

**INTRODUCTION AND SWEARING IN OF NEW POLICE OFFICER
AND LIFE SAVING AWARDS**

Police Chief D'Agata introduced **Police Officer Harold Nunuvero** to the Board. Officer Nunuvero has earned his degree in Criminal Justice and successfully completed his police academy training in 2016. Officer Nunuvero brings a considerable amount of experience to his police officer position and will carry out the department's mission of public safety.

Mayor Stoddard administered the Oath of Office to Officer Harold Nunuvero

Police Chief D'Agata also presented Life Saving Awards to **Sergeant Austin Sauer, Officers Brandon Persell, Breann Jones** and **Andres Arestin** as well as **Dispatcher Jeffery Ashdown** for saving the life of a two year old child with a possible arterial bleed that would have been life threatening. The actions of officers and dispatcher contributed to the child's ultimate survival.

REGULAR MEETING

AUGUST 18, 2022

The Board of Trustees held the Regular Meeting of August 18, 2022 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 and Trustee Eveleese Lake. Also Present: Gary Silver, Attorney for the Village and Judy Zurawski, Clerk/Treasurer.

ABSENT: Trustee Daniel Wright

ALSO PRESENT: Police Chief Steven D'Agata, David Ohman (Delaware Engineering), Dan Fagnani (Delaware Engineering), Warren Switzler, Luis Alvarez, Dr. Patrick Sullivan, Matt Shortall (Sullivan County Democrat) and family members of the Liberty Police Department employees.

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

REGULAR MEETING - JULY 21, 2022

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

Incoming

- ❖ Letter from Campanelli & Associates Re: Zoning Ordinances
- ❖ Letter from Liberty Chamber Re: Membership 8.1.22
- ❖ Distribution List from NYSDOT Re: Twin Bridge Construction Update

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

Luis Alvarez – Redistricting Maps

Legislator Alvarez presented a copy of the redistricting map recently finalized by the County Board. He explained it is all divided into sectors, with his being the majority of Liberty. He said if the Board needs anything they should contact him for assistance.

Warren Switzler – Lincoln Place Resident

Warren Switzler addressed the Board about a vacant lot that borders his property on Lincoln Place (Tax Map #104-8-7). He said it was purchased about ten years ago by an individual/business who has neglected maintenance of it over the course of his ownership. He said Code Enforcement has been diligent about addressing the problem and that the grass was finally cut in July but has also ready became overgrown again.

Mayor Stoddard said she would get together with Code Enforcement and stay on top of the issue.

ATTORNEY COMMENTS: Attorney Silver said he will address the Board in Executive Session.

TREAS. REPORT: Treasurer Zurawski's written report is summarized below:

- ❖ List of Current Taxes and collections thru 07/31/22 of which there is \$859,890.40 outstanding. The current taxes are 84% collected.
- ❖ List of Delinquent Taxes, which as of 07/31/22 is \$410,170.63 not collected.
- ❖ Starting and Ending Central Check Numbers for July 2022
- ❖ Starting July 2022 Central Check #17596
- ❖ Financial comparison of General, Water, Sewer and Sanitation

TABLED BUSINESS: DELAWARE ENGINEERING – UPDATE ON PROJECTS

David Ohman and Dan Fagnani of Delaware Engineering discussed the following projects with the Board:

1. Lily Pond Road Bridge Waterline

- The temporary water main has been installed
- Pressure and disinfection testing occurred this week, second disinfection test on Wednesday 8/17, results anticipated on Thursday 8/18 or Friday 8/19
- The County plans to remobilize Friday 8/19, or Monday 8/22 to begin demolition of the existing water main and remaining bridge deck

- Once the favorable disinfection test results have been received (Thursday or Friday) the Village can have Fred coordinate with Osterhoudt and County to activate/turn on the temporary water/by pass on Monday 8/22
- Updated cost for the temporary water main (e.g., over/under on materials, Osterhoudt invoice, etc.) will be provided at next month's meeting
- Permanent materials are ready to go, with the exception of the pipe insulation which should be ready by the end of next week

2. WWTP Upgrade

Board Action required at tonight's meeting:

- WWTP Phase 1 Consider for Approval Application and Certificate for Payment approval Payment No. 4 from General Contractor – Eastman Associates, Inc. - in the amount of \$218,209.30
- Consider Change Order No. 3 – Project Modifications No 1 for the General Contract for miscellaneous project changes in the amount of \$48,730.65
- Consider Change Order No. 2 – Influent and Sludge Building's RPVs in the amount of \$5,689.60
- **Update/Review of Project Progress**
 - Other Possible Additional Financing Opportunities
 - **Bipartisan Infrastructure Law (BIL)**
 - **Nothing new this month**
 - NYSEFC and NYSDOH will be administering new federal funds (\$246 M) from the BIL
 - Adds money to existing Clean Water State Revolving Fund (CWSRF) for wastewater and Drinking Water State Revolving Fund (DWSRF) program
 - Some additional grant funds may be available
 - May 24 webinar provided some information but programs parameters and protocols appear to need refinement before we can be certain the best plan forward
 - We have a number of questions into NYSEFC and do not have all the answers yet.
- **For Phase 1:**
 - The Village is not able to use the CWSRF PLUS Update form to express desire to considered for BIL funding (General Supplementary) because we have already closed on financing
 - So based on communications with NYSEFC, we will provide and email a letter to NYSEFC (i.e. to NYSEFC program coordinator for BIL as well as our project program engineering contact Jon Amos and his superior Bill Brizzell) from the Mayor expressing interest in BIL funding and advising EFC of the project status – will be done before 4 pm on June 17
- **For Phase 2 (Sludge Processing)**
 - We have submitted CWSRF and WIIA funding applications but did not receive WIIA grant (April 2022 letter) so project is currently on hold
 - We worked with Judy to complete the PLUS Update form and will check the box indicating desire for BIL funding.
 - We prepared a letter to NYSEFC from the Mayor expressing interest in BIL funding and advising EFC of the project status, need for the project, etc. – letter to be attached as with PLUS listing and also be

