

WORKSESSION MEETING

OCTOBER 20, 2022

The Board of Trustees held the Worksession Meeting on October 20, 2022 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 Daniel Wright

ALSO PRESENT: Police Chief Steven D'Agata, David Ohman (Delaware Engineering), Dan Fagnani (Delaware Engineering), Larry Steiger, Motty Heimlich and Abraham Weberman.

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

REGULAR MEETING - October 6, 2022

CORRESPONDENCE: Mayor Stoddard said the Village has sent the following correspondence.

Outgoing

- ❖ Letter to all residents that Adopted-A-Street 10-7-22

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

David Ohman and Dan Fagnani of Delaware Engineering discussed the following projects with the Board:

1. Lily Pond Road Bridge Waterline

- Board Action Required at Tonight's meeting:
 - None
- The temporary water main has been installed and was put into service on 8/22
- The existing Watermain (Lily Pond Road Bridge Crossing) was cut and capped on 8/24
- The County remobilized on Monday 8/22 to begin demolition of the existing Watermain and remaining bridge deck
- Permanent Watermain materials were delivered on 8/31
- Installation of permanent Watermain pending completion of County Bridge work

- The County anticipates that they will set beams 10/18 and estimate water main work to start about 1½ to 2 weeks after that.
- Payments to Vendors & Contractors
- Temporary Watermain Invoices
 - C & M #1 – Temporary Watermain HDPE Pipe = \$2,168.00 - Paid
 - At the September 15 meeting the Village resolved to authorize the Village Clerk to proceed to process payment to C & M for the Temporary Watermain HDPE Pipe Invoice #R145547, in the amount of \$2,168.00, as requested by the vendor.
 - C & M #2 – Temporary Watermain Materials including returned items – Paid
 - At the October 6 meeting the Village resolved to authorize the Village Clerk to proceed with the process payment to C & M for the Temporary Watermain HDPE Pipe Invoice #R145547, in the amount of \$7,313.8, a price adjustment for credits Invoice #R578626, in the amount of (\$1,162.62), and a credit for returns Invoice #R586505 (\$1,894.20), for a total amount due of \$4,256.98 as requested by the vendor.
 - Vari-tech PO Approved at 06/02/22 Mtg – Invoice Paid
 - Schmidt’s Wholesale – Misc. Hardware – Invoice Pending
 - Vari-Tech – Temporary Watermain HDPE Pipe – Invoice Pending
 - SCDPW Support System and Anchors – IMA/Invoice Pending
 - Osterhoudt – Temporary Watermain Installation - \$24,715.44 - Paid
 - At the September 15 meeting the Village hereby resolves to authorize the Village Clerk to proceed to process Payment Application, to H. Osterhoudt Excavating for the Temporary Watermain Installation Work Invoice #123024-P, in the amount of \$24,715.44, as requested by the contractor.
- Permanent Watermain Invoices
 - C & M #1 – Permanent Watermain Pipe and Materials = \$32,667.50 - Paid
 - At the September 15 meeting the Village hereby resolves to authorize the Village Clerk to proceed to process payment to C & M for the Temporary Watermain Materials Invoice #R145002, in the amount of \$32,667.50, as requested by the vendor.
 - C & M #2 – Permanent Watermain DI Pipe & Materials = \$23,686.40 – Paid
 - At the October 6 meeting the Village hereby resolves to authorize the Village Clerk to proceed to process payment to C & M for the Temporary Watermain Materials Invoice #R491013, in the amount of \$23,686.40, as requested by the vendor
 - C & M #3 – Permanent Watermain Flex Joint = \$14,375.00 – Invoice Pending

ESTIMATED COST SUMMARY

	April 20, 2022 Bid Results	May 2022 Estimated/Budget Cost	October 2022 Estimated Cost Osterhoudt
Temporary Water Main	-		-
<ul style="list-style-type: none"> • Piping Materials (Village direct purchase) • C&M Invoice #1 Temporary Watermain HDPE Paid 	-	\$15,000	-\$2,168.00

