

## **WORKSESSION MEETING**

**MARCH 21, 2024**

The Board of Trustees held the Regular Meeting on March 21, 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 Joe Aracci, and Trustee Eveleese Lake. Also Present: Attorney for the Village Gary Silver and Judy Zurawski, Clerk/Treasurer.

**ABSENT:** Trustee Ernest Feasel

**ALSO PRESENT:** David Ohman (Delaware Engineering), Dan Fagnani (Delaware Engineering), Police Chief Steve D'Agata, Motty Heimlich, Moshe Feldman, Jayneen Mills, Brandon Sterling, Etta Barbanti, Bruce Davidson, Dara Smith and David Burke (Director of Public Works)

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

### **PUBLIC HEARING – March 7, 2024 Re: Local Law #1-2024**

Motion by Trustee Aracci, seconded by Trustee Lake and unanimously carried approving the following minutes:

### **REGULAR MEETING – March 7, 2024**

**CORRESPONDENCE:** Mayor Stoddard said the Village has received the following correspondence.

- ❖ Flyer from SC Division of Public Safety Re: Disaster Training

### **TABLED BUSINESS: DELAWARE ENGINEERING – UPDATE ON WWTP UPGRADE**

David Ohman presented the following report:

#### **1. Lily Pond Road Bridge Waterline**

- Board Action Required at Tonight's meeting:
  - None
- **Construction Status Update**
- Permanent Watermain into Service
- Satisfactory pressure test occurred on 4/21 and satisfactory bacteriological testing occurred on 4/26 & 4/27
  - NYS DOH was notified of the satisfactory pressure and bacteriological test results and no issue with placing the permanent watermain in service and the schedule for reinstalling the hydrants on 5/15 is also acceptable.
  - Permanent watermain 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
- Remaining to be completed includes:
  - Installation of two exposed 45-degree fittings (installation by County, pending) – Mostly Complete
  - Removal of extra materials
    - 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 David Burke to confirm that all work is one 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
- Payments to Vendors & Contractors
  - We believe all invoices have been paid.

## 2. WWTP Upgrade

- **Board Action Required at Tonight's meeting:**
- **WWTP Phase 2 Enhanced Sludge Upgrade**
  - Review/score professional services RFQ response & make selection
- **WWTP Phase 1**
- Consider Applications and Certificates for Payment for approval:
- **Payment No. 22** for General Contractor - Eastman – **\$145,039.61**

### For the Enhanced Sludge Project – Phase 2

- **Cost Summary**
  - Total Estimated Project Cost from PER: \$9,899,686
  - Bill Grant Award: \$4,950,000 (50% of project costs)
  - WIIA Grant Award: \$2,474,922 (25% of project costs)
  - Village's Commitment \$2,750,000 (25% of project costs)
  - Possible Enhanced WIIA: \$2,474,922 (Addt'l of project, total 50% WIIA)
  - Village Commitment \$0
  - CLEAN Water State Revolving Fund (CWSRF) Funding Submittal – Also covers BIL funding request:
    - Completed and uploaded on June 15, 2023
- Bipartisan Infrastructure Law (BIL)
  1. On December 12, 2023 the Village received notice that the Phase 2 WWTP Upgrade Project (CWSRF Project No. C3-5352-02-01) may qualify to receive grant funding from NYSEFC through the federal Infrastructure Investment and Jobs Act of 2021, also known as the Bipartisan Infrastructure Law (BIL)
  2. The amount of BIL grant available for your project is estimated as \$4,950,000 (50% of \$9,900,000), based on the information provided to EFC. In addition to BIL grant, the project may be eligible for interest-free financing

- Delaware submitted the BIL Grant (50%) Acknowledgement and Interest in BIL the Funding Form on behalf of the Village email by the January 19, 2024 deadline
  - Next step, Application Receipt Letter & Missing Items
  - At the January 18, 2024 meeting the Village resolved to accept the grant award and intent to proceed with this project was confirmed by completing and signing the *Acknowledgement and Acceptance of WIIA Grant Award* form and e-mailing it to [nyswatergrants@efc.ny.gov](mailto:nyswatergrants@efc.ny.gov) no later by the January 19, 2024 deadline.
- **Enhanced/Additional WIIA Grant Funding (50% Grant)**
  - 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)
  - NYSEFC is offering the Village the opportunity to be reassessed for an additional 25% grant on top of the current award
  - The Village may or may not qualify
  - The reassessment will not jeopardize the 2023 WIIA award.
  - If the Village would like to be reassessed for additional grant funds, you must submit a letter of interest from the Highest Elected Official by March 22, 2024 to [nyswatergrants@efc.ny.gov](mailto:nyswatergrants@efc.ny.gov)
  - Delaware has developed a letter of interest that Village would like to be reassessed for additional grant funds. There is no risk to the Village to do this.
  - 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](mailto:nyswatergrants@efc.ny.gov) by the March 22, 2024 deadline
  - **Delaware submitted the letter of interest to NYSEFC on March 11, 2024. No response to date from NYSEFC.**
  - The Village should not delay Short Term-Financing for this award, if required the PFA can be modified in the future.
- **SRF Application Receipt Letter & Missing Items**
  - **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**
- **Architectural and Engineering (A/E) Procurement Requirements**
  - **The Village the documents that they will need for the RFQ process and were provided to the Village Clerk on February 2, 2024**
  - Legal Notice
  - Request for Qualifications (RFQ) Document
  - RFQ Scoring / Evaluation Matrix
  - Resolution for Contract Award
  - A/E Procurement Document
- **The RFQ schedule is anticipated be 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
  - **March 21 – Apr 17 - Village Board and David Burke reviews 3 RFQs and fill out scoring sheet for each**
  - **April 18 – Village to score responses & act on contract award**
  - **April – Negotiations/contract award**

- **Village Clerk to guide the Board through review/score professional services RFQ responses & make selection**
- **Next Steps**
- **Scoring Matrix (for each of the 3 SOQs received)**
  - Board, Mayor & Dave B. – Review SOQ and complete Scoring Matrix for each SOQ
  - Clerk- Record SOQ results of the Scoring Matrix
- **Scoring Summary**
  - Board and Mayor – Confirm Scoring Matrix Total Score for each SOQ
  - Clerk – Record results Scoring Matrix Total Score for each SOQ
- **Resolution for Contract Award**
  - Board & Mayor – Review and act on Resolution to Award for Engineering Services
  - Clerk – Record results of the Resolution to Award for Engineering Services
- **A/E Procurement Documentation**
  - Board & Mayor – Confirm results of the A/E Procurement
  - Clerk – Record results of the Procurement Documentation, and keep on file, and provide to NYSEFC if they ask for it.

