

REGULAR MEETING

JUNE 1, 2023

The Board of Trustees held the Regular Meeting on June 1, 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 Joe Aracci. Also Present: Gary Silver, Attorney for the Village and Judy Zurawski, Clerk/Treasurer.

ABSENT: Trustee Evelesse Lake

ALSO PRESENT: Police Chief Steven D'Agata, Police Officer Andrew Cross, Etta Barbanti, Abraham Mizrahi, Monty Heimlich, Abraham Weiderman, Kathy Johansen, David Ohman (Delaware Engineering), Dan Fagnini (Delaware Engineering), Abdelaziz Benadim, Abdus Shaheed Azeez, Melissa Davidson Corigiliano, Dina Townsend Jester and David Burke

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

WORKSESSION MEETING – May 18, 2023

CORRESPONDENCE: Mayor Stoddard said the Village did not receive any correspondence during this time period.

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

KATHY JOHANSEN – MAIN STREET MURAL PROJECT

Kathy Johansen (Liberty Art Teacher) said the students have made forty (40) new banners for the Village. She explained the Town had secured funding for the banners as well as the hardware.

The banners will be delivered to the Village Municipal Office so they can be hung.

Kathy said the students also have eight (8) of the twelve (12) store displays ready.

ABRAHAM MIZRAHI – MAIN STREET PROPERTY OWNER

Abraham Mizrahi (Village Property Owner) discussed his properties on Main Street. He said since taking over all the violations have been cleared up, he has

worked on the properties and his tenants are very happy. He said his plan is to fix up all the facades if it will not mean an increase in his taxes.

Abraham said he is willing to work with the Board as to their vision as well as his. He has several ideas in mind including restaurants, retail and apartments. He said if the Village did allow apartments he would only do two bedroom apartments for a total of forty apartments. He said most of his tenants work at Pepisco and the plants in the area and do not have cars. He mentioned that Supervisor DeMayo was working on a parking plan across the street and a grant that would help with the revitalization.

In addition, he said he has a team that goes around each morning with trailers and a dump truck to keep up with the garbage overflow.

ETTA BARBANTI – MAIN STREET BUSINESS OWNER

Etta Barbanti (Main Street Business Owner) discussed the following issues:

- ❖ Said she is the oldest person on Main Street and she does feel at this point we should relook at the housing on Main Street. She said we should think positive about the future.
- ❖ Said she felt Thompson Sanitation was a poor choice for Sanitation removal. She would like to see the Village workers keep their jobs. She suggested the CDL drivers get paid a better hourly wage.

Mayor Stoddard said the Village does not want to go private either, the problem is finding drivers. She said on Indeed there is well over one-hundred postings for companies in search of drivers. She also said the Village has encountered several recent mechanical problems with the trucks.

- ❖ Said she understood the Village recently hired David Burke.

Mayor Stoddard explained he will be the Director of Public Works, with emphasis on Water, DPW and Sanitation (Village recently lost their Water Working Supervisor). She said he will also be responsible for smaller grants (that are not handled by Delaware Engineering).

ATTORNEY Attorney Silver said his comments are related to agenda items
COMMENTS:

TREAS. REPORT: Treasurer Zurawski said she is working on year end close.

Treasurer Zurawski also reviewed the marketing brochure from **Textmygov** with the Board.

**TABLED DELAWARE ENGINEERING – UPDATE ON WWTP UPGRADE
BUSINESS:**

David Ohman presented the following report:

WWTP Upgrade

Board Action required at tonight's meeting:

- **WWTP Phase 2 Enhanced Sludge Upgrade**
- Review key items from the Engineering Report (ER) Amendment No. 1 for Sludge Handling Upgrade (Phase 2)
 - Project scope and cost Changes, and Project Schedule
- Review, and if acceptable, pass resolution to authorize the Village Mayor to sign the Smart Growth Assessment Form and for Delaware to prepare/update and for Village Clerk and/or Delaware Engineering to submit the Project Listing Form (PLUS) and upload PER Amendment No. 1 (including the Smart Growth Assessment Form) – **For the June 16, 2023 Project Listing Form Deadline**
- Review and adopt the resolution related to the WIIA Funding Application, Village Mayor/Clerk to sign and Village Clerk and/or Delaware Engineering to submit the WIIA Funding and SRF Financing Applications and required/supporting information (EFC Funding Portal) – **For July 28, 2023 WIIA/SRF Application Deadline**