emailed directly to the NYSEFC program coordinator for BIL as well as our project program engineering contract John Amos and his superior Bill Brizzell.

- Robert and Dan worked with Judy to get the listing update and letter uploaded and emailed before 4 p.m. on June 17.

NYSEFC WIIA and IMG Programs

NYS WATER INFRASTRUCTURE IMPROVEMENT ACT (WIIA) GRANT OPPORTUNITY

- CWSRF and WIIA funding applications submitted for 2021-2022 state fiscal year – SRF – No Hardship, WIIA – Grant Denied (4/22)
- On July 7 the New York State Environmental Facilities Corporation (EFC) is offering \$225 million in grants for clean and drinking water (WIIA) projects during 2022-23 state fiscal year
- The deadline to submit your application is 5 p.m. on Friday, September 9, 2022

Available Funding

- WIIA Clean Water Projects
 - An applicant with an eligible clean water project may receive a WIIA grant award as described below:
 - A project, including phase of the project, would be awarded up to the lesser of \$25 million or 25% of net eligible project costs
- New Online WIIA/IMG Application
- All remaining items that need to be done for the redo of the Phase 2 WIIA application before September 9, 2022 have been completed
- Will continue to work with Judy/Authorized representative to resubmit/update application before September 9, 2022 deadline
- At the July meeting the Village Board resolved to:
 - Authorize submission of the New York State Environmental Facilities Corporation's Water Infrastructure Improvement Act Grant Application for the Phase 2 WWTP Upgrade and submitted for the redo of the Phase 2 WIIA upgrade Project
 - Authorize the Mayor to endorse the attached NYSEFC form authorizing the Mayor to serve as the applicant representative, and
 - Authorize Delaware Engineering to submit the 2022 NYSEFC CWSRF WIIA Application
- For the Base Project – Phase 1:
- Update/Review of Project Process

- **CONSTRUCTION**

- Not much work since last board meeting, Eastman is waiting for materials
- Eastman is anticipated to remobilize onsite Monday 8/22, to begin Clarifier drain valve work
- Sass has been onsite working on electrical layout
- **NYSEFC Additional Funding**

- The NYSEFC Closed on the PFA for the additional funding up to \$9.4 on 6/30/22
- **CONSTRUCTION CONTRACTS**
 - **Construction Contract Award**
 - Delaware has integrated these items to form the execution copy of the contract for each prime contract and forwarded digital version to NYSEFC for approval and provide each prime and the Village with a hard copy of the execute contract. Delaware will distribute execution copies once NYSEFC approved the Construction Contracts.
 - Construction Contracts were sent to NYSEFC for approval on 4.6.22. Formal approval letter pending.
 - Change Order No. 1 and 2 have been approved for all prime contracts
 - MWBE Utilization Plan & Waiver Request Summary
 - **Approved now for all 4 prime contracts**
 - **Reimbursement for pay requests can now be made for all prime contracts**
- **Payment Requests:**
 - **Contract No. VL1-G-21 – General Construction**
 - Funds disbursed Village for Payment Application No. 1 & 2 on 7/15
 - **Application and Certificate for Payment No. 3**
 - **Funds disbursed by NYSEFC to Village for Payment Application No.3 on 8/12/22; ready to disburse to Eastman now (Eastman requesting payment)**
 - At the July meeting the Village resolved to authorize the Village Clerk to proceed authorize the Village Clerk to proceed to process Payment Application No. 3, to General contract No. 1 to General Contract No.VL1-G-21 for Eastman Associates, Inc. for the period of May 31, 2022 through June 30, 2022 in the amount of \$221,445.00, as requested by the contractor, including submittal of the payment request to NYSEFC for reimbursement, understanding that payment will be made following receipt of reimbursement from NYSEFC.
 - Application and Certificate for Payment No. 4
 - The full application package provided to the Village Clerk under separate cover on 8.15.22
 - We have reviewed the Payment Application from Eastman Associates, Inc. the contractor for the subject project, for the period of June 30, 2022 through July 31, 2022 in the amount of \$218,209.30. for partial payment for Control Building Repair, Influent Building Improvements, Influent Channel, Influent Building Process, Oxidation Ditch Process Improvements, Storm water Retention Basin Improvements, Secondary Clarifier Process, Sludge Building Process Improvements, SCASA, Site Work, New Electric Room Improvements and NYSEFC Contract Compliance The total cost to date of \$629,149.00 equates to 11.89% of the contract price with a balance to finish, including retainage of \$4,695,608.45.
 - 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. 4, to General Contract No. VL1-G-21 for Eastman Associates, Inc. for the period of June 30, 2022 through July 31, 2022 in the amount of \$218,209.30, 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. 4. to General Contract No. VL1-G-21 for Eastman Associates, Inc. for the period of June 30, 2022 through July 31, 2022, in the amount of \$218,209.30, 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. 1**
 - **Funds disbursed to Village for Payment Application No. 1 on 8/12/22; ready to disburse to Sass now**
 - At the July meeting the Village resolved to authorize the Village Clerk to proceed to process Payment Application No. 1, to Electrical Contract No. VL1-E-21 for J & J Sass Electric, Inc. for the period of March 23, 2022 through June 30 2022, in the amount of \$61,370.00, as requested by the contractor, and that payment to the contractor will be made following receipt and that payment to the contractor will be made following receipt of reimbursement from NYSEFC.
 - **No request for payment this month**
- **Contract No. VL1-P-21 – Plumbing Construction**
 - **Application and Certificate for Payment No. 1**
 - **Funds disbursed to Village for Payment Application No. 1 on 8/12/22; ready to pay A. Treffeisen now**
 - The Village hereby resolves to authorize the Village Clerk to proceed to process Payment Application No. 1, to Plumbing Contract No. VL1-P-21 for A. Treffeisen and Sons, LLC., for the period of March 8, 2022 through June 30 2022, in the amount of \$1,216.00, 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 and that payment to the contractor will be made following receipt of reimbursement from NYSEFC.
 - No request for payment this month

