

WORKSESSION MEETING

DECEMBER 29, 2021

The Board of Trustees held the Worksession Meeting of December 29, 2021 at the Village Municipal Building, 167 North Main Street, Liberty New York. Mayor Ronald Stabak opened the meeting with the Pledge of Allegiance.

PRESENT: Mayor Ronald Stabak, Deputy Mayor/Trustee Joan Stoddard, Trustee Robert Mir (left early) and Trustee Ernest Feasel. Also Present: Attorney for the Village, Gary Silver and Judy Zurawski, Clerk/Treasurer.

ABSENT: Trustee Daniel Wright

ALSO PRESENT: Police Chief Steven D'Agata and David Ohman (Village Engineer)

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

REGULAR MEETING – December 2, 2021

Mayor Stabak stated he was not present at the December 2nd meeting

CORRESPONDENCE: Mayor Stabak said the following correspondence has been received and anyone can request copies.

- ❖ E-Mail from Delaware Engineering Re: Grant Funding/Water 12.14.21
- ❖ Letter from NYSDOT Re: Large Culvert Projects 12.7.21

TABLED BUSINESS: DELAWARE ENGINEERING – UPDATE ON PROJECTS

David Ohman of Delaware Engineering reported on the following:

1. WWTP Upgrade

Board Action Required at Tonight's meeting:

- **Review bid recommendations and plan to Award Construction Contracts for WWTP Upgrade Phase 1.**

Update/Review of Project Progress

- Design work of base contract with no sludge processing elements included
 - The new electrical building and a new mechanical screen (upstream of the fine screen building) have been added.
 - An allowance has been added to fix up the existing belt press
 - **The new belt press is included in the Phase 2 budget but has been added as a Bid Alternate to Phase 1 and can be considered by the Board at bidding**
 - the cost for the new press will likely exceed the current budget but having a bid number will allow for the Village to understand a current cost and consider options
 - Options:

- If it can be accomplished within the current budget – proceed
- If cost exceeds budget, review eligibility for financing with EFC and consider modifying PFA with EFC to include this work and increase bond resolution if needed
- Continue to keep in Phase 2
- Going with a Phase 1 (base contract) and Phase 2 (sludge) contract will allow some work to proceed while Village applies for more grant funding.

For the Base Project – Phase 1:

- Bid opening occurred on 11/19/21 at 2 p.m. at Village Hall
- Held bid review at the 12/2/21 meeting
- Village agreed to adopt a supplemental bond resolution for up to \$9.4 Million to be able to award construction contracts for base bid and nod alternate work if desired
- Conference call with NYSEFC held on December 7 to discuss availability of additional funds
- Review bid recommendations and plan to Award Construction Contracts.
- Excerpt from the Revised Anticipated Project schedule below:

November 19, 2021	Held Bid Opening at the offices of the Village Clerk
November 19 – December 1, 2021	Delaware prepared Bid Review Summary for the December 2, 2021 Board Meeting
	Reviewed Bid Review Summary and the Village adopted a Supplemental Bond Resolution for \$9.4M which would allow the Village to complete bid alternate work if desired
December 10, 2021	Publication of the Supplemental Bond Resolution (subject to permissive Referendum)
December 2021	Call with NYSEFC regarding more funding (loan) for Phase 1 and to add in bid alternate work for the Sludge dewatering work
December 2021	Letter sent to NYSEFC requesting additional funding
December 2021	NYSEFC sends new form for requesting additional funding
December 27, 2021	Signed form requesting additional funding emailed to NYSEFC
December 29, 2021	Village Board Meeting
	Review bid recommendations and plan to Award Construction Contracts contingent upon confirmation of receipt of additional funding (0% loan) from NYSEFC, and satisfaction of permissive referendum associated with the Supplemental Bond resolution
By December 29, 2021	Village Clerk forwards the Notice of Adoption of Supplemental Bond Resolution (estoppel notice) to SCDC for publication
January 1, 2022	Permissive Referendum complete (30 days from adoption)
January 4, 2022	Publication of the Notice of Adoption of the Supplemental Bond Resolution
January – February 2022	Receive written notification from NYSEFC on additional funding: Issue Notice to award, and prepare execution copies of contract and issue Notice to Proceed
January 24, 2022	Bond Resolution because effective (20 days from publication)

