

## REGULAR MEETING

**JULY 21, 2022**

The Board of Trustees held the Regular Meeting of July 21, 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 and Trustee Ernest Feasel. Also Present: Gary Silver, Attorney for the Village and Judy Zurawski, Clerk/Treasurer.

**ABSENT:** Trustee Daniel Wright and Trustee Eveleese Lake

**ALSO PRESENT:** Police Chief Steven D'Agata, David Ohman (Delaware Engineering) and Dan Fagnani (Delaware Engineering), Nancy Buck (Sullivan County Treasurer) Linda Mullen, Kevin Mullen, Frank DeMayo, Audrey Woolard, Nick Rusin, Kate Rusin, Pat Lubin, Matthew Shortall (SC Democrat).

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

### WORKSESSION MEETING - JUNE 16, 2022

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

**Incoming**

❖ E-Mail from Sullivan County Re: Auction Parcels 7.15.22

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

**Nancy Buck – Sullivan County Treasurer – Discussions of Options/Properties**

Nancy Buck (Sullivan County Treasurer) presented a list of the 2022 Village foreclosures. She asked the Board to review the list and to make sure they want to sell each parcel. She said the auction will most likely be held in September.

The Board reviewed two parcels of concern – Tax Maps #112.-7-11.1 and 112.-7-15.

**Katlin Rusin – 440 Ferndale Loomis Road**

Katlin Rusin (440 Ferndale Loomis Road) spoke in support of Foster Supply Hospitality and their proposed project on Route 52. She strongly encourages the Village to give them a water/sewer rate incentive to attract this business to our area.

She said we have already seen the way Foster Supply Hospitality is improving the well-being of our community with their Single Bite Program. This non-profit

brings food to over 115 households to our area and empowers students to make healthier choices and gives them opportunities to visit farms and restaurants.

In summary she said she was speaking as a community member and mother as she decides if this is her final destination (or a stepping stone) to raise her children and hopes that this project helps drive Liberty into a thriving and bright future.

**Kevin Mullen – 13 Cooper Avenue**

Kevin Mullen (13 Cooper Avenue) asked if there was any time-table on the Foster Supply Project on Route 52.

Mayor Stoddard said the Board had a meeting a couple of weeks of ago and will be working on the project.

**Frank DeMayo – Town Supervisor**

Frank thanked Mayor Stoddard, Trustee Mir and the Board for all their cooperation and for working together with the Town and School.

Mayor Stoddard, in return, mentioned the beautiful hanging baskets of flowers and the cooperation between the Village and the Town, as the Village purchased them and the Town handles all the watering.

**Pat Lubin – Old Loomis Road**

Pat Lubin (Old Loomis Road) expressed her support of the Foster Supply Project on Route 52. She said she runs a neighborhood watch on Old Loomis, Loomis and Scheibe Roads and that everyone that she has come to know in that area is in support of this project.

**ATTORNEY** Attorney Silver said he has been working with Delaware Engineering and the **COMMENTS:**County on the Intermunicipal Agreement for the Parksville Bridge. The rest of his comments are limited to agenda items.

**TREAS.  
REPORT:**

Treasurer Zurawski's written report is summarized below:

- ❖ List of Current Taxes and collections thru 06/30/22 of which there is \$935,357.97 outstanding. The current taxes are 79% collected.
- ❖ List of Delinquent Taxes, which as of 06/30/22 is \$418,348.00 not collected.
- ❖ Starting and Ending Central Check Numbers for June 2022
- ❖ Starting June 2022 Central Check #17521
- ❖ Financial comparison of General, Water, Sewer and Sanitation

Treasurer Zurawski mentioned that the second/final payment has come in from the American Rescue Act.

**TABLED DELAWARE ENGINEERING – UPDATE ON PROJECTS  
BUSINESS:**

David Ohman and Dan Fagnani of Delaware Engineering discussed the **Lily Pond Bridge Relocation** with the Board:

**1. Board Action Required at Tonight's meeting:**

- Adopt resolution – completed at 5/19 meeting contingent upon receipt of IMA from County
  - Authorizing purchase of materials and items needed for the temporary and permanent relocation of the waterline on an emergency basis
  - Allowing the Village Mayor to sign the Intermunicipal Agreement (IMA) with the County to reimburse the County for costs they incur to complete the water main relocation work.
- Review and execute/adopt Inter-Municipal Agreement and County Resolution

**2. Background/Update**

- On April 29, 2022 the Village met with SCDPW to review how to work with a Contractor to fuse the HDPE DR-9 pipe and install the temporary water main (all temporary piping materials and appurtenances furnished by the Village), and for the SCDPW to do the temporary water main support system and install permanent water main work (piping materials and appurtenances and beam furnished by Village). The County is not able to do leakage testing.
- Based on June 14 email from Roman DiCio, still waiting for NYSEG but plan to start onsite work in July and finish before end of the year.
- On June 28 an on-site meeting was held with the SCDPW, Village, DE and Osterhoudt to review project status update and discuss details about the temporary water main layout, restraint, crossing and supports, permanent water main etc.
- Working with details and construction details with SCDPW and Osterhoudt
- Temporary and Permanent materials PO mailed to vendors
- NYSEG has moved their lines but status of cable and phone are unknown, but County can move forward without them moving. The county will remove/excavate what we can while the existing waterline is still in use.
- Temporary pipe is in stock (C & M and Vari-Tech)
  - Temporary elbows are 2-3 weeks out as of 7/13 (we are being told they had a machine go down at the manufacturer)
- Permanent materials delivery schedule pending. Pipe and fittings are believed to be in stock, expansion joint is out 8 weeks, waiting on a date for the installation.
- On-site work has begun
- The County closed the bridge on 7/18
- The County worked with Fred Moore and shut the valve off to the hydrant