Contract No. VL1-HV-21 – HVAC Construction

- **Application and Certificate for Payment No. 1**
- **Funds disbursed to Village for Payment Application No. 1 on 8/12/22; ready to pay A. Treffeisen now**
- At the July meeting the Village resolved to authorize the Village Clerk to proceed to process Payment Application No. 1, to Plumbing Contract No. VL1-HV-21 for A. Treffeisen and Sons, LLC., for the period of March 8, 2022 through June 30 2022, in the amount of

\$1,254.00, 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 and that payment to the contractor will be made following receipt of reimbursement from NYSEFC.

- **No request for payment this month**
- 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
 - At the April 7th meeting the Village Board resolved to:
 - Authorize the Village Mayor to execute Change Order No. 2 for the Davis Beacon Wage Rate for the General contract VL 1-G-21 – General Construction resulting in no change to the contract cost
 - Change order, fully execute by Village/Contractor/Engineer, was sent to NYSEFC on April 22, 2022 for approval
 - Approval is contingent upon some questions on dates of execution of contracts and Change Order No. 1. We are continuing to work through this with NYSEFC program and legal.
 - The date was reviewed with the Village Attorney and adjusted as recommended by NYSEFC, and was resubmitted to NYSEFC on June 10, 2022 for approval.
 - Approved by NYSEFC on 6.24.22
 - Change Order No. 3 – Project Modification No. 1
 - **Item 1** – Influent Building Grit Holding Area unforeseen Conditions
 - Contractor (Eastman) discovered a failing existing catch basin in the Grit holding area.
 - Eastman’s May 17, 2022 proposal in the amount of \$5,220.63 appears to adequately address the unforeseen conditions and pricing appears to be fair and reasonable.
 - Village agreed to move forward with this change at the May 19, 2022
 - **Item 2** – Storm water Pump Piping Modifications
 - The piping and pump rotation orientation detailed on the Contract Drawing did not align with the actual conditions at the site and pump rotation options. The additional fittings are required to connect the new pump to the existing wall castings.
 - Eastman provided a proposal (8/1/22) in the amount of \$4,645.00, to provide all piping fittings, labor and miscellaneous supplies to connect the new Storm Water Recirculation Pump to the existing piping flanges.
 - We believe the proposed work is necessary to complete the planned upgrade work in this area and that pricing is fair and reasonable.

