

REGULAR MEETING

JULY 20, 2023

The Board of Trustees held the Regular Meeting on July 20, 2023 at The Village Municipal Building, 167 North Main Street, Liberty New York. Mayor Joan Stoddard opened the meeting with the Pledge of Allegiance.

PRESENT: Mayor Joan Stoddard, Deputy Mayor/Trustee Robert Mir, Trustee Ernest Feasel, Trustee Evelesse Lake and Trustee Joe Aracci. Also Present: Gary Silver, Attorney for the Village and Judy Zurawski, Clerk/Treasurer.

ALSO PRESENT: Police Chief Steven D'Agata, Abraham Weberman, Scott Kitchner (Stewart Shops), Frank DeMayo (Town of Liberty Supervisor), Dean Farrand (Town of Liberty (Town of Liberty Council), David Ohman (Delaware Engineering), David Burke, Etta Barbanti, Cody Ricco, Wendy Chabla, Police Officer Fred Moore and several Police Officers

INTRODUCTION AND SWEARING IN OF NEW POLICE OFFICER AND L.E.A.D.S AWARDS

Police Chief D'Agata introduced **Police Officer Fred Moore** to the Board. Officer Moore earned his degree in Criminal Justice at St. Thomas Aquinas College and successfully completed his police academy training in 2023. Officer Moore has been a dedicated, hardworking, professional employee of the Village of Liberty for over ten (10) years as a Water Treatment Plant Operator. In February of 2023 he began his training with the Village of Liberty Police Department by attending the Rockland County Police Academy, which he successfully completed and graduated.

Mayor Stoddard administered the Oath of Office to **Officer Fred Moore**.

Police Chief D'Agata also presented Completion Certificate Awards to **Cody Ricco** and **Wendy Chabla** for their participation in the Law Enforcement and Discovering Success Program (L.E.A.D.S.) This internship is a joint program run as a partnership between the Village of Liberty Police Department and the Liberty High School spanning approximately eight (8) weeks. Throughout this internship, these students work alongside the Village Police Officers, Dispatchers, Detectives and Supervisors learning various aspects of law enforcement.

Chief D'Agata and the Board congratulated Wendy and Cody on the successful completion of this program.

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

WORKSESSION MEETING – June 15, 2023

CORRESPONDENCE: Mayor Stoddard said the Village received and sent the following correspondence

Incoming

- ❖ Update of Defective Street Lights from P.O. Tim Vogler 6.2023

Outgoing

- ❖ Letter to Town of Liberty Re: Tax Map #108.-6-39

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

Town of Liberty Frank DeMayo

Frank DeMayo reported on the following:

- ❖ He, Nick and Dave (from Delaware) looked at the culvert project at the end of Creekside Park and think the best solution is to open it up. He said the \$50,000 will be used for demo, cleanup and landscaping.
- ❖ Said the Town Attorney will need a survey for LaPolt Park before we can move forward.

Attorney Silver said it can also be done by using the tax map number.

- ❖ Said the Town is receiving a lot of calls regarding the Sanitation problems and Code Enforcement.

Mayor Stoddard said they are trying to address both issues.

Mayor Stoddard also mentioned that the Village will be scheduling a Public hearing at the next meeting to discuss Main Street Apartments.

- ❖ Said he would work with Trustee Feasel regarding the EV Charging Station

ATTORNEY COMMENTS: Attorney Silver said his comments are related to agenda items

TREAS. REPORT: Treasurer Zurawski said she is busy finishing up tax collection and will have a report at the next meeting.

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:
 - Review status/what’s left to do

- **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)
 - Ordered 5/23/23, shipped to the WWTP on 7/10, and Dennis will coordinate County to install
 - Removal of extra materials
 - 12” DIP fittings/appurtenances – **DONE, taken to Water Department**
 - 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**
 - Paving of excavation from leak repair (County) – Pending
 - Certification of construction (DOH-5025) and As-Built will be completed and submitted to NYSDOH soon (pending installation of 45-degree fittings insulation)
- Payments to Vendors & Contractors
- Temporary Watermain Invoices
 - C & M #1 – Temporary Watermain HDPE Pipe = \$2,168.00 - Paid
 - C & M #2 – Temporary Watermain Materials including returned items – \$4,256.98 - Paid
 - Vari-tech – Temporary Watermain HDPE Pipe Vari-Tech PO Approved at 06/02/22 Mtg. - Paid
 - SCDPW Support System and Anchors – **IMA/Invoice Pending**
 - Osterhoudt – Temporary Watermain Installation - \$24,715.44 – Paid
 - White Cap – Temporary Watermain Frost Blankets = \$377.14 – Paid w/Village CC
- Permanent Watermain Invoices
 - C & M #1 – Permanent Watermain Pipe and Materials = \$32,667.50 - Paid
 - C & M #2 – Permanent Watermain DI Pipe & Materials = \$23,686.40 – Paid
 - C & M #3 – Permanent Watermain Flex Joint = \$14,375.00 – Invoice Paid
 - Sherburne Steel Sales – Permanent Watermain Beam = \$8,425 – Paid
 - SCDPW Installation of Permanent – **IMA/Invoice Pending**
 - Osterhoudt Technical Oversight – **Invoice Pending**

- Osterhoudt Testing – **Invoice Pending**
- C & K Insulation – Flexible Joint Insulation = \$16,500 – **Pending**
- C & M #4 – Permanent Watermain 45 degree fitting insulation = \$1,258 – **Invoice Pending**

ESTIMATED COST SUMMARY

	April 20, 2022 Bid Results	May 2022 Estimated/Budget Cost	April 2023 Estimated Cost
Temporary Water Main	-		-
<ul style="list-style-type: none"> • Piping Materials (Village direct purchase) • C&M Invoice #1 Temporary Watermain HDPE Paid • C & M Invoice #2 Temporary Watermain Mats Paid • Vari-tech PO Approved at 06/02/22 Mtg – Paid • White Cap PO Frost Blankets - Paid 	-	\$15,000	- \$2,168.00 \$4,256.98 \$2,648.00 377.14
<ul style="list-style-type: none"> • Support System and anchors (SCDPW)(cost pending) 	-	\$25,000	\$ 25,000 (cost pending)
<ul style="list-style-type: none"> • Fuse and Install Piping Materials & appurtenances, & testing (H. Osterhoudt) - Paid 	-	\$25,000	\$24,715.44
<ul style="list-style-type: none"> • Misc. Other Cost 	-	TBD	TBD
Permanent Water Main	-		-
<ul style="list-style-type: none"> • Piping Materials (Village direct purchase) • C & M Invoice #1 Permanent Watermain Insulated Pipe - Paid • C & M Invoice # 2 Permanent Watermain DI Materials – Paid • C & M Invoice #3 Perm Flex Joint – Paid • C & M Invoice #4 45 Degree Fitting Insulation – Pending Quotation 	-	\$40,506	\$32,667.50 \$23,750.50 \$14,375.00 \$ 1,258.00
<ul style="list-style-type: none"> • Support - Beam (Sherburne SS) – Paid • C & K Insulation – Flex Joint Insulation – Pending Approval 		\$8,425	\$ 8,425 \$16,500
<ul style="list-style-type: none"> • Install Piping, Materials & appurtenances, support system and testing (SCDPW) (Cost Pending) 	-	\$25,000	\$25,000 (cost pending)
<ul style="list-style-type: none"> • Technical oversite and assistance for installation of permanent water main and to resolve issues with leakage testing and disinfection (H. Osterhoudt Excavating Inc., Day Rate During Construction) 	-	\$ 3,500/Day Assume 2 Wks/10 Days \$35,000	\$ 3,500/day Assume 2 ppl,2 Wks/10 Days = \$35,000 (cost pending)
<ul style="list-style-type: none"> • Permanent water main leakage testing, disinfection and sampling (H. Osterhoudt Excavating Inc., Lump Sum) 	-	\$ 5,000	\$ 5,000 (Cost Pending)
<ul style="list-style-type: none"> • Misc Other Cost 		\$ TBD	\$ TBD
Total Construction Cost	\$259,000	TBD	\$ TBD
Other Miscellaneous Costs			
<ul style="list-style-type: none"> • Engineering (Delaware Engineering D.P.C.) 		TBD	TBD
<ul style="list-style-type: none"> • Village Attorney (Legal Counsel) 		TBD	TBD
Contingency	-	TBD	TBD
Total Village Budget Paid to Date	\$ 259,000	\$179,931	\$221,142
ESTIMATED BALANCE TO FINISH			\$113,384 \$107,758

County estimates costs to date about \$30K, with only the 45 degree insulation to install. We had the County IMA Budgeted \$25K for temporary and \$25K for permanent, \$50K total.