February 2022 – June 2023	Construction to Substantial Completion
July 2023	Construction Completion (Final) and Project Closeout
September 2023	Long Term Loan Closing

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

Project Schedule	
September 21, 2021	NYSEFC announced grant funding for clean and drinking water projects during the 2021-22 state fiscal year. The deadline to submit your application is 5:00 p.m. on Monday, November 22, 2021.
September 2021	NYSEFC released the CWSRF DRAFT IUP for FFY 2022. The Phase 2 project is listed on the annual list with a budget of \$8.2M, with a score of 1,049 points and a base project score of 49 points (Hardship subtracts 1,000 bonus points when first phase closed) The Hardship Subsidy Line for base score is 36 pts Project is noted as “H Projects that may be eligible for hardship” Delaware anticipates that the Village will receive a notice of hardship eligibility from NYSEFC in December 2021.
October 14, 2021	Village Board resolved to authorize submission of the NYSEFC WIIA Grant Application
November 21, 2021	Submitted NYSEFC WIIA Grant Application
November 29, 2021	Village received Hardship Eligibility Letter from NYSEFC
December 16, 2021	Village Board Meeting was cancelled
	No action
January 2022	Phase 1 Construction to begin (NTP) NYSEFC approval of Phase 2 Engineering Report (ER) (?)
March 2022	Announcement of NYSEFC WIIA Grant Award (?)
April 2022	Delaware submits engineering services contract amendment for design through construction services for Phase 2 work for Village consideration
May – August 2022	Design and submit project plans and specifications to NYSEFC for review and approval
September 2022	Close on NYSEFC Short term Financing (Bridge Loan)/Project Finance Agreement Execution – reimburse accounts for planning and design services costs
November 2022	Receive NYSEFC Design Approval
2023:	

November 2022 – January 2023	Bid award Construction Related Contracts
February 2023	Issue Notice to Proceed/Commence Construction

- More info on WIIA FYI – NY Water Infrastructure Improvement Act (WIIA) Grant Opportunity
 - The New York State Environmental Facilities Corporation (EFC) is offering \$400 million in grants for clean and drinking water projects during 2021-22 state fiscal year
 - WIIA Clean Water Projects
 - An applicant with an eligible clean water project may receive a WIIA grant award as described below:
 - A project, including phases of the project, would be awarded up to the lesser of \$25 million or 25% of new eligible project costs
 - The deadline to submit your application is 5:00 p.m. on Monday, November 22, 2021
 - EFC will evaluate all applications for projects received by the deadline based on factors including protection of public health and water quality; median household income; governmental and community support; consideration for Environmental Justice Areas; and readiness of the project to proceed expeditiously
 - Available grant funds may not be significant to offer grants to all eligible applicants
- The two items that needed to be done and submitted before November 22, 2021 include:
 - Resolution that the Village Board resolves to authorize submission of the New York Environmental Facilities Corporation’s Water Infrastructure Improvement Act Grant Application to NYSEFC – Completed at October 13, 2021 meeting
 - Complete and submit the WIIA Grant Application and acceptable SRF Financing Application
 - Working with Judy in final info
 - Copy of WWTP operations agreement
 - Certified copy of the board resolution to submit the application
 - Mayor to sign page 9 on the WIIA and Page 13 on SRF application (will bring copies to sign at the meeting)
 - Anticipate upload on November 19
- Other Background/History Information
 - Put in a new Project Listing (PLUS) in April 2020 for \$8.2M
 - update in 2021 once form update is requested by EFC
 - Completed SEQR again for the entire project– determination completed at August 20, 2020 Board Meeting
 - Did new Bond Resolution for the Phase 2 project – done at September 3, 2020 meeting; Notice of Estoppel appeared on November 20, 2020.
 - Prepared and submitted new Engineering Report to NYSEFC – DONE submitted NYSEFC on September 18, prior to September 21, 2020 deadline to finalize the IUP and get on the annual list for financing.
 - Prepare a new Smart Growth Form and submit to NYSEFC. DONE and submitted NYSEFC on September 18 - Reviewed with Village and had the Mayor to sign at the September 17 meeting, and submitted to NYSEFC prior to September 21, 2020 deadline to finalize the IUP and get on the annual list for financing.
 - NYSEFC released the CWSRF Final Intended Use Plan (IUP) for FFY 2021. The Phase 2 project is listed on the annual list with a budget of \$8.2M,
 - Funding Application (CFA program) including the WIIA Grant funding up in the air right now – nothing set for this year.
 - On January 6, 2021 the Village received notice that Phase 2 (Sludge Handling) of the Village’s WWTP project will not qualify for 0% Hardship financing, as the base project score is below the Hardship Funding Line in the 2021 IUP.

