.
  + An executed copy was forwarded up to NYSDEC on March 6, 2020 along with an updated Utilization plan. This has not been approved since the two projects are being divided up now.
  + New contract will be needed to address Phase 2 work as well as an amendment to the current NYSEFC approved contract – working on those now and will be provided to the Village soon in line with the numbers reviewed at the July meeting.
* Schedule going forward for Phase 2 – full schedules attached for both Phases.
* New term Schedule Going Forward to Phase 2

2. Lily Pond Road Bridge/Waterline

* **Confirmed with the County on August 21, 2020 that they are still on schedule to complete design this fall for work next year.**
* Working on a project scope/bid sheet so that we can develop a project cost estimate for temporary and permanent work with Ken H and Osterhout (contractor who did the work in 2006)
* Need to prepare a contract proposal (scope and cost) for design/bid award and construction phase services for Village consideration.
* Plan to do design in October review with NYSDOH and have ready to bid before year end for early spring construction.
* County work still planned for next spring
* More Background/Historic Information
* Continue discuss with SCDPW to keep the line on the bridge and come up with a mutually agreeable plan forward and generate an agreement.
* Previous agreement from 2006 puts all cost to remove and replace/reinstall on the Village
* 2006 permit and special conditions agreement is available.
* Mayor Ron, Ken Hessinger and I met with Roman and Bob Trotta at SCDPW on February 26, 2020. Key points from the meeting:
* Timing – design fall 2020, May 2021 start bridge work; done by winter – 4 -5 months
* Plan to build with County personnel and some subcontractors
* Plan to put out new abutments behind the existing and replace in current location.
* No space to provide a temporary bridge so traffic will be rerouted up Cooley Road and around via Flynn Road.
* Want Village water main out of the way by May 2021
* Village will need to do water line work themselves – do a set of plans and specs for one general contract for demolition of exiting, temporary and permanent back in the bridge work
* Should do design work this summer and work out all the details with county then but if not before year end so that we can have on-site work start March/April 2021.
* Jeff Francisco (from our office) met on site with Ken and Howard Osterhoudt (contractor) and came up with a plan for the design and construction of temporary and permanent.
* Includes putting a new temporary water line support upstream of the bridge.
* Now need to get a budget cost estimate for the construction as well as the design/engineering for temporary and permanent work – we can work with Ken and Howard on this.
* May need to get easement(s) to accommodate this? (need to look at the tax maps to see where property lines are and if County ROW is shown)
* We need to have SCDPW permit like in 2006
* Water line work with NYSDEC could piggyback with their joint permit application
* Lily Pond Water Plant currently gets tractor trailer chemical deliveries every 1 to 2 months
* May not be able to get those big trucks to the plant via the alternative routes
* Ken to check with chemical companies to see if they can deliver with smaller trucks
* We have Geotech report and County’s site survey
* Will likely need more site surveying some for topo and for producing temporary easements.
* Next steps:
* Confirm ROWs and easements available and/or needed – looks lie only property now
* Develop project cost estimate and timeline
* Agree with Village on path forward for design (agree upon scope and cost) and timing for bidding/construction.

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

* Looks like CFA process is on hold for the foreseeable future – so no action planned at this time. Once CFA is announced we can revisit with the Village.

1. **Sullivan Renaissance Community Impact Grant Application**

* Not awarded to the Village

5. **DPW Garage Site Remediation**

* Nothing new since last meeting
* Based on June 2020 sampling, still seeing values near garage indicating contamination remains
* June 2020 report from Aztech
  + Results show decrease in VOC’s
* Sampling report March 2020 results; higher number in VW-8 closer to the well
* Last June 2019, levels were higher too, and then went down in September and December 2019.

