

## REGULAR MEETING

### JULY 18, 2024

The Board of Trustees held the Work session Meeting on July 18, 2024 at 7:00 P.M. in 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, Trustee Eveleese Lake and Trustee Jayneen Mills. Also Present: Attorney for the Village Gary Silver, Judy Zurawski, Clerk/Treasurer and Denise Corbett, Secretary to the Board.

**ALSO PRESENT:** David Ohman, Delaware Engineering; Dan Fagnani, Delaware Engineering; Steve D'Agata, Police Chief; Monty Heimlich, David Burke, Director of Public Works, Patricia Lubin, Denise Horos, Heather Jacksey and Justin Rocque.

#### INTRODUCTION AND SWEARING IN OF NEW POLICE OFFICER CONDE

Police Chief D'Agata presented Officer Tolentino. Mayor Stoddard swore in Officer Tolentino. Officer Tolentino was presented with his badge.

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

- ❖ PUBLIC HEARING – JUNE 20, 2024 RE: LOCAL LAW 3-2024
- ❖ WORKSESSION MEETING – JUNE 20, 2024

#### **CORRESPONDENCE-**

##### INCOMING

- ❖ E-Mail from LMCS Re: Tax Exempt Property 28-1-24
- ❖ Street Light Report for June
- ❖ Letter from W. Read Re: Officer Appreciation

##### OUTGOING

None

#### **PUBLIC COMMENT**

Steven Vegliante – Vilas Resort LLC -  
Not present

Justin Rocque and Heather Jacksey – Department of Grants Admin/SC

Heather Jacksey explained Trail Town Assessment and how it relates to the Village and the O & W Rail Trail. Heather would like to get the community involved for dialogue and possible walking tour of the trail.

Justin Rocque gave Mayor Stoddard a packet named Trail Town

Assessment. He explained what information they would like to discuss during the walking tour including safety, parking and amenities. Justin asked if they could set up a two hour walking tour. He suggested several dates including August 22<sup>nd</sup>, August 30<sup>th</sup> and September 3<sup>rd</sup>.

Mayor Stoddard will get back to them with a date in the near future.

## **ATTORNEY COMMENTS**

None

## **TREASURERS REPORT**

None

### **TABLED BUSINESS: A. DELAWARE ENGINEERING**

Dan Fagnani presented the following report:

1. **Lily Pond Road Bridge Waterline**  
Board Action Required at Tonight's meeting:
  - o None
  - Construction Status Update
    - o Permanent Water main into Service
      - Satisfactory pressure test occurred on 4/21 and satisfactory bacteriological testing occurred on 4/26 & 4/27
      - NYSDOH was notified of the satisfactory pressure and bacteriological test results and no issue with placing the permanent water main in service and the schedule for reinstalling the hydrants on 5/15 is also acceptable
      - Permanent water main was put into service on 5/4/23,
      - Reinstallation of hydrants and demo and removal of temporary structures/items and site restoration – Completed May 15, 2023
      - Installation of insulation and embossed aluminum exterior cover system on the flexible coupling/spool pieces/etc. on the bridge crossing by C&K – Completed July 6, 2023
    - o Remaining to be completed includes:
      - Insulation of two exposed 45-degree fittings (installation, by County, pending) –Mostly Complete
      - Removal of extra materials
    - o 2 sticks of DIP insulated TR Flex and delivery to the Village water shop or Lily Pond – being coordinated with the County and Village – Still Pending
      - Working with Dave Burke to confirm that all work is done or identify items that need to be fixed
      - Certification of construction (DOH-5025) and As-Builts will be completed and submitted to NYSDOH soon
      - Any remaining work will be completed as punch list work

## 2. WWTP Upgrade

- **Board Action Required at Tonight's meeting:**
- **WWTP Phase 1**
  - None
- **WWTP Phase 2 Enhanced Sludge Upgrade RRQ for Professional Services**
  - None
- Update/Review of Project Progress for Phase 1 WWTP Upgrade:
  - **Construction Update**
    - All WWTP Upgrade work is essentially substantially complete, except for General Contract – Eastman punch list work, and is anticipated to be wrapping up in July-August 2024
  - Punch list work for General Contractor Eastman Associates
    - Eastman was on site 6/12/24 to begin punch list work
    - Site restoration, grating and topsoil near dumpster and generator – Ongoing
    - Filling crack in oxidation ditch wall – Ongoing
    - Grating work in the influent channel – Ongoing
    - Clarifier door hinge - Pending
    - Clarifier painting touchup – Pending
    - Hose BIB on Control Building - Pending

- **Substantial Completion**

General Contract – Eastman Associates, Inc. (Contract No. VL1-G-21 – General Construction)

- Delaware forwarded the certificate to the prime contractor for execution and request project closeout paperwork
- We will assemble the project closeout package including final payment application to the Village once all is received from the contractor.
- At the February 15, 2024 meeting, The Village resolved to authorize the Village Mayor to endorse the Certificate of Substantial Completion form for Contract VL 1-G-21 – General which shall fix the date of Substantial Completion as December 31, 2023 and final contract amount of \$5,558,792.00, including the punch list of items to be completed or corrected before final payment.

Electrical Contract – J&J Sass Electric (Contract No. VL1-E-21 – Electrical Construction)

- The complete closeout package, including final payment application, was forwarded to the Village on May 16, 2024
- Disbursement request submitted on 7/1/24, the Clerk can provide final payment once funds are available
- At the February 15, 2024 meeting the Village resolved to authorize the Village Mayor to endorse the Certificate of Substantial Completion form for Contract VL1-E-21 - Electrical which shall fix the date of Substantial Completion as February 2, 2024 and final contract amount of \$ 1,996,877.03, including the punch list of items to be completed or corrected before final payment.
- All work complete, contract closed out

Plumbing Contract – A. Treffeisen & Son, LLC. (Contract No. VL1-P-21 –Plumbing Construction)

- All work complete. Contract closed out.

HVAC Contract – A. Treffeisen & Son, LLC (Contract No. VL1-H-21 – HVAC Construction)

- All work complete. Contract closed out.

• **Payment Requests**

**Contract No. VL1-G-21 – General Construction**

- Payment Application No. 22 (Partial Final Payment)
- At the March 21, 2024 meeting the Village resolved to authorize the Village Clerk to proceed to process Payment Application No. 22, for General Contract No. VL1-G-21, to Eastman Associates, Inc., for partial payment of retainage, in the amount of \$145,039.61, as requested by the contractor, including submittal of the payment request to NYSEFC for reimbursement, with the understanding that payment to the contractor will be made following receipt of reimbursement from NYSEFC.
- Payment Application No. 23 (Final Partial Payment)
- Pending Completion of the Punch list and Remaining Work

**Contract No. VL1-E-21 – Electrical Construction**

- Payment Application No. 15 (Final Payment)
- At the May 16 meeting the Village hereby resolved to authorize the Village Clerk to proceed to process Payment Application No. 15 (Final) for Electrical Contract No. VL1-E-21 to J&J Sass Electric, Inc., in the amount of \$99,843.85, for final payment (all punch list and remaining work items complete) as requested by the contractor, contingent upon receipt of the complete Closeout Package, 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
- Disbursement request submitted on 7/1/24, the Clerk can provide final payment once funds are available
- All work complete, contract closed out

**Contract No. VL1-P-21 – Plumbing Construction**

- All work complete, contract closed out

**Contract No. VL1-H-21 – HVAC Construction.**

- All work complete, contract closed out

**Change Orders**

- All change orders have been finalized

**WWTP Alarms**

- The Village needs to reactivate the Verizon phone line (copper), can't connect the WWTP alarms to the Police Department – Still in process

- We'll look at getting these to go via new Spectrum under Phase 2

### **Engineering During Construction**

- Wrapping up & working on closeout and as-builts
  - **On-Site Construction and Observation Services**
  - Part-time services continue, when contractors are onsite
  - Anticipate to be done in June-July 2024 for remaining punch list/site restoration

### **3. WWTP Phase 2 Upgrade**

- **Board Action Required at Tonight's meeting:**
  - None

### **Update/Review of Project Progress for Phase 2 WWTP Upgrade:**

- Update/Review of Project Progress for Phase 2 WWTP Upgrade:
- Cost Summary
- Total Estimated Project Cost from PER: \$9,899,686
- **Current Funding Scenario**
- WIIA Grant Award: \$2,474,922 (25% of project costs)
- BIL Grant Award: \$4,950,000 (50% of project costs)
- Village's Commitment \$2,750,000 (25% of project costs)
- **Current Funding Scenario w/ Enhanced WIIA**
- Possible Enhanced WIIA: \$2,474,922 (Add'l 25% of project costs, total 50% WIIA)
- Village's Commitment \$0 (0% of project costs)
- Pending 2024 WIIA award announcement, typically fourth quarter 2024
- Clean Water State Revolving Fund (CWSRF) Funding Submittal – also covers BIL funding request:
  - Completed and uploaded on June 15, 2023
  - **WIIA Grant Funding (25% grant)**
  - All required documents submitted, confirmation of receipt pending
  - WIIA Grant/PFA in progress with NYSEFC, short-term financing Exhibit Approval Memo pending, see SRF Application Receipt Letter & Missing Items, below
  - Cost Summary
  - Total Estimated Project Cost from PER: \$9,899,686
- **Bipartisan Infrastructure Law (BIL) (50% grant)**
  - All required documents submitted
  - BIL Grant/PFA in progress with NYSEFC, short-term financing Exhibit Approval Memo pending, see SRF Application Receipt Letter & Missing Items, below
- **Enhanced/Additional WIIA Grant Funding (Add'l 25% Grant, 50% Total)**
- Enhanced/Additional WIIA Grant Funding (Add'l 25% Grant, 50% Total)
- All required documents submitted, confirmation of receipt pending
- Enhanced WIIA Grant are being evaluated with 2024 WIIA applications (due June 16, 2024), and are anticipated to be announced late fourth quarter 2024
- Impact on pending PFAs is unknown