- **Contracts**

- WWTP Upgrade Project

- At the November 5, 2020 meeting, the Village Board resolved to authorize the Mayor to endorse Professional Services Contract Amendment No. 1, to the design through construction contract for the Village WWTP upgrade to be financed through NYSEFC, dated October 28, 2020, associated with revisions to the Original Phase 1 Engineering Report, to initially include and then remove enhanced sludge processing and related work from the original report, in an amount not to exceed \$40,000. Accepted by the Board and forwarded to NYSEFC on November 9, 2020. NYSEFC indicated in early-December 2020 that they would review it.
 - Now that a plan forward has been agreed upon (i.e., to proceed with only Phase 1 at this time with no enhanced sludge/new belt press or related work), we should hear something soon and make this eligible for reimbursement.

- Sludge Handling WWTP Upgrade Project

- At the October 15, 2020 meeting, the Village Board resolved to authorize the Mayor to endorse the Professional Services Contract for Planning phase work in

the amount not to exceed \$24,900. Accepted by the Board and forwarded to NYSEFC on October 21, 2020.

- Based on the Feb 24, 2021 call with NYSEFC, NYSEFC will not be approving this in the near term as there is no Project Financing Agreement in place and the project will now be on hold.
- When the Village decides to move forward with some or all of Phase 2, Delaware will submit engineering services contact amendment for design through construction services, following the Announcement of NYSEFC WIIA Grant Awards, if the grant application is successful.

2. WWTP Grit Pump Replacement Project

- **Tonight's meeting:**
 - No action required
 - Waiting for parts to arrive
 - Working thru paperwork with NYSEFC
 - Looks like on on-site work may start in January 2022
- **Background:**
 - At the July 15, 2021 Department Head meeting, Mark Kellam notified the Village that one of the grit pumps had failed beyond repair.
 - The current pump is operating without redundancy/backup and is the same age as the pump that failed. The pumps are obsolete and no repair/replacement parts are available. If the one remaining pump fails the plant operations would be impacted as grit accumulates in the influent channel reducing available hydraulic volume and possibly passing into other downstream processes
 - The work to replace these pumps and associated piping, valves, etc. is included in the planned Phase 1 WWTP Upgrade.
 - The Village has decided to move forward with the replacement of the two grit pumps in advance of the rest of the Phase 1 WWTP Upgrade Project to ensure that the grit system and plant can continue to operate while the rest of the upgrade moves forward.
 - NYSEFC has confirmed that this work, if completed separately, would be eligible for reimbursement under the project providing that EFC program requirements are incorporated in the procurement process.
 - Work is being done in 3 parts:
 - Direct Purchase to supply 2 new Grit Pumps
 - Direct Purchase to supply Piping, Valves and Appurtenances
 - Direct contract with contractors to remove existing and install new grit pumps and appurtenances.
 - Based on supply of piping and valves, work could begin in mid-December 2021
- **Grit Pumps Supply**
 - PO issued
 - At the September 2, 2021 meeting, the Village Board resolved proceed with a purchase order – including NYSEFC bid packet requirements - to Siewert Equipment for the supply of two new pumps associated with the grit system, per the September 1, 2021 quote, for a not to exceed price of \$24,947.
 - Anticipated ship date November 18, 2021
- **Piping and Materials Supply**
 - PO Issued