### **Plan Forward**

- Close on project financing with NYSEFC (anticipate 6 – 10 months processing time with NYSEFC due to their backlog of projects.

### **Anticipated Project Schedule**

June 16, 2023 – Complete	Financing applications due for all projects
June 16, 2023	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-March 2023- In progress	Professional Services RFQ Process
January 18, 2023 Complete	Village Board Meeting Action Item: 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, 2023	Submitted WIIA Grant Acknowledgement and Acceptance Form Submitted BIL Grant Acknowledgement and Interest in BIL Funding Form
January 19, 2024	Deadline for WIIA and BIL Grant Acknowledgment and Acceptance (WIIA)/Interest (BIL)
March 8, 2024	Deadline for responses to the professional services RFQ
March 21, 2024 – April 17, 2024	Village Board and David Burke review 3 SOQs and fill out scoring sheet for each
March 22, 2023-Completed on March 11, 2024	Deadline to submit letter of interest to be reassessed for additional/enhanced WIIA grant funds
April – May 2023	Contract with selected consultant for professional services for design through construction

January 2024 - TBD	Work with NYSEFC to secure Short-term financing
TBD 2024	Commence design Close on NYSEFC Short Term Financing (bridge loan)/Project Finance Agreement Execution – reimburse accounts for planning and design services costs
TBD 2024	Submit project plans and specifications to NYSEFC & NYSDEC for review and approval
TBD	Receive NYSEFC Design Approval
TBD	Bid/Award Construction Related Contracts
TBD	Issue Notice to Proceed/Commence Construction
TBD	Construction (Eng. Administration, 20 Months)
TBD	Construction (Onsite, 12 Months)

- Update/Review of Project Progress for Phase 1 WWTP Upgrade:

- Construction Schedule
  - Completion Date: Almost all WWTP Upgrade work is substantially complete and wrapping up in February-March 2024 – construction has pushed beyond originally planned duration.
  - Generator delivery pushed until 01/17/24; SCADA installation/work began 12/6 and will continue
  - Contract Completion Dates
- |              | <u>Original</u> | <u>Revised Contract Completion Date per CO's</u>     |
|--------------|-----------------|--|
| • Eastman    | 8/10/23         | 12/31/23 (Substantial completion pending acceptance) |
| • Sass       | 9/14/23         | 2/10/24 (Extn. Due to delivery of generator)         |
| • Treffeisen | 8/30/23         | 9/30/23 (Substantial completion accepted at Nov mtg) |
| • Treffeisen | 8/30/23         | 9/30/23 (Substantial completion accepted at Nov mtg) |

## **CONSTRUCTION CONTRACTS**

- Summary of Remaining Contractor Work

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

- SCADA Instrumentation
  - SCADA Installation – **Jan. – Feb. 2024- final items addressed as punch list items**
- Punchlist Work – Mostly Complete
  - See Substantial Completion Document for Remaining Punch list

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

- New Electric Building
  - New Generator On-Going
- Punchlist Work
  - Clean and Touch-up paint on new generator - Complete
  - Provide Equipment O&M manuals

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

- All work and Punchlist work complete

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

- All work and Punchlist work complete

- **NYSEFC Phase 1 Funding**

- The NYSEFC Closed on the PFA for the additional funding up to \$9.4M on 6/30/22

- Converting Short-Term Financing to Long Term Financing
  - All outstanding documentation submitted to NYSEFC, waiting to hear back
  - On December 14, 2023 (and follow up email on January 4, 2024) the Village received notice from NYSEFC – Financial that in order to begin work on converting the short-term financing to long-term financing, with information requested by **Friday December 29, 2023**.
  - **The majority of the required outstanding documentation was submitted to NYSEFC on February 28, 2024.**
  - **The Engineering Services Contract Amendment No. 3, the last piece of outstanding documentation was submitted to NYSEFC on March 8, 2024 and approved March 12, 2024.**

### Substantial Completion

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

- 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- zG-21 – General which shall fix the date of Substantial Completion as December 31, 2023 and final contract amount of \$5,55,792.00, including the punch list of items to be completed or corrected before final payment.
- Delaware forwarded the certificate to the prime contractor for execution and request project closeout paperwork (i.e., affidavit of release of liens for subcontractors and equipment suppliers, provide maintenance bond, etc.)
- We will assemble the project closeout package including final payment application to the Village once all is received from the contractor.

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

- 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 of 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.
- Delaware forwarded the certificate to the prime contractor for execution and request project closeout paperwork (i.e., affidavit of release of liens for subcontractors and equipment suppliers, provide maintenance bond, etc.)
- We will assemble the project closeout package including final payment application to the Village once all is received from the contractor.

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

- At the November 16 meeting, the Village resolved to authorize the Village Mayor to endorse the Certificate of Substantial Completion form for Contract VL1-P-21 Plumbing which shall fix the date of Substantial Completion as September 30, 2023 and final contract amount of \$118,625.37, including the punch list of items to be completed or corrected before final payment.
- Delaware will forward the certificate to the prime contractor for execution and request project closeout paperwork (i.e. affidavit of release of liens for subcontractors and equipment suppliers, provide maintenance bond, etc.)
- All punch list work is complete
- The complete closeout package, including final payment application, was forwarded to the Village on February 6, 2024.
- If not released already, the Village Clerk can provide final payment of \$5,931.27.

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

- At the November 16 meeting, the Village resolved to authorize the Village Mayor to endorse the Certificate of Substantial Completion form for Contract VL1-HV-21 HVAC which shall

fix the date of Substantial Completion as September 30, 2023 and final contract amount of \$131,498.39, including the punch list of items to be completed or corrected before final payment.

