**REGULAR MEETING**

February 11, 2019

# The Board of Trustees held the Regular Meeting of February 11, 2019 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 Corinne McGuire, Trustee Sal Cracolici and Trustee Daniel Wright. Also Present: Judy Zurawski, Clerk/Treasurer.

**ABSENT:**  Gary Silver, Attorney for the Village

**ALSO** Police Chief Scott Kinne, Vicky Ferguson and Joan Stoddard

**PRESENT:**

**APPROVAL** Motion by Trustee McGuire, seconded by Trustee Wright and unanimously

**OF** carried approving the following minutes:

**MINUTES:**

WORKSESSION MEETING - January 28, 2019

**CORRES-** Mayor Stabak said the correspondence for this meeting is available in

**PONDENCE**:the Clerk’s Office

Incoming

* CC Letter from NYSDOT Re: Parking Signs 2.4.2019

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

**COMMENT:**

There were no comments from the Public.

**ATTORNEY** Attorney Silver was not in attendance at this meeting.

**COMMENTS:**

**TREAS.** Treasurer Zurawski’s written report was as follows:

**REPORT:**

* List of Current Taxes and collections thru 01/31/2019 of which there is $386,930.95 outstanding. The current taxes are 90% collected.
* List of Delinquent Taxes, which as of 01/31/19 is $488,397.55 not collected.
* Starting and Ending Central Check Numbers for January 2019
* Starting January 2019 Central Check #14458
* Financial comparison of General, Water, Sewer and Sanitation

Trustee Mir discussed the $700,000 BAN the Village approved at the last meeting for Waste Water Improvements. He said in talking with Treasurer Zurawski, the Financial Advisors (Capital Markets) thought it might not be necessary as the EFC money would be coming pretty quickly. The Financial Advisor said with the callable provision the financing would cost $15,000 to $20,000.

The Board said they would wait for more direction from the Financial Advisor before proceeding with the BAN.

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

**BUSINESS: ENGINEERING:**

David Ohman of Delaware Engineering was not in attendance but sent the following written report:

1. **WWTP Upgrade**

* NYSEFC Clean Water State Revolving Fund (CWSRF) **Project #C3-5352-02-00**
  + The Village received a letter from NYSEFC letter on January 18, 2019, to inform the Village that the WIIA program grant award is being revised to $1,914,000 and Total Estimated Project Cost of $7,656,889.
  + The Village received a follow-up letter that lists all missing items to complete the project financing agreement as soon as possible, A status of each of these is below:

1. Engineering agreement
   * + For Planning – Executed – ready to submit
     + For Design (through construction) services Executed, ready to Submit
2. MWBE utilization plan for the above Design/Construction services – Updated, ready to submit with Partial Waiver Request
3. MWBE work plan and MBO – Submitted to NYSEFC MWBE Representative on January 16, 2019 via email, plan to resubmit with the rest of items.
4. Copy of sewer debt exclusion approval from OSC – Village preparing with Capital Markets and Bond Council.
5. Clarification of net interest – Previously provided via e-mail, plan to resubmit with the rest of the items
6. Completed Smart Growth Assessment Form – Previously provided via email, plan to resubmit with the rest of the items.

* Preparing a response to NYSEFC for each item, if complete, providing a copy, or if not complete, provide a status update and that the item will be provided when complete.
* Ready to submit when receive Item 4 Copy of sewer debt exclusion approval from OSG from the Village.
* Professional Services Contract for Design through Construction:
* At the January 28, 2019 meeting the Village Board authorized the Mayor to endorse the Professional Services Contract with Delaware Engineering, DPC for design through construction for the Village WWTP upgrade to be financed through NYSEFC, dated January 25, 2019.
* Commencing design
* Updated schedule for work is attached
* Short Term Financing
* At the January 28, 2019 meeting the Village authorized the Village Clerk to proceed to secure a one year callable BAN in the amount of $700,000 to pay for services provided until the Village is able to close on NYSEFC financing, satisfy NYSEFC reimbursement requirements and begin to receive NYSEFC funds on a regular basis.
* Capital Markets working with the Village to secure the BAN.