• C & M Invoice #2 Temporary Watermain Matls Paid			\$4,661.40
• Vari-tech PO Approved at 06/02/22 Mtg – Paid			\$2,648.00
• Schmidt’s Wholesale – Misc Hardware – Inv Pend			
• Support System and anchors (SCDPW)	-	\$25,000	\$ 25,000
• Fuse and Install Piping Materials & appurtenances, & testing (H. Osterhoudt)	-	\$25,000	\$24,715.44
• Misc. Other Cost	-	TBD	TBD
Permanent Water Main	-		-
• Piping Materials (Village direct purchase)	-	\$40,506	
• C & M Invoice #1 Permanent Watermain			\$32,667.50
• C & M Invoice # 2 Permanent Watermain Materials - Pending			\$38,125.50
• Support System - Beam (Village direct purchase)	-	\$8,425	\$ 8,425
• Install Piping, Materials & appurtenances, support system and testing (SCDPW)	-	\$25,000	\$25,000
• 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)	-	\$ 3,500/Day Assume 2 Wks/10 Days \$35,000	\$ 3,500/day Assume 2 ppl,2 Wks/10 Days = \$35,000
• Permanent water main leakage testing, disinfection and sampling (H. Osterhoudt Excavating Inc., Lump Sum	-	\$ 5,000	\$ 5,000
• Misc Other Cost		\$ TBD	\$ TBD
Total Construction Cost	\$259,000	\$ TBD TBD	\$ TBD \$ TBD
Other Miscellaneous Costs			
• Engineering (Delaware Engineering D.P.C.)		TBD	TBD
• Village Attorney (Local Counsel)		TBD	TBD
Contingency	-	TBD	TBD
	Total	\$ 259,000	\$179,931
	Village Budget	\$ 150,000	\$203,006

2. WWTP Upgrade

Board Action required at tonight’s meeting:

- WWTP Phase 1 Consider Applications and Certificate for Payment approval Payment No. 6 from General Contractor – Eastman Associates, Inc. - in the amount of \$251,616.99
- Payment No. 2 from Electrical Contractor – J & J Sass in the amount of \$179,740.00
- Payment No. 3 from HVAC Contractor Contractor – Treffeisen in the amount of \$9,880.00
- **Update/Review of Project Progress**
 - **Bipartisan Infrastructure Law (BIL)**
 - Phase 1 – This project is not eligible for BIL General Supplemental Funding
 - **For the Base Project – Phase 1**
 - **Update/Review of Project Process**
 - Construction – General
 - Clarifier drain valve replacement – Work complete
 - Grit Holding Area – Work Complete

- Stormwater Retention Basin Improvements – Work Complete
 - Offsite until more equipment comes in
- Electrical
 - Installing Electrical Conduits (Inf, Sludge & Electrical Building) – On-going
 - Duct bank Installation – Work Nearly Complete
- HVAC
 - Control Building Heater Installation estimated 12/22 – Work Pending
 - Roof curbs delivered, waiting on fan delivery (November 2022)
 - Plumbing
 - None
- **NYSEFC Additional Funding**
 - The NYSEFC Closed on the PFA for the additional funding up to \$9.4M on 6/30/22
- **CONSTRUCTION CONTRACTS**
- **Payment Requests:**
 - **Contract No. VL1-G-21 – General Construction**
 - **Application and Certificate for Payment No. 6**
 - **The full application package provided to the Village Clerk under separate cover on 10/17/22**
 - We have reviewed the Payment Application from Eastman Associates, Inc. the contractor for the subject project, for the period of August 31, 2022 through September 30, 2022 in the amount of \$251,616.99, for partial payment for Control Building Repair, Influent Building Improvements, Influent Channel, Influent Building Process, Oxidation Ditch Process Improvements, Storm water Retention Basin Improvements, Secondary Clarifier Process, Sludge Building Process Improvements, SCASA, Site Work, New Electric Room Improvements and NYSEFC Contract Compliance The total cost to date of \$1,005,086.69 equates to 18.8% of the contract price with a balance to finish, including retainage of \$4,336,943.96.
 - 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. 6, to General Contract No. VL1-G-21 for Eastman Associates, Inc. for the period of August 31, 2022 through September 30, 2022 in the amount of \$251,616.99, 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. 6, to General Contract No. VL1-G-21 for Eastman Associates, Inc. for the period of August 31, 2022 through September 30, 2022, in the amount of \$251,616.99, 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-E-21 – Electrical Construction**
 - **Application and Certificate for Payment No. 2**
 - **The full application package provided to the Village Clerk under separate cover on 10/17/22**
 - We have reviewed the Payment Application from J & J Sass Electric, Inc. the contractor for the subject project, for the period of June 30, 2022 through September 30, 2022 in the amount of \$179,740.00, for partial payment for Mobilization, Demobilization, Bonds & Insurances, Control Building Improvements Material and Labor, Influent Building Improvements Materials and Labor, Sludge Building Improvements Materials and Labor, Yard Piping Materials and Labor, Site Work Labor and Materials, New Electrical Building Improvements Materials and Labor, Miscellaneous Items/Other Expenses and NYSEFC Contract Compliance. The total cost to date of \$241,110.00 equates to 12.9% of the contract price with a balance to finish, including retainage, of \$1,629,890.00
 - 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. 2, to Electrical Contract No. VL1-E-21 for J & J Sass Electric Inc. for the period of June 30, 2022 through September 30, 2022 in the amount of \$179,740.00, 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. 2, to Electric Contract No. VL1-G-21 for J & J Sass Electric, Inc. for the period of June 30, 2022 through September 30, 2022, in the amount of \$179,740.00, 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**
 - No request for payment this month

Contract No. VL1-HV-21 – HVAC Construction

- **Application and Certificate for Payment No. 3**
- **The full application package provided to the Village Clerk under separate cover on 10/17/22**
- We have reviewed the attached Payment Application from A. Treffeisen and Sons, LLC. the contractor for the subject project, for the period of

August 31, 2022 through September 30, 2022, in the amount of \$9880.00 for partial payment for materials presently stored. The total cost to date of \$12,053.60 equates to 10.3% of the contract price with a balance to finish, including retainage, of \$104,846.40.