Observations of the laboratory analytical results are as follows:

* MTBE was not detected in any of the sampled monitoring wells at concentrations greater than the laboratory reporting limit. At monitoring wells MW-19, VW-6 and VW-7. These monitoring wells are located between the Village Garage and the production well and indicate that VOC’s have not reached the production well.
* VOC concentrations increased significantly at monitoring well VW-8. Seven (7) VOC compounds were recorded above the drinking water standard. Monitoring wells VW-8 is located approximately 320 feet north of the production water well,
* Total VOC concentrations decreased slightly at monitoring well MW-22A. The VOC concentration is the lowest since at least June 2016.
* Total VOC concentration has remained relatively unchanged at monitoring wells MW-22B. None of the compounds detected at monitoring well MW-28 were at concentrations greater than drinking water standards.
* Six (6) VOC compounds were recorded above the drinking water standard at MW-22A. Monitoring wells MW-22A and MW-22B are located approximately 10 to 15 feet south of the remedial excavations that were performed in November 2016 and approximately 380 feet north of the production water well. When compared to historic values, the concentrations of these wells have been steadily decreasing.
* Sent email to NYSDEC and Aztech on February 20 requesting an update on cost for remediation and an estimate for quarterly sampling work; no response.
* Based on June 2020 sampling; still seeing values near garage indicating contamination remains
* NYSDEC will keep going with quarterly monitoring until all results show compliance with water quality standards for a year or more (no real end in sight).
* The second quarter June 2019 groundwater monitoring report indicated that there was a contaminant increase in monitoring well VW-8 (212ppb VOCs). The other monitoring wells were within their historic values
* September 2019 sample results showed levels in VW-8 returned to low/more historic levels.
* Sill seems appropriate to consider getting the sampling to locate the limits of the remaining material sooner than later.
* In addition , if we want to pump more water out of Elm Street well a more comprehensive sampling plan is needed
* Aztech cannot perform the additional work as NYSDEC believes it would be a conflict so some other firm will need to do it.
* We can pursue this if desired by the Village
* Also, right now it looks like there is more stuff to clean up out there
* Some plan forward options:
* Continue with NYSDEC quarterly monitoring and no more cleanup – status quo
* Continue with NYSDEC quarterly monitoring and ask NYSDEC to advise what else is being contemplated to accomplish more cleanup
* Develop Village plan to investigate the extent of the remaining contamination
* One of the above and look at what is needed to enable to pump more water
* At February 2020 meeting, the Village decided to seek DASNY SAM grant assistance for conducting a sampling plan site investigation to better identify remaining contamination under, up gradient and near the DPW garage.

* We will work on this
* DPW Garage Relocation
* If sampling does not show that the contamination is principally under the garage, the most time efficient process to get rid of remaining contamination under the garage would likely be to demolish the garage to provide direct access for cleanup followed by about one year of sampling to confirm it is cleaned up
* This would require relocation of the DPW garage and associated items (salt storage, etc.) to a new facility – possibly on Willow Lane by the current cold storage and fueling station.
* We would work with the Village to seek funding to assist with this work if this is the desired plan

1. Tiger’s Den Monitoring Well Decommissioning

* No change from last month
* We haven’t received a response from the DEC about the proposed monitoring well decommissioning. They may have lost interest in it for now? We’ll let you know if they get us answers.

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

* No change from last month

1. **NYSDOH Water System Inspection/Cross Connection Control Program**

* No Change from last month

**DISCUSSION – CHAPTER 35/SANITATION**

Department of Public Works Supervisor Lynn Barry attended the meeting to give the Board some clarification on construction and demolition debris, stating there are a few places in the Village that do have it due to the nature of their business.

Trustee Stoddard discussed the actual definition of construction and demolition debris.

Attorney Silver said he would do some more research with NYCOM regarding some options that are available.

**CONSIDER SOCIAL MEDIA POLICY**

Motion by Trustee Mir, seconded by Trustee Stoddard and unanimously carried approving the following Social Media Policy:

Social Media Policy

# While recognizing your right to a personal opinion as an individual, the Village of Liberty expects all employees to abide by Village policies, priorities and directives in conjunction with the performance of their job responsibilities. Expressions of personal opinion should be differentiated from the performance of staff responsibilities, or from your position with the Village, so that it is clear that your views do not represent those of the Village.