- At the September 16, 2021 meeting, the Village resolved to authorize the Village Clerk to proceed with a purchase order – including NYSEFC bid packet requirements - to Schmidt’s Wholesale for the supply of piping and materials associated with the replacement of the WWTP grit pump system, per the September 16, 2021 quote, for a not to exceed price of \$14,394.97.
- **Pump and Piping Replacement/Installation by Contractor**
 - PO issued
 - At the October 14 meeting the Village resolved the Village Clerk to proceed with issuance of a purchase order – including NYSEFC bid packet requirements – to TAM Enterprises Inc. for the work associated with removal of existing and installation of new Grit Pumps and appurtenances, per the attached October 6, 2021 quote for not to exceed price of \$49,898.00.
- **Work with NYSEFC**
 - Purchase Orders and RFP including NYSEFC Bid Packet (fully executed contracts) sent to NYSEFC for review and approval on November 16, 2021
 - Once approved, invoices for completed work should be submitted with Disbursement Requests and we will review for eligibility & disbursement
- **Cost Summary**

Item	Cost	Remarks
Construction		
Grit Pumps	\$24,947.00	PO issued, anticipated delivery 12/2
Piping and Materials	\$14,394.97	PO issued, anticipated delivery 1/22
Pump and Piping Replacement	<u>\$49,898.00</u>	Pending delivery of piping materials
Subtotal POs	\$89,239.97	
Other		
Engineering	TBD\$	T&M, Amendment pending
Contingency (10%)	NA	
Total to date	\$89,239.97.	For parts

- **Follow up Work:**
 - As the Village has decided to proceed with pump and piping replacement work now, Delaware will plan to provide oversight for the installation and startup services, and certify installation as required by NYSEFC.
- **Engineering Work and Costs**
 - At the September 2, 2021 meeting the Village Board authorized Delaware Engineering to provide services to assist the Village to replace the grit pump system in advance of other planned Phase 1 upgrade work, log time and costs now, and prepare an amendment to the Phase 1 professional services contract once the scope and costs for the planned work are more refined.
 - The amendment quote phase work is anticipated to be fully eligible for inclusion with the Phase 1 project cost.
 - Unless otherwise desired by the Village, we will continue to log costs and time and look to provide an amendment before year end.

3. Lily Pond Road Bridge/Waterline

- Based on recent communications with the County, the bridge project construction is slated to begin first quarter 2022.
- The Village waterline located on the bridge will need to be temporarily relocated early in construction.
- So, we need to get this work designed, approved by NYSDOH and out to bid by the end of the year.
- At the September 2 meeting the Village Board resolved to authorize Delaware Engineering to proceed with design of the Lily Pond Road bridge waterline relocation improvements to allow for public bidding of the work this fall/winter on a time and materials basis using the General Service Contract provisions
 - Once the design is complete and approved by NYSDOH, we can assess how much more engineering will be needed to follow up with construction phase services.
- Met in October 2021 with a prospective contractor (Howard Osterhoudt) and Ken H to confirm desired temporary and final water line work
- Communicating with the County DPW on temporary and permanent design
- **Current Plan:**
 - Phase 1 – Install temporary water line
 - County installs new bridge
 - Phase 2 – Install new waterline on the new bridge
- **Current design drawings are available**
 - G-1 EX SITE PLAN AND TEMPORARY WATER LINE CONSTRUCTION
 - G-2 PROPOSED SITE PLAN AND NEW WATER LINE
 - G-3 NEW WATER LINE DETAILED VIEW
 - Plan to submit to NYSDOH for design approval next month.
- **Next steps:**
 - Work with Gary Silver to secure easement – looks like for one property owner
 - Finalize design details with County DPW
 - Develop project cost estimate and timeline
 - Submit NYSDOH for design approval
 - Proceed to bid in December/January following NYSDOH approval

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 are working with Judy to get the information requested.