- The County forwarded the Lily Pond Water Main relocation Inter-Municipal Agreement and County Resolution for execution.
- Working with details and construction details with SCDPW and Osterhoudt

### **3. Scope of Work (based on April 29, 2022 meeting with SCDPW and subsequent activities)**

#### County

- Temporary water main
- Provide heavy equipment, labor, services to provide a temporary support system for temporary water main, including hardware, thrust restraint, and appurtenances to strap the temporary water main (by Contractor) to temporary support system

Note: Piping materials and appurtenances furnished by Village. Labor and specialty services (i.e. butt fusion) to fuse and technical oversight and assistance for installation of the temporary support structure by Contractor selected by the Village.

- Permanent water main
- Provide heavy equipment, labor, and services to install the permanent support and install the permanent water main

Note: Piping materials and appurtenances furnished by Village. Technical oversight and assistance for installation of permanent water main and to resolve issues with leakage testing and disinfection by Contractor selected by Village.

- Demolition of temporary water main
- Provide and maintain and distribute the project schedule
- Forward Intermunicipal Agreement (IMA) for Village execution with
- Execute IMA - pending

#### **H. Osterhoudt Excavating, Inc**

- Temporary water main
  - Provide labor and specialty services (i.e., butt fashion) to fuse and install temporary water main piping materials and appurtenances (DR-9 HDPE) on to the temporary support system

Note: Piping materials and appurtenances furnished by Village, and heavy equipment, materials, labor and services to provide the temporary support system (e.g., beam, structures, rebar, concrete, clamps, etc.) and set the temporary water main on to the temporary water main to temporary support system by County

- Provide leakage testing, disinfection, and sampling
- Other Miscellaneous materials and appurtenances, or services not specifically identified

- Permanent water main

- Provide technical oversight and assistance for installation of permanent water main and to resolve issues with leakage testing and disinfection

Note: Piping materials and appurtenances furnished by Village. Heavy equipment, materials, labor and services to install the permanent water main by the County.

- Permanent water main leakage testing, disinfection, and sampling

### Village

- Operate valves
- Purchase materials on emergency basis; working on a list of materials now
- Collect disinfection water samples, take to lab and pay for testing work (for permanent water main)
- Be available when requested by the County
- Provide day to day site visits to check on work progress by Water Department staff
- Village Resolution to Sign County IMA – Pending July 21 meeting
- Execute IMA and return to County for execution – Pending July 21 meeting
  - The original package will be returned once execute by the County
- Coordinate delivery of temporary and permanent piping materials
- Is there anything the Village is uncomfortable doing?

### Delaware Engineering, D.P.C.

- Develop material lists and work with Village to procure items on emergency basis – underway
- Coordinate delivery of temporary and permanent piping materials
- Review material details, and submittals, as required
- Work with the County and Contractor to come up with the temporary support system - underway
- Observe work during site visits to certify to the installation with NYSDOH (Dennis from WWTP site visits?)
- Onsite construction progress meetings once per month with all parties (County, Water Department, DE)

## **4. Estimated Cost Summary**

- We don't have all of the information yet, Estimated Cost Summary below:

	April 20, 2022 Bid Results	May 2022 Estimated Cost Osterhoudt	May 2022 Estimated Cost Osterhoudt
<b>Temporary Water Main</b>	-		-
• Piping Materials (Village direct purchase)	-	\$15,000	
• Core & Main PO Approved 6.2.22 Mtg			\$ 5,604
• VARI-tech PO Approved at 6.2.22 Mtg			\$ 2,648
• Support System and anchors (SCDPW)	-	\$25,000	\$ 25,000
• Fuse and Install Piping Materials & appurtenances, & testing (H. Osterhoudt, lump sum)	-	\$25,000	\$ 25,000
• Misc. Other Cost	-	TBD	TBD
<b>Permanent Water Main</b>	-		-
• Piping Materials (Village direct purchase)	-	\$40,506	\$ 71,180
• Support System - Beam (Village direct purchase)	-	\$8,425	\$ 8,425
• Install Piping, Materials & appurtenances, support system and testing (SCDPW)	-	\$25,000	\$25,000
• 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 persons, 2 Wks/10 Days \$35,000	\$ 3,500/day Assume 2 persons, 2 Wks/10 days = \$35,000
• Permanent water main leakage testing, disinfection and sampling (H. Osterhoudt Excavating Inc, Lump Sum	-	\$ 5,000	\$5,000
• Misc. Other Cost		\$ TBD	\$ TBD
<b>Total Construction Cost</b>	<b>\$259,000</b>	<b>\$ TBD</b>	<b>\$ TBD</b>
<b>Other Miscellaneous Costs</b>			
• Engineering (Delaware Engineering D.P.C.)		TBD	TBD
• Village Attorney (Local Counsel)		TBD	TBD
<b>Contingency</b>	-	TBD	TBD
<b>Total</b>	<b>\$ 259,000</b>	<b>\$179,931</b>	<b>\$202,857</b>
<b>Village Budget</b>	<b>\$ 150,000</b>		