2. WWTP Upgrade

Board Action required at tonight's meeting:

- **WWTP Phase 2 Enhanced Sludge Upgrade**
 - **None**
- **WWTP Phase 1**
- Consider Applications and Certificate for Payment for approval:
 - Payment No. 15 from General Contractor – Eastman Associates, Inc. - in the amount of \$675,237.20
 - Payment No. 9 from Electrical Contractor – J & J Sass Electric Inc., - \$2220,162.50
 - Payment No. xx from Plumbing Contractor – Treffeisen – No payment application this month
 - Payment No. 10 from HVAC Contractor – Treffeisen – \$2,109.00
- **Consider Change Orders for Approval:**
 - General Contract No. VL1-G-21 CO No. 7 – No Cost Time Extension
 - Electrical Contract No. VL1-E-21 CO No. 5 – No Cost Time Extension
 - Plumbing Contract No. VL1-P-21 CO. No. 4 – No Cost Time Extension
 - HVAC Contract No. VL1-H-21 CO. No. 3 – No Cost Time Extension

For the Enhanced Sludge Project – Phase 2

- Focus is on getting WIIA grant application package prepared and submitted to NYSEFC by June 16 and the SRF funding submitted by July 28, 2023
- Supplemental Bond Resolution items
 - Process now complete with no issues
 - Board approved Bond Resolution on March 16, 2023
 - Notice of Adoption of the Bond Resolution was published on 3/24/2023
 - Legal Notice of Estoppel was published 4/18/2023
 - Items sent to Bond Counsel by Judy
- Preliminary Engineering Report Amendment
 - PER (Preliminary Engineering Report) Amendment to increase the cost of the Phase 2 project from \$7.1M to \$9.9M including Phase 2 and Septage Receiving (which we plan to include as a bid alternate), and update the schedule and associated items – Completed June 15, 2023.
 - Hard copy provided to the Village on July 7, 2023
 - On track to get this submitted with Judy on 6/15 and before 6/16 deadline
- Clean Water State Revolving Fund (CWSRF) Funding Submittal – also covers BIL funding request:
 - Completed and uploaded on June 15, 2023
 - Items to be submitted to NYSEFC before June 16, 2023 for projects that want to receive financing under the FFY 2023 IUP
 - Revised/Amended PER – Finished
 - PLUS IUP Listing update and smart growth assessment – Finished
 - New SRF financing application – Finished (not technically required until the July 28 WIIA deadline but plan to submit by June 16)
 - BIL funding requirements/forms/boxes? (not defined yet)
 - WIIA Grant Funding (25% grant)
 - Application due by August 11 (date extended from July 28, 2023) for projects eligible to receive SRF financing during the FFY 2024 IUP. On schedule to submit with Judy before August 11 deadline

- Required submittals include:
 - Revised/Amended PER – Finished (same as SRF above)
 - Supplemental Bond Resolution – process complete
 - New WIIA application form – in process, updating budget and schedule
 - Environmental Review (SEQR) – we will include previous info
 - SHPO Project Determination – we will include previous info
- **Update/Review of Project Progress for Phase 1 WWTP Upgrade:**
- **Construction Schedule**
- **Completion Date: Almost all WWTP Upgrade work planned to be substantially and fully complete and operational by August 2023 and wrapped up by November/December 2023 - construction has pushed 3 – 4 months beyond originally planned duration.**
- **Delivery of sludge press pushed until 7/12/23 and generator delivery pushed until 10/24/23; SCADA installation/work end of October**
- **Contract Completion Dates, see No Cost Time Extension Change Orders below**

	<u>Current</u>	<u>Revised Contract Completion Date per CO's</u>
○ Eastman	8/10/23	12/31/23
○ Sass	9/14/23	12/31/23
○ Treffeisen	8/30/23	09/31/23
○ Treffeisen	8/30/23	09/31/23

CONSTRUCTION CONTRACTS

○ **Summary of Contractor Work**

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

- Control Building, Influent Building & Sludge Building Improvements
 - Brick pointing may require additional attention
 - Brick cleaning may require additional attention
 - Painting of building façade – Work Complete
 - Painting of building interior - Ongoing
 - New roof installation – Work Complete
- Influent Channel Process Improvements
 - Grit Tank Work (screen, collector, gates, diffusers)
 - Grit – Grit Classifier, Work Complete, punch list items open
 - Grit - Grit collector screw (2-unit) Work Complete, punch list items open
 - Gates – Complete
 - Mechanical Screen – Complete, punch list items open
 - Influent Channel Grating - Ongoing
 - Grit Blowers (2) – Complete
 - Influent Area Utility Markout – Work Complete by J & J Sass
Utility Location Services Subcontractor, Eastman Associates to maintain markings during project
- Influent Building Process Improvements
 - Stormwater Tank Recirculation Pump – Work Complete
 - Stormwater Tank Pumps (2) – Work Complete
 - Other Work (e.g process pumps and piping, etc.) – Work Complete
- Secondary Clarifier Process Improvement
 - Valve Replacement – Work Complete

- Clarifier Tank Repair – Work Complete
- Clarifier Equipment Painting – Complete
- Clarifier Equipment Installation – Work Complete
- New Grating Installation – Ongoing
- Existing Clarifier Improvements – Work Complete
- Site restoration – Ongoing, 90% Complete
- Sludge Building Process Improvements
 - PAC Tank installed, piping and controls – Ongoing
 - Eastman continues to work with Village Staff to maintain WWTP treatment process until chemical feed system is complete
 - RAS Pump 1, 2 & 3 Installed – Electrical Connection (temporary)
 - RAS Pump Control Panel – Panel installed; review pump/float operation issues
 - Effluent water system feed (for future/Phase 2) – Work Complete
 - NPW Pumps (2) – Pending Belt Press Install (Pumps and CP on site)
 - WAS Pumps (2) – Concrete pad work started, installation pending belt press delivery
 - Post Aeration Blowers – Blowers & piping complete, startup pending power completion
 - Temporary dewatering system – **Setup & Training week of July 10th**
 - Belt Filter Press – Onsite, demo & new installation to start week of July 17th
- Stormwater Retention Basin Improvement – Work Complete
- Oxidation Ditch 1 Improvements
 - VFD Commissioning – Work Complete
 - Other work (VFD, DO meter) – Work Complete
- Oxidation Ditch 2 Repairs
 - Contractor shall clean debris from Ditch 1 prior to transferring liquid content from Ditch 2
- New Electrical Building
 - Floor Slab – Work Complete
 - Siding – Work Complete
 - Interior finished – Work Complete
 - Access landing grating & railings – Work Complete
- Roof installed, flashing & trim work – Work Complete
- Post Aeration Tanks
 - Gates – Work Complete
 - Air System – Work Complete, startup pending blower power completion
- SCADA & Instrumentation
 - VFD's – All Onsite & installed
 - Instruments – Instruments onsite – Work Complete
 - Delivery & Installation of storm water tank floats – pending
 - SCADA Panels – new enclosure for Sludge Building on-site; retrofitting other existing panels in other locations; waiting for cards for various PLCs; in shop testing pending
- Site Work
 - Control Building PVC roof drain piping – Work Complete
 - Influent Area Utility Markout – Work Complete, Eastman Associates to maintain markings during project