- 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. 3, to HVAC Contract No.VL1-H-21 for A. Treffeisen and Sons, LLC. For the period of August 31, 2022 through September 30, 2022 2022 in the amount of \$9,880.00, 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. 3, to HVAC Contract No. VL1-H-21 for A. Treffeisen and Sons, LLC, Inc. for the period of August 31, 2022 through September 30, 2022, in the amount of \$9,880.00, 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
 - **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 – Project Modification No. 1**
 - 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**
 - A full change order package will be provided to the Village Clerk under separate cover
 - **Item 1 – Post Aeration Blower Piping**
 - New Post Aeration Blower Piping is required or the New Post Aeration Blowers
 - New Post Aeration Blower Piping was shown on the Contract Documents Sludge Building Upgrade Floor Plan for the new orientation for the Post Aeration Blowers.

Detailed sections and elevation were not provided with the bid set. NO RFIs were submitted during bidding. Contractor is requesting change to reflect all items needed to complete the work including all pipe lengths, fittings, valves, etc.

- Eastman provided a proposal (5/16/22), in the amount of \$11,493.96 to provide all required New Post Aeration Blower piping, valves, fittings, equipment, labor and miscellaneous supplies to connect the Post Aeration Blowers to the existing piping flanges.
- The proposed work is necessary to complete the planned upgrade work in this area and that we believe pricing is fair and reasonable
- **Item 2 – Emergency Generator Bollards**
 - New bollards are required to protect the new Emergency Generator located between the Secondary Clarifier and New Electrical Room.
 - Bollards to protect the new Emergency Generator were not shown on the Contract Documents Site Plan
 - Eastman provided a proposal (10/4/22), in the amount of \$12,388.21, to provide seven (7) new bollards to protect the new Emergency Generator including all material, equipment, labor and miscellaneous supplies.
 - The proposed work is necessary to complete the planned upgrade work in this area and we believe that the pricing is fair and reasonable.
- Change Order 4 will add \$23,882,17 to the General Contract
- We have reviewed these changes with EFC, and has said it will be eligible for funding
- All funds to cover this change will come from the project contingency. The budgeted contingency is equal to \$701,962.03.
- This month's change orders, including the Electrical Contract Change Order No. 3 (\$18,306.00, below) and HVAC Contract Change Order (\$8,387.78, below), is equal to \$50,575.95.
- All change orders to date (excluding the belt press change orders) are equal to \$104,996.20, and the remaining available contingency funds would be \$596,965.83.
- **If the Village finds this change acceptable, we recommend that the Village Board resolve to:**
 - **Authorize the Mayor to execute Change Order No. 4, for Contract No. VL1-G-21, in accordance with the scope and costs if the 5/16/22 & 10/4/22 change proposals by Eastman, in the total amount of \$23,882.17; which will increase the cost of the contract to \$5,342,030.65 (previous contract amount of \$5.342,030.65 plus \$23,882.17).**
- **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**
 - The full charge order package will be provided to the Village Clerk under separate cover
 - A new 600 amp disconnect to provide power to the New Sludge Building Electrical Room is required
 - The existing MCC in the Influent Building that was identified in the Contract Documents as a power source for the New Sludge Building Electrical Service is not useable due to existing MCC interior obstructions
 - Sass provided a proposal (10/10/22), in the amount of \$18,306.00, to provide a new 600 A disconnect and perform side line tap on the existing influent building including all material, equipment, labor and miscellaneous supplies to switchgear that is unable to accept the new 600A breaker
 - Note that no Contract deduct have been shown for MCC bucket or installation of bucket. The new 600A disconnect is a swap for the Contract MCC bucket and labor to install the new 600A disconnect is a swap to install the Contract MCC bucket. Additional cost (materials and labor) are primarily for the side line tap.
 - We believe that the proposed work is necessary to complete the planned upgrade work in this area and that pricing is fair and reasonable.
 - Change Order No 3 will add \$18,306 to the Electrical Contract
 - We have reviewed these changes with EFC, and has said it will be eligible for funding
 - All funds to cover this change will come from the project contingency. The budgeted contingency is equal to \$701,962.03.
 - This month's change orders, including the General Contract Change Order No. 4 (\$23,882.17, above) and HVAC Contract Change Order \$8,387.78, below) is equal to \$50,575.95
 - All change orders to date (excluding the belt press change orders) are equal to \$104,996.20, and the remaining available contingency funds would be \$596,965.83.
 - **If the Village finds this change acceptable, we recommend that the Village Board resolve to:**
 - Authorize the Village Mayor to execute Change Order No. 3 – 600A Service Upgrade for the Sludge Building, for Contract NO. VL1-E-21, in accordance with the scope and costs of the 10/10/22 change proposals by J & J Sass, in the total amount of \$18,306.00; which will increase the cost of the contract to \$1,889,306.00 (previous contract amount of \$1,871,000 plus \$18,306.00).**