## 5. Authorizing Resolutions

- The County forwarded the Lily Pond Water Main relocation Inter-Municipal Agreement and County Resolution, for execution.
  - **Therefore, we recommend the following:**  
We recommend that the Village Board re-adopt **Village Resolution – Village of Liberty Lily Pond Road Bridge 228 Waterline Relocation, attached:**
  - **Authorizing purchase of material and services needed for the temporary and permanent relocation of the waterline on an emergency basis, and**
  - **Authorize the Village Mayor to sign the intermunicipal Agreement (IMA) with the County to reimburse the County for costs they incur to complete the water main relocation work**
- An original package will be returned once executed
  - The Village Board hereby resolves to authorize the Village Mayor and Village Attorney execute the IMA (3 copies) and forward for County

execution including Village insurance certificate and certified Village Resolution to each copy.

## 6. Plan Forward

### Village

- After May 19 Board Meeting Proceed with purchase of items and services needed for the work
  - C&M for Temporary Materials = \$5,604.00, PO approved at 06/02 Mtg.
  - Vari-Tech for Temporary Materials = \$2,648.40, PO approved at 06/02 Mtg.
  - Sherburne Steel Sales for Beam = \$8,425.00, PO approved at 06/02 Mtg.
  - C&M for Permanent Materials = \$71,180.30, PO to be approved at 06/16 Mtg.
    - Send PO to Core & Main
  - Review crossing and thrust restraint details with SCDPW, Osterhoudt, & Delaware
  - Execute IMA and return to County for execution – Pending July 21 meeting
    - An original package will be returned once executed by the County
  - Coordinate delivery of temporary and permanent piping materials

### Delaware Engineering

- Confirm list of items Village and County will do
- DE finalize Village purchase list and services, and work with Judy to issue POs (with cost not to exceed) – Complete
- Review material details, and submittals, as required
- Refine crossing and thrust restraint details with SCDPW, Osterhoudt, & Village

### County

- Confirm items County will do (and/or will not do) and provide cost to the Village
- Execute IMA – Pending
- Refine crossing and thrust restraint details with SCDPW, Osterhoudt, & Village
- July 18 Meeting
  - Delaware Engineering to provide status update.

### **David Ohman reported on the following:**

#### 1. WWTP Upgrade

Board Action required at tonight's meeting:

- Consider for Approval Application and Certificate for Payments

- Payment No. 3 from General Contractor – Eastman Associates, Inc. - in the amount of \$221,440
- Payment No. 1 from Electrical Contractor – J & J Sass Electric, Inc. - in the amount of \$61,370
- Payment No. 1 from Plumbing Contractor – A. Treffeisen and Sons LLC, in the amount of \$1,216
- Payment No. 1 from HVAC Contractor – A. Treffeisen and Sons LLC, in the amount of \$1,254

## **WWTP Phase 2**

- Village Board Resolution Authorizing Submission of the 2022 NYSEFC WIA Application
- Village Board Resolution to select Authorized Representative for the Submission of the 2022 NYSEFC WIA Online Application
- **Update/Review of Project Progress**
  - Other Possible Additional Financing Opportunities
  - **Bipartisan Infrastructure Law (BIL)**
  - 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.
  - Need to submit expression of interest in BIL funding using DWSRF and/or CWSRF IUP listing forms and upload via the municipality (e.g. Judy) by 4 pm June 17
- **For Phase 1:**
  - The Village is not able to use the CWSRF PLUS Update form to express desire to be 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 WIA funding applications but did not receive WIA grant (April 2022 letter) so project is currently on hold
  - We are working 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 will work with Judy to get the listing update and letter uploaded and emailed before 4 p.m. on June 17.