5. DPW site Groundwater Monitoring/DPW Garage Site Remediation

- Nothing new this month
- September 2021 sampling report indicated levels higher than March and June 2021 for the MW-8
- Next sampling to be conducted in December 2021
- Based on sampling results still seeing values near garage indicating contamination remains
- NYSDEC will keep going with quarterly monitoring until all results show compliance with water quality standards for a year or more (no real end in sight)

6. Water System Emergency Response Plan

- Revised documents submitted June 1, 2021
- On October 21, 2021, the Village received a letter requesting revisions to the ERP and Vulnerability Assessment with a response due by December 15th
- With input from Judy and Dave Harman, we prepared and sent a response letter along with 2 sets of the revised ERP and VA to the NYSDOH. They received the documents on Monday December 13, 2021.
- Electronic copies were sent to Ken Hessinger and David Harman on December 15th
- Two copies of the documents will be delivered to Judy. One to stay at Village Hall in file storage and one to go to Water Plant.

7. Rail Trail Area Culvert Drainage/Blockage

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

8. NYSDOH Water System Inspection/Cross Connection Control Program

- On October 20, 2021 NYSDOH conducted an inspection at the Liberty Village water supply to determine compliance with Part 5 of the New York State Sanitary Code.
- December 9, 2021 NYSDOH letter requires a written response, prior to February 6, 2022 to outstanding Cross Connection Control Program work.
- Excerpts from NYSDOH Grant Jaing's December 9, 2021 inspection report letter in regards to Cross Connection Control are as follows:
 - **As discussed during the inspection and noted in previous inspections, the Village of Liberty does not have an effective Cross Connection Control program in place. I understand the Village has been in discussions with Delaware Engineering regarding the plan that Delaware Engineering has been experiencing some difficulties outside the Village's control, but this is still a violation of Subpart 5-1.31 pf the New York Sanitary Code. As previously noted, New York Rural Water Association provided a Cross Connection Control plan template that can be customized to fulfil the requirements of Subpart 5-1.31. Please provide a written response within 60 days of this writing indicating your intentions to address this matter.**
- We will work with Village to prepare a response to NYSDOH before the February 6, 2022 deadline and will locate the current draft and see what we need to do before sending to the Village to review.

UPDATE ON 157 SOUTH MAIN STREET

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

UPDATE OF SANITATION/RECYCLING CODE

Trustee Stoddard gave her updates to Attorney Silver for review

UPDATE OF CODE SECTION 87-34 – ANIMAL HUSBANDRY

Attorney Silver and Treasurer Zurawski said they would look into their archives and see if they could find a copy of the law before it was changed in 2015.

NEW CONSIDER BOND RESOLUTION – WWTP UPGRADES – ISSUANCE OF BUSINESS ADDITIONAL \$1,700,000

RESOL.# 1-2022: Motion by Trustee Stoddard, seconded by Trustee Feasel and unanimously carried approving Resolution #1-2022.

A Resolution authorizing, Subject to Permissive Referendum, The issuance of an additional \$1,700,000 Bonds of the Village of Liberty, Sullivan County, New York, to pay the increased cost of Phase I WWTP Upgrades in and for said Village.

WHEREAS, the Board of Trustees of the Village of Liberty, Sullivan County, New York previously approved Phase I WWTP upgrades, in and for said Village of Liberty, Sullivan County, New York (the “Village”), including incidental costs in connection therewith, at a maximum estimated cost of \$7,700,000; and

WHEREAS, it has now been determined that the maximum estimated cost of such capital project has increased by \$1,700,000 over the previous authorized; and

WHEREAS, it is now desired to authorize the issuance of an additional \$1,700,000 bonds of said Village for such purpose to pay a portion of the cost thereof,

NOW, THEREFORE, RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the Board of Trustees of the Village of Liberty, Sullivan County, New York (the “Village”), as follows:

Section 1. For the specific object or purpose of paying additional costs of Phase WWTP upgrades, in and for said Village of Liberty, Sullivan County, New York, there and hereby authorized to be issued an additional \$1,700,000 bonds of the Village of Liberty, Sullivan County, New York, pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the plan for the financing of such \$9,400,000 maximum estimated costs is as follows:

- (i) by the issuance of \$7,700,000 bonds authorized pursuant to a bond resolution dated March 12, 2018; and
- (ii) by the issuance of an additional \$1,700,000 bonds of said Village hereby authorized to be issued therefore pursuant to the provisions of the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is forty years, pursuant to subdivision 4 of paragraph A of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the serial bonds herein authorized will exceed five years.