- All punchlist work is complete
- The complete closeout package, including final payment application, was forwarded to the Village on February 6, 2024
- If not released already, the Village Clerk can provide final payment of \$6,574.92

- **PAYMENT REQUESTS**

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

- **Payment Application No. 21**

- At the January 18 meeting, the Village resolved to authorize the Village Clerk to proceed to process Payment Application No. 21, for General Contract No. VL1-G-21, to Eastman Associates, Inc., for the period of December 1 through December 31, 2023, in the amount of \$301,753.91, 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 22 (partial Final Payment)
      - The full application package has been provided to the Village Clerk under separate cover
      - 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-G-21 – General which shall fix the date of Substantial Completion as of December 31, 2023 and final contract amount of \$5,558,792, including the punch list of items to be completed or corrected before final payment, equal to \$132,900.
- We have reviewed the Payment Application from Eastman Associates, Inc., the contractor for the subject project, for the period of November 1, 2023 through January 31, 2024, in the amount of \$145,039.61 for partial payment of retainage. The total cost to date of \$5,425,892 equates to 97.6% of the contract price, with a balance to finish for remaining retainage, equals to \$132,900.
- We agree with the level of work completed to date and the costs presented therein. As such, we recommend that the Village resolve to authorize the Village Clerk to proceed to process Payment Application No. 22, for General Contract No. VL1-G-21 to Eastman Associates, Inc. for the 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, understanding that payment to the contractor will be made following receipt of reimbursement from NYSEFC.
- Therefore, should the Village agree with our recommendation, Delaware Engineering recommends the following:
- **The Village hereby resolves 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 \$154,039.61, as requested by the contractor, including submittal of the payment request to NYSEFC for reimbursement, understanding that payment to the contractor will be made following receipt of reimbursement from NYSEFC.**

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

- **Payment Application No. 14**

- At the February 15, 2024 meeting the Village resolved to authorize the Village Clerk to proceed to process Payment Application No. 14 for Electrical Contract No. VL1-E-21 to J & J Sass Electric Inc., for the period of November 1, 2023 through January 31, 2024, in the amount of \$223,982.48, as requested by the contractor, including submittal of

the payment request to NYSEFC for reimbursement understanding that payment to the contractor will be made following receipt of reimbursement from NYSEFC.

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

#### **Payment Application No. 9 (Final)**

- At the December 7 meeting, the Village resolved to authorize the Village Clerk to proceed to process Payment Application No. 9 (final), for Plumbing Contract No. VL1-P-21, to A. Treffeisen and Sons, LLC. in the amount of \$5,931.27, 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.

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

#### **Payment Application No. 13 (Final)**

- At the December 7 meeting, the Village resolved to authorize the Village Clerk to proceed to process Payment Application No. 13 (final), for HVAC Contract No. VL1-HV-21, to A. Treffeisen and Sons, LLC., in the amount of \$6,574.92, 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.
- Change Orders
  - All Change orders are finalized

#### **WWTP Alarms**

- The Village needs to reactivate the Verizon phone line (copper), can't connect the WWTP alarms to the Police Department
- We'll look at getting these to go via new Spectrum under Phase 2

#### **Monthly Construction Meeting**

- The final construction meeting will be held on site on 1.10.24 with the prime contractors, Delaware and Village Staff.
- No further meeting Meetings are planned

#### **Engineering during Construction**

- Continuing to receive and process project paperwork, prepare for and run monthly meetings, review applications for payment application
- Wrapping up & working on close-out and as-builts.

#### **On-Site Construction and Observation Services**

- Part time services continuing, when contractors are onsite
- Anticipate to be done in April-May 2024; will need to go back in the spring for punch list/site restoration.
- **Excerpt from the Anticipated Project Scheduled Below:**



February 21, 2022	Supplemental Bond Resolution becomes effective (20 days from Publication)
February – March 2022	Issue Notice of Award, and prepare execution copies of contract, and issue Notice to Proceed March 23, 2022 – Pre-Construction meeting
March 20 2022–March 2023	Construction to Substantial Completion General Substantial Completion 12/31/23 Plumbing Substantial Completion 9/30/23 HVAC Substantial Completion 9/30/23 Electrical substantial Completion 2/10/24
May 2024	Construction Completion (Final) and Project Closeout
March 2024 – July 2024	Long Term Loan Closing

- **Document Collection**
- **Nothing new this month**
- The Document Collection Form, and requested documents were uploaded on January 17, 2023 (ahead of the January 20, 2023 deadline).
- On February 13, 2023 NYSEFC provided notice that, project documents were reviewed and no follow-up actions are recommended.

### **Professional Services Contract**

#### WWTP Phase 1 Upgrade Project

#### **Engineering Services Contract Amendment No. 3 – Subcontract Final Costs (March 2024) 2023):**

- At the March 7, 2024 meeting the village board authorized the Village Mayor to sign Delaware Engineering, D.P.C's Professional Service Contract Amendment No. 3 – Final Subcontract Costs for the Phase 1 WWTP Upgrade March 6, 2024, a decrease in contract amount of \$8,606, thereby adjusting the overall contract price to \$1,351,394
- The Engineering Services Contract Amendment No. 3, the last piece of outstanding documentation was submitted to NYSEFC on March 8, 2024 and approved on March 12, 2024.

#### **Phase 2 Sludge Handling WWTP Upgrade Project**

- See Architectural and Engineering (A/E Procurement Requirements that have been discussed

### **3. Rail Trail Area Culvert Drainage/Blockage**

- **Board Action Required at Tonight's meeting:**
  - None
  - Getting project ready to go to out to bid. We will send bid notice to Judy once OCR approves the design.
- **2023 CDBG Application**
  - CFA application was submitted on July 26, 2023 before the August 11, 2023 deadline.

- Up to 100% grant possible.
- 4<sup>th</sup> time submitted.
- 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
- Total Estimated Project Costs = \$1,048,919. The Village has committed \$49,000 of local funds toward the project for grant administration. Total grant award = \$999,919 (Total: \$1,048,919 - \$49,000 of Village Funds = \$999,919.)
  
- **NYS OCR CDBG Agreement:**
  - All Agreement Forms submitted to ORC initially by the deadline of 01/04/24
  - Requested comments and revisions are being addressed by Mark B., Judy and Delaware, as needed.
  - The full Executed grant agreement was returned to the village on 02/12/2024
  
- **Professional Services Agreement of Grant Administration Services (Blauer Assoc.)**
  - At the December 7, 2023 meeting the Village Board authorized the Mayor to execute Blauer Associate's professional Services Contract, for the Rail Trail Culvert Replacement Project OCR CDBG Project No. 642PR120-23, in total amount of \$49,000.
  - Submitted under separate cover by Mark Blauer
  - Since this contract will be paid for using Village funds and will not be paid for using grant funds, it is our understanding that no RFQ/SOQ is required.
  