Use of social media presents certain risks and carries with it certain responsibilities. To assist you in making responsible decisions about your use of social media, the following guidelines have been established for acceptable use of social media.

This policy applies to all employees, elected and appointed officials, as well as contractors who work for the Village of Liberty. The Village of Liberty Police Department will additionally be governed by the Liberty Police Department Social Media Policy. In the event of a conflict, the Police Department Policy will prevail for all PD employees and department heads.

**Guidelines:**

In the rapidly expanding world of electronic communication, social media can mean many things. Social media includes all means of communicating or posting information or content of any sort on the Internet, including to your own or someone else's web log or blog, journal or diary, personal web site, social networking or affinity web site, web bulletin board or a chat room, whether or not associated or affiliated with the Village, as well as any other form of electronic communication. Ultimately, you are solely responsible for what you post online. Before creating online content, consider some of the risks and rewards that are involved. Keep in mind that any of your conduct that adversely affects your job performance, the performance of fellow employees or otherwise adversely affects members, customers, suppliers, people who work on behalf of the Village of Liberty, or the Village's legitimate business interests may result in disciplinary action up to and including termination.

**Know and follow the rules:**

Inappropriate postings that may include discriminatory remarks, harassment, and threats of violence or similar inappropriate or unlawful conduct will not be tolerated and may subject you to disciplinary action up to and including termination.

**Be respectful:**

Always be fair and courteous to fellow employees, customers, members, suppliers or people who work on behalf of the Village. Also, keep in mind that you are more likely to resolve work related complaints by speaking directly with your co-workers than by posting complaints to a social media outlet. Nevertheless, if you decide to post complaints or criticism, avoid using statements, photographs, video or audio that reasonably could be viewed as malicious, obscene, threatening or intimidating, that disparage customers, members, employees or suppliers, or that might constitute harassment or bullying. Examples of such conduct might include offensive posts meant to intentionally harm someone’s reputation or posts that could contribute to a hostile work environment on the basis of race, sex, disability, religion or any other status protected by law or Village policy

**Be honest and accurate:**

Make sure you are always honest and accurate when posting information or news, and if you make a mistake, correct it quickly. Be open about any previous posts you have altered. Remember that the Internet archives almost everything; therefore, even deleted postings can be searched. Never post any information or rumors that you know to be false about the Village of Liberty, fellow employees, members, customers, suppliers or individuals working on behalf of the Village or competitors.

**Post only appropriate and respectful content:**

Maintain the confidentiality of trade secrets and financial, sensitive, proprietary, private or confidential information about the Village of Liberty, residents of the Village of Liberty, employees or applicants. Trade secrets may include information regarding the development of systems, processes, products, know-how and technology. Do not post internal reports, policies, procedures or other internal business-related confidential communications.

Respect financial disclosure laws. It is illegal to communicate or give a ''tip" on inside information to others so that they may buy or sell stocks or securities.

Do not create a link from your blog, website or other social networking site to a Village of Liberty website without identifying yourself as a Village employee. Do not download apps onto a device that contains employer information and do not click on links in unsolicited e-mails.

Express only your personal opinions. Never represent yourself as a spokesperson for the Village of Liberty. If the Village is a subject of the content you are creating, be clear and open about the fact that you are an employee and make it clear that your views do not represent those of the Village, fellow employees, members, customers, suppliers or people working on behalf of the Village of Liberty. If you do publish a blog or post online or on social media sites related to the work you do or subjects associated with the Village, make it clear that you are not speaking on behalf of the Village. Your post should include a disclaimer such as ***"The******postings and opinions expressed on this site are my own and do not necessarily reflect or represent the views of the Village of Liberty.”***

**Using social media at work:**

Employees should refrain from using social media while on work time or on equipment we provide unless it is work-related as authorized by your Department Head or Supervisor. Do not use Village e-mail addresses to register on social networks, blogs or other online tools utilized for personal use. Do not leave a device used for work in a car and report a lost or stolen Village-provided phone or tablet immediately. Employees have no right of privacy while accessing social media at work or on Village owned equipment. When an employee leaves the organization, his or her devices can be wiped clean of Village of Liberty data.

