

REGULAR MEETING

JANUARY 20, 2022

The Board of Trustees held the Regular Meeting of January 20, 2022 at the Village Municipal Building, 167 North Main Street, Liberty New York. Deputy Mayor Stoddard opened the meeting with the Pledge of Allegiance.

The Board observed a moment of silence for fallen firefighter William Joseph “Billy” Steinberg

PRESENT: 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 (Delaware Engineering), Christina Bruno, James Gordon and Kusar Grace

CONSIDER APPOINTMENT OF DEPUTY MAYOR STODDARD TO MAYOR

RESOL.# 7-2022: Motion by Trustee Feasel, seconded by Trustee Mir and unanimously carried approving Resolution #7-2022.

RESOLVED, the Board of Trustees of the Village of Liberty approves the following appointment:

MAYOR - JOAN STODDARD – TO FILL THE UNEXPIRED TERM OF MAYOR STABAK (APRIL 2023)

MAYORAL APPOINTMENTS

Mayor Stoddard announced the following appointment:

DEPUTY MAYOR - ROBERT MIR – APPOINTED UNTIL APRIL 2023

TRUSTEE – EVELEESE P. LAKE – APPOINTED UNTIL APRIL 2023

RESOL. # 8-2022: Motion by Trustee Mir, seconded by Trustee Feasel and unanimously carried approving Resolution #8-2022.

RESOLVED, the Board of Trustees of the Village of Liberty approves the Following appointments:

PLANNING BOARD – KASSONDRA JOHNSTONE – TO FILL THE UNEXPIRED TERM OF TROY JONSTONE (APRIL 2024)

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

WORKSESSION MEETING – DECEMBER 29, 2021

CORRESPONDENCE: Mayor Stoddard said that no correspondence has been received.

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

James Gordon (Lake Street) congratulated Village Attorney on his new grandchild.

Kusar Grace (Village Resident) discussed a possible basketball court in the Village, stating he has some funding available.

Mayor Stoddard gave him a couple of avenues to pursue to begin the process.

ATTORNEY COMMENTS: Attorney Silver said his comments will be related to agenda items.

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

- ❖ List of Current Taxes and collections thru 12/31/21 of which there is \$335,185.67 outstanding. The current taxes are 92% collected.
- ❖ List of Delinquent Taxes, which as of 12/31/21 is \$424,611.75 not collected.
- ❖ Starting and Ending Central Check Numbers for December 2021
- ❖ Starting December 2021 Central Check #17059
- ❖ Financial comparison of General, Water, Sewer and Sanitation

TABLED BUSINESS: DELAWARE ENGINEERING – WWTP UPGRADE PROJECT – CWSRF PROJECT BO. C3-5352-02-00

David Ohman reported on the following:

1. WWTP Upgrade

Board Action Required at Tonight’s meeting:

- Consider approval of Change Orders to the Phase 1 project to add the Bid Alternate Belt Press Work to the General & Electrical Construction Contracts.

Update/Review of Project Progress For the Base Project – Phase 1

- Review if Plan Forward for the 12/2/21 Meeting, Revised at the 12/29/21 meeting, and Updated for the January 20, 2022 meeting.
 - A. Supplemental Bond Resolution
 - 1) The Village resolved to move forward with a supplemental bond resolution in the amount of \$9.4M at the 12/2/21

- This would allow bid alternate work associated with the new belt press to proceed and maintain the current contingency.
 - On the day of the December 29, 2021 bid award meeting was brought to the Villages attention that a super majority (4/5 votes) is required to adopt the supplemental bond resolution, which they did not have for the vote at the December 2, 2021 bid review meeting.
- 2) At the December 29, 2021 meeting the Village resolved to move forward with a supplemental bond resolution in the amount of \$9.4M and will change the planned effective date for bid award from January 4 to January 31.