- o On March 6, 2024 NYSEFC notified the Village via email that as a recent 2023 awardee (25%), this project has been identified as potentially eligible for a new enhanced WIIA award (which will fund 50% of net eligible costs)
  - Projects with a population of 3,500 or less may qualify for an enhanced WIIA award which will fund 50% of net eligible project costs. To qualify for the enhanced WIIA award:
    - the community must meet the hardship criteria as defined in the 2024 Clean Water Hardship Policy; OR
    - the project (without the grant) would result in residential user rates exceeding 1.5% of the Median Household Income (MHI) of the community.
- o NYSEFC is offering the Village the opportunity to be reassess for an additional 25% grant on top of the current award
- o The Village may or may not qualify
- o The reassessment will not jeopardize the 2023 WIIA award
- o At the March 7, 2024 meeting the Village authorized the Village Mayor to sign the WWTP Phase 2 – Enhanced Sludge Handling letter of interest for the 2024 Clean Water Enhanced WIIA Grant and for the Village Clerk or Delaware Engineering to submit to nyswatergrants@efc.ny.gov by the March 22, 2024 deadline
- o Delaware submitted the letter of interest to NYSEFC on March 11, 2024. No confirmation of receipt to date from NYSEFC.
- o NYSEFC may recommend to delay Short Term-Financing for this award, if awarded, or the PFA may be modified in the future, or grant may be offered as loan principal forgiveness
- **SRF Application Receipt Letter & Missing Items**
  - All required documents submitted with confirmation of receipt
  - PFA short-term financing Exhibit Approval Memo in progress with NYSEFC, pending Agreement for engineering construction services
  - On January 17, 2024 the Village received notice confirming receipt of the Phase 2 WWTP Upgrade Project (CWSRF Project No. C3-5352-02-01) Financing application and list of items required to execute a Project Finance Agreement
  - On March 11, 2024, Delaware, on behalf of the Village of Liberty, in response to the to the January 17, 2024 NYSEFC correspondence confirming application receipt and Items Required to Execute a PFA
  - NYSEFC confirmed receipt and will let the Village know if they need any additional information
- **Architectural and Engineering (A/E) Procurement Requirements**
  - o DEDPC will be submitting a contract to Village for consideration soon
  - o At the April 18, 2024 meeting the Village agreed to award the contract for A/E Services to Delaware Engineering, D.P.C., and adopted the Resolution for A/E Services Award for the Request for Qualifications (RFQ) for Engineering Services RFQ#1-2024 Village of Liberty, NY Wastewater Treatment Plant Phase 2 Upgrade Enhanced Sludge Handling
    - o Delaware is working with the Village Clerk to finalize all record documents
    - o Delaware is preparing an agreement for engineering services for design through consideration at a future meeting.
  - o An executed agreement will be required to close on short term PFA with NYSEFC

#### **Next steps**

- A/E Procurement Documentation**

- Clerk – Once contract is executed, complete the NYSEFC Certification for Architectural/Engineering Services Procurement (to be provided in the future upon execution of contract) – Pending
- o The RFQ schedule is as follows:
  - By February 6 – Legal notice to SCDC - Complete
  - February 9 – Legal notice in SCDC& NYS Contract - Complete
  - By March 8 – RFQ responses due – Complete (3 responses received)
  - Mar. 21-Apr. 17 – Village Board reviewed 3 SOQs and fill out Scoring and Evaluation Matrix for each - Complete
  - April 18 – Village Clerk to completed the complete the RFQ Scoring Summary by totaling the scores for each firm - Complete
  - Aug.– Sept. – Selected form provides contract; negotiations and contract execution - Agreement for engineering services for design through construction pending
- **Plan Forward**
- o Close on project financing with NYSEFC (anticipate 6-10 months processing time with NYSEFC due to their backlog of projects).
- o Anticipated project schedule:

June 16, 2023 - Complete	Financing applications due for all projects
June 16, 2023 - Complete	New project listing deadline for the FFY 2024 IUP
July 28, 2023 - Complete	Submit Updated WIIA Application (\$9.9M)
August 2023 - Complete	NYSEFC to the DRAFT 2024 IUP, including Subcategory D1 -BIL General Supplemental Additional Subsidy Projects
December 12, 2023 - Complete	WIIA Grant Awards Announced
January 2024 - TBD	Work with NYSEFC to secure Short-term financing
January-July 2024 - In process	Professional Services RFQ Process
January 18, 2024 - Complete	Village Board Meeting Action Items: Sign WIIA Grant Acknowledgement and Acceptance Form Sign BIL Grant Acknowledgement and Interest in BIL Funding Form Authorize publication of the legal notice for the RFQ
January 19, 2024 - Complete	Submitted WIIA Grant Acknowledgement and Acceptance Form Submitted BIL Grant Acknowledgement and Interest in BIL Funding Form

January 19, 2024 - Complete	Deadline for WIIA and BIL Grant Acknowledgment and Acceptance (WIIA)/Interest (BIL)
March 7, 2024 - Complete	Village Board Meeting Action Items: Authorize Village Mayor to sign a letter of interest to be reassessed for additional/enhanced WIIA grant funds
March 8, 2024 - Complete	Deadline for responses to the professional services RFQ
March 11, 2024 - Complete	Submitted letter of interest to be reassessed for additional/enhanced WIIA grant funds
March 21-April 17, 2024 - Complete	Village Board review 3 SOQs and fill out Scoring and Evaluation Matrix for each
March 22, 2024 - Complete	Deadline to submit letter of interest to be reassessed for additional/enhanced WIIA grant funds
April 18, 2024	Village Board Meeting Action Items: Complete Scoring & Evaluation Matrix - <b>Complete</b> Complete the Scoring Summary - <b>Complete</b> Authorize Contract Award - <b>Complete</b> Complete Procurement Documentation - <b>Complete</b> Authorize clerk to complete the NYSEFC Certification for Architectural/Engineering Services Procurement - <b>Pending</b> (to be provided for execution upon execution of contract)
August-September 2024	Contract with selected consultant for professional services for design through construction
TBD 2024	Commence design
TBD 2024-25	Close on NYSEFC Short Term Financing (Bridge Loan)/ Project Finance Agreement Execution - reimburse accounts for planning and design services costs
TBD	Submit project plans and specifications to NYSEFC & NYSDEC for review and approval
TBD	Receive NYSEFC Design Approval (Pending PFA)



TBD	Bid/Award Construction Related Contracts
TBD	Issue Notice to Proceed/Commence Construction
TBD	Construction (Eng. Administration, 20 Months)
TBD	Construction (Onsite, 12 Months)

#### 4. CDBG 2023 Rail Trail Project:

- **Board Action Required at Tonight's meeting:**

- o None

- **Funding**

- o This project was selected for grant award in the amount of \$999,919, based on the letter from CDBG that the Village received on November 11, 2023
- o Total Estimated Project Costs = \$1,048,919. The Village has committed \$49,000 of local funds towards the project for grant administration. Total grant award = \$999,919 (Total: \$1,048,919 - \$ 49,000 of Village Funds = \$999,919)
- o NYS OCR CDBG Agreement: The fully executed grant agreement was returned to the Village on 2/12/2024
- o Contract No. VL1-G-24 – General Construction:
  - Contract Agreement was executed on 5/15/24
  - At the April 18, 2024 meeting the Village Board resolved to:
    - Award the Contract No. VL1-G-24 – General Construction for the Rail Trail Culvert Replacement and Sanitary Sewer Failure Mitigation Project to the low bidder, Tweedie Construction Services, Inc., for the Base Bid price of \$324,110.00 for all Base Bid Items.
    - Accept unit pricing for Bid Alternate Items for future consideration.
    - Authorize the Mayor to execute the necessary paperwork (e.g., Notice of Award, Notice to Proceed, Agreement, Change Orders, Certificate of Substantial Completion, checks for contractor payment, etc.) for contract initiation through completion of the work.
    - Delaware Engineering has completed complete bid and award services
- o Professional Services Agreement for Grant Administration Services (Blauer Assoc.)
  - Work for bid and award complete
  - Work has begun for construction phase services
- o Professional Services Agreement for Engineering Services (Delaware Engineering)
  - Work for bid and award complete
  - Work has begun for construction phase services
- **Project Status Update**
  - o The Contract Agreement with Tweedie Construction was executed on 5/15/24
  - o A pre-construction meeting was held on 5/14/24
  - o Tweedie provided a project schedule in May 2024 and work is anticipated to begin on 06/24/24, and proceed as follows:
    - Layout Setup-1 day. 06/24/24
    - Install Sewer & Sluice Pipe-3 day. 06/25-06/27
    - Hook up-1 day. 06/28
    - Excavate-3-5 days. 07/01-07/05
    - Install Culvert-1 day. 07/08
    - Backfill-5 days. 07/09-07/22
    - Rip Rap-3-5 days. 07/23-07/26