### **For the Base Project – Phase 1:**

#### **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
- The three remaining items that need to be done and submitted for the redo of the Phase 2 WIIA application before September 9, 2022 include:
  - First, need to fill out the new application form – which we will do with Judy
  - Second, need a Resolution that the Village Board resolves to authorize submission of the New York State Environmental Facilities Corporation Water Infrastructure Improvement Act Grant Application to NYSEFC
  - Board Resolution to authorize the Village Mayor to sign the 2022 NYSEFC WIIA Application
- Therefore, if the Village desires to proceed to reapply for grant funding for the Phase 2 WWTP Upgrade, it is recommended that the Village Board resolves to:
  - Utilize the attached resolution and do roll call vote to authorize submission of the New York State Environmental Facilities Corporation's Water Infrastructure Improvement Act Grant Application for Phase 2 WWTP 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
- We will continue to work with Judy/Authorized representative to resubmit/update application before September 9, 2022 deadline.
- **For the Base Project – Phase 1**

- NYSEFC Additional Funding
  - The NYEFC closed on the PFA for the additional funding up to \$9.4M on 06.30.22
- **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 for 3 of 4 primes**
      - **Eastman Associates, Inc. (General) – Approved**
      - **J & J Sass Electric (Electrical) – Approved**
      - **A. Treffeisen (Plumbing) – Approved**
      - **A. Treffeisen (HVAC) – Under Review/Pending Approval**
    - **Reimbursement for pay requests can be made to all parties except the HVC contract**

**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**
  - The full application package provided to the Village clerk under separate cover on 7.19.22
  - We have reviewed the Payment Application from Eastman Associates, Inc. the contractor for the subject project, for the period of May 31, 2022 through June 30, 2022 in the amount of \$221,445.00, for partial payment for Utility Building, Masonry Repair, Chlorine Building Siding and Trim, Influent Building Sitework and Foundations, Sludge Building Demo, Influent Building Piping, Secondary Clarifier Piping and Valves, Sludge Building Pump Installation, Yard Piping, Sidewalks, New Electric Room Demo, Site Work, Foundations, Wall Framing & Sheathing and NYSEFC Contract Compliance. The total cost to date of \$379,482.25 equates to 7.5% of the contract price with a balance to finish, including retainage of \$4,893,845.00.
  - 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. 2, 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 contingent upon NYSEFC's approval of the contractor's MWBE Utilization Plan and construction contract, Change Order No. 2 (wage rate updates) and 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. 3. 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, 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.
- **Contract No. VL1-E-21 – Electrical Construction**
  - **Application and Certificate for Payment No. 1**
  - The full application package provided to the Village clerk under separate cover on 7.19.22
  - We have reviewed the Payment Application from J & J Sass Electric, Inc. the contractor for the subject project, for the period of March 23, 2022 through June 30, 2022 in the amount of \$61,370.00, for partial payment for Mobilization, Demobilization, Bonds & Insurances, Control Building Improvements – Labor Control Building Improvements – Labor, New Electrical Building Improvements – Material, Miscellaneous, Items/Other Expenses and NYSEFC Contract Compliance. The total cost to date of \$61,370.00 equates to 3.64% of the contract price with a balance to finish, including retainage of \$1,809,630.
  - 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. 1, to Electrical No.VL1-G-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 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. 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.
- **Contract No. VL1-P-21 – Plumbing Construction**
  - **Application and Certificate for Payment No. 1**
  - The full application package provided to the Village clerk under separate cover on 7.5.22

- We have reviewed the Payment Application from A. Treffeisen and Sons, LLC, the contractor for the subject project, for the period of March 8, 2022 through June 3, 2022 in the amount of \$1,216.00, for partial payment for Mobilization, Demobilize, Bonds & Insurances. The total cost to date of \$1,216.00 equates to 1.17% of the contract price with a balance to finish, including retainage of \$108,584.00.
- 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. 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 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. 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.

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

- Application and Certificate for Payment No. 1
- The full application package provide to the Village Clerk under separate cover on 7/5/22
- We have reviewed the Payment Application from A. Treffeisen and Sons, LLC, the contractor for the subject project, for the period of March 8, 2022 through June 3, 2022 in the amount of \$1,254.00, for partial payment for Mobilization, Demobilize, Bonds & Insurances. The total cost to date of \$1,254.00 equates to 1.13% of the contract price with a balance to finish, including retainage of \$115,646.00
- 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. 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 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. 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.

- Change Orders

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

- **Change order No. 1 – Add Bid Alternate Belt Filter Press work**
- Totaling \$763,000
- Approved by NYSEFC on 6.24.22
  
- **Change Order No. 2 – Update Davis Bacon Wage Rates**
- At the April 7<sup>th</sup> 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
  
- Project Modification No. 1 (formerly Field Change Order No. 1) – Influent Building Grit Holding Area Unforeseen Conditions (to be incorporated into Change Order No. 3 – Pending).
  
- **Field Change No. 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 meeting as a Field Modification change as directed by NYSEFC
- We will work this into the next change order as Modification No. 1
  
- **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 7<sup>th</sup> 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 7<sup>th</sup> 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 7<sup>th</sup> 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

- **Monthly Construction Meeting**

- The third meeting construction meeting was held on site on 7.13.22 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 <sup>rd</sup> )
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, 2022 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 contract amendment for design through construction services, following the Announcement of NYSEFC WIIA Grant Awards, if the grant application is successful.