B. NYSEFC Additional Funding

- A January 15, 2022 email from NYSEFC notified the Village that the Village the Village's request for additional funding for this project was approved.
 - NYSEFC will provide an additional \$1,741,085 in 0% loan/interest free financing – this will allow moving forward to award the base bid and bid alternate work and increase the Total Project Budget to \$9,398,020
 - Requested that the Village forward all relevant documentation of the Supplemental Bond and contract award resolutions after your Board Meeting next, so we can then proceed with processing the amended Project Financing Agreement with the Village.
 - January 19, 2022 received another NYSEFC email with comments/questions about cost items – we will work to address with Judy.
- **Plan Forward**
 - Now that NYSEFC has confirmed that additional funds will be available to cover the extra cost for base bid and bid alternate work for the belt press:
 - The bid awards for the base bid work will become effective on January 31, 2022 contingent upon no issues associated with the supplemental bond resolution, and
 - The Village can consider Change Orders to Add Bid Alternate Work to the construction contracts with the same contingency regarding the supplemental bond resolution.
 - Provide follow-up to NYSEFC emails.
- - **Consider Change Orders to Add Bid Alternate Work (to increase the Total Project Budget from \$8.5M to \$9.4M)**

Now that NYSEFC has confirmed that additional funds will be available for this work the Village can consider Change Orders to Add Bid Alternate Work to the construction contracts

We recommend proceeding with moving forward now to authorize the bid alternate work for the belt press now as delays may affect the pricing.

Acceptable bid alternate pricing was received with the November 19, 2021 bid package for the General and Electrical contracts.

If the Village desired to move forward tonight proceed as follows.

Contract No. VL1-G-21 – General Construction

- Change Order No. 1 has been prepared to add the bid alternate belt filter press work to the General Contract for Village Board review and consideration
- If this change is acceptable, Change Order No. 1 will result in a \$763,000 increase to the base contract price and a revised contract price of \$5,293,300 (previous contract price of \$4,530,300 plus \$763,000 for Change Order No. 1), contingent upon final NYSEFC approval
- **If the Village finds the Change Order acceptable, we recommend that the Village Board resolve to:**

Authorize the Village Mayor to execute Change Order No. 1 for the bid alternate work associated with the new Belt Filter Press for the Contract VL1-G-21 – General Construction, at the bid alternate cost equal to \$763,000 and a revised contract price of \$5,293,300 contingent upon (a) that no permissive referendum will be required pursuant to Village Law §9-900, thereby allowing the Village to approve the change order with an effective date of January 31, 2022 or (b) if a permissive referendum is required and held and such permissive referendum is approved by the affirmative vote of a majority of qualified electors voting on such proposition, thereby allowing the Village to approve the change order with an effective date of the first business day following the date that the proposition is approved by the affirmative vote of a majority of qualified electors voting on such proposition.

Delaware Engineering will then forward the change order package to NYSEFC for review and approval

Contract No. VL1-E-21 – Electrical Construction

- Change Order No.1 has been prepared to add the bid alternate belt filter press work to the Electrical Contract for Village Board review and consideration.
- If this change is acceptable, Change Order No. 1 will result in a \$96,000 increase to the base contract price and a revised contract price of \$1,871,000 (previous contract price of \$1,775,000 plus \$96,000 for Change Order No. 1), contingent upon final NYSEFC approval.
- **If the Village finds the Change Order acceptable, we recommend that the Village Board resolve to:**

Authorize the Village Mayor to execute Change Order No. 1 for the bid alternate work associated with the new Belt Filter Press Work for the Contract VL1-E-21 – Electrical Construction, at the bid alternate cost equal to \$96,000 and a revised contract price of \$1,871,000, contingent upon (a) that no permissive referendum will be required pursuant to Village Law §9-900, thereby allowing the Village to approve the change order with an effective date of January 31, 2022 or (b) if a permissive referendum is required and electors voting on such proposition, thereby allowing the Village to approve the change order with an effective date of the first business day following the date that the proposition is approved by the affirmative vote of a majority of qualified electors voting on such proposition.

Delaware Engineering will then forward the change order package To NYSEFC for review and approval.