- ☐ Gravel on Laneway- 5 days. 07/26-/08/02
- ☐ Restoration-2-3 days. 08/05-08/08
- July 17, 2024 Update
- ☐ Work began on July 1, 2024
- ☐ CO No. 3 - Directional Drilling Sewer Installation complete on July 3, 2024
- ☐ Culvert Pipe has been delivered and is onsite
- ☐ Access roadway roughed in
- ☐ Work is scheduled to resume the week of July 22, 2024 pending delivery of the HDPE fittings for final sewer connection
- Only outstanding issue is NYSEG coordination/scope to relocate or support the utility pole. Put a \$25,000 allowance in the base bid for contractor coordination with NYSEG.
- ☐ Initial work order including drawings submitted to NYSEG via email April 20024  
No new updates
- ☐ As of 7/17/24 it seems that design for the relocation of the utility pole is in progress, however there is still no schedule.
- ☐ Delaware submitted email to NYSEG with the design drawings and information on project schedule, tagged with the job number, in hopes that the information will get to the people working on the design
- ☐ Continuing to contact 1-800 number and contractor continues to contact NYSEG as well
- ☐ On July 10, 2024, we contacted Matt McPhillips of the local NYSEG

Matt McPhillips  
Program Manager- Government & Community Relations  
Liberty Division

26 Weirk Ave, Liberty, NY 12754  
Cell: 845.898.2874  
[m.mcphillips@nyseg.com](mailto:m.mcphillips@nyseg.com)

### **Change Orders:**

- ☐ **Change Order No. 1 – Polymer Coated Corrugated Steel Culvert Pipe**
- ☐ Change Order No. 1 has been fully executed
- ☐ The fully executed change order was distributed via email on 6/19/24, and hardcopies were delivered to the Village Clerk on 6/20/24
- ☐ At the April 18, 2024 meeting the Village Board resolved to:
  - Authorize the Mayor to execute Change Order No. 1 for Contract No. VL1-G-24, for addition of a Polymer Coated Corrugated Steel Culvert Pipe based on the costs represented in the 4/15/24 Alternate Bid Sheet from Tweedie Construction Services, Inc., in the total amount of \$21,134.00, which will increase the contract cost to \$345,244.00.
- ☐ **Change Order No. 2 – BABAA Compliance**
- ☐ Change Order No. 2 has been fully executed
- ☐ The fully executed change order was distributed via email on 6/19/24, and hardcopies were delivered to the Village Clerk on 6/20/24
- ☐ At the April 18, 2024 meeting the Village Board resolved to:
  - Authorize the Mayor to execute Change Order No. 2 for Contract No. VL1-G-24, for addition BABAA Compliance this language to the contract no additional cost.
- ☐ **Change Order No. 3 – Directional Drilling Sewer Installation**

- Change Order No. 3 has been fully executed
- The fully executed change order was distributed via email on 6/19/24, and hardcopies were delivered to the Village Clerk on 6/20/24
- At the May 16, 2024 meeting the Village Board authorized the Mayor to execute Change Order No. 3 for Contract No. VL1-G-24, for addition of Directional Drilling Sewer Installation based on the costs represented in the 4/15/24 Alternate Bid Sheet from Tweedie Construction Services, Inc., in the total amount of \$27,400.00, which will increase the contract cost to \$372,644.00.
- Drilling completed July 3, 2024; final connection to sewer pending delivery of materials

### **Budget Review**

- Budget currently available to apply to change:
    - Construction budget = \$808,269
    - Tweedie Base Bid = \$324,110
    - Change Order No. 1 = \$21,134
    - Change Order No. 2 = \$27,400
    - Subtotal Tweedie to date = \$372,644
    - Balance of Construction Budget = \$435,625
    - Project Contingency = \$85,900\*
    - \*included in Construction Budget per Schedule B in the OCR Grant Agreement
    - Balance of Grant Funds Available for Additional Work = \$349,725
- and preserve \$85,900 contingency

### **Possible Additional Work/Pending Change Orders:**

- At the June 20, 2024 meeting the Village considered for possible additional work, and agreed to pursue Option 1 – Additional Sanitary Sewer Work, with an estimated Total Cost between \$230-250K
- Options reviewed at the June 20, 2024 meeting
- Options to Consider, may need to bid this work – subject to OCR review
- 1. Additional Sanitary Sewer Work – Desired Option
- 2. ~~Paving of Rail Tail – Not Selected~~
- 3. ~~Other~~
- Option 1 – Additional Sanitary Sewer Work – Desired Option
  - o Replace 3 manholes and +/- 350 LF of existing vitrified clay pipe – from Rail Trail to West Lake Street
  - o See Map of Proposed Additional Sewer Work
  - o Eliminates break prone vitrified clay pipe (I/I source near stream bed area)
  - o OCR has generally agreed to the proposed work, and will likely approve once a formal change request has been submitted
  - o Estimated Costs
    - Construction = \$200K
    - Additional Engineering = \$30-50K
    - Total = \$230-250K
- 
- Next Steps, pending resolution from NYSEG**
  - o Delaware reviews scope/concept budget cost with OCR (and Mark Blauer) to understand their approval requirements in June
  - Delaware provides contract amendment for additional engineering services for Village action at July 2024 meeting
  - o Delaware advises contractor of planned optional work

o **Anticipated Project Schedule:**

CFA Application, ERR & Engineering Report Submission: July 2023  
 CFA Notice of Funding Award: November 11, 2023 - Completed  
 Prepare Environmental Review Record (ERR): July 2023 - Completed  
 RFQ Procurement Process to Retain Engineering Consultant: June 2022 - Completed  
 Retain Grant Administrator Consultant (locally funded): December 7, 2023 (see next item)  
 Execute OCR Grant Agreement & Execute Agreements for Professional Services: December 7, 2023 – Completed by Village  
 February 12, 2024 – Completed by OCR  
 Submission of Local Recipient Administrative Plan & Section 3 Plan: January 4, 2024 – Completed  
 Publication of NOI – RROF Environmental Notice: January 17, 2024 – Completed  
 Request Release of Funds Submission: February 21, 2024 – Completed  
 Project Design: January – March 2024 – Completed  
 Village Approval to go to Bid February 15, 2024 – Completed  
 NYS OCR Review of Draft Bid Package: March 2024 – Completed  
 NYS OCR Release of Funds: March 11, 2024  
 Construction Bidding: March – April 2024 – Completed  
 Bid Notice Published March 26, 2024 – Completed  
 Pre-bid meeting April 4, 2024 – Completed  
 Bid review and recommendation to Village April 17, 2024 – Completed  
 Village Awards Contract April 18, 2024 – Completed  
 Issue Notice of Award April 19, 2024 – Completed  
 Award & Execution of Construction Contract: May 15, 2024 – Completed  
 Construction (May 2024 Tweedie Schedule): June 24, 2024 – August 8, 2024  
 Conduct 2nd Hearing: October 2024  
 Construction substantial completion deadline October 1, 2024  
 Final contract closeout deadline for contractor November 1, 2024  
 OCR contract closeout and paperwork deadline November 9, 2025

**5. 2024 OCR CDBG Application – North Main Street Water Main Replacement**

- Board Action Required at Tonight’s meeting:
  - o Review excerpts from the Engineering Report, and related project details
  - o Consider acting on resolutions provided by Mark Blauer on 7/16/24 for application
    - SEQRA Type II Action Resolution
    - Local Funding Commitment Resolution
    - Commitment to Provide LMI Assistance
    - Certifying Officer Resolution

**Funding Application**

- Funding application package, including engineering report (ER), needs to be submitted by July 31, 2024. Maximum budget \$1.5M
- 2024 CFA CDBG Water main Replacement Project Public Hearing was held on April 18, 2024
- Blauer Associates has been working with DEDPC and Village to finalize the ER and Application
- The Application (including the ER) is anticipated to be submitted on or before July 26, 2024
- The deadline to Submit OCR CDBG Application is July 31, 2024
- Act on required OCR CDBG Application Resolutions (attached):
  - o SEQRA Type II Action Resolution
  - o Local Funding Commitment Resolution
  - o Commitment to Provide LMI Assistance
  - o Certifying Officer Resolution

