

INTRODUCTION AND SWEARING IN OF NEW DETECTIVE/SERGEANT

Police Chief D’Agata introduced the new Detective/Sergeant for the Village of Liberty Police Department. The ceremony tonight is to take the oath in front of his family and friends swearing and promising to protect both the lives and safety of the residents and visitors to the Village of Liberty as well as their constitutional rights afforded to them.

Mayor Stabak administered the oath to the new Detective/Sergeant:

AUSTIN SAUER

REGULAR MEETING

September 2, 2021

The Board of Trustees held the Regular Meeting of September 2, 2021 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 Joan Stoddard, Trustee Robert Mir and Trustee Ernest Feasel Also Present: Attorney for the Village, Gary Silver and Judy Zurawski, Clerk/Treasurer.

ABSENT: Trustee Daniel Wright

ALSO PRESENT: Police Chief Steven D’Agata, David Ohman, Vanessa Delgado, Woody Basden and James Gordon (arrived at 7:30 p.m.)

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

REGULAR MEETING – August 12, 2021

CORRESPONDENCE: Mayor Stabak said the following correspondence has been received and anyone can request copies.

❖ Letter from NYS RE: ARPA Funding 8.23.21

PUBLIC INPUT: Mayor Stabak opened the meeting to comments from the Public.

There were no comments from the public

ATTORNEY COMMENTS: Attorney Silver said he is working on the **Motion to hold in contempt** regarding the Kosher Ice Cream Truck Operation in the Village.

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

REPORT:**Flower Fund**

Treasurer Zurawski said an additional \$500.00 has been received in flower fund donations.

TABLED UPDATE ON ENGINEERING PROJECTS - D. OHMAN/DELAWARE
BUSINESS:ENGINEERING:

David Ohman of Delaware Engineering reported on the following:

1. Tonight's meeting

- Review and agree upon the process to move forward with the repair if the failing Grit Pumps at the WWTP
- Discuss moving forward with the waterline design for Lily Pond Road Bridge
- Consider Village Build-Out analysis

2. WWTP Grit Pump Replacement Project

• **Background:**

- At the July 15, 2021 Department Head meeting, Mark Kellam notified the Village that one of the grit pumps had failed beyond repair.
- The current pump is operating without redundancy/backup and is the same age as the pump that failed. The pumps are obsolete and no repair/replacement parts are available. If the one remaining pump fails the plant operations would be impacted as grit accumulates in the influent channel reducing available hydraulic volume and possibly passing into other downstream processes.
- The work to replace these pumps and associated piping, valves, etc. is included in the planned Phase 1 WWTP Upgrade.
- Delaware recommends that the Village move forward with the replacement of the two grits pumps in advance of the rest of the upgrade moving forward.
- NYSEFC has confirmed that this work, if completed separately, would be eligible for reimbursement under the project providing that EFC program requirements are incorporated in the procurement process.
- Drawings depicting the demolition and proposed work are available.
- We are still working to obtain more cost information but believe the cost of the replacement of the two new pumps, some new piping and valves, work by contractors to remove existing and install new pumps and piping, etc., and associated engineering assistance will be \$70,000 or more.
- We are still finalizing all the details for the entire work recommended that the Village proceed now to authorize the direct purchase of two new pumps per the attached quote from Siewart Equipment for a cost not to exceed \$24,947.
 - Pumps are at least 3 – 4 weeks out for delivery following approval so the sooner they are ordered the sooner we can address this

- issue. Purchase order needs to include the NYSEFC program requirements
- We believe that the Village can avoid/waive the procurement requirement for multiple quotes and proceed to direct purchase from Siewert because;
 - These pumps are recommended by the grit system manufacturer/supplier for use with their equipment – needed to work with existing equipment, which is planned to be replaced in kind during the Phase 1 upgrade
 - Are provided to this area by this manufacturer’s representative (not available from multiple sources)
 - Are needed to avoid operational and possible compliance (with potential fines) should the existing aged equipment, with no current redundancy, fail.
 - These pumps also:
 - Are a longtime/proven unit
 - Have a 1 year warranty
 - If direct purchased, can avoid overhead and profit markup (typically at 15% or more) if purchased through a contractor and can to directly into production
 - We will continue to refine the rest of the work needed to address this work
 - This work will be reimbursement from NYSEFC so Village will need to Utilize Village funds until money comes back from NYSEFC.
 - **If the Village Board agrees with this approach, we recommend that the Village authorize the Village Clerk to proceed with a purchase order – including NYSEFC bid packet requirements – to Siewert Equipment for the supply of two new pumps associated with the grit system, per the attached September 1, 2021 quote, for a not to exceed price of \$24,947.**
 - **Follow up work:**
 - Looking to put together quotes for contracts <\$25,000 to minimize NYSEFC requirements (e.g. for MWBE requirements which require wider solicitation, more paperwork, etc.)
 - Preparing quote package that can be sent to three suppliers for piping, valves, etc.
 - Preparing quote package that can be sent to three suppliers for piping, valves, etc.
 - Preparing quote package that can be sent to up to three contractors for service for demolition of existing, new concrete equipment pads, install and connect new pumps, piping, valves, etc., and disconnect and reconnect existing electrical.
 - **Engineering Work and Costs**
 - If acceptable to the Village, we will log time and costs now and will look to do a contract amendment to the Phase 1 contract before year end to include this work in the upgrade when costs are more defined.
 - The amendment quote phase work is anticipated to be fully eligible for inclusion with the Phase 1 project cost
 - Alternatively, we can do an amendment now for what we believe the cost may be