- Sludge Building PVC roof drain piping – Work Complete
- Generator Pipe Bollards – Work Complete
- Site Restoration - Ongoing
- Yard Piping
 - Influent Area – 1” copper water line – Work Complete

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

- New Electric Building
 - Layout, sleeves and grounding grid – Work Complete
 - Power up temporary facilities – Work Complete
 - New service is powered up – Work Complete
 - New generator transfer switch – Ongoing, to be completed at generator delivery
 - Provide temporary E-Power for new electric service – Work Complete (temporary powered via Influent Bldg. Generator, operator shall control loads during generator run) Work with plant to test run system on generator to work out any issues
 - New Generator – **Delivery anticipated week of October 24, pushed from September**
- Control Building
 - Install new outlets, switches, wiring, lighting and conduits - Ongoing
- Influent Building
 - Installing conduits for duct bank connection to buildings – Work Complete
 - Layout of new panel locations for new conduits – Work Complete
 - Installed new power panel – Ongoing
 - Installing new lighting – Work Complete
 - Sludge Building Service upgrade (CO#3) galv. Conduits – Work Complete
 - Installing conduits for equipment – Work Complete
 - Installing conduits for SCADA – Work Complete
- Sludge Building
 - Sludge Building – Lights & Heating conduit - Ongoing
 - Blower Room – Lights & Heating conduit – Work Complete
 - Post Air Blowers – Work Complete
 - Installing conduits for equipment – Ongoing
 - Installing conduits for SCADA - Ongoing
- Oxidation Ditch
 - Install new conduits & conductors to Ox Ditch mixers and CPs – Work Complete
 - Mixer Control Panel Mounting Modification – **Pending Ditch 2 shutdown**
 - Terminations and Landings to Oxidation Ditch Control Panel – Ongoing
- Secondary Clarifier – Work Complete
- Site Work
 - New underground duct bank, layout complete, installation – Work Complete
- New disconnect, all disconnects onsite
- Exterior Lighting
 - Correct light fixture operations (photo cell issues)- Ongoing

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

- Not onsite
- Sludge Building Water Service – Work Complete
- Control Building Kitchenet – Work Complete
- Sludge Building Water Piping – Pending Belt Press Installation

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

- Not onsite
- Roof curbs – Work Complete
- Control Building heaters – Ongoing
- Electrical Building HVAC - Ongoing
- Influent Building heater installation (1) – Work Complete
- Sludge Building heater installation (2) – Work Complete
- Sludge Building ventilation - Ongoing
- **NYSEFC Phase 1 Funding**
 - The NYSEFC Closed on the PFA for the additional funding up to \$9.4M on 6/30/22
 - No further actions required....all set until long term closing
- **Payment Requests:**
 - **Contract No. VL1-G-21 – General Construction**
 - **Payment Application No. 15**
 - **The full application package provided to the Village Clerk under separate cover.**
 - We have reviewed the Payment Application from Eastman Associates, Inc. the contractor for the subject project, for the period of June 1, 2023 through June 30, 2023 in the amount of \$675,237.20 for partial payment for the Control Building, Utility Building, Influent Building, Sludge Building, Influent Channel Miscellaneous Metals, Influent Building Process SW Basin Recirc Pumps Installation, Oxidation Ditch Joint Sealants, Sludge Building Piping, Sludge Wasting Pump Installation, Effluent Water Pumps Installation, SCADA Purchase and Programing, Yard Piping Sitework, NYSEFC Contract Compliance, NYSEFC Contract Compliance , Change Order #1 – Belt Filter Press (press now onsite) and Change Order #5 – Roofing Material Cost Increase.
 - The total cost to date of \$4,350,022.29 equates to approximately 80% of the contract price, with a balance to finish, including retainage of \$1,080,257.37.
 - 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. 15, to General Contract No. VL1-G-21 for Eastman Associates, Inc. for the period of June 1, 2023 through June 30, 2023 in the amount of \$675,237.20, 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, then we recommend the following:**
- **The Village hereby resolves to authorize the Village Clerk to proceed to process Payment Application No. 15 to General Contract No. VL1-G-21 for Eastman Associates, Inc. for the period of June 1, 2023 through June 30, 2023, in the amount of \$675,237.20, 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**
 - Application and Certificate for Payment No. 9
 - The full application package has been provided to the Village Clerk under separate cover
 - We have reviewed the Payment Application from J & J Sass Electric, Inc., the contractor for the subject project, for the period of June 1, 2023 through June 30, 2023 in the amount of \$220,162.50 for partial payment for the Influent Building Improvements Labor and Materials, Sludge Building Improvements Labor and Materials, Influent Channel Process Improvements Labor and Materials, Influent Building Process Improvements Labor and Materials, Oxidation Ditch Process Improvements Labor and Materials, Secondary Clarifier Process Improvements Labor and Materials, Sludge Building Process Improvements Materials and Labor, WWTP Emergency Generator Work Labor and Materials, New Electrical Building Improvements Labor and Materials, Miscellaneous items/Other Expenses, and NYSEFC Contract Compliance Work.
 - The total cost to date of \$1,438,780.70 equates to 76% of the contract price with a balance to finish, including retainage of \$374,800.00.
 - 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. 9, to General Contract No. VL1-E-21 for Eastman Associates, Inc. for the period of June 1, 2023 through June 30, 2023 in the amount of \$220,162.50, 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, then we recommend the following:**
- **The Village hereby resolves to authorize the Village Clerk to proceed to process Payment Application No. 9 to General Contract No. VL1-E-21 to J & J Sass Electric, Inc. for the period of June 1, 2023 through June 30, 2023, in the amount of \$220,162.50, 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**
 - Application and Certificate for Payment No. 5
 - At the March 16 meeting Village resolved to authorize the Village Clerk to process Payment Application No. 5 to Plumbing Contract No. VL1-P-21 for A. Treffeison and Sons, LLC. for the period of February 1, 2023 through February 28, 2023, in the amount of \$24,015.62 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.
 - No application and Certificate for Payment this month
- **Contract No. VL1-HV-21 – HVAC Construction**
 - Application and Certificate for Payment No. 10
 - The full application package has been provided to the Village Clerk under separate cover
 - We have reviewed the Payment Application from A. Treffeisen and Sons, LLC., the contractor for the subject project, for the period of June 1, 2023 through June 30, 2023 in the amount of \$2,109.00 for partial payment for the Sludge Building Fans Material, Sludge Building louvers labor, New Electrical Room Louver Material and Labor.
 - The total cost to date of \$109,192.05 equates to 87% of the contract price with a balance to finish, including retainage of \$16,095.73.
 - 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. 10, to HVAC Contract No. VL1-HV-21 for A. Treffeisen and Sons, LLC for the period of June 1, 2023 through June 31, 2023 in the amount of \$2,109.00, 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, then we recommend the following:**
 - **The Village hereby resolves to authorize the Village Clerk to proceed to process Payment Application No. 10 to HVAC Contract No. VL1-HV21 to A. Treffeisen and Sons, LLC, for the period of June 1, 2023 through June 31, 2023, in the amount of \$2,109.00, 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.**
- **Change Orders**
 - **Contract No. VL1-G-21 – General Construction**
 - **Change Order No. 1 – Add Bid Alternate Belt Filter Press work**
 - Totaling \$763,000
 - Change Order sent to NYSEFC for approval on 3/1/22
 - Approved by NYSEFC on 6.24.22