**Retaliation is prohibited:**

The Village of Liberty prohibits taking negative action against any employee for reporting a possible deviation from this policy or for cooperating in an investigation. Any employee who retaliates against another employee for reporting a possible deviation from this policy or for cooperating in an investigation will be subject to disciplinary action, up to and including termination.

**Elected Officials:**

Elected officials uses of social media carry many of the same risks as employees use and as such are governed by the same Social Media policy. In addition, elected officials may not use the same social media account to communicate with constituents and for campaign purposes as this is a risk of violating the law against using government resources for political purposes. Any social media site used to communicate with constituents must also contain a link back to the Village’s official webpage for detailed information

**CONTINUE DISCUSSIONS ON LETTER FROM BOARD OF ELECTIONS RE: VILLAGE ELECTION DATE**

This matter is tabled for further discussions

**CONSIDER WWTP – PHONE FAILURE/ALARM FAILURE**

This matter has been resolved by the Waste Water Treatment Plant personnel.

**NEW CONSIDER FALL CLEAN-UP**

**BUSINESS:**

**RESOL.#** Motion by Trustee Stoddard, seconded by Trustee Mir and unanimously

**27-2020:** carried approving Resolution #27-2020.

**VILLAGE OF LIBERTY**

**2020 FALL CLEAN UP**

**Wednesday, September 16**

**Thursday, September 17**

**Friday, September 18**

**Saturday, September 19**

**Sunday, September 20**

**VILLAGE RESIDENTS ONLY – NO COMMERCIAL**

All items for clean-up must be taken by Village Residents to the Village of Liberty Street Department garage on Elm Street (by M&M Car Dealership) No items will be accepted without a permit showing Village residency which can be obtained at the Village Clerk’s Office 167 North Main Street between the hours of 8:00 a.m. and 4:00 p.m.

**METAL WILL BE ACCEPTED**. **NO** large stumps or rocks. **NO** household

garbage. **NO** batteries. **NO** tires. **NO** hazardous waste. **NO** yard debris. **No** Fuel Tanks, Oil Drums and Propane Tanks. **NO** Paint. **NO** Electronic Equipment

Village crews **will not** make pick-ups at individual residences and the Sanitation Department will **not** take items left out for clean-up.

Wednesday, September 16th – Friday, September 18th - 6:30 A.M-2:30 P.M.

Saturday, September 19th - 8:00 A.M.–12:00 P.M.

Sunday, September 20th - 8:00 A.M. – 12:00 P.M.

After the Villages allotment is used up, the gates will be closed.

This program is made possible by the Sullivan County Legislature.

**CONSIDER TAXI LICENSES FOR FISCAL YEAR 2020/21**

**RESOL.#** Motion by Trustee Stoddard, seconded by Trustee Ferguson and unanimously  **28-2020:** carried approving Resolution #28-2020.

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 expired June 25, 2020;

WHEREAS, one taxi license for permits have been reviewed by the Village of Liberty Police and are now pending before the Village Board; now therefore be it;

RESOLVED, that the Village Board of the Village of Liberty hereby issues taxicab permits (also known as a Taxicab license) for the annexed applicants (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, that for reference purposes, the eight licenses/permits are for:

We Care Travels - 1 Taxi Licenses #23

**CONSIDER BOND RESOLUTION – WWTP UPGRADE - $7,800,000**

**RESOL.#** Motion by Trustee Stoddard, seconded by Trustee Wright and unanimously

**29-2020:** carried approving Resolution #29-2020

A Resolution authorizing WWTP Upgrades in and for the Village of Liberty, Sullivan County, New York, at a maximum estimated cost of $7,800,000 and authorizing, subject to permissive referendum, the issuance of $7,800,000

Serial bonds of said Village to pay the cost thereof.