- **Item 3 – WAS Piping Modifications**
 - The piping arrangement detailed on the Contract Drawing was set up for sludge wasting redundancy and does not provide redundancy for the feed to the belt press. The modifications will provide pump redundancy for sludge wasting and belt press feed processes.
 - Eastman provided a proposal (8/11/22) in the amount of \$14, 137.10, to provide all piping fittings, valves, labor and miscellaneous appurtenances and services to modify, add piping and plug valves to the WAS pumps discharging piping.
 - We believe that the proposed work is necessary to complete the planned upgrade work in this area and that pricing is fair and reasonable.
- **Item 4 – NPW Supply Piping**
 - Due to other conflicts, (i.e. electrical duct bank and new grated access to the new electric room) that is being installed during Phase 1, a portion of the WWTW NPW supply piping modifications are required during this phase, A new 25 foot section of 6” Ductile Pipe will be installed from inside the Sludge Building out into the driveway, past potential conflicts, where it will be capped, and will be connected to during Phase 2 (Sludge Handling Upgrade).
 - Eastman provided a proposal (8.17.22), in the amount of \$24,727.92, to provide all demolition, excavation, backfill, materials, labor, supplies and services to provide a new 6” DIP NPW Supply Pipe from 1’ inside the Sludge Building basement wall to 23’ outside the Sludge Building basement exterior wall (approx. 25’)
 - We believe that the proposed work is necessary to complete the planned upgrade work in this area and that pricing is fair and reasonable.
- We have reviewed these changes with EFC, and has said it will be eligible for funding
- All funds to cover this change will come from the project contingency. The budgeted contingency is equal to \$701,962.03.
- All change orders to date, including the Plumbing Contract Change Order No. 2 (Below) is equal to \$54,420.25 and the remaining available contingency funds would be \$647,541.78.
- Should the Village agree to move forward with the change, we recommend that the Village Board authorize the Mayor to execute Change Order No. 3 – Project Modification No. 1 for Contract No.VL1-G-21by Eastman Associates, Inc. in accordance with the scope and costs of the 5/17/22, 8/11/22 & 8/17/22 change proposals by Eastman, in the total amount of \$48,730.65; which will increase the cost of the contract to \$5,342,030.65 (\$5,293,300 plus \$48,730.65)
- Delaware will proceed to provide the form work in the near future for execution.
- **Contract No. VL1-E-21 – Electrical Construction**
 - **Change Order No. 1** – add Bid Alternate Belt Filter Press Work
 - Totaling \$96,000
 - Change order sent to NYSEFC for approval on 3/1/22.

- Approved on 6.24.22 by NYSEFC
- **Change Order No. 2** – Update Davis Bacon Wage Rates
- At the April 7th meeting the Village Board resolved to:
 - Authorize the Village Mayor to execute Change Order No. 2 for the Davis Beacon Wage Rate for the Electric contract VL 1-E-21 – General Construction resulting in no change to the contract cost
- Change order, fully executed by Village/Contractor/Engineer, was sent to NYSEFC on April 22, 2022 for approval.
- Approved by NYSEFC on 6.24.22

Contract No. VL1-P-21 – Plumbing Construction

- **Change Order No. 1** – Update Davis Bacon Wage Rates
- At the April 7th meeting the Village Board resolved to:
 - Authorize the Village Mayor to execute Change Order No. 2 for the Davis Beacon Wage Rate for the Plumbing contract VL 1-P-21 – Plumbing Construction resulting in no change to the contract cost
- Change order, fully executed by Village/Contractor/Engineer, was sent to NYSEFC on April 22, 2022 for approval.
- Approved on 6.24.22 by NYSEFC

Contract No. VL1-HV-21 – HVAC Construction

- **Change Order No. 1** – Update Davis Bacon Wage Rates
 - At the April 7th meeting the Village Board resolved to:
 - Authorize the Village Mayor to execute Change Order No. 2 for the Davis Beacon Wage Rate for the HVAC contract VL 1-HVAC-21 – HVAC Construction resulting in no change to the contract cost
 - Change order, fully executed by Village/Contractor/Engineer, was sent to NYSEFC on April 22, 2022 for approval.
 - Approved on 6.24.22 by NYSEFC
- Change Order No. 2 – Influent and Sludge Building’s PRVs
 - RFP sent to Contractor on 7/26, to provide new PRVs (Backflow preventer) on the incoming potable water line in the Influent and Sludge building’s
 - Treffesien provided a proposal (8/11/22), in the amount of \$5,689.60 to provide new PRVs on the incoming potable water line in the Influent and Sludge Building’s
 - We believe that the proposed work is necessary to complete the planned upgrade work in this area and that pricing is fair and reasonable.
 - All funds to cover the change will come from the project contingency. The original/current starting contingency is equal to \$701,962.03.
 - All change orders to date, including the General Contract Change Order NO. 3 (above), is equal to \$54,420,25, and the remaining available contingency funds will be \$647,541.78
 - Should the Village agree to move forward with the change, we recommend that the Village Board authorize Mayor Stoddard to

execute Change Order No. 2 – Influent and Sludge Building’s PRVs for Contract No. VL1-P-21 by Treffeisen, in accordance with the cope and cost of the 8/11 change proposal, in the amount of \$5,689.60, which will increase the cost of the contract to \$115,489.60 (\$109,800 base contract plus \$5,689.60)

- Delaware will proceed to provide the formwork in the near future.