- **Professional Services Agreement of Engineering Services (Delaware Engineering)**
  - At the December 7, 2023 meeting the Village Board authorized the Mayor to execute Delaware Engineering, D.P.C's Professional Services Contract, for the Rail Trail Culvert Replacement Project OCR CDBG Project No. 642PR120-23, in the total amount of \$191,650.
  - RFQ/SOQ documents were submitted to the Village in June 2022. (The engineering RFQ process from last year (2022) is still valid)
  - At the June 16, 2022 Village Board Meeting, the submitted SOQ documents were scored, and the Village decided to select Delaware Engineering, D.P.C (submitted June 10, 2022). for engineering services, on the condition that grant funding was received for the project.
  - Delaware has prepared our contract for this work that utilizes the June 10, 2022 proposal's scope of work and costs and fully complies with project requirements, and includes our planned fee within the budgets set forth in the 2023 Engineering Report that was the basis for the grant.
  - Delaware has contacted the surveyor and received a survey file of the project area
  - Delaware has contacted geotechnical subcontractors to get borings done February 22, 2024
  - Design is nearing completion.
  - Confirmed with NYSOCR this week that construction needs to be underway by May 9, 2024.
  - Only outstanding issue is NYSEG coordination/scope to relocate or support the utility pole. Put in a \$25,000 allowance
  
- **Project Schedule**
  - CDBG requires that award of construction contract(s) occurs within 6 months of execution of the grant agreement. This was confirmed to be May 9, 2024.
  - At the February 15, 2024 meeting the Village Board authorized the Village Clerk to advertise for bidding in the Village's official newspaper, contingent upon NYSOCR approval.

- Preparation of the bid package is underway; working through finalizing a few details and will be ready to bid in March, waiting for OCR to approve design.
- A legal notice will need to be published in the Village's official newspaper and bid documents will be available through an Electronic Plan Room ([www.biddyhq.com](http://www.biddyhq.com))
- Below is the draft schedule for the Rail Trail Project:

1. Village Approval to go to Bid: considered and approved at the Village's meeting on 2/15
2. Bid Notice to Village Clerk and publish in the Democrat on 3/26
3. Pre-bid meeting at 10 a.m. and 4/4
4. Bid opening at 3 p.m. on 4/15
5. Bid review and recommendation to Village by 4/17
6. Notice of Award issued: 4/19 if Village approves on 4/18
7. OCR construction start date 5/9
8. Construction substantial completion deadline 9.1.24
9. Final contract closeout deadline for contractor 10/10/24
10. OCR contract closeout and paperwork deadline 11/9/24

- **Anticipated Project Schedule:**

CFA Application, ERR & Engineering Report Submission:	July 2023
CFA Notice of Funding Award:	November 11, 2023 - <b>Completed</b>
Prepare Environmental Review Record (ERR):	July 2023 - <b>Completed</b>
RFQ Procurement Process to Retain Engineering Consultant:	June 2022 - <b>Completed</b>
Retain Grant Administrator Consultant (locally funded):	December 7, 2023 (see next item)
Execute OCR Grant Agreement & Execute Agreements for Professional Services:	December 7, 2023 – <b>Completed by Village</b>
Submission of Local Recipient Administrative Plan & Section 3 Plan:	February 12, 2024 – <b>Completed by OCR</b>
Publication of NOI – RROF Environmental Notice:	January 4, 2024 – <b>Completed</b>
Request Release of Funds Submission:	January 17, 2024 – <b>Completed</b>
Project Design:	February 21, 2024
NYS OCR Review of Draft Bid Package:	January – February 2024
NYS OCR Release of Funds:	February – March 2024
Construction Bidding:	March 11, 2024
Award & Execution of Construction Contract:	March – April 2024
Construction:	On or before May 9, 2024
Conduct 2 <sup>nd</sup> Hearing:	May – November 2024
Project Completion:	October 2024
Project Closeout:	December 2024
	January 2025

- **Hazard Mitigation Grant Program (HMGP) – FEMA & Dept. of Homeland Security**
  - Up to 90% grant possible
  - DHSES sent a request for information (RFI) on July 8, requesting a response by August 10, 2023
  - We have responded to this RFI on August 10, 2023, and have received confirmation of receipt from DHSES
  - DHSES sent an additional request for revisions on September 7, 2023. After follow up it was determined that the request was sent in error. No additional action is required.
  - DE will advise DHSES in March 2024 (following execution and approval of the Grant Agreement) that this funding is no longer needed as the project will be funded by CDBG.
- **2024 OCR CDBG Application**
  - **Board Action Required at Tonight's meeting:**
    - Review and agree on project scope for a watermain replacement project

- Consider using Village personnel, or other volunteers, to assist with an income survey
- Village to authorize the Village Clerk to schedule CDBG public hearing for the purpose of hearing public comments on the Village of Liberty's CDBG 2024 application for April 18
- Village to agree to contract Mark Blauer for \$3,750 for the CDBG application
- If there is a project, work would need to start in March to submit in July (likely 7.26.24) and the following steps will need to be completed by the end of June in order to pull together a competitive application.
- At the February 15 meeting, the Village decided that they would like to move forward with submitting a 2024 CDBG application.
- To start this process, it is recommended that the Village (1) pass a motion setting a CDBG hearing at the March 2024 Village Board meeting and (2) pass a motion advertising for 2024 CDBG engineering services via RFQ.
- As in other projects Mark Blauer would propose the typical application preparation contract. \$3,750 total billed 1/2 at start and 1/2 upon submission. Mark would not charge for at the time of application submission, and only upon successful award
- On March 15,, 2024 Delaware Engineering set up conference call with Dave Burke and Mark Blauer to discuss a possible FY 2024 CDBG application focusing on replacement of water mains on North Main Street, Oak Street, North End Avenue and Wawanda Avenue
  - In order to proceed the Village should advertise for a public hearing to be held on April 18<sup>th</sup>.
  - Since the benefit area is only a small portion of the Village, we cannot rely on the Village wide LMI characteristics for purposes of National Objective compliance. An income the project benefit area will be in the north-east part of the Village. It is estimated that between 80 and 85 households will need to be included in the survey, most likely including between 15 and 20 outside users in the Town of Liberty's Cold Spring water district.
  - **Anticipated Project Schedule:**
    - Village to Schedule Public Hearing.....March 21, 2024
    - Legal Notice Publication.....April 2, 2024 or before
    - Public Hearing.....April 18, 2024
    - Public Meeting.....April 22 – 26, 2024
    - Income Survey Complete.....May 15, 2024
    - Submit OCR CDBG Application.....July 4, 2024
    - Anticipated deadline to submit.....July 26, 2024