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 PVRs**
 - Totaling \$5,689

- Approved on 9/23/22 by NYSEFC
- **No Change Orders this month**

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**
 - Item 1 – New Sludge Building Exhaust Fan
 - A new exhaust fan in the North wall of the Sludge Building is required (wall mounted)
 - Installation of the new “Exhaust Fan E” (roof mount) in the location shown on Sheet HV-3 of the Contract Drawings is not feasible in the precast planks. Based on a review of the existing plan layout with the General Contractor and discussions with our structural team, if the roof plank is cut the post tensioned cables installed in the planks to provide structural strength could cause harm to the contractor and cause the roof plank to fail.
 - The New Sludge Building Exhaust Fan (wall mounted) will add \$11,274.28 to the contract price.
 - Item 2 – Credit for the Contract Sludge Building Exhaust Fan
 - Contract Sludge Building Exhaust Fan (roof mounted) is not required
 - The Credit for Contract Sludge Building Exhaust Fan will deduct \$5,233.65 from the contract price
 - Item 3 – New Control Building Garage Utility Heater
 - A new 10.0KW electric heater in the Control Building Garage is required to replace the existing unit heaters
 - The existing Control Building Garage currently has two electric heaters, the 7.5 KW heater does not work and the 3.0 KW heater is in poor condition and undersized for the garage area
 - The new electric heater in the Control Building Garage to replace the existing unit heater will add \$2,347.65 to the contract price.
- A. Treffeisen & Son, LLC provided a proposal (9/13/22), in the amount of \$8,387.78 to provide all material, equipment, labor and miscellaneous supplies to provide a new exhaust fan in the north wall of the Sludge Building, to provide a credit for the Contract Sludge Building exhaust fan and electric heater in the Control Building Garage to replace the existing unit heater.
- The proposed work is necessary to complete the planned upgrade in this area and we believe that pricing is fair and reasonable
- Change Order No. 2 will add \$8,387.78 to the HVAC Contract
- We have reviewed these changes with EFC and has said it will be eligible for funding
- All funds to cover this change will come from the project contingency. The budgeted contingency is equal to \$701,962.03.
- This month’s change orders, including the General Contract Change Order No 4 (\$23,882.17, above) and Electric Contract Change order (\$18,306.00, above), is equal to \$50,575.95.
- All change orders to date (excluding the belt press change orders) are equal to \$104,996.20, and the remaining available contingency funds would be \$596,965.83.

- **If the Village finds this change acceptable, we recommend that the Village Board resolve to:**
 - **Authorize the Mayor to execute Change Order No. 2 for Contract No. VL1-H-21, in accordance with the scope and costs of the 9/13/22 change proposals by A. Treffeisen & Son, LLC, in the total amount of \$8,387.78; which will increase the cost of the contract to \$125,287.00 (previous contract amount of \$116,900 plus \$8,387.78).**
- **Monthly Construction Meeting**
 - The latest monthly meeting construction meeting was held on site on 10.9.22 with the prime contractors, Delaware and Village Staff
- **Engineering During Construction**
 - Continue to receive and process material and equipment submittals, and application for payment
- **On-Site Construction and Observation Services**
 - Fulltime services continuing, when contractors are onsite
 - Eastman was not on site this week, plans to return next week
 - Excerpt from the Revised Anticipated Project:

February 21, 2022	Supplemental Bond Resolution becomes effective (20 days from Publication)
February – March 2022	Issue Notice to of Award, and prepare execution copies of contract, and issue Notice to Proceed Pre-Construction Meeting (March 23 rd)
March 2022 – July 2023	Construction to Substantial Completion
August 2023	Construction Completion (Final) and Project Closeout
October 2023	Long Term Loan Closing