Contract No. VL1-HV-21 – HVAC Construction

- Change Order NO. 1 – Update Davis Bacon Wage Rated
 - At the April 7 meeting the Village Board resolved to authorize the Village Mayor to execute Change Order No. 1 for the General Contract VL1-HVAC-21 – HVAC Construction resulting in no change to the contract cost
- Change Order, fully executed by Village/Contractor/Engineer was sent to NYSEFC on April 22, 2022 for approval
- Approved 6/24/22 by NYSEFC
- **Monthly Construction Meeting**
 - The fourth meeting construction meeting was held on site on 8.10.22 with the prime contractors, Delaware and Village Staff
- **Engineering During Construction**
 - Continue to receive and process material and equipment submittals, and application for payment
- **On-Site Construction and Observation Services**
 - Fulltime services continuing
 - Eastman was not on site this week, plans to return next week
 - Excerpt from the Revised Anticipated Project:

February 21, 2022	Supplemental Bond Resolution becomes effective (20 days from Publication)
February – March 2022	Issue Notice to of Award, and prepare execution copies of contract, and issue Notice to Proceed Pre-Construction Meeting (March 23 rd)
March 2022 – July 2023	Construction to Substantial Completion
August 2023	Construction Completion (Final) and Project Closeout
October 2023	Long Term Loan Closing

- **For the Enhanced Sludge Project – Phase 2**
 - **Project currently on hold pending financing considerations**
 - The CWSRF and WIIA funding applications were submitted but did not receive WIIA 25% grant (April 2022) letter so project is currently on hold.
 - Submitting updated WIIA grant application before September 9
 - **Other Possible Additional Financing Opportunities**
 - **Bipartisan Infrastructure Law (BIL)**
 - We worked with Judy to complete the PLUS Update Form and will check the box indicating desire for BIL funding.

- We also prepared a letter to NYSEFC from the Mayor expressing interest in BIL funding and advising EFC of the project status, need for the project, etc.
 - letter to be attached as with PLUS listing and also be emailed directly to the NYSEFC program coordinator for BIL as well as our project program engineering contact Jon Amos and his superior Bill Brizzell.
- Done June 17
- **More info on WIIA FYI**
 - Other Background/History Information
 - Put in a new Project Listing (PLUS) in April 2020 for \$8.2M
 - update in 2021 once form update is requested by EFC
 - Completed SEQR again for the entire project– determination completed at August 20, 2020 Board Meeting
 - Did new Bond Resolution for the Phase 2 project – done at September 3, 2020 meeting; Notice of Estoppel appeared on November 20, 2020.
 - Prepared and submitted new Engineering Report to NYSEFC – DONE submitted NYSEFC on September 18, prior to September 21, 2020 deadline to finalize the IUP and get on the annual list for financing.
 - Prepare a new Smart Growth Form and submit to NYSEFC. DONE and submitted NYSEFC on September 18 - Reviewed with Village and had the Mayor to sign at the September 17 meeting, and submitted to NYSEFC prior to September 21, 2020 deadline to finalize the IUP and get on the annual list for financing.
 - NYSEFC released the CWSRF Final Intended Use Plan (IUP) for FFY 2021. The Phase 2 project is listed on the annual list with a budget of \$8.2M,
 - Funding Application (CFA program) including the WIIA Grant funding up in the air right now – nothing set for this year.
 - On January 6, 2021 the Village received notice that Phase 2 (Sludge Handling) of the Village’s WWTP project will not qualify for 0% Hardship financing, as the base project score is below the Hardship Funding Line in the 2021 IUP.
 - Village received Hardship Eligibility Letter from NYSEFC on November 29, 2021 stating that this project is eligible for 0% loan/interest free financing with up to 25% grant possible.
 - April 20, 2002 NYSEFC posting of awards – this project did not get WIIA grant.

- **Professional Services Contracts**

- WWTP Upgrade Project

- At the November 5, 2020 meeting, the Village Board resolved to authorize the Mayor to endorse Professional Services Contract Amendment No. 1, to the design through construction contract for the Village WWTP upgrade to be financed through NYSEFC, dated October 28, 2020, associated with revisions to the Original Phase 1 Engineering Report, to initially include and then remove enhanced sludge processing and related work from the original report, in an amount not to exceed \$40,000. Accepted by the Board and forwarded to NYSEFC on November 9, 2020. NYSEFC indicated in early-December 2020 that they would review it.
- 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

- 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 contact amendment for design through

construction services, following the Announcement of NYSEFC WIIA Grant Awards, if the grant application is successful.

3. WWTP Grit Pump Replacement Project

- **Project Complete; all funds disbursed**

4. Elm Street Wellfield/Electrical Improvements

- DASNY willing to move \$100,000 - from the Bonacic grant commitment associated to cover some of the 2017 NYSDEC clean-up costs (no costs info/request ever provided by NYSDEC) - into the electrical improvements for the Wellfield and add on to that \$100,000 reimbursement contract.
- We updated the cost estimate for the work from 2 years ago to \$200,000 (full grant amount with no Village contribution) and provided Judy with DASNY – requested information on March 31, 2022 to update grant 11665 for electrical improvements work
- Received June 2022 request from Senator Martucci’s office to provide more information to support moving \$100,000 from Grant #9119 into #11665
- We worked with Judy to get the information requested back to Martucci’s office
- In light of pending NYSDEC cleanup cost correspondence, should the Village pull back the request to Sen. Martucci and consider putting #11665 funds back to #9119 to provide \$200,000 for the cleanup costs?