For the Enhanced Sludge Project – Phase 2

- **Focus is on getting WIIA grant application package prepared and submitted to NYSEFC by June 16 and the SRF funding submitted by July 28, 2023**
- **Supplemental Bond Resolution items**
 - **Process now complete with no issues**
 - Board approved Bond Resolution on March 16, 2023
 - Notice of Adoption of the Bond Resolution was published on 3/24/2023
 - Legal Notice of Estoppel was published 4/18/2023
 - Items sent to Bond Counsel by Judy
- **Clean Water State Revolving Fund (CWSRF) Funding Submittal – also covers BIL funding request:**
 - **Items to be submitted to NYSEFC before June 16, 2023 for projects that want to receive financing under the FFY 2023 IUP**
 - Revised/Amended PER – in process
 - PLUS IUP Listing update and smart growth assessment – in process
 - New SRF financial application – In process (not technically required until the July 28 WIIA deadline but plan to submit by June 16)
 - BIL funding requirements/forms/boxes? (not defined yet)
- **WIIA Grant Funding (25% grant)**
 - **Application materials were made available on May 3 and applications are due by July 28, 2023 for projects to be eligible to receive SRF financing during the FFY 2024 IUP**
 - **Required submittals include:**
 - Revised/Amended PER – in process (same as for SRF above)
 - Supplemental Bond Resolution – process complete
 - New WIIA application form – in process, updating budget and schedule

- Environmental Review (SEQR) – we will include previous info
- SHPO Project Determination – we will include previous info
- Preliminary Engineering Report Amendment
 - At the January 26 meeting the Village Board resolved to move forward with WWTP Upgrade Option 3B - Phase 2 (with septage receiving) for the CWSRF Project No. C3-5352-02-01. WWTP Phase 2 Upgrade – Solids Process and handling, only upon receipt of a WIIA grant, understanding that Septage Receiving will be designed and bid and as bid alternate and the Village will have the ability to decide if they want to move forward with Septage Receiving at time of award of the construction contracts.
 - Working on a PER (Preliminary Engineering Report) amendments 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 and associated items.
 - **Scope and cost in line with what has been previously reviewed with the Village.**
 - **Scope and Cost Change Tables Prepared after the September 2020 PER**
 - Estimated Project Cost Summary
 - SRF Project Budget and Construction Costs
 - Updated Phase 2 Project Schedule
 - **Forms for Village review and execution**
 - Smart Growth Assessment Form
 - Resolution for WIIA Funding Application
 - WIIA Application Signature Form
 - SRF Application Signature Form
 - **Any questions or comments?**
 - **If the Village finds the excerpts of the report acceptable, we recommend that:**
 - **Authorize the Village Mayor to sign the Smart Growth Assessment Form and for Delaware to prepare/update and for the Village Clerk to submit the Project Listing Form (PLUS) and upload Per Amendment No. 1 (including the Smart Growth Assessment Form).**
 - **The Board review and adopt the resolution related to the WIIA Funding Application (attached), Village Mayor to sign, and Village Clerk and/or Delaware submit the WIIA Funding and SRF Financing Application required/supporting information (EFC Funding Portal).**

UPDATE ON INTERMUNICIPAL AGREEMENT RE: SEWER DISTRICT 26-1-59

This item is currently being reviewed by the Town.

UPDATE ON INTERMUNICIPAL AGREEMENT RE: LAPOLT PARK

This item is currently being reviewed.

CONSIDER BANNER PERMIT – FREE YOGA FRIDAY

Motion by Trustee Mir, seconded by Trustee Feasel and unanimously carried approving the **BANNER PERMIT** for Free Yoga Friday during July and August to be held on the stage in LaPolt Park.

The event is sponsored by the Catskill Mountain Keepers and the banner will be placed on the new NYSEG pole in front of the Town of Liberty. NYSEG will put it up and take it down. It will be stacked with the Farmers Market Banner.

NEW BUSINESS: CONSIDER MORATORIUM LOCAL LAW

Attorney Silver said they are trying to locate all the information (permits, etc.) needed. Once everything is available the Board can decide how to proceed.

CONSIDER TOW TRUCK PERMITS FROM WHITE SULPHUR GARAGE

Motion by Trustee Aracci, seconded by Trustee Mir and unanimously carried approving the following **Tow Truck Permits:**

**White Sulphur Garage - 2 Permits
#11620PF & #22137TT**

These permits will expire December 31, 2023.

CONSIDER NEW RAIN DATE FOR UNITY DAY EVENT – 9.10.23

Motion by Trustee Feasel, seconded by Trustee Mir and unanimously carried to set a new rain date for the Unity Day Event for September 10, 2023. It was previously set for September 16, 2023.