- Excerpt from the Revised Anticipated Project Schedule below

November 19, 2021	Held Bid Opening at the offices of the Village Clerk
November 19 – December 1, 2021	Delaware prepared Bid Review Summary for the December 2, 2021 Board Meeting
December 2, 2021	Village Board Meeting
	Reviewed Bid Review Summary and the Village adopted a Supplemental Bond Resolution for \$9.4 M which would allow the Village to complete bid alternate work if desired. The Village has been advised that the vote on the bond resolution required a super majority of the Board and the vote on December 2 was not sufficient
December 7, 2021	Call with NYSEFC regarding more funding (loan) for Phase 1 and to add in bid alternate work for the Sludge dewatering work
December 14, 2021	Letter sent to NYSEFC requesting additional funding
December 16, 2021	NYSEFC sent a new form to request to modify EFC funding agreement
December 27, 2021	Signed form to request to modify EFC funding agreement e-mailed to NYSEFC
December 29, 2021	Village Board Meeting Reviewed Bid Review Summary and the Village adopted a Supplemental Bond Resolution for 9.4M which would allow the Village to complete bid alternate work if desired, with effective date commencing following permissive referendum
December 30, 2021	Village Clerk forwarded the Notice of Adoption of Supplemental Bond Resolution to SCDC for publication
January 7, 2022	Publication of the Notice of Adoption of the Supplemental Bond Resolution
By January 27, 2022,	Village Clerk to forward the Estoppel Notice to SCDC for publication
January 15, 2022	Received written notification from NYSEFC confirming additional loan funding for a project up to \$9.4 Million
January 19, 2022	NYSEFC email requesting more information and clarification on costs for the project financing agreement
January 20, 2022	Village Board Meeting Resolve to move forward with change orders for bid alternate belt press work for General and Electrical contracts contingent upon supplemental bond resolution proceedings
January 27, 2022	Permissive Referendum Period Complete (30 days from adoption)
January 31, 2022	Effective date of the Construction Contracts; Delaware to date and send out Notice of Award to prime contracts
February 1, 2022	Publication of the Estoppel Notice

February 20, 2022	Bond Resolution becomes effective (20 days from Publication)
January – February 2022	Follow-up with NYSEFC on financing and send Change Orders for bid alternate belt press work to NYSEFC for approval; Receive contract execution items from the prime contractors and Prepare execution copies of contract and issue Notice to Proceed
March 2022 – July 2023	Construction to Substantial Completion
August 2023	Construction Completion (Final) and Project Closeout
October 2023	Long Term Loan Closing

- **For the Enhanced Sludge project – Phase 2**
- NYS WATER INFRASTRUCTURE IMPROVEMENT ACT (WIIA) Grant Opportunity
 - WIIA Grant Application submitted on November 21, 2021 (possible 25% grant – should hear back soon)
 - Village received Hardship Eligibility Letter from NYSEFC on November 29, 2021
 - This means that this project is eligible for 0% loan/interest free financing up to 25% grant possible
- Revised Anticipated Project Schedule; excerpt below

Project Schedule	
September 21, 2021	NYSEFC announced grant funding for clean and drinking water projects during the 2021-22 state fiscal year. The deadline to submit your application is 5:00 p.m. on Monday, November 22, 2021.
September 2021	NYSEFC released the CWSRF DRAFT IUP for FFY 2022. The Phase 2 project is listed on the annual list with a budget of \$8.2M, with a score of 1,049 points and a base project score of 49 points (Hardship subtracts 1,000 bonus points when first phase closed) The Hardship Subsidy Line for base score is 36 pts Project is noted as “H Projects that may be eligible for hardship” Delaware anticipates that the Village will receive a notice of hardship eligibility from NYSEFC in December 2021.
October 14, 2021	Village Board resolved to authorize Submission of the NYSEFC WWIA Grant Application
November 21, 2021	Submitted NYSEFC WIIA Grant Application
November 29, 2021	Village received Hardship Eligibility Letter from NYSEFC
January – February 2022	Phase 1 Construction to begin (NTP) NYSEFC approval of Phase 2 Engineering Report (ER) (?)
March 2022	Announcement of NYSEFC WIIA Grant Awards (?)
April 2022	Delaware submits engineering services contract amendment for design through construction services for Phase 2 work for Village consideration
May – August 2022	Design and submit project plans and specifications to NYSEFC for review and approval
September 2022	Close on NYSEFC Short term Financing (Bridge Loan)/Project Finance Agreement Execution – reimburse accounts for planning and design

	services
November 2022	Receive NYSEFC Design Approval
November 2022 – January 2023	Bid/Award Construction Related Contracts
February 2023	Issue Notice to Proceed/Commence Construction
May – August 2022	Design & submit project plans and specifications to NYSEFC for review and approval
September 2022	Close on NYSEFC Short Term Financing (Bridge Loan)/ Project Finance Agreement Execution – reimburse accounts for planning and design services costs
November 2022	Receive NYSEFC Design Approval
November 2022 – January 2023	Bid/Award Construction Related Contracts
February 2023	Issue Notice to Proceed/Commence Construction