- **Change Order No. 2** – Update Davis Bacon Wage Rates
 - No Cost Change
 - Approved by NYSEFC on 6.24.22
- **Change Order No. 3**
 - Totaling \$48,730.65 for:
 - Item 1 – Influent Building Grit Holding Area Unforeseen Conditions, Item 2 – Stormwater Pump Piping Modifications
 - Item 3 - WAS –Piping Modifications and Item 4 – NPW Supply Piping
 - Approved by NYSEFC on 9/21/22
- **Change Order No. 4**
 - Totaling \$23,882.17 for:
 - Item 1 – Post Aeration Blower Piping, Item 2 – Emergency Generator Bollards
 - Item 2 – WAS Piping Modifications, and Item 4 – NPW Supply Piping
 - Approved by NYSEFC on 11/30/22
- **Change Order No. 5**
 - Totaling \$57,730 for:
 - Additional roofing costs based on the scope and costs represented in the 2/1/23 & 2/28/23 change proposals from Eastman Associates, Inc.
 - Approved by NYSEFC on 5/8/23
- **Change Order No. 6**
 - Totaling \$6,636.84 for:
 - Bid Item #3.02 – Utility Building Allowance
 - Bid Item #18.01 & #18.02 – Office Building Roof Modification Credit
 - Bid Item #20.01 – Winter Weather Work Allowance Credit
 - CR-8 – Value Credit: Two (2) 4” BFVs and two (2) check values
 - T & M Costs for Tank Cleaning Work
 - Additional BFV on grit blower discharge line
 - Bid Item #11.01 – Clarifier #1 New Skimmer Arm Extension
 - Bid Item #11.03 – Secondary Clarifier Tank Repair Allowance Overrun
 - CR-11 – Door Hinge Changes: Change from (6) 4” hinges to (9) 6” hinges and replace window insert
 - CR-12 – RAS Panel Modifications & Additional 12” Pipe Supports and Hardware at Stormwater Basin
 - CR-14 Post Aeration Tank Piping Changes: Install new 4” SS pipes, fittings and supports in post aeration tank
 - CR-15- Access Panel Changes: Five (5) 10” x 10” ceiling access panel
 - CR-16 – RAID 5: RAID 5 for two (2) SCADA Computer and one (1) additional monitor =
 - CR-17 – Float and SCADA Changes: Five (5) floats with 40’ of cable, mounting brackets, five (5) HOA switches, and additional SCADA programming
 - Approved by NYSEFC on 6/5/23
- **Change Order No. 7 – No Cost Contract Time Extension**
 - The full change order package has been provided to the Village Clerk under separate cover
 - **The proposed change order is a no cost time extension and will result in no change to the contract price**

- Eastman Associates Inc. the contractor for Contract VL1-G-21 – General Construction, has submitted a request for a no cost time extension of the contract date of substantial completion from August 10, 2023 (the current substantial completion date) to December 31, 2023 with final completion by January 31, 2024. This extension request is primary due to delays resulting from the inability of their SCADA Controls Subcontractor to procure electrical components in a timely manner. Eastman has documented this delay in previous emails and updated schedules; this delay has occurred due to circumstances beyond Eastman’s control. Eastman will continue to push for an earlier completion.
- Delaware Engineer recommends that the Village resolves to accept the proposed change order and authorize the Village Mayor to endorse Change Order No. 7 – No Cost Time Extension for Contract No. VL1-G-21, based on Eastman’s June 21, 2023 request for a no cost time extension.
- If this change is accepted, Change Order No. 7 will result in an extension of the date of substantial completion for the contract from August 10, 2023 (the current substantial completion date) to December 31, 2023, with final completion by January 31, 2024 and with no change to the contract.
- The items covered by this change order are summarized below:
 - **Extension of the project substantial completion date from 8/10/23 to 12/31/23 \$0.00**
 - **CHANGE ORDER 7 NET COST CHANGE TOTAL = \$0.00**
- **If the Village finds the proposed change acceptable, and agrees to authorize the No Cost Contract Time Extension, we recommend that the Village Board resolve to:**
 - Authorize the Mayor to endorse Change Order No. 7 – No Cost Contract Time Extension for Contract No. VL1-G-21, based on Eastman’s June 21, 2023 request for a no-cost time extension of the contract date of substantial completion from August 10, 2023 to December 31, 2023 with final completion by January 31, 2024 and no change to the contact price.
- **Possible/Pending Change Order(s) – Still Developing Costs**
 - Belt Press Allowance Credit (-\$30,000)
 - Credit for Aluminum Grating (-\$3,000)
 - Seal Water Tank Demolition (\$1,000)
 - PAC Tank Slab Credit
 - Trench Shoring from Co. No. 3 Item No. 4 Non-Potable Water Pumps Supply Piping Mods (-\$5,250)
 - Existing Belt Filter Press MCC Demolition (\$10,000)
 - Effluent Flow Meter (\$20,000)
 - Belt Filter Drain Repair

Contract No. VL1-E-21 – Electrical Construction

- **Change Order No. 1 – Add Bid Alternate Belt Filter Press Work**
 - Totaling \$96,000
 - Approved on 6.24.22 by NYSEFC
- **Change Order No. 2 – Update Davis Bacon Wage Rates**
 - No cost change
 - Approved by NYSEFC on 6.24.22
- **Change Order No. 3 – 600A Service Upgrade for the Sludge Building**

- Totaling \$18,306
 - Approved by NYSEFC on 11/30/22
- **Change Order No. 4 – Sludge Tank Mixer Improvements**
 - **Totaling \$22,677.00 for:**
 - Sludge Tank Mixer three (3) additional NEMA 4X local disconnects at the Sludge Tanks, NEMA 12 contractors, and breakers for the new electrical panel.
 - Approved by NYSEFC on 6/5/23
- **Change Order No. 5 – No Cost Contract Time Extension**
 - The full change order package has been provided to the Village Clerk under separate cover
 - **The proposed change order is a no cost time extension and will result in no change to the contract price**
 - J & J Sass Electric Inc. the contractor for Contract VL1-E-21 – Electrical Construction, has submitted a request for a no cost time extension of the contract date of substantial completion from September 1, 2023 (the current substantial completion date) to December 31, 2023 with final completion by January 31, 2024. This extension request is primary due to delays resulting from the later delivery of the Emergency Generator and the General Contractor’s SCADA Controls Subcontractor to procure electrical components in a timely manner.
 - Delaware Engineer recommends that the Village resolves to accept the proposed change order and authorize the Village Mayor to endorse Change Order No. 5 – No Cost Time Extension for Contract No. VL1-E-21, based on J & J Sass Electric Inc.’s July 5, 2023 request for a no cost time extension.
 - If this change is accepted, Change Order No. 5 will result in an extension of the date of substantial completion for the contract from September 14, 2023 (the current substantial completion date) to December 31, 2023, with final completion by January 31, 2024 and with no change to the contract.
 - The items covered by this change order are summarized below:
 - **Extension of the project substantial completion date from 8/10/23 to 12/31/23 \$0.00**
 - **CHANGE ORDER 5 NET COST CHANGE TOTAL = \$0.00**
- **If the Village finds the proposed change acceptable, and agrees to authorize the No Cost Contract Time Extension, we recommend that the Village Board resolve to:**
 - Authorize the Mayor to endorse Change Order No. 5 – No Cost Contract Time Extension for Contract No. VL1-E-21, based on J & J Sass Electric Inc.’s July 5, 2023 request for a no-cost time extension of the contract date of substantial completion from September 14, 2023 to December 31, 2023 with final completion by January 31, 2024 and no change to the contact price.
 - **Pending Change Orders(s) – Still Developing Costs**
 - Disconnect Installation Credit
 - Grit & Screen Control Panel Conduit & Conductor Credit
 - Sludge Building Air Compressor Conduit & Conductor Credit
 - Existing Belt Filter Press MCC Conduit & Conductor Demolition
 - Post Aeration Blowers 20A Breaker
 - Relocation of existing Fine Screen Disconnects
 - Existing Effluent Flow Meter Conduit & Conductors
 - Temporary Power

- Garage Heater wiring (Village Direct Purchase from Treffeisen)
- Miscellaneous work for code violations and additional work due to supply chain issues