CONSIDER CARRY OVER OF VACATION TIME

Motion by Trustee Mir, seconded by Trustee Aracci and unanimously carried approving the following vacation time carry over:

Steven D'Agata - 60.55 Hours

**CONSIDER RESOLUTION – WIIA FUNDING APPLICATION – CWSRF
PROJECT NO. C3-5352-02-01**

RESOL. # 40-2023: Motion by Trustee Aracci, seconded Trustee Feasel and unanimously carried approving Resolution #40-2023.

WHEREAS, Village of Liberty, New York (hereinafter the "Village") has established the public benefit to residents for the **Wastewater Treatment Plant (WWTP) Phase 2 Sludge Handling/Processing Upgrade** (hereinafter the "Project"); and

WHEREAS, the Village plans to upgrade the WWTP's existing sludge dewatering system and provide an enhanced sludge processing system and other necessary improvements; and

WHEREAS, in 2021 & 2022 the Village submitted application to the New York State Environmental Facilities Corporation (NYSEFC) for financing through the Clean Water State Revolving Fund (CWSRF) and for grant assistance through the NYS Water Infrastructure Improvement Act (WIIA) programs and the Village was notified via letter dated November 24, 2021 that the project is eligible for hardship/interest free loan financing, but was denied any funding through the NYS WIIA program; and

WHEREAS, the Village of Liberty Board of Trustees has the opportunity to reapply for grant funding through NYSEFC WIIA grant program which may fund up to 25% of the total project costs less other grant funding; and

WHEREAS, in response to an NYSEFC query, the Village of Liberty Board of Trustees resolved on January 26, 2023 to proceed with the project only if a WIIA Grant is received; and

WHEREAS, the total Project cost is estimated at \$9.9 million and the Village has not secured other grant funds to date which would reduce the project cost; and

WHEREAS, if no other grants are secured prior to long term financing closing, the Village is prepared to contribute matching funds, the balance of the project cost not provided by the CWSRF funding and/or WIIA; and

WHEREAS, the Village will be submitting an application to the NYS Environmental Facilities Corporation for a Water Infrastructure Improvement Act (WIIA) Grant funding as a possible means to assist in financing the project; and local match which is anticipated to be provided through the CWSRF program

THEREFORE, BE IT RESOLVED THAT

1. The Mayor of the Village of Liberty, is authorized to sign the WIIA grant application, as well as any NYSEFC funding agreements and any associated documents; and
2. Village Clerk and/or Delaware Engineering is authorized to submit the WIIA application and required/supporting information to the NYSEFC; and
3. The Village agrees, if a 25% WIIA Grant is secured, to contribute local matching funds for the balance of the project cost not provided by the grant, or other funding received prior to long-term financing closing (e.g., BIL grant funds, etc.), through bonding or other means, with potential short-term and/or long-term loan financing for the balance through the CWSRF program.

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

MAYOR STODDARD	-	YES
TRUSTEE MIR	-	YES
TRUSTEE FEASEL	-	YES
TRUSTEE LAKE	-	ABSENT
TRUSTEE ARACCI	-	YES

CONSIDER SMART GROWTH ASSESSMENT FORM/PROJECT LISTING FORM

Motion by Trustee Mir, seconded by Trustee Feasel and unanimously carried to authorize the Village Mayor to sign the Smart Growth Assessment Form and for Delaware to prepare/update and for the Village Clerk to submit the Project Listing Form (PLUS) and upload Per Amendment No. 1 (including the Smart Growth Assessment Form).

CONSIDER TWO AIR CONDITIONERS FOR THE CODE ENFORCEMENT OFFICE

Motion by Trustee Feasel, seconded by Trustee Mir and unanimously carried to approve the purchase of two air conditioners for the Code Enforcement Office at a cost of \$482.81 each, to be purchased from Home Depot.

PUBLIC COMMENTS: 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.

Mayor Stoddard mentioned the Soap Box Derby will be this Saturday.

Mayor Stoddard said that Lynn hopes to have the paving underway by the end of June.

Trustee Mir –No Comment

Trustee Aracci – No Comment

Trustee Feasel said that he is having trouble moving ahead with the EV charging station, as the contractors have not been responding to him.

Mayor Stoddard said she would work on the project with him.

EXECUTIVE SESSION: Motion by Trustee Mir, seconded by Trustee Feasel and unanimously carried to go into Executive Session at 8:00 p.m. to discuss a personnel matter in the Code Enforcement Office.

The Board invited Chief D'Agata into the session.

Motion by Trustee Feasel, seconded by Trustee Aracci and unanimously carried to come out of Executive Session at 8:09 p.m.

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

THE MEETING WAS ADJOURNED AT 8:09 P.M.

RESPECTFULLY SUBMITTED,

JUDY H. ZURAWSKI, CLERK/TREASURER