- More info on WIIA FYI – NY Water Infrastructure Improvement Act (WIIA) Grant Opportunity
 - The New York State Environmental Facilities Corporation (EFC) is offering \$400 million in grants for clean and drinking water projects during 2021-22 state fiscal year
 - WIIA Clean Water Projects
 - An applicant with an eligible clean water project may receive a WIIA grant award as described below:
 - A project, including phases of the project, would be awarded up to the lesser of \$25 million or 25% of new eligible project costs
 - The deadline to submit your application is 5:00 p.m. on Monday, November 22, 2021
 - EFC will evaluate all applications for projects received by the deadline based on factors including protection of public health and water quality; median household income; governmental and community support; consideration for Environmental Justice Areas; and readiness of the project to proceed expeditiously
 - Available grant funds may not be significant to offer grants to all eligible applicants
 - The two items that needed to be done and submitted before November 22, 2021 include:
 - Resolution that the Village Board resolves to authorize submission of the New York Environmental Facilities Corporation’s Water Infrastructure Improvement Act Grant Application to NYSEFC – Completed at October 13, 2021 meeting
 - Complete and submit the WIIA Grant Application and acceptable SRF Financing Application
 - Working with Judy in final info
 - Copy of WWTP operations agreement
 - Certified copy of the board resolution to submit the application
 - Mayor to sign page 9 on the WIIA and Page 13 on SRF application (will bring copies to sign at the meeting)
 - Anticipate upload on November 19
 - Other Background/History Information
 - Put in a new Project Listing (PLUS) in April 2020 for \$8.2M
 - update in 2021 once form update is requested by EFC
 - Completed SEQR again for the entire project– determination completed at August 20, 2020 Board Meeting
 - Did new Bond Resolution for the Phase 2 project – done at September 3, 2020 meeting; Notice of Estoppel appeared on November 20, 2020.
 - Prepared and submitted new Engineering Report to NYSEFC – DONE submitted NYSEFC on September 18, prior to September 21, 2020 deadline to finalize the IUP and get on the annual list for financing.
 - Prepare a new Smart Growth Form and submit to NYSEFC. DONE and submitted NYSEFC on September 18 - Reviewed with Village and had the Mayor to sign at the September 17 meeting, and submitted to NYSEFC prior to September 21, 2020 deadline to finalize the IUP and get on the annual list for financing.
 - NYSEFC released the CWSRF Final Intended Use Plan (IUP) for FFY 2021. The Phase 2 project is listed on the annual list with a budget of \$8.2M,
 - Funding Application (CFA program) including the WIIA Grant funding up in the air right now – nothing set for this year.
 - On January 6, 2021 the Village received notice that Phase 2 (Sludge Handling) of the Village’s WWTP project will not qualify for 0% Hardship financing, as the base project score is below the Hardship Funding Line in the 2021 IUP.
- **Contracts**
 - WWTP Upgrade Project
 - At the November 5, 2020 meeting, the Village Board resolved to authorize the Mayor to endorse Professional Services Contract Amendment No. 1, to the design through construction contract for the Village WWTP upgrade to be financed through NYSEFC, dated October 28, 2020, associated with revisions to the Original Phase 1 Engineering Report, to initially include and then remove enhanced sludge processing and related work from the original report, in an

amount not to exceed \$40,000. Accepted by the Board and forwarded to NYSEFC on November 9, 2020. NYSEFC indicated in early-December 2020 that they would review it.

- Now that a plan forward has been agreed upon (i.e., to proceed with only Phase 1 at this time with no enhanced sludge/new belt press or related work), we should hear something soon and make this eligible for reimbursement.
- Delaware to follow-up with these and contract related items as part of the response to January 18, 2022 NYSEFC mail.