## 5. DPW Site Groundwater Monitoring/DPW Garage Site Remediation

- Nothing new this month
- Based on sampling results still seeing values near garage indicating contamination remains
- December 2023 sampling report indicated levels nearly the same (not detect) as in September 2023 for all monitoring wells MW-6, MW-19, VW-7
- 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.
- Total VOC concentrations decreased at monitoring wells MW-22B (from 3.8 ppb to 2.9 ppb).
- Total VOC concentrations decreased at monitoring wells MW-22A (from 63 ppb to 47 ppb).
- Total VOC concentrations increased at monitoring wells VW-8 from 15 ppb to 43 ppb. Next sampling to be conducted in March 2024.

- **Elm Street Well Remediation**

- Working with the Village and NYSDEC to come up with a remediation plan including a plan to pump more water
- Meeting was held on 11/21/23 with NYSDOH, NYSDEC, and Delaware Engineering to discuss. Action Items as follows:
  - Delaware to update draft monitoring plan, changes were made to reflect the wells we selected onsite and monthly monitoring as discussed on the proper Teams Meeting. Draft submitted to Labella, P.C. on 12/4/23.
  - The next step will be to share this plan with the wider group, including DEC and DOH.
- Continue to meet with David Burke to gather historical information and discuss plans going forward.
- Ultimate goal would be to seek financial assistance (grant) for further remediation efforts
- Build this into the Town Village Infrastructure Water and Sewer Capacity Study
- A second meeting was held January 8, 2024
- Monitoring plan revised January 10, 2024 and recirculated to DOH and DEC
- On February 13, 2024 DOH issued comments to the Village of Liberty's request to increase the withdrawal rate from the Elm Street well
- Delaware is working with David Burke to respond to these comments
- Delaware recommends including letter of support to increase withdrawal endorsed by the Village when we respond to these comments
- Delaware is preparing a draft letter to submit to the Village for review, and if acceptable, endorse the letter of support to be returned with the responses to these comments
- At the March 7, 2024 meeting the Village resolved to authorize the Village Mayor (and trustees if desired) to sign the letter of support to increase the withdrawal rate from the Elm Street Well to be included with the Village's response to NYSDOH comments
- **The response to NYSDOH's comments and letter of support pending will be provided to David Burke and Mayor for review prior to submitting the Village's response to NYSDOH, NYSDEC, etc.**

## 6. **WWTP SDPES Permit**

- **NYSDEC WWTP Upgrade Reviewed/Updated SPDES/Permit Review Meeting**
- NYSDEC Permits – Needs a list of priority pollutants of concern for PepsiCo
- Wet Testing results submitted to NYSDEC on January 12, 2024 (no ecological impact at the current dose)
- Final permit pending (need list of pollutants of concern, see PepsiCo below)
- NYSDEC proposing a lower CBOD limit and also have issues with current sludge dewatering chemicals.
- Containment slab/facilities added to Phase 1 to prevent potential stormwater impacts during bulk liquid chemical deliveries (work included in Change Order 8 to the General Contract for Phase 1)
- Virtual meeting with NYSDEC and DRBC to discuss the upgrade projects and proposed SPDES permit changes on July 19, 2023 at 10 a.m. Dave Burke, H2O's Keith Herbert and Mike Herbert and Mark Kellam also participated.
- 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.
- WWTP NYSDEC SPDES Permit Renewal Meeting Follow-up and Plan Forward were distributed to involve Village, H2O, NYSDEC, JCO and Delaware Staff on 8/3/23 and Summary of WWTP Upgrades.
- 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.

- 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
- As flow approaches the permit limit, the WWTP may be challenged to meet 15 mg/L consistently.
- We are looking at some upgrade options and would make this upgrade a high priority item in the Town/Village Water Sewer Study.
- Water Treatment Chemicals
  - Based on September 1, 2023 NYSDEC 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.
  - A response letter acknowledges the WTC Authorization and accepting the CBOD limit, and was submitted to NYSDEC dated 11/30/23
  - 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 (see attached)
  - 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.

## 7. PepsiCo

- **See PepsiCo's request/questions relating to scope and planning the approval processes.**
- **Response to be prepared with David Burke**
- A list of potential pollutants of concern was requested on 1/17/24. At that time MHE indicated that PepsiCo was pulling together tank history, description of waste streams production and cleaning chemicals, flows, operational and maintenance procedures and schedules, etc., to review with, and allow the Village determine what parameters that they want PepsiCo to Sample for when they remove the tanks from the aquifer protection zone, and to provide to NYSDEC for to finalize the SPDES Permit.
- A meeting was held on February 6, 2024 with Critical Path Engineering Solution and MHE engineering to review preliminary Phase 1 plans, and review pollutants of concern
- Below is a summary of action items:
  - To submit letter to Village outlining reasoning and measures that will be done to safely abandon tanks in place.
  - Submit MSDS to Village (Delaware Engineers) – ideally add approximate daily usage of chemicals as well as purpose of chemicals – also indicate which go down drain and which do not.
  - Village will send over any standards or details to be included in design –No standard details available, need to work with Dave Burke to tell what the Village wants (e.g. sanitary flows in discharge total, etc.)
  - MHE to get preliminary design into Village for review.
  - This project may or may not require a town meeting and approval – David Burke to let us know.
  - Perform sampling for priority list of pollutants and submit.
- On February 16, 2014 PepsiCo submitted a letter to provide the Village with additional information on the proposed improvements, and request Village response on the following items