## **2. WWTP Grit Pump Replacement Project**

### **○ Tonight's meeting:**

- None
- **Work Status**
- All work completed as of February 11, 2022
- Working through contract closeout & disbursement paperwork with NYSEFC and Village Clerk
- Costs will be covered under Phase 1 \$9.4M project.
- Application and Certificate for payment No. 1 (Final)
  - At the June 2022 meeting the Village Board resolved to authorize the Village Clerk to process Payment Application No, 1 (Final) for TAM Enterprises, Inc. for the Grit Pump and Piping Installation Work, in the amount of \$49,898.00, as requested by the contractor
  - Funds disbursed to Village for Payment Application NO., 1 on 7.15.22

## **3. 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?

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

- Board Action Required at Tonight's meeting:
  - No action is required tonight
- **2022 CDBG Application**
- 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 29<sup>th</sup>.**
- **We have been and will continue to work with Judy and Mayor Joan and Mark Blauer to complete and upload on or before the July 29<sup>th</sup> deadline**
- 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
  - No news

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

- Nothing new this month
- March 2022 sampling report indicated levels lower than December 2021 for the MW-8
- Next sampling to be conducted in June 2022
- Based on sampling results still seeing values near garage indicating contamination remains

## **6. 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.

## **7. 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.

#### **8. Water System Emergency Response Plan**

- Revised documents submitted and received by NYSDOH on December 13, 2021
- No response back from NYSDOH to date
  - o Electronic copies were sent to Ken Hessinger and Dave Harman on Dec. 15.
  - o Two copies of the documents were being delivered to Judy. One to stay at Village Hall file storage and one to go to Water Plant.
- Risk and Resilience assessment Certification Statements were requested by USEPA and were submitted to the EPA on January 27, 2022.
  - o Added certificate date to Risk and Resilience assessment Certification Statements and resubmitted to the EPA on February 7, 2022.
- The Village received an email from the Department of Homeland Security requesting a meeting to discuss responses provided in the cyber security question (part of ERP)
- The meeting was held on July 20, 2022 at 10 am (zoom) with NY DHSES, Fred Moore, Rob Scheurech Turnkey Controls and DE. NSDOH invited but not on the call.
- DHSES provided some recommendations for ongoing work but no regulatory required submittals required at this time – modify responses as appropriate with next upgrade to EFP and AV and Cyber security info.
- Good input from Turnkey, Inc.

#### **9. Liberty Ridge Development**

- 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 16<sup>th</sup> 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 to prepare proposal

## **UPDATE ON 157 SOUTH MAIN STREET**

The Board said this item will remain **tabled**. There is nothing new to report at this time.

## **NEW BUSINESS      CONSIDER SURPLUS BID – 2011 CHEVROLET TRUCK – WATER DEPARTMENT**

Motion by Trustee Mir, seconded by Trustee Feasel and unanimously carried to declare the following vehicle as surplus:

**2011 Chevrolet Truck  
VIN #1GB3KZCG7BF167299**

Motion by Trustee Mir, seconded by Trustee Feasel and unanimously carried to go out to bid on the following village owned vehicle:

**2011 Chevrolet Truck  
VIN #1GB3KZCG7BF167299**

The bid opening will be Wednesday, August 17, 2022 at 11:30 a.m.

## **CONSIDER THE PURCHASE OF THE LMI PUMP – 2022/23 BUDGETED ITEM – WATER DEPARTMENT**

Motion by Trustee Mir, seconded by Trustee Feasel and unanimously carried approving the purchase of a LMI Roytronic Excel Series Pump AD8 in the amount of \$1,561.00 to be purchased from USA Blue Book.

This is a 2022-23 budgeted item for the Water Department.

## **CONSIDER THE PURCHASE OF A CYLINDER MOUNT VACUUM – 2022/23 BUDGETED ITEM – WATER DEPARTMENT**

Motion by Trustee Mir, seconded by Trustee Feasel and unanimously carried approving the purchase of a NXT 3000 Series Cylinder Mount Vacuum Regulator, Chlorine in the amount of \$2,734.00 (plus \$50.00 shipping) to be purchased from Pertech KNW Sales LLC in Buffalo, New York

This is a 2022-23 budgeted item for the Water Department.

**CONSIDER LETTER FROM MARK HERSH – TAX MAP #112.-7-16.2/155  
SOUTH MAIN STREET – SANITATION BILLING**

The Board discussed the request from Mark Hersh regarding the removal of the sanitation dumpster fee from his property located at 155 South Main Street.

Mayor Stoddard said that after discussing the matter with DPW Supervisor Lynn Barry and the configuration of the dumpster locations the dumpster has been relocated behind Paesanos Pizza which would leave the sanitation fee on his properties the same.

**CONSIDER SEWER CREDIT – IRWIN GITLIN RE: ACCOUNT #4-2600 - 55/69  
SOUTH MAIN STREET**

Motion by Trustee Mir, seconded by Trustee Feasel approving the sewer credit of 252,350 gallons which equates to a total of \$2112.17 for Water/Sewer Account #4-2600.

This was due to a leak which flooded the basement and did not go through the Village's sewer system. This credit was approved by Water Supervisor Fred Moore.

**CONSIDER WATER CREDIT FOR RAMSEY – ACCOUNT #10-23620**

No motions were made on this request.