Sludge Handling WWTP Upgrade Project

- At the October 15, 2020 meeting, the Village Board resolved to authorize the Mayor to endorse the Professional Services Contract for Planning phase work in the amount not to exceed \$24,900. Accepted by the Board and forwarded to NYSEFC on October 21, 2020.
- Based on the Feb 24, 2021 call with NYSEFC, NYSEFC will not be approving this in the near term as there is no Project Financing Agreement in place and the project will now be on hold.
- When the Village decides to move forward with some or all of Phase 2, Delaware will submit engineering services contact amendment for design through construction services, following the Announcement of NYSEFC WIIA Grant Awards, if the grant application is successful.

3. WWTP Grit Pump Replacement Project

- **Tonight's meeting:**
 - No action required
 - All equipment and materials are onsite
 - Working thru paperwork with NYSEFC
 - A pre-construction/kickoff meeting was held on January 19, 2022
- More info below for reference:
- **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.
 - The Village has decided to move forward with the replacement of the two grit pumps in advance of the rest of the Phase 1 WWTP Upgrade Project to ensure that the grit system and plant can continue to operate while the rest of the upgrade moves 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.
 - Work is being done in 3 parts:
 - Direct Purchase to supply 2 new Grit Pumps
 - Direct Purchase to supply Piping, Valves and Appurtenances
 - Direct contract with contractors to remove existing and install new grit pumps and appurtenances.

- Based on supply of piping and valves, work could begin in mid-December 2021
- **Grit Pumps Supply**
 - PO issued
 - At the September 2, 2021 meeting, the Village Board resolved 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 September 1, 2021 quote, for a not to exceed price of \$24,947.
 - Pumps arrived on-site November 22, 2021
- **Piping and Materials Supply**
 - PO Issued
 - At the September 16, 2021 meeting, the Village resolved to authorize the Village Clerk to proceed with a purchase order – including NYSEFC bid packet requirements - to Schmidt’s Wholesale for the supply of piping and materials associated with the replacement of the WWTP grit pump system, per the September 16, 2021 quote, for a not to exceed price of \$14,394.97.
 - Materials arrived on site the week of January 10, 2022
- **Pump and Piping Replacement/Installation by Contractor**
 - PO issued
 - At the October 14 meeting the Village resolved the Village Clerk to proceed with issuance of a purchase order – including NYSEFC bid packet requirements – to TAM Enterprises Inc. for the work associated with removal of existing and installation of new Grit Pumps and appurtenances, per the attached October 6, 2021 quote for not to exceed price of \$49,898.00.
 - Based on supply of piping and valves, work could begin in early- January 2022
 - All equipment and materials are on-site, a pre-construction/kickoff meeting was held on January 19, 2022
- **Work with NYSEFC**
 - Purchase Orders and RFP including NYSEFC Bid Packet (fully executed contracts) sent to NYSEFC for review and approval on November 16, 2021
 - Once approved, invoices for completed work should be submitted with Disbursement Requests and we will review for eligibility & disbursement
- **Follow up Work**
 - As the Village has decided to proceed with pump and piping replacement work now, Delaware will plan to provide oversight for the installation and startup services, and certify installation as required by NYSEFC.
- **Engineering Work and Costs**
 - At the September 2, 2021 meeting the Village Board authorized Delaware Engineering to provide services to assist the Village to replace the grit pump system in advance of other planned Phase 1 upgrade work, long time and costs for the planned work are more refined
 - The amendment quote phase work is anticipated to be fully eligible for inclusion with the Phase 1 project cost
 - Unless otherwise desired by the Village, we will continue to log costs and time and look to provide an amendment in February 2022.
- **Cost Summary**

Item	Cost	Remarks
Construction		
Grit Pumps	\$24,947.00	PO issued, delivery 11/22/12
Piping and Materials	\$14,394.97	PO issued, anticipated delivery 1/2022
Pump and Piping Replacement	<u>\$49,898.00</u>	Pending delivery of piping materials
Subtotal POs	\$89,239.97	
Other		
Engineering	TBD\$	T&M, Amendment pending
Contingency (10%)	NA	
Total to date	\$89,239.97.	As of 10/08/2021