Contract No. VL1-P-21 – Plumbing Construction

- **Change Order No. 1** – Update Davis Bacon Wage Rates
 - No Cost Change
 - Approved on 6.24.22 by NYSEFC
- **Change Order No. 2 – Influent and Sludge Building’s PRVs**
 - Totaling \$5,689
 - Approved on 09/23/22 by NYSEFC
- **Change Order No. 3 – Polymer Feed System Modifications**
 - Totaling \$3,135.77 for:
 - Polymer Feed System Modifications
 - Approved by NYSEFC on 6/5/23
- **Change Order No. 4 – No Cost Contract Time Extension**
 - The full change order package has been provided to the Village Clerk under separate cover
 - **The proposed change order is a no cost time extension and will result in no change to the contract price**
 - Treffeisen & Son, the contractor for Contract VL1-P-21 – Plumbing Construction, has submitted a request for a no cost time extension of the contract date of substantial completion from August 30, 2023 (the current substantial completion date) to September 30, 2023 with final completion by October 31, 2023. This extension request is primary due to delays in the delivery of equipment.
 - Delaware Engineer recommends that the Village resolves to accept the proposed change order and authorize the Village Mayor to endorse Change Order No. 4 – No Cost Time Extension for Contract No. VL1-P-21, based on A Treffeisen & Son’s June 27, 2023 request for a no cost time extension.
 - If this change is accepted, Change Order No. 4 will result in an extension of the date of substantial completion for the contract from August 30, 2023 (the current substantial completion date) to September 30, 2023, with final completion by October 31, 2023 and with no change to the contract.
 - The items covered by this change order are summarized below:
 - **Extension of the project substantial completion date from 9/14/23 to 09/30/23 \$0.00**
 - **CHANGE ORDER 4 NET COST CHANGE TOTAL = \$0.00**
- **If the Village finds the proposed change acceptable, and agrees to authorize the No Cost Contract Time Extension, we recommend that the Village Board resolve to:**
 - Authorize the Mayor to endorse Change Order No. 4 – No Cost Contract Time Extension for Contract No. VL1-P-21, based on A. Trephines & Son’s June 27, 2023 request for a no-cost time extension of the contract date of substantial completion from August 30, 2023 to September 30, 2023 with final completion by October 31, 2023 and no change to the contact price.
 - **Pending Change Orders(s)**
 - **None**

Contract No. VL1-HV-21 – HVAC Construction

- **Change Order No. 1** – Update Davis Bacon Wage Rates
 - No cost change
 - Approved on 6.24.22 by NYSEFC
- **Change Order No 2 – New Sludge Building Exhaust Fan & New Control; Building Garage Utility Heater**
 - Item 1 – New Sludge Building Exhaust Fan
 - Totaling \$8,387.78
 - Approved by NYSEFC on 11/30/22
- **Change Order No. 3 – No Cost Contract Time Extension**
 - The full change order package has been provided to the Village Clerk under separate cover
 - **The proposed change order is a no cost time extension and will result in no change to the contract price**
 - A. Treffeisen & Son, the contractor for Contract VL1-H-21 – HVAC Construction, has submitted a request for a no cost time extension of the contract date of substantial completion from August 30, 2023 (the current substantial completion date) to September 30, 2023 with final completion by October 31, 2023. This extension request is primary due to delays in the delivery of equipment.
 - Delaware Engineer recommends that the Village resolves to accept the proposed change order and authorize the Village Mayor to endorse Change Order No. 3 – No Cost Time Extension for Contract No. VL1-H-21, based on A Treffeisen & Son’s June 27, 2023 request for a no cost time extension.
 - If this change is accepted, Change Order No. 3 will result in an extension of the date of substantial completion for the contract from August 30, 2023 (the current substantial completion date) to September 30, 2023, with final completion by October 31, 2023 and with no change to the contract.
 - The items covered by this change order are summarized below:
 - **Extension of the project substantial completion date from 8/30/23 to 09/30/23 \$0.00**
 - **CHANGE ORDER 3 NET COST CHANGE TOTAL = \$0.00**
 - **If the Village finds the proposed change acceptable, and agrees to authorize the No Cost Contract Time Extension, we recommend that the Village Board resolve to:**
 - Authorize the Mayor to endorse Change Order No. 3 – No Cost Contract Time Extension for Contract No. VL1-P-21, based on A. Treffeisen & Son’s June 27, 2023 request for a no-cost time extension of the contract date of substantial completion from August 30, 2023 to September 30, 2023 with final completion by October 31, 2023 and no change to the contact price.
 - **Pending Change Orders(s)**
 - **None**

Village Direct Purchase

- **Cable Internet (Spectrum) to WWTP**
 - Cable has been installed from the gate on Willow Lane to WWTP (underground), and have started infrastructure along Willow Lane to traffic circle.
 - New posts have been set, trimming and installation of cable pending.

- We worked with Judy to issue the Purchase Order, sent to Spectrum on 5/19/23
 - Totaling \$39,119.48 for:
 - Spectrum to provide coaxial cable to the WWTP
 - Submitted to NYSEFC for approval on 5/23/23
 - The Spectrum purchase order is being discussed internally as how to deal with it. NYSEFC will let us know once I have an answer.
 - **We have requested an update on installation schedule, and are waiting to hear back**
- **Potential Work that may be able to be completed with remaining contingency (+/- \$500K)**
 - We will continue to refine the list of work and plan to have it to the Board at the next meeting: some items on the list:
 - i Misc. Phase 1 Construction Items - \$75,000 - \$150,000 for all prime contracts
 - ii Additional Engineering During Construction & Onsite Observation due to extended duration of construction and Phase 2 not moving forward - \$150,000 - \$200,000
 - iii Grit Pump Design and Construction Services - \$33,095
- With these items about \$120,000 remains for other items;
- iv. New Items:
 - **Based on Jul 19, 2023 meeting with NYSDEC it is likely that a bulk chemical delivery spill containment pad will need to be constructed near the Sludge Building. Delaware to review with WWTP staff, David Burke and the GC to come up with a plan and estimated cost. Will likely consume most of the remaining funds.**
 - v. Other –TBD (e.g., some Paving) – see what’s left after four bullets above
 - vi. Mechanical Screen - \$250,000 – Planned for Phase 2

Monthly Construction Meeting

- The latest monthly construction meeting was held on site on 07.12.23 with the prime contractors, Delaware and Village Staff.

Engineering During Construction

- Continuing to receive and process material and equipment submittals, and application for payment

On-Site Construction and Observation Services

- Full time services continuing, when contractors are onsite
- Excerpt from the Revised Anticipated Project – **project has pushed about 3 – 4 months beyond the planned schedule**

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 2022 – August 2023	Construction to Substantial Completion (Eastman Schedule shows 8/31/23, General delivery has been pushed to 10.24.23)
December 2023 – January 2024	Construction Completion (Final) and Project Closeout
January 2024 – February 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 Contracts**

- **Nothing new this month**

- WWTP Upgrade Project

- Since Construction schedule has pushed out several months beyond the duration listed in our contract; we have been reviewing costs to date and will come up with an amendment what we believe will be needed to make it to the end beyond the current budgets; we will add in the scope and cost associated with grit pump replacement – plan to have a contract amendment for Village consideration prior to August meeting
- This would come out of project contingency
- 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.
- NYSEFC approved this amendment on 3/8/22
- Need to modify our contract and costs to include the Grit Pump work and possibly to add belt press to Phase 1 (design, CA & CI) – Will look to do this after closing on short term loan since costs will come out of contingency since financing cost is capped at \$9.4 M.

- Phase 2 Sludge Handling WWTP Upgrade Project

- Nothing new to report this month

- Contract amendment or new contract will need to be prepared to cover PER modifications and design through construction phase work. Village could follow RFQ process to allow for funding under SRF rather than just using WIIA Fund.
- Historic Info:
 - On hold until a plan forward can be agreed to now that WIIA funding has been denied for Phase 2
 - 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 contract amendment for design through construction services, following the Announcement of NYSEFC WIIA Grant Awards, if the grant application is successful.