1. **NYSDOH Water System Inspection/Cross Connection Control Program**
   * November 14, 2018 NYSDOH letter summarizes October 19, 2018 inspection
   * This will require the Village to develop a Cross Connection Control Program; with initial working preparing a CCCP document based on the NYSRWA template and NYSDOH requirements
   * NYSRWA provided CCCP template on February 1, 2019
   * Need list of previously identified water users covered by cross connection regs (Ken and Alice)
   * We have a response letter drafted for the Village, attached
   * Review with the Village today.
2. **Rail Trail Area Culvert Drainage/Blockage**

* Investigating options to address the issue
* Delaware is reaching out to NYSEG to inquire if the ROW requires continuous, uninterrupted access.
  + If not, can we open-cut a hole in the rail trail and put a bridge in?
  + If not, what the options?
* Delaware will also need to review with NYSDEC Region 3 Permits and Wildlife (trout stream) to review what the possible options are (i.e. open cut w/minor stream, permit work)

1. **DPW Garage Site Remediation**

* Based on September and December 2018 sampling report, not much different
* Still seeing values near garage indicting contamination remains
* Next Sampling to be in March 2019
* NYSDEC will keep going with quarterly monitoring until all results show compliance with water quality standards for a year or more.
* In addition, 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
  + One of the above and look at what is needed to be able to pump more water

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

* Have $100,000 SAM grant for well improvements
* At this time the Village is not planning to pursue a WIIA grant (60%) for this work
* The Village plans to apply the $100,000 towards electrical improvements and a possible new generator
* Village has had copper concentrations exceeding the action level I Spring 2017 and needed to come up with and submit a plan to address this to NYSDOH by December 31, 2017.
* Prepared and submitted a letter package to NYSDOH on January 3, 2018 (see attached) summarizing the Village’s recommendation for corrosion control/compliance with lead and copper action levels.
* Plan recommends continued use of blended phosphate at the current higher dose which has not affected WWTP compliance with phosphorous or any other water system issues. This is instead of undertaking improvements at the Elm Street well to add PH control and other needed improvements (July 2017 preliminary estimate of $517,000)
  + If we increase water pumping at Elm Street it is likely that the building modifications/improvements to allow for alkalinity addition will be required.
* NYSDOH has had one year to review the plan and advise of acceptance or the need for further work/study.
* No formal letter from NYSDOH yet regarding the recommended plan forward to continue to add phosphate but most recent sampling conducted in May 2018 indicated continued compliance through chemical addition.
* NYSDOH Response:
* The Village has not received any NYSDOH response to the Village’s recommendation for corrosion control/compliance with lead copper action levels: November 14, 2018 inspection letter references the continuing use of chemical to maintain lead and copper levels below the action level but no other comments specifically responding to the January 3, 2018 Village letter.