4. Lily Pond Road Bridge/Waterline

- Based on recent communications with the County, the bridge project construction is slated to begin first quarter 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 soon
- At the September 2 meeting the Village Board resolved to authorize Delaware Engineering to proceed with design of the Lily Pond Road bridge waterline relocation improvements to allow for public bidding of the work this fall/winter on a time and materials basis using the General Service Contract provisions
 - 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.
- Met in October 2021 with a prospective contractor (Howard Osterhoudt) and Ken H to confirm desired temporary and final water line work
- Communicating with the County DPW on temporary and permanent design
- **Current Plan:**
 - Phase 1 – Install temporary water line
 - County installs new bridge
 - Phase 2 – Install new waterline on the new bridge
- **Current design drawings are available**
 - G-1 EX SITE PLAN AND TEMPORARY WATER LINE CONSTRUCTION
 - G-2 PROPOSED SITE PLAN AND NEW WATER LINE
 - G-3 NEW WATER LINE DETAILED VIEW
 - Plan to submit to NYSDOH for design approval next month.
- **Next steps:**
 - Work with Gary Silver to secure easement – looks like for one property owner
 - Finalize design details with County DPW
 - Develop project cost estimate and timeline
 - Submit NYSDOH for design approval
 - Proceed to bid in December/January following NYSDOH approval

5. Elm Street Wellfield/Electrical Improvements

- DASNY willing to move \$100,000 - from the Bonacic grant commitment associated to cover some of the 2017 NYSDEC clean-up costs (no costs info/request ever

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

- We are working with Judy to get the information requested back to DASNY
- We are updating the cost estimate for the work from 2 years ago to \$200,000 (full grant amount with no Village contribution)

6. DPW site Groundwater Monitoring/DPW Garage Site Remediation

- Nothing new to this month
- September 2021 sampling report indicated levels higher than March and June 2021 for the MW-8
- Next sampling to be conducted in December 2021 – no report received yet
- Based on sampling results still seeing values near garage indicating contamination remains

7. Water System Emergency Response Plan

- Revised documents submitted and received by NYSDOH on December 13, 2021
- No response back from NYSDOH to date
- Electronic copies were sent to Ken Hessinger and David Harman on December 15
- Two copies of the documents will be delivered to Judy. One to stay at Village Hall in file storage and one to go to Water Plant.

8. Rail Trail Area Culvert Drainage/Blockage

- 2021 CDBG Application
 - Grant was not awarded to the project. No action required right now but need to consider this or another project by March 2022.

9. NYSDOH Water System Inspection/Cross Connection Control Program

- On October 20, 2021 NYSDOH conducted an inspection at the Liberty Village water supply to determine compliance with Part 5 of the New York State Sanitary Code.
- December 9, 2021 NYSDOH letter requires a written response, prior to February 6, 2022, to outstanding Cross Connection Control Program Work.
- We will work with Village to prepare a response to NYSDOH before the February 6, 2022 deadline and will locate the current draft and see what we need to do before sending to the Village to review.

TABLED UPDATE ON 157 SOUTH MAIN STREET

BUSINESS

CONT: The Board said this item will remain tabled until the foreclosure process can take place.

UPDATE OF SANITATION/RECYCLING CODE

The Board discussed the range for offenses and decided on the following:

First Offense	- \$100 to \$200
Second Offense	- \$200 to \$300
Third and Subsequent	- \$300 to \$500

Mayor Stoddard mentioned adding in a section requiring strip malls to have outdoor garbage receptacles.

UPDATE OF CODE 87-34/ANIMAL HUSBANDRY

Attorney Silver said the Board should be very specific about what they want to allow and once they discuss it a new local law can be drafted.

CONSIDER RESOLUTION – HAZARD MITIGATION PLAN

Mayor Stoddard said this item can remain tabled until she can discuss it further. The Board will address it again at the next meeting (February 3rd)

NEW BUSINESS: CONSIDER TAXI LICENSES

RESOL.# 9-2022: Motion by Trustee Mir, seconded by Trustee Feasel and unanimously carried approving Resolution #9-2022

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, due to the sale of Sureway Taxi to We Care Taxi (Brit Inc.) thirteen 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 approves the transfer of the taxi licenses held by Sureway Taxi to We Care on the condition that all of the medallions held by Sureway Taxi are transferred to We Care and that We Care closes on its purchase of Sureway Taxi's business and;

BE IT FURTHER 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 thirteen licenses/permits are for:

Brit Inc. - We Care Taxi - 13 Taxi Licenses
#1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13

CONSIDER CHANGE ORDER NO. 1 – BID ALTERNATE WORK/WWTP – CONTRACT V11-G-21 – GENERAL CONSTRUCTION

RESOL# 10-2022: Motion by Trustee Mir, seconded by Trustee Feasel and unanimously carried approving Resolution #10-2022.