3. Elm Street Wellfield/Electrical Improvements

- Nothing new to report this month – on hold

4. Rail Trail Area Culvert Drainage/Blockage

- **Board Action Required at Tonight’s meeting:**
 - None
- **2023 CDBG Application**
 - **On track to get CFA application submitted by July 28, 2023 deadline**
 - Consolidated Funding Application (CFA) – round open with applications due July 28th
 - The engineering RFQ process from last year is still valid
 - We are currently revising the Engineering Report to address exit interview comments, update the schedule, etc. – reviewing with Mark Blauer
 - Public Hearing was held on April 6, 2023
 - At the May 18 meeting the Village Board made resolutions related to Commitment to Provide Assistance to Low and Moderate Income Persons to Connect to the Village Sanitary Sewer System, SEQRA & Local Funding commitment.
- **Hazard Mitigation Grant Program (HMGP) – FEMA & Dept. of Homeland Security**
 - **No Board action required**
 - DHSES sent a request for information (RFI) on July 8, requesting a response by July 26, 2023
 - We are working on a response to the RFI
 - We have some questions on the requested information so we have sent an email requesting clarification on these items. We also requested an extension and have been advised that we have until August 11 to submit information
 - No action required at this time

5. DPW Site Groundwater Monitoring/DPW Garage Site Remediation

- Based on sampling results still seeing values near garage indicating contamination remains
- June 2023 sampling report indicated levels nearly the same as in March 2023 for all monitoring wells.
- Next sampling to be conducted in September 2023

6. NYSDOH Water System Inspection/Cross Connection Control Program

- **Delaware will work with David Burke on this.**
- A digital version of the Village's response to the December 9, 2021 NYSDOH Water Supply Inspection Letter regarding the Cross Connection Control Program was submitted on February 4, 2022 and included the plan forward.
- No word back from NYSDOH to date. We plan to continue to move ahead with the CCP plan document per the below listed:
 1. Update the list of water users who are believed to be subject to this program (on-going)
 2. Develop a draft cross connection control program document utilizing system information, current codes and reference documents (target date June 2022)
 3. Provide a draft document for Village Board, Village Code, Village Attorney review and receive feedback (July 2022)
 4. Provide Village reviewed documents to NYSDOH – Monticello District Office for review and comment (target date August 2022)
 5. Address NYSDOH comments and recirculate to Village for final review (target date September 2022)
 6. Work through modifying the local law and code to include CCCP requirements (September – December 2022)
 7. Forward final document to NYSDH – Monticello District Office (target date January 2023)
 8. Village adopts program (January 2023)

7. WWTP SDPES Permit

- **NYSDEC WWTP Upgrade Review/Updated SPDES/Permit Review Meeting**
- **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. A list of SPEDES Permit Discussion Topics are as follows:**
 - New permit limits
 - Current treatment plant upgrades and how the new limits may, if at all, affect the upgrade
 - Temperature Requirements for Municipal Discharges to Trout Streams
 - Stormwater Pollution Prevention Requirements
 - Monitoring Locations
 - Water Treatment Chemicals
- **NYSDEC proposing a lower CBOD limit which will affect WWTP capacity with currently in place facilities**
- **Also likely that containment slab/facilities will be needed to be added to Phase 1 to prevent potential stormwater impacts during bulk liquid chemical deliveries.**
- **Will be following up with Dave B and the WWTP staff to look at this and other items and will be preparing and submitting a chronology of the WWTP upgrades since 2012 as requested by NYSDEC**

- **NYSDEC also working on a few items**
- **Another meeting planned soon**

8. PepsiCo

- **Nothing new this month**
- Delaware met via zoom on May 23, 2023 with PepsiCo's Environmental Health & Safety (EHS) Manager (Walter Toomer EHS Manager)
 - PepsiCo is committed to transparency and doing the right thing
 - PepsiCo is currently looking into upgrades/improvements to current system
 - There is currently two (2) process discharges and two (2) sanitary discharges
 - Each process discharge has two (2) grease traps, which seem to have an excessive detention time which may be causing high discharge loading
 - The facility has changed manufactures product and cleaning processes to reduce process discharge
 - Phase 1 improvements/upgrade plan is likely to remove West Building tanks and tying into the East WW train to reduce detention time, to be complete late summer/fall 2023
 - Subsequently PepsiCo plans to conduct flow monitoring and sampling for characterization of the production discharges that will then be used to determine what level of treatment may be required in Phase 2.
- Background
 - Based on the November 2022 sampling results and the Sewer use code, PepsiCo at present is a Significant Industrial User and we need to respond to Item 7. WWTP SDPES Permit.
 - Need to identify who we/Village can call to have a meeting to understand their plans forward to become an SIU and to see what plans they may be considering to reduce WW strength to meet the code requirements for an SIU and if they will now or have plans to discharge > 25,000 gallons per day on average.
 - Wastewater sampling conducted in November 2023 – received from Mark Kellam from PepsiCo
 - BOD5=8110m mg/1, COD = 11,700 mg/1, TSS 404 mg/1, pH 4.8, FOG = 54 mg/1
 - This analysis is Part of PepsiCo's ongoing efforts to design and implement an engineering solution for their waste management. This may include future wastewater treatment. The entire scope of the project is still being assessed. PepsiCo will be continuing to do analysis like this to further characterize their wastewater in the coming months.
 - What are the plans for the facility?
 - Will there be more buildings?
 - More water needed or wastewater discharged?
 - Reviewing discharge data with WWTP staff

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

- Delaware working on a draft of this report
- **A Draft of the report was distributed for Town and Village review on 6/9/23**
- **Working to revise this ASAP with David Burke and the Town**
- Delaware will follow up with additional information needs with the Village
 - **Need budget and rate information from 2022-23 and planned for 2023-24**

10. NYS DOH – Water Supply Emergency Response Plans Update

- Nothing new this month; will coordinate with David Burke
- The Village received notice on September 30, 2022 from NYSDOH that they need to provide Water Supply Emergency Response Plans Updates.
- This is a generic letter reminding the Village that the Emergency Response Plan and Vulnerability Assessment must be kept up to date and that every 5 years needs to be submitted to the commissioner for review, and provides other generic information about other relevant requirements.
- There are some things that the Village will need to do to comply with the requirements in letter, but nothing that required immediate attention.
- The “small systems” templates that the Village’s ERP and VA are based have been revised to meet regulatory requirements and systems wishing to continue small systems templates must use the 2022 version. We will have to extract the information from the Village’s current ERP and VA, and update the new template.
- There are a few new sections in the templates that will require new information (e.g., pandemics and supply chain shortages, strategies to detect malevolent acts or natural hazards that threaten system security and resilience, water sampling data tables, etc.).
- There aren’t any specific deadlines, but we will plan to work with the Village over the next few weeks to convert to the new templates, update the information and fill in any new or missing information.

11. USEPA Administrative Order on water system ERP and RRA

- Nothing new this month
- The Village received an email from the USEPA regarding Certification of the Water System Emergency Response Plan (ERP) Risk & Resilience Assessment (RRA) on March 21, 2023 with the Administrative Order attached requiring the Village to provide a plan to achieve compliance with ERO requirements.
- In January 2023, the Village signed ERP and RRA certifications and worked to upload those to USEPA. So the certifications requested in 2021 were done but were not successfully received by USEPA thus the AO.
 - The Village set up an account with the EPA this month and certified through their secure online portal, confirmed that the RRA was certified, certified the Villages ERP.
 - The Village will need to respond to EPA’s Administrative Order (by 4/20/23).
 - This will require the Village to respond to the EPA’s Administrative Order by email that says the information in the RRA and certification are accurate and complete.
- We worked with the Village to prepare the email response, sent to the Village, and the Village has submitted the required response to EPA by 4/19/23

12. Sanitary Collection System I/I Investigations

- Board Action Required at Tonight’s Meeting
 - None
- Delaware working on an Engineering Planning Grant application for submit by July 28, 2023 (CFA Program submission inform deadline for up to \$50,000 for I/I investigations.
- Decide if the Village has staff to do I/I work this year. If so, select dates (dates from last month may no longer be available)

13. Church Street Culvert Repair

- NYSDEC allowable work to replace culverts still pending

- We have culvert GIGP grant application to our list. **A GIGP grant application will require the documentation:**
 - **Feasibility Study** (e.g. objective, existing conditions, project description, schedule, anticipated regulatory approval and permits, cost estimate, long term O & M description)
- Jeff Bank provided the Village survey and deed info last month
- **It appears that the structures and culverts are mostly on Village property, but not all**
- **We quickly reviewed the deeds for information on possible ROWs but did find anything obvious**
- Two galvanized culvert pipes by the Jeff Bank (4-foot diameter) because the bottoms are rotting out, which is causing sink holes in the Jeff Bank parking lot
- The Village desired to seek a grant for the two galvanized culvert pipes by the Jeff Bank
- There is a lot involved with culvert work – NYSDEC permits, fish passage, etc.
- Delaware made a site visit to do an inspection, take photos, measure pipes, etc.
- Plan is to schedule a meeting with the Bank to discuss what their needs are and if they would consider opening up the enclosed waterway to make it potentially eligible for GIGP funding
- Lynn contacted the Bank to see what engineering drawings they have for the building site that would have put in the culverts. Per Lynn they don't have any information.
- We have culvert GIGP grant application on our list
- No culvert drawings from Jeff Bank available
- Need to determine Village's responsibility
- Is culvert on private property?