- **For the Enhanced Sludge Project – Phase 2**
 - **Project currently on hold pending financing considerations**
 - **NYSEFC WIIA and IMG Programs**
 - We have submitted CWSRF and WIIA funding applications but did not receive WIIA grant (April 2022 letter) so project is currently on hold.
 - **NYS Water Infrastructure Improvement Act (WIIA) – Grant Opportunity**
 - CWSRF and WIIA funding applications submitted for 2021-2022 state fiscal year – SRF – No Hardship, WIIA – Grant Denied (4/22)
 - On July 7 the New York State Environmental Facilities Corporation (EFC) is offering \$225 million in grants for clean and drinking water (WIIA) projects during the 2022-23 state fiscal year
 - The deadline to submit your application is 5:00 p.m. on Friday, September 9, 2022
 - Available Funding
 - WIIA Clean Water Projects

- An applicant with an eligible clean water project may receive a WIIA grant award as described below:
 - A project, including phases of the project, would be awarded up to the lesser of \$25 million or 25% of net eligible project costs
 - New Online WIIA/IMG Application
 - All remaining items that need to be done for the redo of the Phase 2 WIIA application before September 9, 2022 have been completed
 - NYSEFC confirmed receipt of WIIA Application on 9.6.22
 - WIIA Awards anticipated to be announced before the end of the year
- At the July meeting the Village Board resolved to:
 - Authorize submission of the New York State Environmental Facilities Corporation's water Infrastructure Improvement Act Grant Application for the Phase 2 WWTP Upgrade Project.
 - Authorize the Mayor to endorse the attached NYSEFC form authorizing the Mayor to serve as the applicant representative, and
 - Authorize Delaware Engineering to submit the 2022 NYSEFC CWSRF WIIA application
 - Submitting updated WIIA grant application before September 9
 - We worked with Judy to complete the PLUS Update form and checked the box indicating desire for BIL funding
 - We prepared a letter to NYSEFC from the Mayor expressing interest in BIL funding and advising EFC of the project status, need for the project, etc.
 - Robert and Dan worked with Judy to get the listing update and letter uploaded and emailed before 4 pm on June 17
- **More info on WIIA FYI**
 - Other Background/History Information
 - Put in a new Project Listing (PLUS) in April 2020 for \$8.2M
 - update in 2021 once form update is requested by EFC
 - Completed SEQR again for the entire project– determination completed at August 20, 2020 Board Meeting
 - Did new Bond Resolution for the Phase 2 project – done at September 3, 2020 meeting; Notice of Estoppel appeared on November 20, 2020.
 - Prepared and submitted new Engineering Report to NYSEFC – DONE submitted NYSEFC on September 18, prior to September 21, 2020 deadline to finalize the IUP and get on the annual list for financing.
 - Prepare a new Smart Growth Form and submit to NYSEFC. DONE and submitted NYSEFC on September 18 - Reviewed with Village and had the Mayor to sign at the September 17 meeting, and submitted to NYSEFC prior to September 21, 2020 deadline to finalize the IUP and get on the annual list for financing.
 - NYSEFC released the CWSRF Final Intended Use Plan (IUP) for FFY 2021. The Phase 2 project is listed on the annual list with a budget of \$8.2M,
 - Funding Application (CFA program) including the WIIA Grant funding up in the air right now – nothing set for this year.
 - On January 6, 2021 the Village received notice that Phase 2 (Sludge Handling) of the Village's WWTP project will not qualify for 0% Hardship financing, as the base project score is below the Hardship Funding Line in the 2021 IUP.
 - Village received Hardship Eligibility Letter from NYSEFC on November 29, 2021 stating that this project is eligible for 0% loan/interest free financing with up to 25% grant possible.
 - April 20, 2022 NYSEFC posting of awards – this project did not get WIIA grant.
 - **Other Possible Additional Financing Opportunities**
 - **Bipartisan Infrastructure Law (BIL)**
 - NYSEFC and NYSDOH will be administering new federal funds from the BIL
 - Adds money to existing Clean Water State Revolving Fund (CWSRF) – for Wastewater and Drinking Water State Revolving Fund (DWSRF) programs.

- Some additional grant funding may be available
 - Latest since the last Board meeting, 2023 DRAFT Clean Water State Revolving Fund (CWSRF) Intended Use Plan (IUP) and associated documents for public comment with BIL General Supplemental Funding came out on August 18, 2022- Webinar scheduled for September 12, with comments due back in by September 20, 2022
 - We are working to understand how this will affect this project – not completely clear at this time.
 - As before, we have a number of questions into NYSEFC and do not have all the answers yet.
 - We will continue to seek answers from NYSEFC
 - We will advise as we receive more information
 - 2023 IUP will be finalized in the near future
- **Professional Services Contracts**
 - **Nothing new this month**
 - WWTP Upgrade Project
 - 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
 - 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.