WHEREAS, the Village Board of Trustee of the Village of Liberty authorize Mayor Stoddard to execute Change Order No. 1 for the bid alternate work associated with the new Belt Filter Press for the Contract VL1-G-21 – General Construction, at the bid alternate cost equal to \$763,000 and a revised contract price of \$5,293,300 contingent upon (a) that no permissive referendum will be required pursuant to Village Law §9-900, thereby allowing the Village to approve the change order with an effective date of January 31, 2022 or (b) if a permissive referendum is required and held and such permissive referendum is approved by the affirmative vote of a majority of qualified electors voting on such proposition, thereby allowing the Village to approve the change order with an effective date of the first business day following the date that the proposition is approved by the affirmative vote of a majority of qualified electors voting on such proposition.

CONSIDER CHANGE ORDER NO. 1 – BID ALTERNATE WORK/WWTP – CONTRACT V11-E-21 – ELECTRICAL CONSTRUCTION

RESOL# 11-2022: Motion by Trustee Feasel, seconded by Trustee Mir and unanimously carried approving Resolution #11-2022.

WHEREAS, the Village Board of Trustee of the Village of Liberty authorize Mayor Stoddard to execute Change Order No. 1 for the bid alternate work associated with the new Belt Filter Press Work for the Contract VL1-E-21 – Electrical Construction, at the bid alternate cost equal to \$96,000 and a revised contract price of \$1,871,000 contingent upon (a) that no permissive referendum will be required pursuant to Village Law §9-900, thereby allowing the Village to approve the change order with an effective date of January 31, 2022 or (b) if a permissive referendum is required and electors voting on such proposition, thereby allowing the Village to approve the change order with an effective date of the first business day following the date that the proposition is approved by the affirmative vote of a majority of qualified electors voting on such proposition.

CONSIDER HOURLY RATE INCREASE FOR DISPATCHER MICHAEL WARD – EMPLOYEE #111

Motion by Trustee Mir, seconded by Trustee Feasel and unanimously carried approving an hourly rate increase of \$3.00 (\$15.00 TO \$18.00) for employee Michael Ward (Employee #111) effective immediately.

CONSIDER FULL TIME POSITION – JASMINE BULLARO – EMPLOYEE #336

Motion by Trustee Mir, seconded by Trustee Feasel and unanimously carried approving the appointment of Jasmine Bullaro (Employee #336) to the full time position of Account Clerk. This appointment will become effective Thursday, February 3, 2022.

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

James Gordon (Lake Street) discussed the sanitation code and some issues he has seen on his street.

TRUSTEE Mayor Stoddard opened the meeting to comments from the Board.

COMMENTS:

Trustee Feasel mentioned some of the ongoing concerns of Lynn Barry and the DPW, the major concern being understaffing.

Trustee Feasel updated the Board on the sleeve that was placed on the sewer main on School Street.

Trustee Mir discussed the Waste Water Treatment Plant and JCO.

Mayor Stoddard said she had an item for Executive Session.

**APPROVAL POST AUDIT VOUCHERS
OF BILLS**

FOR PYMT: Motion by Trustee Mir, seconded by Trustee Feasel and unanimously carried approving Post Audit Voucher #1599 to Voucher #1605 in the amount of \$424,079.48.

BILLS FOR PAYMENT

Motion by Trustee Mir, seconded by Trustee Feasel and unanimously carried approving Voucher #1606 to Voucher #1671 in the amount of \$120,558.43.

EXECUTIVE SESSION: Motion by Trustee Mir, seconded by Trustee Feasel and unanimously to go into Executive Session at 8:10 p.m. to receive attorney advice.

Motion by Trustee Feasel, seconded by Trustee Mir and unanimously carried to come out of Executive Session at 8:17 p.m.

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

THE MEETING WAS ADJOURNED AT 8:18 P.M.

RESPECTFULLY SUBMITTED,

**JUDY H. ZURAWSKI
CLERK-TREASURER**