**Engineering Report/Project Scope/Budget**

- DEDPC worked with Blauer Associates to finalize the ER and Application
- The ER was finalized and submitted to Blauer Associates on July 16, 2024, to be

- submitted with the funding application
- Excerpts from the ER
- o Proposed Project (Recommended Alternative)

Description of the Proposed Project (Recommended Alternative):  
The proposed project includes the following improvements:

- Installation of new 12" DIP water main with new and replacement valves from the intersection of North End Avenue and North Main Street to the intersection of North Main Street and Oak Street, including a new connection to the existing 12" transmission main
- Installation of new 12" DIP water main, with new valves and replacement fire hydrants, from the intersection of North Main Street and Oak Street to the end of Oak Street
- Installation of new 12" DIP water main, with new valves and replacement fire hydrants, from the end of Oak Street to the intersection of Wawanda Avenue and Milton Avenue
- Replacement of an existing altitude valve and appurtenances located near the end of North Main Street, for flow control and pressure reduction
- Installation of a new sanitary sewer main crossing, with SDR 35 PVC pipe and new precast concrete manholes, in the intersection of North Main Street and Oak Street
- Replacement of existing sanitary sewer main with new SDR 35 PVC pipe in the intersection of North End Avenue and North Main Street.
- o See attached Aerial Site Plan (A-B M3) of Proposed Upgrades (Appx. B, Map 3)
- o Total Project Cost Estimate
- An estimate of probable project costs was prepared and the total cost of this proposed project was estimated to be \$1,487,053
- A summary of that cost estimate, showing major costs, may be found below

PROJECT TASK:	ESTIMATED TOTAL PRICE:
<b>CONSTRUCTION:</b>	
GENERAL (MOB., DEMOB., M&PT, PRERIMITS, UTILITY SUPPORT, ETC.)	\$78,635
PRESSURE REDUCING ALTITUDE VALVE	\$30,500
NORTH MAIN STREET CONSTRUCTION	\$323,773
OAK STREET CONSTRUCTION	\$320,488
NORTH MAIN STREET/OLD ROUTE 17 CROSSING	\$102,243
WAWANDA AVENUE CONSTRUCTION	\$75,343
UNPLANNED INCIDENTAL SANITARY SEWER REPAIR ALLOWANCE	\$50,000
SITE RESTORATION	\$25,000
CONSTRUCTION INSPECTION (6 MONTHS)	\$115,200
<b>CONSTRUCTION SUBTOTAL* =</b>	<b>\$1,121,183*</b>
<b>OTHER COSTS:</b>	
ENGINEERING SERVICES	\$201,250
CONSTRUCTION CONTINGENCY (~15%)	\$164,620
CDBG GRANT ADMINISTRATION COSTS (VILLAGE FUNDS) **	\$67,500**
<b>OTHER COST SUBTOTAL =</b>	<b>\$365,870</b>
<b>TOTAL ESTIMATED PROJECT COSTS** =</b>	<b>\$1,554,553**</b>
<b>TOTAL ESTIMATED PROJECT COSTS FOR OCR FUNDING REQUEST* =</b>	<b>\$1,487,053</b>

\*Estimates of construction costs includes consideration of BABA compliance requirements.  
\*\* Grant Administration fees will be paid for with Village funds and are, therefore, not included in the total estimated cost of the proposed project for which OCR funding is being requested.

- o Anticipated Project Schedule, based on NYSOCR funding notification in December 2024
- Anticipated Project Schedule: (T)/(A)
  - Village to Schedule Public Hearing March 21, 2024 (A)
  - Public Hearing Legal Notice Publication March 29, 2024 (A)
  - Public Hearing April 18, 2024 (A)
  - RFQ for Engineering Services Legal Notice Publication April 26, 2024 (A)
  - Responses for Engineering Services RFQ Due May 17, 2024 (A)
  - Eng. Services RFQ Review, Scoring, and Firm Selection June 20, 2024 (A)
  - Prepare Engineering Report (DEDPC) May-July 16, 2024 (A)
  - Prepare OCR CDBG Application (BA) May-July 26, 2024 (T)
  - Submit OCR CDBG Application July 26, 2024 (T)
  - Deadline to Submit OCR CDBG Application July 31, 2024 (A)
  - Anticipated Notice of Award December 2024 (T)

### **Professional Services Request for Qualifications for Engineering**

- At the June 20, 2024 meeting the Village scored the responses and determined through the RFQ process that Delaware Engineering, D.P.C. is the most highly qualified firm to provide the required services, and will enter into contract negotiations with said firm; and authorized the Village Mayor to execute the Professional Services Agreement with Delaware Engineering, D.P.C.
- Delaware will submit a contract to Village, only upon successful grant awarded
- RFQs for A/E Services submitted to the Village on 5/16/24
- Village to evaluate and score responses to the RFQs
- The Village advertised a Request for Qualifications ad for the FY 2024 CFA application for engineering services - a selection that only matters if we get funded
- Blauer Associates provided the Village with the legal notice on 4/22/24, and was published/appeared in the Sullivan County Democrat on Friday 4/26/24
- The due date for responses was May 17th (a Friday) at 2 PM.
- There were three (3) responses submitted

### **6. DPW Site Groundwater Monitoring/DPW Garage Site/Elm Street Well Remediation**

- o Nothing new this month
- o LaBella no longer NYSDEC contractor as of January 2024
- o Emailed NYSDEC Kevin Brown for 2024 sampling report on 5/14/24, 6/17/24, 7/17/24; no report to date
- o Based on December 2023 sampling results still seeing values near garage indicating contamination remains
- o December 2023 sampling report indicated levels nearly the same (not detect) as in September 2023 for monitoring wells MW-6, MW-19, VW-6 and MW-7
- o No analyzed VOCs were detected at concentrations greater than the laboratory reporting limit at monitoring wells MW-6, MW-19, VW-6 and VW-7.
- o Total VOC concentrations decreased at monitoring wells MW-22B (from 3.8 ppb to 2.9 ppb).
- o Total VOC concentrations decreased at monitoring wells MW-22A (from 63 parts per billion to 47 ppb).
- o Total VOC concentrations increased at monitoring wells VW-8 from 15 ppb to 43 ppb.
- o Next sampling to be conducted in March 2024
- o **Elm Street Well Remediation**
  - o Working with the Village, NYSDEC, & NYSDOH to come up with a remediation plan and including a plan to pump more water
  - o Meeting was held on 11/21/23 with NYDOH, NYSDEC, and Delaware Engineering to discuss. Action Items as follows:

- ☐ Delaware to updated draft monitoring plan, changes were made to reflect the wells we selected onsite and monthly monitoring as discussed on the prior Teams Meeting. Draft submitted to Labella, P.C., on 12/04/23
- ☐ The next step will be to share this plan with the wider group, including DEC and DOH.
  - o Continue to meet with Dave Burke to gather historical information and discuss plans forward
  - o Ultimate goal would be to seek financial assistance (grant) for further remediation efforts
  - o Build this into the Town Village Infrastructure Water and Sewer Capacity Study
  - o A second meeting was held January 8, 2024
  - o Monitoring plan revised January 10, 2024 and recirculated to DOH and DEC
  - o On February 13, 2024 DOH issued comments to the Village of Liberty's request to increase the withdrawal rate from the Elm Street well
  - o Delaware worked with Dave Burke to respond to these comments
  - o The final response to the February 14, 2024 NYSDOH correspondence concerning the Village's request to Increase the Withdrawal Rate from the Elm Street Well was submitted to NYSDOH, NYSDEC, etc. on 4/30/24
  - o NYSDOH has not yet confirmed receipt, or provided any comments