- **If the Village Board agrees with approach to log time and costs now, we recommend that the Village Board authorize Delaware Engineering to provide services to assist the Village to replace the grit pump system in advance of other planned Phase 1 upgrade work, log time and costs now, and prepare an amendment to the Phase 1 professionals services contract once the scope and costs for the planned work are more refined.**

3. Lily Pond Road Bridge/Waterline

- Based on recent communications with the County, the bridge project construction is slated to begin the first quarter of 2022.
- The Village waterline located on the bridge will need to be temporarily relocated early in construction
- So we need to get this work designed, approved by NYSDOH and out to bid by the end of the year.
- Next steps:
 - Need to refine temporary and permanent design concepts drawings with Village and prospective contractor and with the County – plan to meet again soon with Ken and Howard Osterhoudt to confirm temporary and permanent design plan
 - Confirm ROWs and easements available and/or needed – looks like only property now
 - Develop project cost estimated and timeline
- In order to keep this moving forward, we recommend that the Village agree to authorize Delaware to proceed with design of the improvements to allow for public bidding of the work this fall/winter on a time and materials basis using the General Service Contract provisions, with a cost not to exceed price of \$15,000.
 - Once the design is complete and approved by NYSDOH, we can assess how much more engineering will be needed to follow up with construction phase services.
- **If the Village agrees with this approach, we recommend that the Village Board resolve to authorize Delaware Engineering to proceed with design of the Lily Pond Bridge waterline location improvements to allow for public bidding of the work this fall/winter on a time and materials basis using the General Services Contract provision, with a cost not to exceed price of \$15,000.**

4. Village Build Out Analysis

- Understanding that development concepts continue to be considered which are subject to water and sewer needs, a buildout analysis could be conducted to estimate potential development based on zoning, GIS info, etc. and come up with estimates for future potential water and sewer needs.
- Would allow the Village to have some basis to better understand available capacity for water and sewer
- Is this something that the Village believes has merit?

The Village Board said they do know that their sewer plant is at 50% capacity. They asked the cost of this development plan.

Dave Ohman said it would run about \$10,000.

The Board said that if there is a potential developer interested in the Village it would be something that could be paid for by them at the time of the project.

UPDATE ON 157 SOUTH MAIN STREET

Treasurer Zurawski reported that the legislature has passed an extension on tax foreclosure protections until January 15, 2022. The Governor is expected to sign it today.

NEW BUSINESS: CONSIDER FALL CLEAN-UP

RESOL.# 43-2021 Motion by Trustee Stoddard, seconded by Trustee Mir and unanimously carried approving Resolution #43-2021.

**VILLAGE OF LIBERTY
2021 FALL CLEAN-UP**

**Saturday, September 25th
Sunday, September 26th
Monday, September 27th
Tuesday, September 28th
Wednesday, September 29th
Thursday, September 30th
Friday, October 1ST**

VILLAGE RESIDENTS ONLY – NO COMMERCIAL

All items for clean-up must be taken by Village Residents to the Village of Liberty Street Department garage at 46 Elm Street. 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.

Hours of Operation:

Saturday, September 25th - 8:00 A.M.–12:00 P.M.

Sunday, September 26th - 8:00 A.M. – 12:00 P.M.

Monday, September 27th – Friday October 1st - 6:30 A.M-2:30 P.M.

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

CONSIDER RESOLUTION OF SUPPORT – DOWNTOWN REVITALIZATION INITIATIVE

RESOL. # 44-2021: Motion by Trustee Stoddard, seconded by Trustee Feasel and unanimously carried approving Resolution #44-2021.

WHEREAS, the Village of Liberty is filing a joint application with the Town of Liberty to the State of New York for a grant under the Downtown Revitalization Initiative in the amount of \$10,000,000; and

WHEREAS, the Village of Liberty is fully committed to revitalizing its downtown and make the Downtown Revitalization Initiative highly successful; and

WHEREAS, the Village of Liberty will comply with all the applicable laws governing this contract, if awarded, and the expenditure of public funds by local governments; and;

NOW, THEREFORE BE IT RESOLVED, The Village of Liberty fully supports the Downtown Revitalization Initiative for public improvements of the downtown area and is committed to manage and otherwise carry out the projects undertaken through this Initiative contingent upon receipt of the award.

CONSIDER PROPOSAL FROM FINEHAND SIGNS – REPAIR OF DIRECTIONAL SIGNS

This item was **tabled** until more information can be obtained from the Department of Public Works Supervisor.