Section 4. The faith and credit of said Village of Liberty, Sullivan County, New York, are hereby irrevocably pledged for the payment of the principal of and interest in such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said Village, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to Authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes is hereby delegated to the Village Treasurer, the Chief Fiscal Officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner as may be prescribed by said Village Treasurer, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues and also the ability to issue serial bonds with substantially level or declining annual debt service, shall be determined by the Village Treasurer, the chief fiscal officer of such Village. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Village Treasurer shall determine consistent with the provisions of the Local Finance Law.

Section 7. The Village Treasurer is hereby further authorized, at his (Her) sole discretion, to execute a project finance and/or loan agreement, and any other agreements with the New York State Environmental Facilities Corporation, including amendments thereto, and including any instruments (or amendments thereto) in the effectuation thereof, in order to effect the financing or refinancing of the object or purpose described in Section 1 hereof, or a portion thereof, by a bond or note issue of said Village in the event of the sale of same to the New York State Environmental Facilities Corporation.

Section 8. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Village is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit, or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 9. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 10. Upon this resolution taking effect, the same shall be published in summary form in the official newspaper of said Village, for such purpose, together with a notice of the Village Clerk in substantially form provided in Section 81.00 of the Local Finance Law.

Section 11. This resolution is adopted subject to Permissive Referendum

The question of adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

Mayor Ronald Stabak	-	YES	
Trustee Joan Stoddard	-	YES	
Trustee Robert Mir	-	YES	<u>ADOPTED</u>
Trustee Ernest Feasel	-	YES	
Trustee Daniel Wright	-	ABSENT	

CONSIDER AWARD OF WWTP PLANT UPGRADE – PHASE 1 – CONTRACT NO. VL1-G-21

RESOL.# 2-2022: Motion by Trustee Stoddard, seconded by Trustee Feasel and unanimously carried approving Resolution #2-2022.

WHEREAS, the Village of Liberty Board of Trustees awards the Contract No. VL1-G-21 - General Construction for the WWTP Upgrade to Eastman Associates, Inc. for the base bid work at the low bid cost of \$4,530,300;

WHEREAS, the Village Board accepts all bid alternate pricing for future consideration, understanding that this does not obligate the Village to perform any or all of this work or utilize this pricing should it not be in the Village’s best interest to do so; and

THEREFORE BE IT RESOLVED, the Village Board authorizes Mayor Stabak to execute the necessary paperwork which includes Notice of Award, Notice to Proceed, Agreement, Change Orders, Certificate of Substantial Completion, checks for contractor payment and any other related paperwork for contract initiation and completion of the work.

This resolution is contingent upon:

- A. NYSEFC notification confirming additional 0% loan to fund up to \$9.4 million and
- B. That no permissive referendum will be required pursuant to Village Law §9-900, thereby allowing the Village to award the construction contracts with an effective date of January 4, 2022 or
- C. If a permissive referendum is required and held and such permissive referendum is approved by the affirmative vote of a majority of qualified electors voting on such proposition, thereby allowing the Village to award the construction contracts with an effective date of the first business day following the date that the proposition is approved by the affirmative vote of a majority of qualified electors voting on such proposition.

CONSIDER AWARD OF WWTP PLANT UPGRADE – PHASE 1 – CONTRACT NO. VL1-E-21 – ELECTRICAL CONSTRUCTION

RESOL.# 3-2022: Motion by Trustee Stoddard, seconded by Trustee Feasel and unanimously carried approving Resolution #3-2022.