## 7. **WWTP SPDES Permit Renewal**

- ☐ NYSDEC WWTP Upgrade Reviewed/Updated SPDES Permit Review
  - o SPDES Permit under review by NYSDEC
  - o WET Testing results submitted to NYSDEC on January 12, 2024 (no ecological impact at current dose)
  - o Final permit pending (C/SIU review, see Pepsico below)
  - o NYSDEC is proposing a lower CBOD limit and also have issues with current sludge dewatering chemicals.
  - o Containment slab/facilities added to Phase 1 to prevent potential stormwater impacts during bulk liquid chemical deliveries (work included in Change Order No. 8 to the General Contract for Phase 1)
  - o Virtual meeting with NYSDEC and DRBC to discuss the upgrade projects and proposed SPDES permit changes done on July 19, 2023 (yesterday) at 10 am. Dave Burke, H2O's Keith Herbert and Mike Herbert, and Mark Kellam also participated.
  - o The purpose of the meeting was to get a full understanding of the planned upgrade at the facility and to coordinate the work with the reviewed/updated SPDES permit to come.
  - o WWTP NYSDEC SPDES Permit Renewal Review Meeting Follow-up & Plan Forward was distributed to involved Village, H2O, NYSDEC, JCO, and Delaware Staff on 8/3/23 and Summary of WWTP Upgrades.
  - o We have reviewed NYSDEC information and modeling and have followed up with them with some Q/A and it appears that there is limited ability to increase the CBOD limits beyond a daily maximum limit of 15 mg/l with an effluent dissolved oxygen (maximum allowed for calculations) of 7.0 mg/l while maintaining a 2 MGD flow, and WET testing will be needed to determine if the Village can continue to use the current chemicals for sludge dewatering.
  - o We have summarized WWTP data (2019-2023) and the current WWTP is able to meet the CBOD limit of 15 mg/L (daily maximum) now because flow is 40% of the permit, monthly averages 2-4 mg/L and 7-day maximums of 3-7 mg/L
  - o As flow approaches the permit limit, the WWTP may be challenged to meet 15 mg/L consistently
  - o We are looking at some upgrade options and will make further study of the need for this upgrade a priority item in the Town/Village Water Sewer Study.
  - o Water Treatment Chemicals
- ☐ Based on September 1, 2023 NYDEC letter, allowing to continue to operate and perform WET testing to see if it has impact. If there is an impact, we have to do something, if not they may let us add more chemical.
  - o A response letter acknowledges the WTC Authorization and accepting the CBOD limit, and was submitted to NYSDEC dated 11/30/23
  - o On 12/5/23 NYSDEC confirmed via email, receipt of the letter dated November 30, 2023 regarding the WTC authorization letters and comments on the proposed CBOD limit
  - o Based on the comments within the letter, DEC will continue work on the SPDES permit review for the Village of Liberty WWTP, and work to finalize the drafts as soon as possible for the public comment period.

**8. Pepsico**

- Board Action Required at Tonight's meeting:
- None

SPDES Permit C/SIU Related Items

- On June 11, 2024 NYSDEC responded that there is some additional information needed to determine if PEPSICO would be considered a CIU/SIU.
- o The records DEC has on this IU was before PEPSICO took over, and several inspectors noted issues with the IU. Records also show that the IU produced snack foods such as potato and corn chips. 40 CFR Part 407, subparts D, E, and H have pretreatment requirements for facilities that produce these kinds of products.
- o If any of these subparts are applicable to PEPSICO, then regardless of the flow from PEPSICO, they will be considered a CIU and the Village will need a mini pretreatment program in the updated SPDES permit.
- o Additionally, if PEPSICO is considered a CIU under any of these subparts, then PEPSICO is required to report to EPA as well.
- This email was forwarded to Pepsico & CPS Engineering on 6/13/24
- A conference call was held with CPS Engineering on 6/19/24. They do not believe these regulations are applicable, and will provide a response letter, that we will forward to NYSDEC for review
- Pepsico provided a list of all sanitation chemical discharged and estimated volumes on 5/15/24 and 5/20/24, and was forwarded to NYSDEC
- List of pollutants of concern under review (WWTP SPDES Permit NY-2A)
- On July 15, 2024 Pepsico/Frito-Lay submitted a response to the inquiry as to production activities and the applicability to 40 CFR part 407 regulations. Due to the nature of popping of corn versus frying of corn Pepsico does not believe that this categorical standard is applicable to operations at this facility.
- DEDPC will submit this response package to NYSEC Permits for review, and if there are any comments we will advise the Village

Pre-treatment Improvements/Wastewater Consolidation Related Items

- Delaware responded on behalf of the Village DPW to Pepsico's February 16, 2024 request to confirm desired material of construction for the new tank and April 6, 2024 request for protocols to facilitate review, approval and allow for construction on 4/23/24
- On June 28, 2024 Pepsico/Frit-lay sent an amendment letter and detailed design drawings for the Phase 1 improvements
- Dave B will review and provide a timely response for comments or approval, and advise the Village Board

**9. Town of Liberty Economic Development Water and Sewer Infrastructure Capacity Planning Study**

- Revised draft sent to the Town on 12/12/23, and to the Village Mayor and Dave B. on 1/17/24
- A joint Town/Village meeting was held on June 25 at 6:30pm, at the Senior Center

**10. Sanitary Collection System I/I Investigations/EPG Application**

- Board Action Required at Tonight's meeting:
  - Evaluate and score of responses to RFQ for Engineering Service
  - Consider adopting resolution for A/E Services Award
- On 2/15/24 the Village received notification from NYSEFC that the Village has been awarded a NYS Environmental Facilities Corporation (EFC) Engineering Planning Grant (EPG) for the project, in an amount not to exceed \$50,000, for the development of an



engineering report to identify sources of inflow and infiltration, evaluate alternatives, and recommend improvements to the Village sanitary collection system. This has a 20% local match (\$10,000) which the Village agreed to do in March 2023 if the grant was awarded

- Smoke testing scheduled with NYRWA for July 9, 10, & August 27, 2024
- A grant requirement includes soliciting for and evaluating Request for Qualifications to facilitate selection for professional services to prepare the Engineering Report and associated activities.
- At the March 7, 2024 meeting the Village Board resolved to:
  - Authorize the Village Mayor to confirm acceptance and intent to proceed with this project by completing and signing the Acknowledgement and Acceptance of EPG Grant Award Form and e-mailing it to [epg@efc.ny.gov](mailto:epg@efc.ny.gov) no later than March 8, 2024 (Village Mayor signed and Clerk returned on 3/4/24), and
  - Authorize the Village Clerk to publish the legal notice for the Request for Qualifications for professional services for work associated with preparation of the Engineering Report for the Sewer System I/I evaluation
- The EPG Grant Acceptance Form was submitted NYSEFC by the Village Clerk via email on March 4, 2024
- At the March 21, 2024 meeting the Village board resolved to adopt the Board Resolutions designating an Authorized Representative, and authorizing the local match for the Liberty (V) EPG 131582/Sanitary Collection System I/I Investigation as set forth in the subject resolution and accept the Budget and Plan of Finance Form

### **Project Funding**

- RFQs for A/E Services were due June 21, 2024, evaluation and scoring to occur at the July 18, 2024 Meeting
- On March 13, 2024 NYSEFC provided the Village an EPG Checklist and supporting documentation to assist the Village in the process of entering into a Grant Agreement with EFC (due by August 31, 2024) including:
  - o All checklist items due by August 31, 2024 (See anticipated schedule below)
  - o In order to remain eligible for these funds, the Village must enter into a Grant Agreement for the above project by September 30, 2024
- 1. **Board Resolutions – Complete March 21, 2024**
  - Submit signed, certified board resolutions in PDF format designating the authorized representative and local match amount. Sample Resolution Language is available. Type II SEQR resolutions are no longer required for Engineering Planning Grants.
  - Authorized Representative Resolution
  - Board resolution designating an Authorized Representative for the project
  - Local Match Resolution – Complete March 21, 2024
  - Board resolution authorizing and obligating local match funds
- **Budget and Plan of Finance Form – Complete March 21, 2024**
  - Detailed budget and plan of finance including all prime contracts/agreements, in-kind services, third-party funding, and satisfaction of the minimum 20% local match requirement
- **Executed Engineering Agreement - Pending Completion of RFQ Process** (for action at the August 15, 2024 meeting)
  - All architectural and engineering contracts must be procured through a federally acceptable Request for Qualifications (RFQ) process, in accordance with 40 U.S.C 1101. All contracts must be signed by both parties and must contain the scope of work and fee.
  - Architectural/Engineering Procurement Certification

- **A/E Procurement/Professional Services RFQ for Architectural and Engineering (A/E)**
- Needs to be completed now for August 31, 2024 deadline
- RFQ evaluation and scoring to be completed at the July 18, 2024 meeting (tonight)

#### Request for Qualifications

- RFQ and legal notice for A/E Services submitted to the Village on 5/16/24
- The Village advertised a Request for Qualifications, the legal notice was published/appeared in the Sullivan County Democrat on Friday 5/24/24
- Deadline to submit statement of qualification (SOQ) is June 21, 2024
- There was one (1) response submitted for the Sanitary Collection System I/I Investigations RFQ
- Delaware provided the remaining template scoring documents that the Village will need to score and evaluate the RFQs on July 18, 2024
- o RFQ Scoring / Evaluation Matrix – for Village to score and evaluate responses, each scorer to complete 1 scoring matrix for each RFQ. See RFQ Scoring Method Example(s) in the first row of the Scoring Summary
- o RFQ Scoring Summary – for Village to summarize/record scoring and evaluations
- The Village Clerk provided each board member and Joan with a hardcopy of the one (1) response and one (1) copy of the Scoring and Evaluation Matrix, and one (1) copy of the Scoring Summary, to review in advance of the July 18, 2024 Dept. Head/Board Meetings
- Attached is template resolution for award
- Delaware will forward the remaining documents required to complete the RFQ process: Procurement Document and A/E Certifications (EFC form), shortly after firm selection
- The Village Board should proceed with review and scoring of those responses, using the RFQ Scoring / Evaluation Matrix provided that matches the scoring system found in the RFQ
- The Village Board should proceed with summarizing the results of the RFQ scoring, using the RFQ Scoring Summary provided
- Once scoring is complete, the Village Board should proceed with resolution of contract award, using the RFQ Resolution for Contract Award provided, excerpts as follows:
  - VILLAGE OF LIBERTY, NY issued a Request for Qualifications (RFQ) on May 24, 2024 for engineering/professional services for design through construction services in connection with the RFQ#2024-03 – Sanitary Sewer Collection System Inflow & Infiltration (I&I) Engineering Report and said RFQ was publicly noticed and advertised;
  - WHEREAS all responses received were evaluated and ranked based on established, publicly available criteria identified in the RFQ; and
  - NOW THEREFORE BE IT RESOLVED that the Village of Liberty, NY has determined through the RFQ process that [name of firm] is the most highly qualified firm to provide the required services, and will enter into contract negotiations with said firm; and
  - BE IT FURTHER RESOLVED that the Mayor, Joan Stoddard is authorized to execute the Professional Services Agreement with [name of firm]