1. Can the western tank be abandoned in place with the proper cleaning and structural fill?
  2. What is the planning and approval process required for Frito-Lay to preform this work?
  3. What is the timing of the planning and approval process?
- Tank history/potential pollutants of concern (for Village and NYSDEC review) pending
  - The Phase 1 upgrades were supposed to be completed summer/fall 2023 with monitoring to follow, that would help determine what treatment would be required for Phase 2. There have been some personnel changes in PepsiCo's Health, Safety and Environmental Dept., and Phase 1 upgrades have not been completed yet.
  - • Based on a phone call from MHE Engineering, PepsiCo has been trying to contact the Village DPW regarding any requirements associated with abandoning or removing the tanks, roadway closure procedures during construction, etc. MHE Engineering is assisting PepsiCo's consulting engineer Sara Martin of Critical Path Engineering Solutions, with some local items (e.g., coordinating with the Village DWP, oversight during construction, etc.).
  - • We have requested that the Village DPW reach out to Matt with MHE Engineering to discuss
  - • Once PepsiCo has some feedback from the Village DPW they would formalize a plan for submittal to the Village for review.
  - PepsiCo Email Update on Water Consumption (8/3/23)- paraphrased:
    - There are challenges attempting to install WW flow monitoring with our current system configuration.
    - WW flow monitoring will possible after Phase 1 upgrades
    - Most of our Facility water consumption is for domestic purposes (toilets and sinks), process WW discharges are low relative to the total volume
    - Water consumption is down over 33% based on our new operating scenarios
    - Based on this email PepsiCo water usage is <25,000 gpd
  - Delaware followed up with PepsiCo on 11/27/23 for an update on Phase 1 upgrade, work, monitoring plan and timeline.
  - Need to work with Dave Burke to set up meeting with PepsiCo and MHE to understand progress and request list of priority pollutants (for WWTP SPDES Permit renewal, above)
  - Need to do this soon to understand Phase 1 results and list pollutants concern (See WWTP SDPES permit renewal above).

## **8. 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
- The Town is proposing a joint meeting in April
- Delaware working on a revised draft of this report
- Met with Dave Burke on October 13, 2023
- Working to revise this ASAP with David Burke and the Town
- Elm Street Well remediation and future use are key to this study
- Due to likely SPDES permit changes, a study to review the ability of the WWTP to meet the new CBOD daily maximum limit of 15 mg/L will also be added to the study recommendation

## **9. Sanitary Collection System I/I Investigations**

- Board Action Required at Tonight's Meeting
  - Board Action Required at Tonight's meeting:
  - Review EPG Document Checklist
  - Review and consider adopting recommended Board Resolution
  - Review and consider accepting Budget and Plan of Finance
- Delaware submitted EPG application for up to \$50,000 in grant funding for I/I investigations, with commitment for a \$10,000 local match (20%) on August 11, 2023
- This Project has been selected for 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.

#### 10. Lead & Copper Rule Revisions service line inventory requirements, due fall 2024

- NYSDOH recently issued a draft amendment to the FFY2024 DWSRF IUP regarding the BIL Lead Service Line Replacement (BIL-LSLR) funding. Comments will be accepted via e-mail until 5:00 p.m. on Friday February 16, 2024 to [design@health.ny.gov](mailto:design@health.ny.gov)
- The result of this submission was that the Village was determined by EFC to be eligible for funding under the BIL LSLI grant program.
- **However, based on the draft IUP amendment, which was published by EFC in January 2024, it appears that the Village may not receive a grant**
- Grant funds for the program are limited, and it appears that a majority of the funding is scheduled to be awarded to large cities like NYC, Albany, and Rochester.
- Municipalities may provide comments to EFC, regarding the draft IUP amendment, before it is finalized.
- On February 14, 2024 Delaware submitted, is a draft comment letter to the Village to help municipalities comment on the draft IUP for EFC consideration. If the Village wishes to submit comments to EFC, this letter can be revised as necessary, signed, and submitted, by email, to [design@health.ny.gov](mailto:design@health.ny.gov).
- While it is possible that these comments could result in funding being awarded to a greater variety of small eligible communities, it should be understood that there is no guarantee that that the Village will be one of them.
- The October 2024 inventory deadline remains
- The Village will need to continue to move forward with this recognizing that outside funding is unlikely
- Village should continue to organize information on lead services lines
- The Village resolved to authorize a Village Representative sign the letter and submit by email to NYSDOH via e-mail by 5:00 p.m. by Friday February 16, 2024 to [design@health.ny.gov](mailto:design@health.ny.gov). Letter was sent to NYSDOH by the Village Clerk on February 16, 2024.
- A report and listing form were finalized and submitted on 8/25/23 for a lead service line inventory project, covering the Village district, to be considered for 100% grant funding through the BIL program administered by NYS DWSRF. PER and Listing form emailed to Village Mayor and DPW Supervisor on 8/25/23.
- The estimated project cost is \$845,609.
- If a grant is received, the project will be subject to federal and DWSRF requirements (e.g., MWBE, BABA, AIS, Davis Bacon, etc.).
- Per regulations, the Village needs to have an LSL inventory completed by October 2024 – Not a lot of time to get this done/not optional
- Use inventory to position for an IUP listing and funding application next summer for replacement work (up to 70% funding possible)
- There is possible funding to assist in paying for the inventory – possible 100% grant for the inventory work for Disadvantaged communities – which we believe the Village is
- The **listing deadline** for DWSRF **BIL Lead Service Line (LSL) funding** through EFC/DOH is **August 25, 2023**. Eligible projects include the identification, planning, design, and replacement of lead service lines.