5. Rail Trail Area Culvert Drainage/Blockage

- Board Action Required at Tonight’s meeting:
 - Village Board Resolution and Letter committing to provide balance of funds necessary to complete the project.
- **2022 CDBG Application**
 - We worked with Judy and Mayor Joan and Mark Blauer to compete and upload the application package before the July 29th deadline.
 - Consolidated funding application (CFA) process opened in early May
 - Applications for this year’s CFA will be accepted through 4:00 pm on July 29th
 - Request for Qualifications
 - At the May 5 meeting the Village Board resolved to authorize the Village Clerk to publish a Request for Qualifications during May with response due in early June. Judy and I can work on the RFQ legal notice to appear on May 10th with responses due June 1st. This was revised on May 14, to target date for publication is Friday May 20th with responses due June 13th (5/14 email from Blauer Associates)
 - Delaware submitted a response to the RFQ on 6/10/22 and were the only responder
 - Village scored the RFQ at the June 16, 2022 meeting and scored DEDPC at 100 points and returned form to Mark Blauer
 - Delaware the selected engineer for the project if funding is received.
 - Local Funds

- At the May 19 meeting, the Village adopted the resolution regarding local funding.
- SEQRA
 - At the May 19 meeting the Village Board resolved, per the SEQR resolution provided, that the Rail Trail Culvert project be declares a Type 2 SEQRA thereby requiring no further review.
- Public Hearing
 - The legal notice to appear in the Democrat on Friday May 20 edition of the Villages official newspaper.
 - At the June 2 at 6:55 p.m. Village Board meeting a hearing was held for the 2022 CDBG Application.
 - No objections or concerns were raised at the public hearing, the Village resolved to submit/continue with the 2022 CDBG Application.
- Applications for this CFA will be accepted through 4:00 p.m. on July 29th.
- Hazard Mitigation Grant Program (HMGP) – FEMA & Dept. of Homeland Security
 - Project is identified in the Sullivan County Multi-Jurisdictional Hazzard Mitigation Plan (SCMJHMP)
 - Programs offers up to 90% grant, normally 75% grant
 - Delaware completed the application and it was submitted on 6.1.22
 - Could take up to 1-year before award determinations are made
 - The Village received RFI from DHSES – Rail Trail Area Culvert – August 15, 2022 Formal RFI Response from DHSES
 - This request for information (RFI) identifies additional items necessary, to complete you sub application(s)
 - Please work through each item listed below, clearly label any new supporting documentation included, and complete all forms provided, prior to submitting the completed RFI
 - All items requested are due to AndreaSangrey@dhSES.ny.gov for final review no later than August 26, 2022 (10 business days from the date of this letter)
 - **Need Resolution and Letter committing to provide balance of funds necessary to complete the project**
 - Letter and Resolution attached committing Village to \$109,000 (10%) of estimated project cost
 - **If Village agrees to this, we recommend that the Village adopt the provided resolution to commitment to the Village to provide up to the estimated 10% project cost match, if funds are awarded for the HMGP/FEMA/DHSES Sub-application and authorize Village Mayor to sign the letter**
 - Delaware Engineering will work with the Village to submit with RFI response

6. DPW Site Groundwater Monitoring/DPW Garage Site Remediation

- June 2022 sampling report indicated levels slightly higher than March 2022 for the MW-8
- Next sampling to be conducted in September 2022
- Based on sampling results still seeing values near garage indicating contamination remains

7. NYSDOH Water System Inspection/Cross Connection Control Program

- A digital version of the Village's response to the 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)
- Delaware is working to develop a draft cross connection control program document utilizing system information, current codes and reference documents.

8. WWTP SDPES Permit

- **Working with the Village and their lab to complete sampling and get results**
- **Continue to advise DEC of delays due to sampling and they are OK with it**
- **Will submit requested info once all sample results are in hand and summarized**
- On 1/7/22 the Village received a SPDES Permit Request for Information for the Wastewater Treatment Facility
- On 3/1/22 NYSDEC sent a notification to remind the Village that the NYSDEC has sent the attached Request for Information regarding the Village of Liberty Wastewater Treatment Facility. The requested information is due back to NYSDEC by 4/7/22.
- A follow up email was received last on April 8 requesting an update.
- We responded on April 21 to DEC with the following:
 - o Delaware is working with the WWTP to complete the required sampling, and staff is working on completing the application form – sampling was completed the week of 4/18/22.
 - o Response to the Request for Information is anticipated to be ready to submit to NYSDEC by Mid-May
- NYSDEC responded on April 21 that this timeline is acceptable.
- We will continue to work with Mark to acquire the sampling results data and will summarize that data and other forms, info and get back to NYSDEC.
- May 2022 Update
 - o We have received a majority of the test results from the Village and the data received has been entered into the NY-2A form
 - o Some results have not yet been received from the lab and there were several parameters which used the incorrect testing method. We reviewed the list of missing data with the laboratory and we have

requested sample bottles from the lab to be delivered to Village to resample for these parameters

- o We notified NYSDEC that we can't give you definite timeline of when we can expect have the complete NY-2A Application, but we will update you once we receive the remaining test results
- o NYSDEC indicated that there was not rush on this technical review, the permit has been administratively renewed for several more years
- June Update
 - Sampling results anticipated to be back on time.
- August Update
 - Most sampling results have been received. Tracking down 4-5 remaining results

9. Liberty Ridge Development

- **Nothing new this month**
- At the May 19 meeting, developers' rep advised to consider connecting to the sewer main located on Buckley Street rather than line on West Street that flows into line behind former Yaun bldg. and Green Lane.
- Nothing new received by DE
- Consider checking flow in manholes on Buckley and downstream with Lynn.