#### Contract Execution and Negotiation

- In order to meet the August 31, 2024 deadline:
  - o The selected firm should provide an agreement for professional services for engineering to the Village by August 9, 2024
  - o The Village should execute agreement at the August 15, 2024 meeting

#### A/E Procurement Documentation

- A/E Procurement Document – to be completed based on results of firm selection, and

- Certification for Architectural/Engineering Services Procurement (EFC Form) – to be completed submitted to EFC following contract award certifying compliance with the A/E Procurement requirements
- Delaware will forward these forms shortly after firm selection

#### EPG Checklist Document Submittal

- Village Clerk to submit certified Board Resolutions, Budget and Plan of Finance Form, and Executed Engineering Agreement and Architectural and Engineering Procurement Certification to NYSEFC by August 30, 2024
- The anticipated schedule is as follows:
- Adopt Board Resolutions March 16, 2023 (A)
- Submit NYSCFA EPG Funding Application August 11, 2023 (A)
- Award Announcement February 15, 2024 (A)
- Award Letter received by Village February 16, 2024 (A)
- Award Acceptance Form Submitted March 4, 2024 (A)
- Authorize the Village Clerk to publish the legal notice for RFQ March 7, 2024 (A)
- Deadline to submit an executed Award Acceptance Form March 8, 2024 (A)
- EPG Checklist of Supporting Documentation received by Village March 13, 2024 (A)
- Village adopts updated Board Resolutions and Plan of Finance March 21, 2024 (A)
- RFQ for A/E Procurement May - August 2024 (T)
- Provide RFQ Legal Notice to the Village May 16, 2024 (A)
- Village to publish the legal notice May 24, 2024 (A)
- Deadline to submit RFQ/SOQ June 21, 2024 (A)
- Village Clerk to distribute and Board to review RFQs/SOQs June 24 – 28, 2024 (T)
- Village Board to score RFQ/SOQ and select firm July 18, 2024 (A)
- Engineering Contract Submitted to Village by August 9, 2024 (T)
- Execute Agreement with selected firm (at Board meeting) August 15, 2024 (T)
- Submit EPG Checklist & Supporting Documentation by August 23, 2024 (T)
- Deadline to submit EPG Checklist Supporting Documentation August 31, 2024 (A)
- Execute PFA September 2024 (T)
- Deadline to Execute Grant Agreement September 31, 2024 (A)
- Complete I/I Engineering Report October 2024 – July 2026 (T)
- Village Review of the I/I Engineering Report August – September 2026 (T)
- Deadline to Complete I/I Engineering Report (2-year period) September 2026 (A)

#### **11. Lead & Copper Rule Revisions service line inventory requirements, due Fall 2024**

- Board Action Required at Tonight's meeting:
- Evaluate and score responses to the RFQs for Engineering Service
- Consider adopting resolution for A/E Services Award

#### **Funding**

- On March 29, 2024 the Village received notice that this this project is eligible for a BIL-LSLR grant award of up to \$845,609 (to complete inventory)
- NYSDOH confirmed receipt of the Acknowledgement and Acceptance of BIL-LSLR Funding Award on 4/17/24

#### **A/E Procurement/Professional Services RFQ**

- Same as I/I A/E Procurement/Professional Services RFQ above
- RFQs for A/E Services are due this month (6/21/24), evaluation and scoring to occur At the July 18, 2024 Meeting
- There were three (3) responses submitted for the Lead Services Line Inventory RFQ

- Delaware provided the remaining template scoring documents that the Village will need to score and evaluate the RFQs on July 18, 2024
- RFQ Scoring / Evaluation Matrix – for Village to score and evaluate responses, each scorer to complete 1 scoring matrix for each RFQ. See RFQ Scoring Method Example(s) in the first row of the Scoring Summary
- RFQ Scoring Summary – for Village to summarize/record scoring and evaluations
- The Village Clerk provided each board member and Joan with a hardcopy of all three (3) responses and three (3) copies of the Scoring and Evaluation Matrix (one for each response), and one (1) copy of the Scoring Summary, to review in advance of the July 18, 2024 Dept. Head/Board Meetings.
- Attached is template resolution for award
- Delaware will forward the remaining documents required to complete the RFQ process: Procurement Document and A/E Certifications (EFC form), shortly after firm selection
- The Village Board should proceed with review and scoring of those responses, using the RFQ Scoring / Evaluation Matrix provided that matches the scoring system found in the RFQ
- The Village Board should proceed with summarizing the results of the RFQ scoring, using the RFQ Scoring Summary provided
- Once scoring is complete, the Village Board should proceed with resolution of contract award, using the RFQ Resolution for Contract Award provided, excerpts as follows:
- VILLAGE OF LIBERTY, NY issued a Request for Qualifications (RFQ) on May 24, 2024 for engineering/professional services for design through construction services in connection with the RFQ#2024-04 – Lead Services Line Inventory and said RFQ was publicly noticed and advertised;
- o WHEREAS all responses received were evaluated and ranked based on established, publicly available criteria identified in the RFQ; and
- o NOW THEREFORE BE IT RESOLVED that the Village of Liberty, NY has determined through the RFQ process that [name of firm] is the most highly qualified firm to provide the required services, and will enter into contract negotiations with said firm; and
- o BE IT FURTHER RESOLVED that the Mayor, Joan Stoddard is authorized to execute the Professional Services Agreement with [name of firm]

### **Anticipated Schedule**

- Submit Project to DWSRF IUP August 25, 2023 (A)
- Secure Short-Term Financing (BAN) September 2023 to TBD (T)
- Received Notice of Funding March 29, 2024 (A)
- Returned Notice of Acceptance to EFC and Village Board Acceptance April 17 & 18, 2024 (A)
- RFQ for A/E Procurement March – August 2024
- o Authorized Legal Notice for RFQ March 29, 2024 (A)
- o Provide RFQ Legal Notice to the Village May 16, 2024 (A)
- o Village to publish the legal notice May 24, 2024 (A)
- o Deadline to submit RFQ/SOQ June 21, 2024 (A)
- o Village Clerk to distribute and Board to review RFQs/SOQs July 5 – July 17, 2024 (A)
- o Village Board to score RFQ/SOQ and select firm July 18, 2024 (T)
- o Engineering Contract Submitted to Village by August 8, 2024 (T)
- o Execute Agreement with selected firm (at Board meeting) August 15, 2024 (T)
- o Submit Engineering Agreement and A/E Procurement Cert. by August 31, 2024 (T)
- Perform Lead Service Line Inventory Present to October 2024
- o Solicitation and Selection of Consultant Present to August 2024
- o Review Existing Files Present to July 2024
- o Funding Notification March 29, 2024

- o Public Bidding for Excavation Contract TBD
- o Public Outreach Present to July 2024
- o Field Investigation and Data Input May to September 2024
- o Final Data Compilation September to October 2024
- LSL Inventory Completed and Submitted October 2024

**12. Attachments:**

- 2024 OCR CDBG Application – North Main Street Watermain Replacement
- o Required OCR CDBG Application Resolutions
- SEQRA Type II Action Resolution
- Local Funding Commitment Resolution
- Commitment to Provide LMI Assistance
- Certifying Officer Resolution
- o Aerial Site Plan (A-B M3) of Proposed Upgrades
- Sanitary Collection System I/I Investigations/EPG Application
- o Liberty (V) I&I RFQ Resolution for Contract Award
- Lead Services Line Inventory
- o Liberty (V) LSL RFQ Resolution for Contract Award

**13. Other Drawings/Handouts/Items Reviewed at Meeting but not attached:**

- PepsiCo(Frito-Lay)
- o C/SIU Response Lette
- o WW Consolidation Upgrade Plan

**B. DISCUSS BUS STOP**

Mayor Stoddard handed out pictures that she took and discussed the possible location of the shelter building for the bus stop. The bus can possibly stop on the corner of Dwyer.

Chief D'Agata that may cause an issue coming down the hill looking to the left because you won't be able to see.