1. **NYSDEC Reconnaissance Inspection (Illicit Discharge)**

* December 12, 2018 NYSDOH letter summarizes November 18, 2018 inspection (attached)
* This inspection was conducted in response to the illicit discharge of petroleum product into the sewer system and its impact on the wastewater treatment plant (WWTP).
* Indicates Village needs to adopt a long term plan to educate residents on illicit discharge detection and elimination.
* Need to respond to NYSDEC by January 14, 2019 indicating intentions to address this matter.
* Worked with Rebecca and generated a response with the plan. The plan includes:
  + Utilizing resources from the US EPA, NYSDEC and other sources, find and/or create a simple brochure outlining prohibited discharges to the sanitary sewer system. The brochure will include, but may not be limited to:
    - What not to discharge into the sewer systems: Petroleum products (e.g. gas, oil, etc.) Fats, oils and greases (i.e. cooking products), Pharmaceuticals (OTC and Prescription), Plastics including microbeads, Hygiene products other than toilet paper, Non water-based paints and Stains & other.
    - Information regarding underground and above ground fuel storage tanks
    - Description of how to detect a prohibited discharge (e.g. color, odor, sheet, etc.)’
    - What to do when the public suspects a prohibited discharge (e.g. contact appropriate Village staff)
  + Print and distribute the brochure twice annually with other mailed material issued by the Village, such as sewer and/or water bills or tax bills.
  + Post the information on the Village website
  + Post the information in local pharmacies and retail establishments where pharmaceuticals, paints, petroleum products, etc. are sold.
  + Update, if necessary, reprint, and distribute the brochure twice annually
* Judy mailed hard copies out to Day and sent Delaware a scanned copy so that we can forward via email to Day at DEC.
* Day at DEC responded by email to conform receipt on January 22, 2019
* Further action pending NYSDEC review and comment. If plan is approved, Delaware will start to generate brochure. If Day at DEC provides comment, we will review with the Village, modify plan as needed, and resubmit plan for approval.

**UPDATE ON CDBG LOANS**

Attorney Silver was not in attendance at the meeting.

**UPDATE ON E-MAIL FROM ATTORNEY SILVER RE: LIBERTY CENTRAL SCHOOL DISTRICT**

Mayor Stabak said there were no further updates on this matter. He said we are waiting for Tony Siciliano to perform the survey.

**UPDATE IN MCMANUS & ASSOCIATES – FORMER GROSSINGER**

Mayor Stabak said there was nothing new to report.

**UPDATE ON WOODSTOCK DOVE**

Mayor Stabak said Kim Simons has completed the template and presented it to the Visitors Association. He said Kim informed him that there is a lot of theft in the art world so he did not ask for a picture of it.

**UPDATE ON LIBERTY THEATRE WITH CATSKILL HUDSON**

Mayor Stabak said the agreement still needs a few changes.

The Board said they would be more comfortable if the Number 5 and 6 both said ten business days.

Mayor Stabak also discussed the audit that will be required which Bruce Davidson will have to pay for.

Mayor Stabak said this matter will remain on hold.

**NEW** **CONSIDER NEW ACCOUNT WITH CATSKILL HUSDON BANK RE:**

**BUSINESS: WIIA GRANT – WASTE WATER IMPROVEMENTS**

Motion by Trustee McGuire, seconded by Trustee Wright and unanimously carried authorizing Clerk-Treasurer to open a new account with Catskill Hudson Bank for the waste water improvements that will commence this year.

**CONSIDER RESOLUTION STATING THAT VILLAGE ELECTIONS WILL BE MARCH 19, 2019 – 12 P.M. TO 9 P.M. AT THE VILLAGE MUNICIPAL BUILDING**

**RESOL.** Motion by Trustee Cracolici, seconded by Trustee Wright and unanimously

**4-2019:** carried approving Resolution #4-2019

WHEREAS, the 2019 Village Elections will be held on March 19, 2019;

WHEREAS, the elections will be from 12:00 noon to 9 p.m. at the Village Municipal Building located at 167 North Main Street;

NOW, THEREFORE BE IT RESOLVED, the Village Board of the Village of Liberty adopts this resolution for the 2019 Village of Liberty Elections.

**CONSDER DATES FOR MARCH MEETINGS**

Motion by Trustee Wright, seconded by Trustee Mir and unanimously carried approving the following meeting dates in March:

1. Cancel the meeting scheduled for Monday, March 11th
2. Regular Meeting – Thursday, March 14th – 7:00 p.m.
3. Budget Worksession – Thursday, March 14th – 6:00 p.m.
4. Worksession Meeting – Monday, March 25th – 7:00 p.m.