14. Liberty Planning Board Review – Stewart's Shop

- Final applicant comments responded and sent to Village and applicant on April 12, 2023
- More work underway now; Village to check on escrow balance as Applicant submitted canopy and gas tank drawings to the Code Office the week of 5/8/23 and were forwarded to us; sent back preliminary comments requiring more work by the applicant
- **Suspended pending resolution of watershed protection items**

15. DRBC WWTP Discharge and Water Withdraw Docket renewal

- Water Withdrawal Dockets
 - Approval Date: December 4 2013
 - Expiration Date: December 4, 2023 (Expires in 7 months)
 - The docket holder is responsible for timely submittal of a docket renewal application on the appropriate DRBC application form at least 12 months in advance if the docket expiration date
 - We will work with Dave Burke on the renewal package
- DISCHARGE Dockets
 - This docket has been placed on administrative continuance for the Village to take advantage of the One-permit process and administrative agreement between DRBC and NYSDEC.
 - WWTP
 - Date Approved: June 10, 2015
 - Expiration Date: June 10, 2020 (Expired)
 - Lily Pond Backwash Discharge

- Date Approved: December 10, 2014
 - Expiration Date: January 31, 2022 (Expired)
 - Our expectation is that NYSDEC will issue a new SPDES permit for the treatment plant upgrades that will contain all relevant DRBC requirements in accordance with the administrative agreement. As that permit issuance becomes imminent, DRBC will reissue the docket including the WWTP upgrades in the DRBC's Comprehensive Plan. Once these steps are complete, the Village will have all active DRBC requirements included in the NYSDEC SPDES permit and will no longer hold an approval from DRBC that needs to regularly be renewed. The docket that included the upgrades will be non-expiring and only need to be modified if the Village again makes upgrades that expand the plant such that approval from the DRBC is again required. Otherwise, only the SPDES permit needs to be renewed or extended regularly as normal.
- 16. Lead & Copper Rule Revisions service line inventory requirements, due fall 2024**
- The listing deadline for DWSRF BIL Lead service Line (LSL) Funding through EFC/DOH is August 28, 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
 - Will work with Dave Burke and Judy to prepare & submit BIL LSL funding application by August 24, 2023
 - NYS Banned Lead pipes and solders in June 1986
 - Inventory must be completed by October 16, 2024, no exceptions
 - Must notify customers 30 days after
 - Required Evidence Based Record, in the form of:
 - Historical Record
 - Reports, Drawings, Codes, Notes
 - Customer's Survey
 - Field investigations in Basements
 - Excavation both sides of shut off
 - Sampling Maybe
 - Statistical Analysis Maybe
 - Document your methods
 - There is funding for this inventory
 - BIL – for Inventory
 - BIL for WIIA, SRF – for Replacing
 - It is recommended that municipalities use the NYSDOH Template

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

This item is currently being reviewed by the Town.

UPDATE ON INTERMUNICIPAL AGREEMENT RE: LAPOLT PARK

This item is currently being reviewed. The Town is requesting a survey before the agreement moves forward.

NEW BUSINESS: CONSIDER MORATORIUM LOCAL LAW

Motion by Trustee Mir, seconded by Trustee Feasel and unanimously carried approving Local Law #3-2023 creating a moratorium preventing any development within the area formerly encompassed within the Aquifer

Protection Overlay Zone which would not be allowed under the former Local Law No. 4 of 1997.

This local law was put to a vote, which resulted as follows:

MAYOR JOAN STODDARD	-	YES	
TRUSTEE ROBERT MIR	-	YES	
TRUSTEE ERNEST FEASEL	-	YES	<u>ADOPTED</u>
TRUSTEE EVELEESE LAKE	-	YES	
TRUSTEE JOE ARACCI	-	YES	

The 239m review was received from the County and they are in favor of the of the local law

CONSIDER RATIFICATION OF INSURANCE CARRIER FOR 2023/24

RESOL.# Motion by Trustee Mir, seconded by Trustee Lake and unanimously carried
44-2023: approving Resolution #44-2023

WHEREAS, the Village of Liberty Board of Trustees approves insurance coverage with Agent Owen McKane, of The Reis Group **contingent on Mayor Stoddard discussing the premium increase with Owen McKane;**

WHEREAS, the 2023-2024 Insurance Carrier will be Trident Insurance and will carry the Village’s Property, Crime, General Liability, Public Officials and Law Enforcement Liability, Auto, Inland Marine as well as an Umbrella Policy;

NOW, THEREFORE BE IT RESOLVED, the 2023-2024 Premium will be \$185,263.89

CONSIDER SURPLUS EQUIPMENT BID

This item will be **tabled** until more information can be received on the items that each department would like to put out as surplus.

CONSIDER APPROVAL OF WATER CHEMICAL BIDS FOR 2023-24

Motion by Trustee Mir, seconded by Trustee Feasel and unanimously carried approving the following bids for the yearly supply of Chemicals for the Water Treatment Facility:

Chlorine Gas 54-105CY	Slack Chemical Co Carthage, NY	\$494.32/Cylinder
Polyalum. Hycloxy (PAC)	Holland Company Adams, MA	\$.411/wet pd

Hydrated Lime	Slack Chemical Co Carthage, NY	\$23.19 bag 50 lb. bag
Soda Ash	Slack Chemical Co Carthage, NY	\$24.99/bag 50 lb. bag
Polymer	Coyne Chemical	\$3.9300/lb 55.12 lb bag
Sodium Hypo-Chlorite	Slack Chemical Co. Carthage, NY	\$4.693/Gallon 55 Gallon Drum

The following chemical did not receive a bid:

Ortho-Poly Phosphate Blend

All bids received were as follows:

**CONSIDER APPROVAL OF CHEMICAL BIDS FOR WASTE WATER
TREATMENT PLANT 2023/2024**

Motion by Trustee Aracci, seconded by Trustee Feasel and unanimously carried approving the following bids for a yearly supply of chemicals at the Wastewater Treatment Plant:

Polymer	-	Slack Chemical Co. Carthage, NY	\$3.94/lb. 55 pound Bag
Polyaluminum Chloride	-	Holland Company Adams, MA 01220-1199	.307 per wet pd

Soda Ash - Slack Chemical Co **\$24.99/bag**
Carthage, NY **50 lb. bag**

All bids received were as follows:

CONSIDER SEWER CREDIT – ACCOUNT #5-18300/COGSWELL

Motion by Trustee Mir, seconded by Trustee Lake and unanimously carried approving the sewer credit for account #5-18300 for 20 Mager Avenue (Ken Cogswell) in the amount of \$665.41 (79,500 gallons).

This is due to a pipe that burst in the basement.

CONSIDER FILL IN ATTORNEY – PLANNING BOARD MEETING

Motion by Trustee Lake, seconded by Trustee Feasel and unanimously carried to retain Marvin Newberg to represent the Village in connection with the application of 157 South Main Street before the Planning Board (on August 10 and at future meetings), and he will also handle the Ahava (The Lebovitz) matter on August 10.