3. Elm Street Wellfield/Electrical Improvements

- **Nothing new to report this month**
- DASNY willing to move \$100,000 - from the Bonacic grant commitment associated to cover some of the 2017 NYSDEC clean-up costs (no costs info/request ever

provided by NYSDEC) - into the electrical improvements for the Wellfield and add on to that \$100,000 reimbursement contract.

- We updated the cost estimate for the work from 2 years ago to \$200,000 (full grant amount with no Village contribution) and provided Judy with DASNY – requested information on March 31, 2022 to update Grant #11665 for electrical improvements work
- Received June 2022 request from Senator Martucci’s office to provide more information to support moving \$100,000 from Grant #9119 into #11665
- We worked with Judy to get the information requested back to Martucci’s office
- In light of pending NYSDEC cleanup cost correspondence, should the Village pull back the request to Sen. Martucci and consider putting #11665 funds back to #9119 to provide \$200,000 for the cleanup costs?

4. Rail Trail Area Culvert Drainage/Blockage

- Board Action Required at Tonight’s meeting:
 - None
- **2022 CDBG Application**
 - We worked with Judy and Mayor Joan and Mark Blauer to complete and upload the application package before the July 29th deadline, waiting for announcement likely December 2022
 - Consolidated funding application (CFA) process opened in early May
 - Applications for this year’s CFA will be accepted through 4:00 pm on July 29th
 - Request for Qualifications
 - At the May 5 meeting the Village Board resolved to authorize the Village Clerk to publish a Request for Qualifications during May with response due in early June. Judy and I can work on the RFQ legal notice to appear on May 10th with responses due June 1st. This was revised on May 14, to target date for publication is Friday May 20th with responses due June 13th (5/14 email from Blauer Associates)
 - Delaware submitted a response to the RFQ on 6/10/22 and were the only responder
 - Village scored the RFQ at the June 16, 2022 meeting and scored DEDPC at 100 points and returned form to Mark Blauer
 - Delaware the selected engineer for the project if funding is received.
 - Local Funds
 - At the May 19 meeting, the Village adopted the resolution regarding local funding.
 - SEQRA
 - At the May 19 meeting the Village Board resolved, per the SEQR resolution provided, that the Rail Trail Culvert project be declares a Type 2 SEQRA thereby requiring no further review.
 - Public Hearing
 - The legal notice to appear in the Democrat on Friday May 20 edition of the Villages official newspaper.

- At the June 2 Village Board meeting a hearing was held for the 2022 CDBG Application at 6:55 p.m.
 - No objections or concerns were raised at the public hearing, the Village resolved to submit/continue with the 2022 CDBG Application.
- Applications for this CFA will be accepted through 4:00 p.m. on July 29th.
- **Hazard Mitigation Grant Program (HMGP) – FEMA & Dept. of Homeland Security**
 - **All information submitted in July 2022. Awaiting further information**
 - Project is identified in the Sullivan County Multi-Jurisdictional Hazard Mitigation Plan (SCMJHMP)
 - Programs offers up to 90% grant, normally 75% grant
 - Delaware completed the application and it was submitted on 6.1.22
 - Could take up to 1-year before award determinations are made
 - The Village received RFI from DHSES – Rail Trail Area Culvert – August 15, 2022 Formal RFI Response from DHSES
 - This request for information (RFI) identifies additional items necessary, to complete you sub application(s)
 - Please work through each item listed below, clearly label any new supporting documentation included, and complete all forms provided, prior to submitting the completed RFI
 - All items requested are due to AndreaSangrey@dhSES.ny.gov for final review no later than August 26, 2022 (10 business days from the date of this letter)
 - At the August 18 meeting the Village Board resolved to adopt a resolution to commit to the Village to provide up to the estimated 10% project cost match, if funds are awarded for the HMGP/FEMA/DHSES sub application, and authorize Village Mayor to sign the letter
 - Delaware Engineering submitted the RFI response package on 8/26/22

5. DPW Site Groundwater Monitoring/DPW Garage Site Remediation

- **Nothing new to report**
- June 2022 sampling report indicated levels slightly higher than March 2022 for the MW-8
- Next sampling to be conducted in September 2022
- Based on sampling results still seeing values near garage indicating contamination remains

6. NYSDOH Water System Inspection/Cross Connection Control Program

- **Delaware is continuing work to develop a draft cross connection control program document utilizing system information, current codes and reference documents**
- A digital version of the Village's response to the 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 (on-going)
 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)
- Delaware is working to develop a draft cross connection control program document utilizing system information, current codes and reference documents.