**CONSIDER REQUEST FROM 10 HILLSIDE AVENUE OWNER RE: PENALITIES**

Motion by Trustee Mir, seconded Trustee Wright to allow the owner of 10 Hillside Avenue – Teresa Hernandez – tax map #109-2-11 to pay the 2018/19 Village taxes with the September penalty if they are paid by the end of February.

Mayor Stabak said this was the due to the fact that the property purchase happened in April and the bank did not return the bill to us.

Trustee McGuire stated she was not in favor of this motion to waive partial penalties.

**CONSIDER SURPLUS EQUIPMENT – DARE PICKUP TRUCK**

Motion by Trustee Wright, seconded by Trustee Mir and unanimously carried to declare the DARE Pickup Truck – 2002 Chevrolet – VIN #3GNEK13TX2G241713 as surplus.

Motion by Trustee Wright, seconded Mir and unanimously carried to go out to bid for the above referenced DARE 2002 Chevrolet Pickup Truck.

The bid opening will be Tuesday, March 5th at 11:00 a.m.

**CONSIDER GARBAGE REMOVAL FROM VILLAGE – JEFF SANITATION**

Motion by Trustee Wright, seconded by Trustee McGuire and unanimously carried to transport the Village garbage to Jeff Sanitation (Owner Jim Hughson) in Jeffersonville, New York at a cost of $85.00 per ton.

The rate for the garbage will be $85.00 per ton as opposed to $100.00 per ton we are paying to the County of Sullivan.

Mayor Stabak said the recycling will continue to be transported to the County at $50.00 per ton.

The Board asked that the $85.00 per ton be put in writing from Jeff Sanitation.

**CONSIDER REQUEST FROM THE TOWN OF LIBERTY – USE OF VILLAGE COURTROOM**

Motion by Trustee Mir, seconded by Trustee Cracolici and unanimously carried to allow the Town of Liberty to use the Village of Liberty’s courtroom during the time period of late February through the month of March 2019.

This is due to the fact that the Town Courtroom will be under construction during this period.

**DISCUSSION - REQUEST OF A HANDICAPPED PARKING SPACE AT 59 NORTH MAIN STREET**

The Board discussed the request from John Theadore (from his client Art is Liberty) for a handicapped parking space in front of her building at 59 North Main Street.

The Board said there will soon be a lot of activity there as tenants rent out spaces on the second and third floor.

Police Chief Kinne said he would look at the area to determine if one could be put there and discuss it with Attorney John Theadore.

**CONSIDER 2019 SULLIVAN SIGNS GRANT**

Motion by Trustee McGuire, seconded by Trustee Wright and unanimously carried to authorize Mayor Stabak to sign the paperwork for the 2019 Sullivan Signs Grant providing Keri Ann Poley from the Town of Liberty brings the paperwork and everything is acceptable.

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

**COMMENT:**

John Stoddard (Winslow Place) briefly discussed the garbage removal to Jeff Sanitation.

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

**COMMENTS:**

Mayor Stabak said he had a discussion with Denise Frangapani at Sullivan Renaissance and if we put in a line item with $500 in it for flowers we will be eligible to receive the $1,500 Flower the Village Grant.

Trustee Wright – No Comment

Trustee Mir – No Comment

Trustee Cracolici – No Comment

Trustee McGuire discussed the 2019 Sullivan Sign Grant.

**APPROVAL** Motion by Trustee McGuire, seconded by Trustee Wright and

**OF BILLS** unanimously carried approving Voucher #24-688 to Voucher #24-754 in

**FOR PYMT:**the amount of $154,571.56.

**POST AUDIT VOUCHERS**

Motion by Trustee McGuire, seconded by Trustee Wright and unanimously carried approving Post Audit Voucher #24-682 to Voucher #687 in the amount of $302,506.59.

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

**THE MEETING WAS ADJOURNED AT 8:10 P.M.**

**RESPECTFULLY SUBMITTED,**

**JUDY H. ZURAWSKI**

**CLERK-TREASURER**

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