Mr. Newberg will be paid at the hourly rate of \$225/hr, including travel to and from the meeting.

CONSIDER MOU REGARDING SUMMER SCHOOL COVERAGE

WHEREAS, The Liberty Central School District recognizes that they would enhance the safety, security and wellbeing of students and staff to expand the School Resource Officer Program to include Summer School activities;

WHEREAS, The Village of Police Department will provide one (1) Police Officer to the Liberty School district for the purpose of Summer School for the following time period:

July 5, 2023 – August 17, 2023 Monday – Friday 7 a.m. – 3 p.m.

WHEREAS, the Liberty Central School District agrees to pay the Village \$18,704.99;

NOW, THEREFORE BE IT RESOLVED the Board of Trustees approved the Memorandum of Understanding with the Liberty Central School and authorizes Mayor Stoddard to execute the agreement.

DISCUSSION REGARDING SANITATION

Mayor Stoddard started the discussion by informing the Board that the Yellow garbage truck is also in need of a compressor which will cost about \$3,000.

David Burke said he is working on a bid document to put sanitation out to bid. Dave mentioned several companies it could be mailed to.

Trustee Stoddard said if we do privatize we can only keep a limited number of D.P.W. workers.

This discussion will continue as the Board continues to explore its options.

CONSIDER LEASE PURCHASE OF TWO TRUCKS FOR WATER DEPARTMENT

Motion by Trustee Mir, seconded by Trustee Lake and unanimously carried to lease purchase two 2023 Ram 3500 Trucks for the Water Department.

The cost of the trucks is approximately \$68,670.00 each.

DISCUSS WATER USAGE FOR CEMETERY WASHING

Attorney Silver said if the Cemetery Association or St. Peters used the water they would have to be billed otherwise it would be considered gifting.

David Burke will look into the consumption due to the fact that the amount provided to the Village does not seem to be in line with the amount the tanker holds.

CONSIDER PURCHASE OF PLANT INFLUENT FLOW-METER (UPGRADE)

Motion by Trustee Lake, seconded by Trustee Feasel and unanimously carried approving the purchase of a Greyline Ultrasonic Open Channel Flow Meter NEMA 4X with Ultrasonic Sensor, cable logger, USB Output and Windows SW from **Process Automation Control Services** of Poughkeepsie, New York .

The total cost including Labor, portal to portal mileage and shipping for a total cost of **\$4,343.40**.

Other quotes received are as follows:

Steadyflow Services, Inc. Basking Ridge, NJ 07920	\$4,750.00
Cyclops Process Equipment Baldwinsville, NY 13027	\$5,440.00

CONSIDER PAYMENT REQUESTS FOR WWTP PROJECT

Motion by Trustee Lake, seconded by Trustee Aracci and unanimously carried authorizing the Village Clerk to proceed to process Payment Application No. 15 for General Contract No. VL1-G-21 for Eastman Associates, Inc. for the period of June 1, 2023 through June 30, 2023, in the amount of \$675,237.20 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.

Motion by Trustee Mir, seconded by Trustee Lake and unanimously carried authorizing the Village Clerk to proceed to process Payment Application No. 9 for Electrical Contract No. VL1-E-21 to J & J Sass Electric, Inc., for the period of June 1, 2023 through June 30, 2023, in the amount of \$220,162.50 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.

Motion by Trustee Feasel, seconded by Trustee Aracci and unanimously carried authorizing the Village Clerk to proceed to process Payment Application No. 10 for HVAC Contract No. VL1-HV21 to A. Treffeisen and Sons, LLC., for the period of June 1, 2023 through June 30, 2023, in the amount of \$2,109.000 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.

CONSIDER CHANGE ORDER #7 – CONTRACT VL1-G-21 – WWTP UPGRADE

Motion by Trustee Aracci, seconded by Trustee Feasel and unanimously carried to authorize the Mayor to execute Change Order 7 – No Cost Contract Time Extension for Contract No. VL1-G-21, based on Eastman’s June 21, 2023

request for a no-cost time extension of the contract date of substantial completion from August 10, 2023 to December 31, 2023 with final completion by January 31, 2024 and with no change to the contract price.

CONSIDER CHANGE ORDER #5 – CONTRACT VL1-E-21 – WWTP UPGRADE

Motion by Trustee Lake, seconded by Trustee Feasel and unanimously carried to authorize the Mayor to execute Change Order 5 – No Cost Contract Time Extension for Contract No. VL1-E-21, based on J & j Sass Electric Inc.’s Eastman’s July 5, 2023 request for a no-cost time extension of the contract date of substantial completion from September 14, 2023 to December 31, 2023 with final completion by January 31, 2024 and with no change to the contract price.

CONSIDER CHANGE ORDER #3 – CONTRACT VL1-H-21 – WWTP UPGRADE

Motion by Trustee Mir, seconded by Trustee Aracci and unanimously carried to authorize the Mayor to execute Change Order 3 – No Cost Contract Time Extension for Contract No. VL1-H-21, based on A. Treffeisen & Son June 27, 2023 request for a no-cost time extension of the contract date if substantial completion from August 30, 2023 to September 30, 2023, with final completion by October 31, 2023, and with no change to the contract price.

CONSIDER CHANGE ORDER #4 – CONTRACT VL1-P-21 – WWTP UPGRADE

Motion by Trustee Mir, seconded by Trustee Aracci and unanimously carried to authorize the Mayor to execute Change Order 4 – No Cost Contract Time Extension for Contract No. VL1-P-21 based on A. Treffeisen & Sons June 27, 2023 request for a no-cost time extension of the contract date of substantial completion from August 30, 2023 to September 30, 2023 with final completion by October 31, 2023, and with no change to the contract price.

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

David Burke thanked the Board for all their work.

Town Supervisor Frank DeMayo mentioned that he is very much into ratable but that we must look at the big picture when it comes to our water, because it is so critical.

Supervisor DeMayo said he is working with multiple agencies regarding the migrate population, so that they may learn English and obtain a work permit.

Supervisor DeMayo informed the Board that there will be a Rail Trail Walk on August 10th.

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

Mayor Stoddard discussed the following:

- ✚ Orchard Street – Basically impassable. Hoping to work with the Land Bank to make a parking area for some of the cars.
- ✚ Discussed Solar Credits for some of our Utility Bills
- ✚ Said she would have a conversation with the Fire District regarding the recent bill and letter. Trustee Lake will join her at this meeting.
- ✚ Will be meeting with the CSEA

Trustee Mir – No Comment

Trustee Lake – No Comment

Trustee Feasel – No Comment

Trustee Aracci – No Comment

APPROVAL POST AUDIT VOUCHERS OF BILLS

FOR PYMT: Motion by Trustee Mir, seconded by Trustee Lake and unanimously carried approving Voucher #81 to Voucher #88 in the amount of \$775,035.68.

BILLS FOR PAYMENT

Motion by Trustee Feasel, seconded by Trustee Aracci and unanimously carried approving Voucher #89 to Voucher #168 in the amount of \$601,053.07.

EXECUTIVE SESSION: Motion by Trustee Mir, seconded by Trustee Lake and unanimously carried to go into Executive Session at 8:55 p.m. to discuss a personnel matter in the Code Enforcement Office and the Waste Water Treatment Plant.

The Board invited Chief D’Agata and David Burke into the session.

Motion by Trustee Lake, seconded by Trustee Aracci and unanimously carried to come out of Executive Session at 9:43 p.m.

CONSIDER PART-TIME POLICE OFFICERS

Motion by Trustee Aracci, seconded by Trustee Feasel and unanimously carried to authorize Chief D’Agata to retain part-time police officers so long as the cost is within the present Police Department budget.

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

THE MEETING WAS ADJOURNED AT 9:44 P.M.

RESPECTFULLY SUBMITTED,

JUDY H. ZURAWSKI, CLERK/TREASURER