Trustee Mir stated that we may be eliminating public parking. He also asked what portion of the parking area in front of the Elks Lodge is Village owned. Mayor Stoddard stated that she believes that the Village owns the whole piece.

Dave Burke commented that we would need to consider handicap accessibility. The curb there would be an issue for handicap accessibility. He also suggested the area by the old Ross Electric building. Mayor Stoddard stated that there was a reason they didn't think that was a good spot. Trustee Mir stated that the Village uses that property when doing snow removal and piles the snow there. Chief D'Agata also stated that there is no sidewalk on Church Street and it is pretty dark there.

Trustee Feasel suggested moving it over by Jeff Bank.

**NEW BUSINESS: A. Consider Local Law #3-2024 – Water Supply Protection Overlay**

Gary Silver read the EAF and all questions were answered "No" by the board.

Trustee Feasel made a motion to declare Negative Declaration. Seconded by Trustee Lake. Motion carried unanimously.

Motion to approve Local Law #3-2024 – Water Supply Protection Overlay Zone made by Trustee Mills. Seconded by Trustee Feasel. Motion Carried unanimously.

**WHEREAS, Local Law #3-2024 to establish Water Supply Protection Overlay Zones in the Village of Liberty.**

**NOW, THEREFORE BE IT RESOLVED** the Board of Trustees approves Local Law #3-2024 – Water Supply Protection Overlay Zone

The Local Law was put to a vote, which resulted as follows:

MAYOR JOAN STODDARD	-	YES	
TRUSTEE ROBERT MIR	-	YES	
TRUSTEE ERNEST FEASEL	-	YES	ADOPTED
TRUSTEE EVELEESE LAKE	-	YES	
TRUSTEE JAYNEEN MILLS	-	YES	

**B. CONSIDER PUBLIC HEARING – Local Law # 4-2024 – Parking**

Motion by Trustee Feasel, seconded by Trustee Mir and unanimously carried to schedule a Public Hearing on August 15, 2024 at 6:55 p.m.

**C. CONSIDER EVENT PERMIT – 5K RUN WALK 9/21/24**

Motion by Trustee Lake, seconded by Trustee Mills and unanimously carried approving the event permit for 5K Run Walk on September 21, 2024.

**D. CONSIDER WATER CHEMICAL BID RESULTS**

Trustee Mir made a motion to approve the bid results. Seconded by Trustee Feasel. Motion carried unanimously approving the following bids for yearly supply of chemicals for the Water Department:

Chlorine	Slack Chemical Co.	\$494.32 per 150# cylinder
Polyaluminum Hyclorochloride	Holland Company	\$0.411 per wet #
Lime	Slack Chemical Co.	\$24.50 per 50# bag
Soda Ash	Slack Chemical Co.	\$25.99 per 50# bag
Polymer	Slack Chemical Co.	\$224.50 per 50# bag

**Sodium Hypochlorite**

**Slack Chemical Co.**

**\$4.493 per gallon/55 gallon drum**

The following chemicals did not receive a bid:

**Ortho-Poly Phosphate Blend  
Potassium Permanganate**

All bids received were as follows:

**WATER CHEMICAL BIDS**

COMPANY	Chlorine	Polyaluminum Hydroxychloride	Lime	Soda Ash	Ortho-Poly Phosphate Blend	Polymer LT-20	Potassium Permanganate	Sodium Hypochlorite
Coyne Chemical			\$0.4950 per # 50# bag			\$241.9816/pkg 65.12 gallon drum		
Slack Chemical Co	\$494.32 per cylinder 160# cylinder	\$0.45 per wet #	\$24.60 per bag 50# bag	\$25.99 per bag 50# bag		\$224.50 per bag 50# bag		\$4.493 per gallon 55 gallon drum
Holland Company		\$0.411 per wet #						
Carus Corporation								
Thatcher Co of NY								
Main Pool & Chemical Inc								

The bid opening for the yearly supply of chemicals for the Water Department was held on Tuesday, July 9, 2024 at 11:15 am in the Village of Liberty Clerk's Office, 167 North Main Street Liberty, NY 12754.

PRESENT: Judy Zurawski, Angela Giacalone, Holly Huebsch, Jon-Luc Goodrich (Holland Company)

**E. CONSIDER WWTP CHEMICAL BID RESULTS**

Trustee Mir made a motion to approve the bid results. Seconded by Trustee Lake. Motion carried unanimously approving the following bids for yearly supply of chemicals for the Waste Water Treatment Plant:

<b>Polyaluminum Chloride</b>	<b>Holland Company</b>	<b>\$0.307 per wet#</b>
<b>Soda Ash</b>	<b>Slack Chemical Co.</b>	<b>\$25.99 per 50# bag</b>
<b>Polymer</b>	<b>Slack Chemical Co.</b>	<b>\$2.52 per#/450# drum</b>

All bids received were as follows:

WWTP CHEMICAL BIDS

NAME & ADDRESS	POLYALUMINUM CHLORIDE	SODA ASH DEN.	POLYMER
Coyne Chemical 3015 State Road Croydon, PA 19021			
Thatcher Co. of NY PO BOX 27407 Salt Lake City, Utah 84127-0407			
Holland Company, Inc. 153 Howland Avenue Adams, MA 01220-1199	\$0.307 per wet #		
Custom Env Tech 8 Iron Bridge Drive Collegville, PA 19426 Baltimore, Md. 21208			
Slack Chemical Co. 465 S. Clinton Street PO Box 30 Carthage, NY 13619	\$0.349 per wet #	\$25.99 per bag 50# bag	\$2.82 per # 450# drum

The bid opening for the yearly supply of chemicals for the Wastewater Treatment Plant was held on Tuesday, July 9, 2024 at 11:00 am in the Village of Liberty Clerk's Office, 167 North Main Street Liberty, NY 12754.

PRESENT: Judy Zurawski, Angela Giacalone, Holly Huebsch, Jon-Luc Goodrich (Holland Company)

**F. DISCUSS/CONSIDER BUILDING DEPARTMENT FEE SCHEDULE**

Mayor Stoddard stated that the board should go through the fees line by line. The board will send their comments via email to Marisol as she was not present.

**G. DISCUSS NOTIFICATION - LIBERTY NY CANNABIS LLC**

The Village is in support of Liberty Cannabis applying and will let the process run through its course.

**H. Consider Resolutions for CDBG 2024 Grant Application**

**Resolution # 37-2024 -North Main Street Area Water Main Replacement – CFA Application # 139630 – SEQR Type II**

Motion by Trustee Mir, seconded by Trustee Lake. Motion carried Unanimously.

**WHEREAS**, 6 NYCRR Section 617.5 (Title 6 of the New York Code of Rules and Regulations) under the State Environmental Quality Review Act (SEQRA) provides that certain actions identified in subdivision (c) of that section are not subject to environmental review under the Environmental Conservation Law; and

**WHEREAS**, the Village of Liberty is proposing to (1) Replace an inoperable altitude valve, which could be used for system flow control and pressure reduction, with the expectation that this might mitigate the volume and frequency of overflows at the Revonah Hill Water Storage Tank, thereby reducing annual O&M costs for the lifespan of the new altitude valve, (2) Mitigate likelihood of water main breaks in areas known to have had numerous recent water main breaks (North Main Street, Oak Street, Wawanda Avenue, North End



Avenue), thereby reducing annual O&M costs for the lifespan of the project, (3) Reestablish a direct local connection between the existing transmission main (which delivers water from the filtration plant to the distribution system) and the North Main Street area, (4) Reduce the potential for elevated disinfection byproducts (DBPs) in the North Main Street area and (5) Where required by existing conditions, establish or improve horizontal and vertical separation of water mains from other utilities.; and

**WHEREAS**, 6 NYCRR Part 617.5(c)(1) identifies the “maintenance or repair involving no substantial changes in an existing structure or facility”, as a Type II action under SEQR and has been predetermined not to have a significant impact on the environment and is, therefore, precluded from environmental review under Environmental Conservation Law Article 8; and

**WHEREAS**, the proposed North Main Street Area Water main Replacement Project (CFA Application # 139630) does not meet or exceed any of the thresholds established in Section 617.4;

**NOW, THEREFORE, BE IT RESOLVED**, in consideration of the foregoing:

The Village of Liberty Board of Trustees hereby determines that the proposed “Project” is a Type II action and is, therefore, not subject to further review under 6 NYCRR Part 617.

Roll Call Vote:

Mayor Joan Stoddard	-	Yes	
Trustee Robert Mir	-	Yes	
Trustee Feasel	-	Yes	<b>ADOPTED</b>
Trustee Evelesse Lake	-	Yes	
Trustee Jayneen Mills	-	Yes	

The motion was adopted on this 18<sup>th</sup> day of July 2024

**Resolution # 38-2024 -Local Funding Commitment – CFA Application#139630**

**Motion made by Trustee Feasel, seconded by Trustee Mills. Motion Carried unanimously.**

**WHEREAS**, the Village of Liberty will apply to the NYS Office of Community Renewal Program Year 2024 Small Cities Community Development Block Grant via a Public Infrastructure application for its North Main Street Area Water main Replacement Project;

**WHEREAS**, the Village agrees to expend Village controlled ARPA Coronavirus Local Fiscal Recovery Act funds for the following line item:

Grant Administration      \$67,500

**NOW, THEREFORE, BE IT RESOLVED** that the Village Board of Trustees of the Village of Liberty hereby commits \$67,500 to the CFA 2024 Small Cities CDBG project from funds available through the ARPA Coronavirus Local Fiscal Recovery Act.