**CONSIDER ADOPTION OF NEW YORK STATE DEFERRED COMPENSATION  
PLAN**

**RESOL.#** Motion by Trustee Mir, seconded by Trustee Feasel and unanimously  
**51-2022:** carried approving Resolution #51-2022:

**WHEREAS**, the Village of Liberty wishes to adopt the Deferred compensation Plan for Employees of the State of New York and Other Participating Public Jurisdictions (the "Plan") for voluntary participation of all eligible employees; and

**WHEREAS**, the Village of Liberty is a local public employer eligible to adopt the Plan pursuant to Section 5 of the State Finance Law and;

**WHEREAS**, the Village of Liberty has reviewed the Plan established in accordance with Section 457 of the Internal Revenue Code and Section 5 of the State Finance Law of the State of New York; and

**WHEREAS**, the purpose of the Plan is to encourage employees to make and continue carriers with the Village of Liberty by providing eligible employees with a convenient and tax-favored method of saving on a regular and long-term basis and thereby provide for their retirement;

**NOW, THEREFORE**, it is hereby:

**RESOLVED**, that the Village of Liberty hereby adopts the Plan for the voluntary participation of all eligible employees; and it is further

**RESOLVED**, that the appropriate officials of the Village of Liberty are hereby authorized to take such actions and enter such agreements as are required or necessary for the adoption, implementation, and maintenance of the Plan; and it is further

**RESOLVED**, that the Administrative Services Agency is hereby authorized to file copies of these resolutions and other required documents with the President of the State of New York Civil Service Commission.

**CONSIDER APPROVAL OF WATER CHEMICAL BIDS FOR 2022-23**

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:

<b>Chlorine Gas 54-105CY</b>	<b>Slack Chemical Co Carthage, NY</b>	<b>\$439.28/Cylinder</b>
<b>Polyalum. Hycloxy (PAC)</b>	<b>Holland Company Adams, MA</b>	<b>\$.351/wet pd</b>
<b>Hydrated Lime</b>	<b>Slack Chemical Co Carthage, NY</b>	<b>\$20.49 bag 50 lb. bag</b>
<b>Soda Ash</b>	<b>Slack Chemical Co Carthage, NY</b>	<b>\$19.93/bag 50 lb. bag</b>
<b>Sodium Hypo-Chlorite</b>	<b>Slack Chemical Co. Carthage, NY</b>	<b>\$4.49/Gallon 55 Gallon Drum</b>

The following two chemicals were not award until the proper documentation can be obtained:

**Ortho-Poly Phosphate Blend  
Polymer Powder**

All bids received were as follows:

Bid Opening - 7.14.22

Present: Judy Zurawski, Alice Gonzalez and Kevin Wickert (Holland Co)

COMPANY BIDDING & ADDRESS	CHLORINE GAS 54-150 CY	POLYALUM. HYCLOXYC PAC	LIME HYDRATED POWDER	SODA ASH POWDER	ORTHO-POLY PHOSPHATE BLEND	POLYMER LT-20	POTASSIUM PERMANGANATE POWDER	SODIUM HYPO-CHLORITE LQD
Coyne Chemical 3015 State Road Croydon, PA 19021-6997 <del>215-785-3000</del>	No Bid	No Bid	\$4.723/lb Min 2,500 lbs/deliv.	No bid	\$1.3951/lb  Liquid Blended Calciquest	\$3.9151/lb 55.12 lb bag Min 5 bag delivery	No bid	No bid
Slack Chemical Co. 465 S. Clinton Street po Box 30 Carthage, NY 13619 <del>315-493-0430</del>	\$439.28/Cylin 150 # Deposit \$100.00	.585/wet # 1000/gallons per delivery	\$20.48 50# bag	\$19.93/Bag 50 lb bag	No Bid	\$249.00/Bag 50 lb bag	No Bid	\$4.49/Gallon 55 Gallon Drum \$45.00 Deposit
Holland Company 153 Howland Avenue Adams, MA 01220-1199 <del>413-743-1292</del>	No Bid	\$3.51/wet# 1,000 gal. min del	no bid	no bid	no bid	no bid	no bid	no bid
Carus Corporation 315 Fifth Street PO Box 599 Peru, IL 61343-0599 <del>815-223-1500</del>	No bids	no bids	no bids	no bids	\$1.56/lb	no bid	No bids	no bids
Amrex Chemical Co. Inc. 117 East Frederick St PO Box 642 Bingamton, NY 13902 <del>607-712-8194</del> William F. Rexer	No bids	no bids	no bids	no bids	No Bid	no bid	No bids	no bids

### **CONSIDER APPROVAL OF CHEMICAL BIDS FOR WASTE WATER TREATMENT PLANT 2021/2022**

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

<b>Polymer</b>	-	<b>Slack Chemical Co. Carthage, NY</b>	<b>\$4.04/lb. 55 pound Bag</b>
<b>Polyaluminum Chloride</b>	-	<b>Holland Company Adams, MA 01220-1199</b>	<b>.247 per wet pd</b>
<b>Soda Ash</b>	-	<b>Slack Chemical Co Carthage, NY</b>	<b>\$19.93/bag 50 lb. bag</b>

All bids received were as follows:

NAME & ADDRESS	PAC	SODA ASH DEN.	POLYMER
Coyne Chemical 3015 State Road Croydon, PA 19021 <del>215-785-3000</del>	No Bid	No bid	No Bid
Holland Company. Inc. 153 Howland Avenue Adams, MA 01220-1199 <del>413-743-1292</del>	<b>POLYALUMINIM HYDROXY CHLORIDE</b> Epic WW-50 \$0.247 per wet pound 4,000 gallon bulk del.	\$19.93 Bag 50lb bag	No bid
Slack Chemical Co. 465 S. Clinton Street PO Box 30 Carthage, NY 13619 <del>315-493-0430</del>	0.377# PAX-XL6 Bulk - 4000 Gallons	No bid	4.04# 55 Pound Bag Stafloc 6639

Surpass Chemical Co. Inc 1254 Broadway Albany, NY 12204 518-434-8101 800-289-8101 Tim Clayton			
New Tech Environmental po Box 91 Randolph Center, VT 05061 1-800-210-2361 802-272-9806			

WWTP BID OPENING 7/21/21 @ 11:00 a.m.  
PRESENT: Judy Zurawski, Alice Gonzalez and Tietgens (Holland Co)

**CONSIDER RESOLUTION – LILY POND ROAD BRIDGE 228 WATERLINE RELOCATION**

**RESOL # 52-2022:** Motion by Trustee Mir, seconded by Trustee Feasel and unanimously carried approving Resolution #52-2022.

**WHEREAS**, the Village of Liberty's water main is currently located on the Sullivan County Bridge 228, located on Lily Pond Road in the Town of Liberty; and

**WHEREAS**, the County is replacing Bridge 228 and requires the existing water main to be removed to allow for bridge replacement; and

**WHEREAS**, the existing water main conveys finished water from the Lily Pond Water Treatment Facility to the Village water system and is the principal service of water for the Village; and

**WHEREAS**, the existing water main will be removed, and temporary water main facilities will be installed and maintained, throughout bridge construction; and

**WHEREAS**, a new waterline system will be installed on the new County Bridge 228 once bridge construction is completed enough to allow this to do so; and

**WHEREAS**, the Village solicited for and opened public bids on April 20, 2022 for the water main work with costs ranging from \$259,000 to \$506,398; and

**WHEREAS**, the Village has budgeted \$150,000 for said work; and

**WHEREAS**, the Village desires to minimize the financial impact of this project to water system customers; and

**WHEREAS**, the County has offered to provide labor, equipment and services to perform the waterline relocation work in order to minimize project costs; and

**WHEREAS**, the Village will provide materials needed for the work; and

**WHEREAS**, time is of the essence to facilitate bridge removal and replacement as soon as possible due to the prior condition of the bridge; and

**WHEREAS**, costs for materials needed for the work will exceed \$35,000 in total; and

**WHEREAS**, supply of water main materials are affected by current supply chain issues in both price and availability; and

**WHEREAS**, continued supply of potable water to the Village cannot be provided in adequate quantity to satisfy daily demands from other Village sources; and

**WHEREAS**, an Inter-Municipal Agreement (IMA) will be required for the Village to utilize County Services; and

**WHEREAS**, the anticipated responsibilities of the Village and outside contractor retained by the Village and the County are defined in Exhibits A and B, attached.

#### **THEREFORE BE IT RESOLVED**

That the Village Board has identified the continued use and maintenance of the Lily Pond water main is necessary to maintain health and safety for the Village customers, and combined with supply chain and schedule issues, necessitate that the Village declare the waterline work as an emergency condition, allowing for direct purchase of materials and services from available sources, generally identified in the summary attached, rather than utilizing Village standard procurement requirements, and

That the Village will enter into an Inter-Municipal Agreement with Sullivan County allowing the County to provide services associated with the removal, temporary waterline system and new permanent waterline system, subject to approval of the form and content of such Inter-Municipal Agreement by the Attorney for the Village of Liberty, and the Mayor is authorized to execute such Intermunicipal Agreement.

A roll call vote on this resolution resulted as follows:

<b>MAYOR JOAN STODDARD</b>	-	<b>YES</b>
<b>TRUSTEE ROBERT MIR</b>	-	<b>YES</b>
<b>TRUSTEE ERNEST FEASEL</b>	-	<b>YES</b>
<b>TRUSTEE EVELEESE LAKE</b>	-	<b>ABSENT</b>
<b>TRUSTEE DANIEL WRIGHT</b>	-	<b>ABSENT</b>

**CONSIDER RESOLUTION FOR WASTEWATER TREATMENT PLANT  
UPGRADE – PHASE 2 – WIIA FUNDING APPLICATION**

**RESOL #** Motion by Trustee Mir, seconded by Trustee Feasel and unanimously carried  
**53-2022:** approving Resolution 53-2022.