- To be eligible for funding, a DWSRF **project listing form and an engineering report need to be e-mailed to DOH by August 25th** to [design@health.ny.gov](mailto:design@health.ny.gov)
- EFC and DOH hosted a webinar on the Lead Service Line (LSL) funding available through the Bipartisan Infrastructure Legislation (BIL).
  - Grants are only available to municipalities that meet the definition of a Disadvantaged Community (DAV). If a client is not a DAV, then they will only get subsidized financing
  - In order to qualify for BIL Lead Service Line grant funding (inventory or replacement), a municipality needs to have a 2021 MHI that is less than 80% of the regionally-adjusted State MHI. The Village of Liberty qualifies for this.
  - DAV eligibility applies to both inventory and replacement projects. DAVs can get up to 100% grant funding (\$2M max) for inventory projects, and up to 70% grant funding (\$10M max) for replacement projects.
  - You can only apply for LSL replacement funding for locations where the number and location of LSL are known and verified, even if it is just a targeted area. However, if you are requesting replacement funding, then the entire line (public and private portion) must be replaced.
  - You can apply for both inventory and replacement projects simultaneously, but with separate applications. For example, in the Village of Catskill there are some known locations of lead service lines associated with a water main replacement project that is in the planning stages, but they still need to complete a community-wide LSL inventory before the DOH October 2024 deadline.
  - You may be able to “piggy-back” a LSL replacement project with a water main replacement project that is anticipated to receive DWSRF funding, but only if the two projects can be kept completely separate. They are two different sources of funds with different reporting requirements and must be tracked separately.
  - A/E Procurement Requirements will apply, just like every other BIL-funded project. Procurement doesn’t need to happen before an application is made, but it would make sense to get that out of the way while we wait for news on any grant awards so we can hit the ground running.
  - The application process for both project types is the same. No authorizing resolution is needed, just a completed DWSRF listing form and a brief Engineering Report. Engineering report templates are being worked on. Deadline is August 25.
- The anticipated schedule is as follows:
  - Submit Project to DWSRF IUP..... August 25, 2023
  - Secure Short-Term Financing (BAN).....September to December 2023
  - Perform Lead Service Line Inventory ..... Present to October 2024
    - Solicitation and Selection of Consultant ..... Present to November 2023
    - Review Existing Files ..... Present to December 2023
    - Anticipated Funding Notification..... December 2023 to February 2024
    - Public Bidding for Excavation Contract.....January to February 2024
    - Public Outreach ..... January to June 2024
    - Field Investigation and Data Input .....May to September 2024
    - Final Data Compilation .....September to October 2024
  - LSL Inventory Completed and Submitted .....October 2024

**OLD BUSINESS: UPDATE ON INTERMUNICIPAL AGREEMENT RE: SEWER DISTRICT 26-1-59**

Mayor Stoddard said that Attorney Silver is still working with the Town of Liberty on this agreement.

**DISCUSS ACCOUNT RECEIVABLE BILLING RE: FIRE DISTRICT**

This item will be **tabled** until the next meeting.

**NEW BUSINESS: CONSIDER SPRING CLEAN-UP APRIL 22 – APRIL 28**

**RESOL# 3-2024:** Motion by Trustee Lake, seconded by Trustee Aracci and unanimously carried approving Resolution #3-2024

**WHEREAS,** the Village Board of Trustees approves the Spring Clean-Up 2024 as follows:

**VILLAGE OF LIBERTY  
2024 SPRING CLEAN-UP**

**Monday, April 22<sup>th</sup>  
Tuesday, April 23<sup>th</sup>  
Wednesday, April 24<sup>th</sup>**

**Thursday, April 25<sup>th</sup>**  
**Friday, April 26<sup>th</sup>**  
**Saturday, April 27<sup>th</sup>**  
**Sunday, April 28<sup>th</sup>**

items for clean-up must be taken by Village Residents to the Village of Liberty Street Department garage at 46 Elm Street. No items will be accepted without a permit showing Village residency which can be obtained at the Village Clerk's Office 167 North Main Street between the hours of 8:00 a.m. and 4:00 p.m.

**METAL WILL BE ACCEPTED. NO large stumps or rocks. NO household garbage. NO batteries. NO tires. NO hazardous waste. NO yard debris. No Fuel Tanks, Oil Drums and Propane Tanks. NO Paint. NO Electronic Equipment**

Village crews will not make pick-ups at individual residences and the Sanitation Department will not take items left out for clean-up.

Hours of Operation:

**Monday, April 22<sup>th</sup> - Friday, April 26<sup>th</sup> - 6:00 A.M - 2:00 P.M.**

**Saturday, April 27<sup>th</sup> - 8:00 A.M.–12:00 P.M.**

**Sunday, April 28<sup>th</sup> - 8:00 A.M. – 12:00 P.M.**

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

This program is made possible by the Sullivan County Legislature

**CONSIDER SEWER CREDIT FOR #5-31400/15 WINSLOW**

Motion by Trustee Mir, seconded by Trustee Lake and unanimously carried approving the sewer credit for 51 Winslow Place – Account #5-31400 in the amount of \$2,259.11 (263,300 gallons) due to a leak in a fixture and value.

**CONSIDER PUBLIC HEARING – 2024 CFA APPLICATION**

Motion by Trustee Lake, seconded by Trustee Mir and unanimously carried to hold a Public Hearing on Thursday, April 18, 2024 at 6:50 p.m. for the purpose of hearing public comments on the Village's community development needs and to discuss the possible submission of one or more Community Development Block Grant (CDBG) applications for the 2024 Program Year, with written comments accepted until April 29, 2024.

The Village agrees to contract with Mark Blauer for \$3,550 for the CDBG application.

**CONSIDER AMENDING RESOLUTION #6-2022/POLICE OFFICER RESIDENCY**

**RESOL. # 3-2024:** Motion by Trustee Mir, seconded by Trustee Lake and unanimously carried approving Resolution #3-2024.

**WHEREAS**, All Police Officers employed by the Village of Liberty Police Department after the effective date of this Resolution shall reside within 30 miles of the Village of Liberty on or before the date of his or her appointment by the Village of Liberty, and he or she shall continue to reside within the County of Sullivan or within 30 miles of the Village of Liberty during the entire time he or she is employed by the Village of Liberty as a Police Officer in the Village of Liberty Police Department. The failure of any such Police Officer to reside within the 30 miles of the Village of Liberty on or before the date of his or her appointment, or continue to reside within the County of Sullivan or within 30 miles of the Village of Liberty during the entire time that he or she is employed as a Police Officer by the Village of Liberty in the Village of Liberty Police Department, shall be cause for the employment of such Police Officer to be terminated by the Village of Liberty and;

**WHEREAS**, this is an update to Resolution #6-2022;

**NOW THEREFORE BE IT RESOLVED**, this resolution shall take effect immediately.

**CONSIDER REQUEST – OURBUS ROUTE STOP**

Police Chief D’Agata will investigate this company to determine exactly what they are looking for and will report back to the Board at the next meeting.

**CONSIDER PAYMENT REQUESTS FOR WWTP PROJECT AND SUBSTANTIAL COMPLETION FORMS**

Motion by Trustee Mir, seconded by Trustee Lake and unanimously carried authoring the payment of Application No. 22 for General Contract No. VL1-G-21 to Eastman Associates Inc. for the 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.