CONSIDER TAXI LICENSES FOR FISCAL YEAR 2021/2022

RESOL.# 45-2021: Motion by Trustee Stoddard, seconded by Trustee Mir and unanimously carried approving Resolution #45-2021.

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 have expired as of June 1, 2021;

WHEREAS, nine medical taxi licenses 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 nine licenses are for:

Americare Transportation - 9 Medical Taxi Licenses

CONSIDER ADJUSTMENT TO DPW BUDGET

Motion by Trustee Stoddard, seconded by Trustee Feasel and unanimously carried to combine the two seasonal employees that are in the Department of Public Works/Sanitation Budget to one full time employee.

Mayor Stabak said the Department has been struggling as three people are out on Workers Compensation.

CONSIDER WWTP – GRIT PUMP PURCHASE

Motion by Trustee Stoddard, seconded by Trustee Feasel and unanimously carried to authorize the Village Clerk to proceed with a purchase order – including NYSEFC bid packet requirements – to Siewert Equipment for the supply of two new pumps associated with the grit system, per the attached September 1, 2021 quote, for a cost not to exceed price of \$24,947.

Motion by Trustee Stoddard, seconded by Trustee Feasel and unanimously carried authorizing Delaware Engineering to provide services to assist the Village to replace the grit pump system in advance of other planned Phase 1 upgrade work, log time and costs now, and prepare an amendment to the Phase 1 professionals services contract once the scope and costs for the planned work are more refined.

CONSIDER NEXT STEPS IN LILY POND BRIDGE/WATERLINE

Motion by Trustee Stoddard, seconded by Trustee Mir and unanimously carried to authorize Delaware Engineering to proceed with design of the Lily Pond Bridge waterline location improvements to allow for public bidding of the work this fall/winter on a time and materials basis using the General Services Contract provision, with a cost to exceed price of \$15,000.

CONSIDER FALL MEETING SCHEDULE

Motion by Trustee Stoddard, seconded by Trustee Mir and unanimously carried to cancel the Regular Meeting scheduled for Thursday, October 7, 2021 and reschedule it for Thursday, October 14, 2021.

The Worksession Meeting scheduled for Thursday October 21, 2021 has been cancelled.

The Department Head Meeting will also be held on Thursday, October 14th at 8:15 p.m.

PUBLIC COMMENT: Mayor Stabak opened the meeting to comments from the Public

Jim Gordon (Lake Street) said he wanted to give a shout out to Lynn Barry and the entire Department for the great job they are doing.

Woody Basden (Loch Sheldrake resident) asked where the Village stood on the Police Reform Policy.

Mayor Stabak it was completed and widely accepted throughout the village by all community groups.

Woody Basden also said a FOIL request (that was submitted by a person other than himself) was never received.

Chief D'Agata said he would look into the matter and report back to him.

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

Trustee Feasel said the Department of Public Works cleaned up the intersection of Winslow/Wawanda that had poor visibility.

Trustee Mir said the recent storms have been tough on our plant. He said there was also a plug in the line by Frito Lay Snacks that required the assistance of TAM Enterprises.

Trustee Stoddard said she read through the logs submitted by Community Transportation and does not see any reason to amend the Taxi Ordinance. Sureway Taxi refused to produce their logs for the Village.

Mayor Stabak said he has been dealing with the day to day operations of the employees.

APPROVAL POST AUDIT VOUCHERS OF BILLS

FOR PYMT: Motion by Trustee Stoddard, seconded by Trustee Mir and unanimously carried approving Post Audit Voucher #1237 to Voucher #1242 in the amount of \$380,066.48

Flower Fund

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

Monticello Greenhouses - \$500.00

EXECUTIVE SESSION: Motion by Trustee Stoddard, seconded by Trustee Mir and unanimously carried to go into Executive Session at 8:05 p.m. to review dates for contract negotiations, to receive Attorney Advice and to discuss personnel matter in the Waste Water Treatment Plant. Police Chief D'Agata and Clerk/Treasurer Judy Zurawski were invited into the meeting.

Motion by Trustee Stoddard, seconded by Trustee Mir and unanimously carried to come out of Executive Session at 8:45 p.m.

CONSIDER PROPOSAL FOR CHIEF OPERATIONS, FULL TIME ASSISTANT OPERATION, MAINTENACE AND FACILITY MANAGEMENT OF THE WASTERWATER TREATMENT PLANT FROM JCO, INC.

Motion by Trustee Stoddard, seconded by Trustee Mir and unanimously carried to add a Full-Time 2A Operator at the Waste Water Treatment Plant beginning September 13, 2021 at a cost of \$7,700 per month.

This is on a month to month basis as needed.

CDBG LOAN – VIP FITNESS

The Board was in agreement to allow Dustin Pritzert of VIP Fitness to pay \$50.00 a month on his CDBG Loan and to relook at the repayment in January 2022.

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

THE MEETING WAS ADJOURNED AT 8:50 P.M.

RESPECTFULLY SUBMITTED,

**JUDY H. ZURAWSKI
CLERK-TREASURER**