10. Pepsico

- What are the plans for the facility?
- Will there be more buildings?
- More water needed or wastewater discharged?
- Reviewing discharge data with WWTP staff

11. School Street Culvert

- On site meeting June 16th at 11:30 a.m. with Sullivan Renaissance and Mayor Joan and Lynn Barry to consider a preliminary feasibility assessment of the collapsed box culvert by the Creekside Park (in the School Street Parking Lot) assessment could include alternative approaches and preliminary cost estimates
- Looking for SR to provide some funding
- Delaware prepared and submitted a proposal to the Town on August 10, 2022

CONSIDER CHEMICAL BIDS/WATER DEPARTMENT

Motion by Trustee Mir, seconded by Trustee Lake and unanimously carried approving the following chemical bids:

Carus Corporation - Ortho-Poly Phosphate Blend - \$1.56/lb

Coyne Chemical - Polymer Powder - \$3.9151/lb

The complete list of bids was inserted into the minutes of July 21, 2022.

CONSIDER CLEANING SERVICES FOR MUNICIPAL BUILDING

The Board said they would discuss the position with Harriet Forshay to see if it something she feels she could handle.

**NEW
BUSINESS**

CONSIDER EVENT PERMIT – HARVEST FESTIVAL – 10.14.23

Motion by Trustee Mir, seconded by Trustee Feasel and unanimously carried approving the Harvest Festival scheduled for October 14, 2023.

The festival will be held from 10 a.m. to 5 p.m. on North Main Street to Buckley Street.

DISCUSS DOWNTOWN REVITALIZATION INITIATIVE

Mayor Stoddard said Supervisor DeMayo has sent a Letter of Intent, which is all that has to be done at the present time.

CONSIDER PURCHASE FOR WATER DEPARTMENT

Motion by Trustee Lake, seconded by Trustee Feasel and unanimously carried approving the purchase of a BF630334-1 Gear Box Reducer Lime Feeder from Merrick (Lynn Haven, FL) at a cost of \$1,668.00.

CONSIDER PAYMENT REQUESTS FOR WWTP PROJECT

Motion by Trustee Mir, seconded by Trustee Lake and unanimously carried authorizing the Village Clerk to proceed to process Payment Application No. 4. to General Contract No. VL1-G-21 for Eastman Associates, Inc. for the period of June 30, 2022 through July 31, 2022, in the amount of \$218,209.30, 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 ORDERS - WWTP PROJECT

Motion by Trustee Mir, seconded by Trustee Feasel and unanimously carried authorizing Mayor Stoddard to execute Change Order No. 3 – Project Modifications No. 1, for Contract No. VL1-G-21 by Eastman Associates, Inc. in accordance with the scope and costs of the 5/17/22, 8/11/22 & 8/17/22 change proposals by Eastman, in the total amount of \$48,730.65; which will increase the cost of the contract to \$5,342,030.65 (\$5,293,300 plus \$48,730.65).

Motion by Trustee Mir, seconded by Trustee Feasel and unanimously carried authorizing Mayor Stoddard to execute Change order No. 2 – Influent and Sludge Building’s PRVs for Contract No. VL1-P=21 by Treffeisen, in accordance with the scope and cost of the 8/11 change proposal, in the amount of \$5,689.60; which

will increase the cost of the contract to \$115,489.60 (\$109,800 base contract plus \$5,689.60).

CONSIDER RESOLUTION – COMMITMENT OF LOCAL MATCH FUNDS – HIGH RISK CULVERT COLLAPSE/SANITARY SEWER FAIYRE MITIGATION

RESOL. # 54-2022: Motion by Trustee Mir, seconded by Trustee Lake and unanimously carried approving Resolution #54-2022

WHEREAS, the Village of Liberty (hereinafter the “VILLAGE”) owns and operates a wastewater collection, conveyance and treatment system; and

WHEREAS, the collection and conveyance system includes a ±100’ section of aging cast-iron sewer main that runs exposed through a failing laid up stone culvert which conveys a small stream beneath a section of the Liberty Rail trail; and

WHEREAS, the sewer main has sustained historic damages resulting from the collapse on the outlet side of the culvert; and

WHEREAS, the Village has identified a project that will replace the existing culvert with a new culvert sized to convey the stream under 100-year storm conditions, and replace and further protect the section of sewer main; and

WHEREAS, an engineer’s probable opinion of project cost for improvements and upgrades is \$1,089,990; and

WHEREAS, the Village of Liberty has applied for funding through the Federal Emergency Management Agency (FEMA) Hazard Mitigation Grant Program (HMGP) to replace the failing culvert and sewer main; and

WHEREAS, the HMGP could provide up to 90% of the capital funds needed to complete the project; and

WHEREAS, conditional to the grant award is the local commitment of the remaining 10% of the funds necessary to complete project.