**WHEREAS**, Village of Liberty, New York (hereinafter the "Village") has established the public benefit to residents for the **Wastewater Treatment Plant (WWTP) Phase 2 Sludge Handling/Processing Upgrade** (hereinafter the "Project"); and

**WHEREAS**, the Village plans to upgrade the WWTP's existing sludge dewatering system and provide an enhanced sludge processing system and other necessary improvements; and

**WHEREAS**, in 2021 the Village submitted application to the New York State Environmental Facilities Corporation (NYSEFC) for financing through the Clean Water State Revolving Fund (CWSRF) and for grant assistance through the NYS Water Infrastructure Improvement Act (WIIA) programs and the Village was notified that they only qualified for market rate financing and was denied any funding through the NYS WIIA program; and

**WHEREAS**, the Village of Liberty Board of Trustees has the opportunity to reapply for grant funding through NYSEFC WIIA grant program which may fund up to 25% of the total project costs less other grant funding; and

**WHEREAS**, the total Project cost is estimated at \$7.2 million and the Village has not secured other grant funds to date which would reduce the project cost; and

**WHEREAS**, if no other grants are secured prior to long term financing closing, the Village is prepared to contribute matching funds, the balance of the project cost not provided by the CWSRF funding and/or WIIA; and

**WHEREAS**, the Village will be submitting an application to the NYS Environmental Facilities Corporation for a Water Infrastructure Improvement Act (WIIA) Grant funding as a possible means to assist in financing the project; and local match which is anticipated to be provided through the CWSRF program

**THEREFORE, BE IT RESOLVED THAT**

1. The Mayor of the Village of Liberty, is authorized to sign the WIIA grant application, as well as any NYSEFC funding agreements and any associated documents; and
2. Delaware Engineering, D.P.C., on behalf of the VILLAGE, is authorized to submit the WIIA application to the NYSEFC; and
3. The Village agrees to contribute local matching funds for the balance of the project cost not provided by the grant, or other funding received prior to long-term financing closing (e.g., BIL grant funds, etc.), through

bonding or other means, with program.

A roll call vote on this resolution resulted as follows:

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

### **CONSIDER PAYMENT REQUESTS FOR WWTP PROJECT**

Motion by Trustee Mir, seconded by Trustee Feasel and unanimously carried authorizing the Village Clerk to proceed to process Payment Application No. 3. 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, 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.

Motion by Trustee Mir, seconded by Trustee Feasel and unanimously carried authorizing 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, including submittal of 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 Feasel and unanimously carried authorizing 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 \$1,216.00, 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.

Motion by Trustee Mir, seconded by Trustee Feasel and unanimously carried authorizing 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 will be contingent upon NYSEFC'S approval of the contractor's MWBE Utilization Plan and construction contract, and that payment will be made following receipt of reimbursement from NYSEFC.

**CONSIDER INTERMUNICIPAL AGREEMENT – LIBERTY CENTRAL SCHOOL DISTRICT AND THE VILLAGE OF LIBERTY**

Motion by Trustee Feasel, seconded by Trustee Mir and unanimously carried approving the Intermunicipal Agreement (MOU) between Liberty Central School District and the Village of Liberty, which provides police protection for the Liberty School District.

The Agreement is for the school year of 2022-23.

Motion by Trustee Feasel, seconded by Trustee Mir and unanimously carried approving the Intermunicipal Agreement (MOU) between Liberty Central School District and the Village of Liberty, which will provide police protection for the Summer School Program.

The Summer School Program runs from July 5, 2022 through August 17, 2022.

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

Linda Mullen (13 Cooper Avenue) asked about the clearing of trees on the back side of Ahavath Medical.

Attorney Silver said they plan to erect a small building that they will use for supplies.

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

Trustee Feasel – No Comment

Trustee Mir said he drove through Sector One of the Village this morning and he was very pleased to see how well the homes are being kept and the pretty summer flowers that many of them had.

Mayor Stoddard said that people have commented to her that the noise coming from Pepisco has been louder and more constant than usual.

Trustee Feasel said he has mentioned it to the Code Enforcement Officer.

**APPROVAL BILLS FOR PAYMENT OF BILLS**

**FOR PYMT:** Motion by Trustee Mir, seconded by Trustee Feasel and unanimously carried approving Voucher #2102 to Voucher #2189 in the amount of \$879,291.33

Voucher #2154 in the amount of \$2,974.32 (NYS Unemployment) will not be paid until more research can be done with unemployment

**POST AUDIT VOUCHERS**

Motion by Trustee Mir, seconded by Trustee Feasel and unanimously carried approving post audit Voucher #2093 to Voucher #2101 in the amount of \$402,702.96.

**PLANNING BOARD ESCROW**

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

**Delaware Engineering - \$2,522.50  
(Liberty Barrel Brewing escrow)**

**EXECUTIVE** Motion by Trustee Mir, seconded by Trustee Feasel and unanimously  
**SESSION:** carried to go into Executive Session at 8:14 p.m. to receive Attorney Advice and to discuss a grievance.

Police Chief D'Agata was invited into the Session

Motion by Trustee Mir, seconded by Trustee Feasel and unanimously carried to come out of Executive Session at 8:52 p.m.

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

**THE MEETING WAS ADJOURNED AT 8:52 P.M.**

**RESPECTFULLY SUBMITTED,**

**JUDY H. ZURAWSKI  
CLERK-TREASURER**