Motion by Trustee Lake, seconded by Trustee Feasel and unanimously carried authorizing the for the Deputy Mayor/Trustee Mir to endorse the **Certificate of Substantial Completion** form for Contract VL1-G-21 – General, which shall fix the date of Substantial Completion as December 31.2023 and the final contract amount \$5,558,792.00 including the punch list items to be completed or corrected before final payment.

Motion by Trustee Aracci, seconded by Trustee Lake and unanimously carried authorizing Deputy Mayor/Trustee Mir 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 to corrected before final payment.

**CONSIDER RESOLUTIONS FOR ENGINEERING PLANNING GRANT (EPG) PROGRAM – LIBERTY (V) EPG 131582 SANITARY COLLECTION SYSTEM I/I INVESTIGATIONS**

**Authorization for Designated Representative to Execute Grant Agreement**

**RESOL. # 4-2024:** Motion by Trustee Mir, seconded by Trustee Lake and unanimously carried approving Resolution #4-2024.

**NOW, THEREFORE, BE IT RESOLVED**, the Village Mayor is hereby authorized to execute an Engineering Planning Grant (EPG) Agreement with the New York State Environmental Facilities Corporation (NYS EFC) and any and all other contracts, documents, and/or instruments necessary to facilitate the EPG project referenced herein and to fulfill the Village of Liberty’s obligations thereunder.

**Authorization and Appropriation of Local Match**

**RESOL. # 5-2024:** Motion by Trustee Mir, seconded by Trustee Aracci and unanimously carried approving Resolution #5-2024.

**NOW, THEREFORE, BE IT RESOLVED**, the Village of Liberty hereby authorizes and appropriates a minimum 20% (\$10,000.00) local match as required by the Engineering Planning Grant Program for the Liberty (V) EPG 131582 Sanitary Collection System I/I Investigations in the amount of \$10,000 and based upon the total EPG Grant award of \$ 50,000.

**BE IT FURTHER RESOLVED**, the source of the local match, and any amount in excess of the required match, shall be provided by the Village’s General Fund.

**Authorization of the Project Budget and Plan of Finance**

**RESOL. # 6-2024:** Motion by Trustee Mir, seconded by Trustee Aracci and unanimously carried approving Resolution #6-2024.

**NOW, THEREFORE, BE IT RESOLVED**, the Village of Liberty hereby authorizes the Project Budget & Plan of Finance required by the Engineering Planning Grant Program for the Liberty (V) EPG 131582 Sanitary Collection I/I Investigations in the amount of \$10,000.

**RESOL. # 7-2024:** Motion by Trustee Mir, seconded by Trustee Lake and unanimously carried approving Resolution #7-2024.

**RESOLVED**, the Board of Trustees of the Village of Liberty approves the following appointments:

**PLANNING BOARD – DARA SMITH – TO FILL THE UNEXPIRED  
TERM OF KASSONRA JOHNSTONE**

**CONSIDER COMPREHENSIVE REVIEW PLAN TRAINING**

Motion by Trustee Mir, seconded by Trustee Lake and unanimously carried approving the Training Class taught by Peter Manning, which will be set for April or May. This course will discuss pointers on redoing the Comprehensive Review Plan

The cost of the training will be \$425, which will be split with the Town of Liberty.

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

Etta Barbanti discussed the following issues:

- ❖ Said in her opinion the Bus Stop should be moved to Oberferst Street so that the Garden Area is kept cleaner and there will not be so many people loitering on Main Street.
- ❖ Said Dara Smith is interested in serving on the Comprehensive Plan Committee but has not heard back after expressing her interest.
- ❖ Suggested the Village consider having port a potties in the Main Street area.
- ❖ Discussed the camera situation on Main Street.

Police Chief D’Agata said it should be resolved shortly.

- ❖ Asked about the Christmas Lights.

Mayor Stoddard said they will come down next week and the Village has been discussing decorations that are just “winter” or can be adapted to different holidays.

- ❖ Discussed the parking spots that would be available by Liberty Press, if they were not designated as Loading Zones.

Bruce Davidson (Liberty Theatre owner) said that he will take back the flower fund and will send out the donation letters and work with Treasurer Zurawski on the project.

Bruce also said the Liberty Theatre is within three to four months of being completed.

Brandon Sterling (Treasure Hunter) said he is very interested in pursuing the Otto Hillig buried treasure and feels he has solved all the clues. He asked the Village to meet with him to discuss a possible search on Village property.

Dara Smith (Liberty Street) discussed the recent \$1 million dollar grant funding and asked about the Village's commitment Route 17 Corridor (water) and Golf Course (sewer).

Moshe Feldman (owner of Lemonade Grocery Store) discussed the problem he is having with the Liberty School in obtaining an additional insured policy for all the employees/parents that park in his store parking lot thru out the day. He said he is agreeable to work with the school but has not had success.

The Board gave him some suggestions to rectify the situation, including letters to the students' parents.

**BOARD COMMENTS:** Mayor Stoddard said she attended a CDC Meeting where they had a Zoom meeting with a parking meter company called **HONK**. She said they are all pretty much run by your phone, with different zones as well as short term and long term parking.

Mayor Stoddard said it is very preliminary but it is something that could generate revenue for specific projects.

Mayor Stoddard and the Board said it was a pleasure working with Trustee Aracci and thanked him for his time spent on the Board.

Trustee Mir offered congratulations to the incoming Trustee Jayneen Mills.

**BILLS FOR PAYMENT:** Motion by Trustee Lake, seconded by Trustee Aracci and unanimously carried approving Voucher #826 to Voucher #916 in the amount of \$312,744.82.

**EXECUTIVE SESSION:** Motion by Trustee Feasel, seconded by Trustee Aracci and unanimously carried to go into Executive session at 7:41 p.m. to discuss a personnel issue in the Department of Public Works and Police Department.

Dave Burke, Director of Public Works and Police Chief D'Agata were invited into the session.

Motion by Trustee Feasel, seconded by Trustee Lake and unanimously carried to come out of Executive Session at 8:13 p.m.

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

**THE MEETING WAS ADJOURNED AT 8:13 P.M.**

**RESPECTFULLY SUBMITTED,**

**JUDY H. ZURAWSKI, CLERK/TREASURER**