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

The Village Board of the Village of Liberty, Sullivan County hereby supports the commitment of the 10% local match, up to \$109,000, if the project is ultimately selected for an HMGP funding award and reserves the right to revisit the commitment to provide said local match at the 10% level once the grant amount is determined if said grant amount results in a local match that exceeds the 10% level.

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

MAYOR JOAN STODDARD - YES

TRUSTEE ROBERT MIR	-	YES
TRUSTEE ERNEST FEASEL	-	YES
TRUSTEE EVELEESE LAKE	-	YES
TRUSTEE DANIEL WRIGHT	-	ABSENT

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

COMMENT:

Dr. Patrick Sullivan (Superintendent of the Liberty School) introduced himself to the Board and said he will be attending the next Board meeting on September 1st to discuss some collaborative projects the school and Village can work on together. He said he already sees the great relationships the School Resource Officers have with the students, stating that such relationships are the fabric of the school community.

Dr. Sullivan went on to briefly discuss mentor programs and internships.

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

COMMENTS:

Trustee Feasel discussed the following:

Planning Board Items:

- ❖ Pepisco is building a structure, which will be an employee area
- ❖ The former Last Licks Restaurant (Tax map #126-1-7) is transforming into a brewery (17West Brewery LLC) which will include a small restaurant. He said the brewing process is a new one that doesn't require discharge into our sewer system; however they will be using paper products that will increase our garbage pickup at that location.

International Deli

- ❖ Discussed whether or not a dumpster could be placed in the alley

Charging Station(s) Grant

- ❖ Discussed the possibility of receiving a grant for a charging station and the possible location for the station. He said research of several Village locations has made the old bus depot lot on south Main Street a possible location. He said since the Village is considered a "Poor Community" which would give it 100 percent grant and if not NYSEG is also doing grants for the stations.

Trustee Feasel said if we do pursue it the process will have to be bid on.

Trustee Feasel said there is also grant programs for municipalities to if they are interested in an electric vehicle purchase.

Mayor Stoddard thanked Trustee Feasel for all his research and mentioned that he is the point of contact with the school as we begin collaborative efforts with them, which she appreciates very much.

Trustee Lake – No Comment

Trustee Mir – No Comment

Mayor Stoddard mentioned that she has been asked if the CDC can do some sampling for covid in our Waste Water.

The Board discussed some pros and cons and said they would discuss it at the next Board meeting.

Mayor Stoddard said there appears to be an electrical problem in the municipal building and discussed getting a quote to change the fuse box to a breaker system.

Mayor Stoddard asked the Board their opinion on sharing the engineering costs for the School Street Culvert Project. The Village cost would be 25% for a maximum of \$1,250.00.

CONSIDER APPROVAL FOR ENGINEERING SHARE COST – SCHOOL STREET CULVERT

Motion by Trustee Mir, seconded by Trustee Feasel and unanimously carried approving \$1,250.00 to be used toward the Engineering Fees on the School Street Culvert Project. The project will be paid 25% by the Village (up to \$1,250), 25% by the Town and 50% by Sullivan Renaissance.

APPROVAL BILLS FOR PAYMENT OF BILLS

FOR PYMT: Motion by Trustee Mir, seconded by Trustee Feasel and unanimously carried approving Voucher #2200 to Voucher #2283 in the amount of \$713,032.05.

POST AUDIT VOUCHERS

Motion by Trustee Mir, seconded by Trustee Lake and unanimously carried approving post audit Voucher #2193 to Voucher #2199 in the amount of \$350,475.02.

FLOWER FUND

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

Monticello Greenhouses - \$700.00

EXECUTIVE SESSION: Motion by Trustee Mir, seconded by Trustee Feasel and unanimously carried to go into Executive Session at 8:35 p.m. to receive Attorney Advice, discuss Contract Negotiations and to discuss personnel in the Police Department.

Chief D’Agata was invited into the session.

Motion by Trustee Feasel, seconded by Trustee Lake and unanimously carried to come out of Executive Session at 9:12 p.m.

CONSIDER PAY INCREASES – PART TIME DISPATCHERS

Motion by Trustee Feasel, seconded by Trustee Lake and unanimously carried approving the following wage increases (effective 8.18.22) for the part time Village dispatchers:

- Greg Brewer - \$23.00 per hour
(Employee #118)**
- Neftali Reyes - \$18.00 per hour
(Employee #101)**
- Jeffrey Ashdown - \$18.00 per hour
(Employee #102)**
- Luke Ellison - \$16.00 per hour
(Employee #104)**
- Kristin Young - \$16.00 per hour
(Employee #100)**
- Mae Franco - \$17.00 per hour
(New Hire – Employee #99)**

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

THE MEETING WAS ADJOURNED AT 9:13 P.M.

RESPECTFULLY SUBMITTED,

**JUDY H. ZURAWSKI
CLERK-TREASURER**