7. WWTP SDPES Permit

- **October Update**
- **On 9/1/22 received notice from BYSDC that the full application is required by October 7, 2022**
- **NY-2A Package submitted 10/5/22 ad NYSDEC confirmed their receipt**
- **Background**
- On 1/7/22 the Village received a SPDES Permit Request for Information for the Wastewater Treatment Facility
- On 3/1/22 NYSDEC sent a notification to remind the Village that the NYSDEC has sent the attached Request for Information regarding the Village of Liberty Wastewater Treatment Facility. The requested information is due back to NYSDEC by 4/7/22.
- A follow up email was received last on April 8 requesting an update.
- We responded on April 21 to DEC with the following:
 - o Delaware is working with the WWTP to complete the required sampling, and staff is working on completing the application form – sampling was completed the week of 4/18/22.
 - o Response to the Request for Information is anticipated to be ready to submit to NYSDEC by Mid-May
- NYSDEC responded on April 21 that this timeline is acceptable.
- We will continue to work with Mark to acquire the sampling results data and will summarize that data and other forms, info and get back to NYSDEC.
- **May 2022 Update**
 - o We have received a majority of the test results from the Village and the data received has been entered into the NY-2A form
 - o Some results have not yet been received from the lab and there were several parameters which used the incorrect testing method. We reviewed the list of missing data with the laboratory and we have requested sample bottles from the lab to be delivered to Village to resample for these parameters
 - o We notified NYSDEC that we can't give you definite timeline of when we can expect have the complete NY-2A Application, but we will update you once we receive the remaining test results
 - o NYSDEC indicated that there was not rush on this technical review, the permit has been administratively renewed for several more years
- **June Update**
 - Sampling results anticipated to be back on time.
- **August Update**

- Most sampling results have been received. Tracking down 4-5 remaining results

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

- **Nothing new this month**
- 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. McDonalds Grease Interceptor Review

- Revised Engineer's Report and Plan and Details Sheets for the New Grease Interceptor
- Review relative to applicable standards (e.g. NYSDEC Intermediate Size Waste Treatment Facilities (2014), 19 NYCRR Part 1229-2 Grease Interceptors, NY Plumbing Code, Chapter 10, Traps, Interceptors and Separators, etc.)
- Prepared summary of the results of our review of the applicable standard and returned to Village WWTP and Codes on 9/1/22
- Reviewed and updated plans watermain and sanitary crossing relative to applicable standards (e.g. Recommended Standards for Wastewater Facilities (10-States, 2014), Recommended Standards for Water Works (10 States, 2018), etc.)
- Prepared summary of the results of our review of the applicable standards and returns to Village WWTP and Codes on 9/29/22

CONSIDER CODE ENFORCMENT FEES

The Board tabled this issue until more information can be received. They would like to see rates for the Village of Monticello as well as have the Code Enforcement Officer attend the next meeting (11/3) so they can discuss the matter with him.

NEW BUSINESS: DISCUSSION OF REVONAH PARK

Mayor Stoddard said Officer Lake gave her and Trustee Lake a tour of the area which they found to be absolutely beautiful. They felt it would be a great place to rehab with connections to the Rail Trail as well as a possible community garden. She said the pavilion is not in bad shape and could be refurbished.

The Board discussed the possibility of talking with BOCES, Sullivan Renaissance and Sullivan 180 to have volunteers assist in the rehab.

Trustee Mir expressed his concern about inviting the public in.

DICUSSION OF PARK ON NORTH DELAWARE – LARY STEIGER

Larry Steiger talked to the Board about the possibility of a Park on North Delaware Avenue Extension. The lots are currently owned by the Sullivan County Land Bank, he has been having e-mail conversations with them and the possibility of them helping merge the lots to establish the park with a crusher run walking trail.

The Board said they were interested in the concept and he will continue to work with the Land Bank to see if this project can be developed.

CONSIDER DECEMBER MEETING SCHEDULE

Motion by Trustee Lake, seconded by Trustee Feasel and unanimously carried to cancel the Regular Meeting Scheduled for December 1st (2022).

Motion by Trustee Lake, seconded by Trustee Feasel and unanimously carried to hold the Regular Meeting on Thursday, December 15th (2022).

There will be no Worksession Meeting during the month of December.

CONSIDER SATISFACTION OF MORTGAGE – CDBG LOAN/IRWIN GITLIN

Motion by Trustee Mir, seconded by Trustee Lake and unanimously carried authorizing Mayor Stoddard to sign the Satisfaction of Mortgage for the 1985 CDBG Loan Gitlin and Knack received from the Village of Liberty.

The loan was immediately paid back but the Satisfaction of Mortgage was never filed properly.

CONSIDER POSSIBLE LOCAL LAW – GARBAGE

The Board discussed the possibility of a local law prohibiting Village businesses/residents from using other locations (commercial/residential) in the Village for the disposal of their trash. Currently the way the law is written, there is no way to control this practice or any enforcement available.

Attorney Silver said he would draft up a local law for the Board to review.