Adopted this 18th day of July, 2024.

Roll Call Vote:

Mayor Joan Stoddard	-	Yes	
Trustee Robert Mir	-	Yes	
Trustee Ernest Feasel	-	Yes	<b>ADOPTED</b>
Trustee Evelesse Lake	-	Yes	
Trustee Jayneen Mills	-	Yes	

The motion was adopted on this 18<sup>th</sup> day of July 2024

**Resolution # 39-2024 -Commitment to Provide Assistance to Low/Moderate Income CFA Application #139630**

Motion by Trustee Lake, seconded by Trustee Feasel. Motion carried unanimously.

**WHEREAS**, the Village of Liberty will apply to the NYS Office of Community Renewal Program Year 2024 Small Cities Community Development Block Grant via a Public Infrastructure application (CFA Application #139630) for the North Main Street Area Water main Replacement Project; and

**WHEREAS**, the Village intends to assist persons of low and moderate income undertake water system connections; and

**WHEREAS**, the US Department of Housing & Urban Development annually establishes Low Income (80% of Median Family Income) income ceilings adjusted for family size; and

**WHEREAS**, the Village is committed to assist any persons qualifying as low and moderate income to undertake any new connections to the Village sanitary water system;

**WHEREAS**, the Village is prepared to advertise the availability of assistance to person of low and moderate income to make new connections to the Village water system;

**NOW, THEREFORE BE IT RESOLVED**, that the Village Board of the Village of Liberty hereby commits to using Capital Reserve monies to assist low- and moderate-income persons by providing grant to pay for proposed new water connections within the Village water system. There is no expiration on this commitment.

Roll Call Vote:

Mayor Joan Stoddard	-	Yes	
Trustee Robert Mir	-	Yes	
Trustee Ernest Feasel	-	Yes	<b>ADOPTED</b>
Trustee Evelesse Lake	-	Yes	
Trustee Jayneen Mills	-	Yes	

The motion was adopted on this 18<sup>th</sup> day of July 2024

**Resolution # 40-2024 - Designate Mayor as Certifying Officer – CFA Application # 139630**

**Motion made by Trustee Lake, seconded by Trustee Mills. Motion carried unanimously.**

**NOW BE IT RESOLVED** that the Village Board approves to designate Mayor Stoddard as the Certifying Officer for the Village of Liberty’s North Main Street Area Watermain Replacement CFA #139630 project.

Roll Call Vote:

Mayor Joan Stoddard	-	Yes	
Trustee Robert Mir	-	Yes	
Trustee Ernest Feasel	-	Yes	<b>ADOPTED</b>
Trustee Evelesse Lake	-	Yes	
Trustee Jayneen Mills	-	Yes	

The motion was adopted on this 18<sup>th</sup> day of July 2024

**Resolution # 41-2024 -Request for Qualifications (RFQ) for Engineering Services – RFQ #2024-03 – Sanitary Sewer Collection System Inflow & Infiltration**

Motion made by Trustee Mir, seconded by Trustee Mills. Motion carried unanimously.

**WHEREAS**, effective November 15, 2022, municipalities who have been awarded an Engineering Planning Grant (EPG) or will be requesting financing from the NYS Environmental Facilities Corporation (NYSEFC) for architectural and engineering (A/E) services related to certain infrastructure improvement projects, must procure those services through a competitive qualifications-based review process;

**WHEREAS** the **VILLAGE OF LIBERTY, NY** issued a Request for Qualifications (RFQ) on May 24, 2024 for engineering/professional services for design through construction services in connection with the **RFQ#2024-03 – Sanitary Sewer Collection System Inflow & Infiltration (I&I) Engineering Report**, and said RFQ was publicly noticed and advertised;

**WHEREAS** all responses received were evaluated and ranked based on established, publicly available criteria identified in the RFQ; and

**NOW THEREFORE BE IT RESOLVED** that the Village of Liberty, NY has determined through the RFQ process that Delaware Engineering D.P.C. is the most highly qualified firm to provide the required services, and will enter into contract negotiations with said firm; and

**BE IT FURTHER RESOLVED** that the **Mayor, Joan Stoddard** is authorized to execute the Professional Services Agreement with Delaware Engineering D.P.C. which appended thereto are mandatory Terms and Conditions that must be incorporated verbatim into any contracts receiving financial assistance from NYSEFC.

Roll Call Vote:

Joan Stoddard - Mayor:	Yes	
Robert Mir – Deputy Mayor/Trustee	Yes	
Ernest Feasel - Trustee:	Yes	<b>ADOPTED</b>
Eveleese Lake - Trustee:	Yes	
Jayneen Mills - Trustee:	Yes	

**Resolution # 42-2024 - Request for Qualifications (RFQ) for Engineering Services – RFQ #2024-04 – Lead Service Line Inventory**

Motion made by Trustee Feasel, seconded by Trustee Lake. Motion carried unanimously.

**WHEREAS**, effective November 15, 2022, municipalities who have been awarded an Engineering Planning Grant (EPG) or will be requesting financing from the NYS Environmental Facilities Corporation (NYSEFC) for architectural and engineering (A/E) services related to certain infrastructure improvement projects, must procure those services through a competitive qualifications-based review process;

**WHEREAS** the **VILLAGE OF LIBERTY, NY** issued a Request for Qualifications (RFQ) on May 24, 2024 for engineering/professional services for design through construction services in connection with the **RFQ#2024-04 – Lead Service Line Inventory**, and said RFQ was publicly noticed and advertised;

**WHEREAS** all responses received were evaluated and ranked based on established, publicly available criteria identified in the RFQ; and

**NOW THEREFORE BE IT RESOLVED** that the Village of Liberty, NY has determined through the RFQ process that Delaware Engineering D.P.C. is the most highly qualified firm to provide the required services, and will enter into contract negotiations with said firm; and

**BE IT FURTHER RESOLVED** that the **Mayor, Joan Stoddard** is authorized to execute the Professional Services Agreement with Delaware Engineering D.P.C., which appended thereto are mandatory Terms and Conditions that must be incorporated verbatim into any contracts receiving financial assistance from NYSEFC.

Roll Call Vote:

Joan Stoddard - Mayor:	Yes	
Robert Mir – Deputy Mayor/Trustee:		Yes
Ernest Feasel - Trustee:	Yes	<b>ADOPTED</b>
Eveleese Lake - Trustee:	Yes	
Jayneen Mills - Trustee:	Yes	

**I. Consider Loan to Sewer Fund**

Motion by Trustee Mir, seconded by Trustee Feasel. Motion carried unanimously to approve a loan to the sewer fund up to \$50,000.

**10. Trustee Reports/Comments**

Mayor Stoddard stated that she received an email from Honk. They are the company that we are talking to in regards to parking meters. They would like to schedule a zoom meeting. Mayor Stoddard asked the Trustees what works best for them. All Trustees stated that mornings work best.

**11. Bills for Payment**

Post Audit Vouchers

Voucher #81 to Voucher #88 in the amount of \$458,507.51.

Motion made by Trustee Feasel, seconded by Trustee Mir. Motion carried unanimously.

Bills for Payment

Voucher #89 to Voucher #173 in the amount of \$451,605.14.

Motion made by Trustee Mir, seconded by Trustee Lake. Motion carried unanimously.

CDBG Bill for payment - #642PR120-23

Delaware Engineering - \$10,194.62

Delaware Engineering - \$ 6,192.50

Motion by Trustee Feasel, seconded by Trustee Mills. Motion carried unanimously.

**12. Executive Session**

Motion made by Trustee Mir, seconded by Trustee Lake. Motion carried unanimously to go into Executive Session at 8:25 p.m. Chief D'Agata was invited into executive session to discuss a matter in the police department.

Motion made by Trustee Lake, seconded by Trustee Mills to adjourn the Executive Session at 8:30 p.m.

Motion made by Trustee Mir, seconded by Trustee Mills. Motion carried unanimously to pay \$5.00 per hour differential for the part time dispatchers from Friday at 6:00 p.m. to Monday at 6 a.m. This will be on a trial basis until October 2024 and is meant to entice staff to work these hours. The police chief is having an issue filling these time slots and this rate is still a lower rate than us having to pay a police officer to dispatch.

**ADJOURN:** Motion by Trustee Mir, seconded by Trustee Lake and unanimously carried to adjourn the meeting

**THE MEETING WAS ADJOURNED AT 8:31 P.M.**

**RESPECTFULLY SUBMITTED,**

**DENISE CORBETT, SECRETARY TO THE BOARD**