BE IT RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the Board of Trustees of the Village of Liberty, Sullivan County, New York (the “Village”), as follows:

Section 1. WWTP upgrades in and for the Village of Liberty, Sullivan County, New York, including incidental costs in connection therewith, is hereby authorized, subject to permissive referendum, at a maximum estimated cost of $7,800,000.

Section 2. The plan for the financing of the aforesaid maximum estimated cost is by issuance of $7,800,000 serial bonds of said Village, hereby authorized to be issues therefore pursuant to the provisions of the Local Law.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is forty years, pursuant to subdivision 4 of paragraph A of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the serial bonds herein authorized will exceed five years.

Section 4. The faith and credit of said Village of Liberty, Sullivan County, New York, are hereby irrevocably pledged for the payment of the principal of and interest in such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said Village, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to

Authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Village Treasurer, the Chief Fiscal Officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner as may be prescribed by said Village Treasurer, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues and also the ability to issue serial bonds with substantially level or declining annual debt service, shall be determined by the Village Treasurer, the chief fiscal officer of such Village. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Village Treasurer shall determine consistent with the provisions of the Local Finance Law.

Section 7. The validity of such bonds and bond anticipation notes may be contested only if:

1. Such obligations are authorized for an object or purpose for which said Village is not authorized to expend money, or
2. The provisions of law which should be compiled with at the date of publication of this resolution are not substantially complied with,

And an action, suit, or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

1. Such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9. Upon this resolution taking effect, the same shall be published in summary form in the official newspaper of said Village, for such purpose, together with a notice of the Village Clerk in substantially form provided in Section 81.00 of the Local Finance Law.

Section 10. **This resolution is adopted subject to Permissive Referendum**

The adoption of the foregoing resolution was duly put to a vote on roll call,

Which resulted as follows?

MAYOR RONALD STABAK - YES

DEPURY MAYOR/TRUSTEE ROBERT MIR - YES

TRUSTEE DANIEL WRIGHT - YES

TRUSTEE JOAN STODDARD - YES

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

**COMMENT:**

There were no comments from the Public.

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

**COMMENTS:**

Mayor Stabak discussed the inaccurate reporting in the Sullivan County Democrat – Liberty Column – penned by Fran Kurpil. He said that she reported the Village Trustees were given health benefits and he would like a retraction and a correction published.

Trustee Stoddard said she would e-mail her and make sure she had the proper information.

Trustee Mir – No Comment

Trustee Stoddard – No Comment

Trustee Wright – No Comment

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

**OF BILLS**

**FOR PYMT:** Motion by Trustee Stoddard, seconded by Trustee Ferguson and unanimously carried approving Post Audit Voucher #234 to Voucher #241 in the amount of $388,115.44.

FLOWER FUND

Motion by Trustee Stoddard, seconded by Trustee Wright and unanimously carried approving the following bill for payment from the flower fund:

Everlasting Springs - $600.00

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

**SESSION**: carried to go into Executive Session at 8:25 p.m. discuss a personnel matter in Code Enforcement as well as Attorney Advice.

Motion by Trustee Stoddard, seconded by Trustee Wright and unanimously carried to come out of Executive Session at 9:21 p.m.

**CONSIDER APPOINTMENT OF DAN POLLAN – ACTING CODE ENFORCEMENT OFFICER**

Motion by Trustee Stoddard, seconded by Trustee Wright and unanimously

Carried to appoint Dan Pollan as the Acting Code Enforcement Officer effective September 17, 2020.

Motion by Trustee Stoddard, seconded by Trustee Wright and unanimously carried to provide a family policy of health insurance to Dan Pollan as part of his employment package, without any financial contribution by him.

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

**THE MEETING WAS ADJOURNED AT 9:23 P.M.**

**RESPECTFULLY SUBMITTED,**

**JUDY H. ZURAWSKI**

**CLERK-TREASURER**

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