REFURBISH WELCOME TO LIBERTY SIGN

Mayor Stoddard said that DPW Supervisor Lynn Barry has one of the old Welcome to Liberty Signs that he would like to repaint and possibly place on the highway side of the DPW Garage.

The Board said they were fine with him repainting the sign.

CONSIDER THE PURCHASE OF SAFETY EQUIPMENT FOR WWTP

Motion by Trustee Mir, seconded by Trustee Lake and unanimously carried approving the purchase of the following safety equipment for the Waste Water Treatment Facility:

Three Portable Eyewash Stations	- \$224.95 each
Three Preservative/Wash Water	- \$ 14.49 each
Four Face Shields	- \$ 12.49 each
Ten pairs of Safety Glasses	- \$ 5.09 each
One Case of Tyvek Coveralls	- \$ 240.95 case
One PVC Coated Apron	- \$ 16.64

The total purchase is \$1,076.77. JCO will purchase the products on behalf on the Village.

CONSIDER QUOTE TO FIX 2009 CHEVY 3500 WATER DEPARTMENT TRUCK

The Board reviewed a quote from Water Supervisor Fred Moore to fix the 2009 Chevrolet Silverado Truck used by his Department. The quote was from S & M Servicer in the amount of \$4,185.56.

Due to the cost to fix the vehicle the Procurement Policy states three quotes are needed. The Board asked him to also check with Thalmann's Service Center and Liberty Service Center.

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. 6 to General Contract No. VL1-G-21 for Eastman Associates, Inc. for the period of August 31, 2022 through September 30, 2022, in the amount of \$251,616.99 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 Lake and unanimously carried authorizing the Village Clerk to proceed to process Payment Application No. 3, to HVAC Contract No. VL1-H-21 for A. Treffeisen and Sons, LLC. for the period of August 31, 2022 through September 30, 2022, in the amount of \$9,880.00 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 Lake and unanimously carried authorizing the Village Clerk to proceed to process Payment Application No. 2 to Electric Contract No. VL1-E-21 for Eastman Associates, Inc. for the period of June 30, 2022 through September 30, 2022, in the amount of \$179,740.00 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.

WWTP - CONSIDER CHANGE ORDER NO. 4- VL1-G-21

RESOL. # 58-2022: Motion by Trustee Mir, seconded by Trustee Lake and unanimously carried approving Resolution #58-2022:

WHEREAS, the Village Board authorizes the Mayor to execute **Change Order No. 4** for Contract No. VL1-G-21, in accordance with the scope and costs of the 5/16/22 & 10/14/22 change proposals by Eastman, in the total amount of \$23,882.17; which will increase the cost of the contract to \$5,365,912.82 – (previous contract amount of \$5,342,030.65 plus \$23,882.17)

This change will cover the cost of the Post Aeration Blower Piping and Emergency Generator Bollards.

WWTP - CONSIDER CHANGE ORDER NO. 3- VL1-E-21

RESOL. # 59-2022: Motion by Trustee Feasel, seconded by Trustee Lake and unanimously carried approving Resolution #59-2022:

WHEREAS, the Village Board authorizes the Mayor to execute **Change Order No. 3 – 600 A Service Upgrade for Sludge Building**, for Contract No. VL1-E-21, in accordance with the scope and costs of the 10/10/22 change proposals by J & J Sass, in the total amount of \$18,306.00; which will increase the cost of the contract to \$1,889,306.00 (previous contract amount of \$1,871,000 plus \$18,306.00)

This change will provide a new 600 amp disconnect which will bring power to the New Sludge Building Electrical Room.

WWTP - CONSIDER CHANGE ORDER NO. 2- VL1-H-21

RESOL. # 60-2022: Motion by Trustee Feasel, seconded by Trustee Lake and unanimously carried approving Resolution #60-2022:

WHEREAS, the Village Board authorizes the Mayor to execute **Change Order No. 2** for Contract No. VL1-H-21, in accordance with the scope and costs if the 9/13/22 change proposals by A. Treffeisen & Son, LLC, in the total amount of \$8,387.78; which will increase the cost of the contract to \$125,287.00 (previous contract amount of \$116,900 plus \$8,387,78).

This will add a New Sludge Building Exhaust Fan, which is required

**APPROVAL BILLS FOR PAYMENT
OF BILLS
FOR PYMT: ESCROW ACCOUNT**

Motion by Trustee Mir, seconded by Trustee Feasel and unanimously carried approving the following payment from the escrow account:

Delaware Engineering - \$133.75
-McDonalds

GENERAL FUND

Motion by Trustee Lake, seconded by Trustee Feasel and unanimously carried approving the following payment:

Mary Barbanti - \$900.00
-Cleaning Services

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

THE MEETING WAS ADJOURNED AT 8:07 P.M.

RESPECTFULLY SUBMITTED,

JUDY H. ZURAWSKI
CLERK-TREASURER