WHEREAS, the Village of Liberty Board of Trustees awards the Contract No. VL1-E-21 - Electrical Construction for the WWTP Upgrade to J & J Sass Electric for the base bid work at the low bid cost of \$1,775,000;

WHEREAS, the Village Board accepts all bid alternate pricing for future consideration, understanding that this does not obligate the Village to perform any or all of this work or utilize this pricing should it not be in the Village's best interest to do so; and

THEREFORE BE IT RESOLVED, the Village Board authorizes Mayor Stabak to execute the necessary paperwork which include Notice of Award, Notice to Proceed, Agreement, Change Orders, Certificate of Substantial Completion, checks for contractor payment and any other related paperwork for contract initiation and completion of the work.

This resolution is contingent upon:

- A. NYSEFC notification conforming additional 0% loan to fund up to \$9.4 million and
- B. That no permissive referendum will be required pursuant to Village Law §9-900, thereby allowing the Village to award the construction contracts with an effective date of January 4, 2022 or
- C. If a permissive referendum is required and held and such permissive referendum is approved by the affirmative vote of a majority of qualified electors voting on such proposition, thereby allowing the Village to award the construction contracts with an effective date of the first business day following the date that the proposition is approved by the affirmative vote of a majority of qualified electors voting on such proposition.

This award acceptance is based on the revised bid sheet maintaining the low base bid price.

CONSIDER AWARD OF WWTP PLANT UPGRADE – PHASE 1 – CONTRACT NO. VL1-H-21 – HVAC CONSTRUCTION

RESOL.# 4-2022: Motion by Trustee Stoddard, seconded by Trustee Feasel and unanimously carried approving Resolution #4-2022.

WHEREAS, the Village of Liberty Board of Trustees awards the Contract No. VL1-H-21 - HVAC Construction for the WWTP Upgrade to A. Treffeisen for the base bid work at the low bid cost of \$116,900;

THEREFORE BE IT RESOLVED, the Village Board authorizes Mayor Stabak to execute the necessary paperwork which includes Notice of Award, Notice to Proceed, Agreement, Change Orders, Certificate of Substantial Completion, checks for contractor payment and any other related paperwork for contract initiation and completion of the work.

This resolution is contingent upon:

- A. NYSEFC notification conforming additional 0% loan to fund up to \$9.4 million and
- B. That no permissive referendum will be required pursuant to Village Law §9-900, thereby allowing the Village to award the construction contracts with an effective date of January 4, 2022 or
- C. If a permissive referendum is required and held and such permissive referendum is approved by the affirmative vote of a majority of qualified electors voting on such proposition, thereby allowing the Village to award the construction contracts with an effective date of the first business day following the date that the proposition is approved by the affirmative vote of a majority of qualified electors voting on such proposition.

CONSIDER AWARD OF WWTP PLANT UPGRADE – PHASE 1 – CONTRACT NO. VL1-P-21 – PLUMBING CONSTRUCTION

RESOL.# 5-2022: Motion by Trustee Stoddard, seconded by Trustee Feasel and unanimously carried approving Resolution #5-2022.

WHEREAS, the Village of Liberty Board of Trustees awards the Contract No. VL1-P-21 - Plumbing Construction for the WWTP Upgrade to A. Treffeisen for the base bid work at the low bid cost of \$109,800;

THEREFORE BE IT RESOLVED, the Village Board authorizes Mayor Stabak to execute the necessary paperwork which include Notice of Award, Notice to Proceed, Agreement, Change Orders, Certificate of Substantial Completion, checks for contractor payment and any other related paperwork for contract initiation and completion of the work.

This resolution is contingent upon:

- A. NYSEFC notification confirming additional 0% loan to fund up to \$9.4 million and
- B. That no permissive referendum will be required pursuant to Village Law §9-900, thereby allowing the Village to award the construction contracts with an effective date of January 4, 2022 or
- C. If a permissive referendum is required and held and such permissive referendum is approved by the affirmative vote of a majority of qualified electors voting on such proposition, thereby allowing the Village to award the construction contracts with an effective date of the first business day following the date that the proposition is approved by the affirmative vote of a majority of qualified electors voting on such proposition.

CONSIDER BINGO LICENSE FOR LIBERTY ELKS LODGE 1545

Motion by Trustee Stoddard, seconded by Trustee Feasel approving the **Bingo License for Liberty Elks BPOE**.

This license is for the period of January 2, 2022 – December 25, 2022.

Mayor Stabak disclosed that he is a member of the Liberty Elks. He also stated that he does not volunteer with Bingo at the Elks; however his wife is involved in the Bingo aspect of the organization.

Trustee Feasel also stated he is a member of the Elks but derives no financial remuneration from the organization.

CONSIDER LIBERTY ELKS BPOE – GAMES OF CHANCE LICENSE

Motion by Trustee Stoddard, seconded by Trustee Feasel approving the **Games of Chance License for Liberty Elks BPOE**.

This license is for the 2022 year and will run from January 1, 2022 – December 31, 2022.

Mayor Stabak and Trustee Feasel disclosed, for the record, that they are members of the Elks, but derives no financial remuneration from the organization.

CONSIDER 2022 RENEWAL AGREEMENT WITH PARTNERS IN SAFETY

Motion by Trustee Stoddard, seconded by Trustee Feasel and unanimously carried to continue the contract with Partners in Safety for 2022 for the Village's random alcohol and drug testing needs. The cost for the 2022 Complete DOT Agreement will be \$45.00 per employee.

Clerk/Treasurer mentions that the proper paperwork and testing should be done so the new employees of the D.P.W. can also be on the list at Partners and Safety for random alcohol and drug testing.

CONSIDER RESOLUTION RE: HAZARD MITIGATION PLAN

This matter was tabled until further information is available on the matter.

CONSIDER JANUARY 2022 MEETING SCHEDULE

Motion by Trustee Stoddard, seconded by Trustee Feasel and unanimously carried to schedule the Regular Meeting for Thursday, January 20th at 7:00 p.m.

The Department Head Meeting will be Thursday, January 20th at 8:15 a.m.

There will be no Workession Meeting in January 2022.

CONSIDER REPAIR OF SANITATION TRUCK

Motion by Trustee Stoddard, seconded by Trustee Feasel and unanimously carried approving the repair of the 2007 International Sanitation Truck at a cost of \$27,836.71. The truck has an engine oil leak.

The repair will be made by Stadium Intls. in Binghamton, New York.

CONSIDER RATIFICATION OF P.B.A. CONTRACT

Motion by Trustee Stoddard, seconded by Trustee Feasel and unanimously carried approving the Employment Agreement between The Village of Liberty and The Liberty P.B.A. (Police Department) for the period of June 1, 2021 through May 31, 2025 and authorize Deputy Mayor Stoddard to execute the Agreement.

CONSIDER UPDATE ON RESIDENCY REQUIREMENT (#3-2015) RESOLUTION

RESOL.# Motion by Trustee Stoddard, seconded by Trustee Stabak and unanimously
6-2022 carried approving Resolution #6-2022.

WHEREAS, All Police Officers employed by the Village of Liberty Police Department after the effective date of this Resolution shall reside within the County of Sullivan or within 20 miles of the Village of Liberty on or before the date of his or her appointment by the Village of Liberty, and he or she shall continue to reside within the County of Sullivan or within 20 miles of the Village of Liberty during the entire time he or she is employed by the Village of Liberty as a Police Officer in the Village of Liberty Police Department. The failure of any such Police Officer to reside within the County of Sullivan or within 20 miles of the Village of Liberty on or before the date of his or her

appointment, or continue to reside within the County of Sullivan or within 20 miles of the Village of Liberty during the entire time that he or she is employed as a Police Officer by the Village of Liberty in the Village of Liberty Police Department, shall be cause for the employment of such Police Officer to be terminated by the Village of Liberty.

WHEREAS, this is an update to Resolution #3-2015

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

UPDATE ON – SAM GRANT (2018) – REHAB OF VILLAGE OFFICES #15595 - \$75,000

Police Chief Steven D'Agata updated the Board on SAM Grant #15595 – for the Rehab of the Village Offices (Police Department and Clerk's Office).

He said we have secured a contractor – Brimstone Home Improvement LLC (a village based company) – to do the work and we have worked with them to get the cost at \$75,000. They will be rehabbing the Locker Room, Basement Bathroom, Police Chief's Office, the Processing Room and Clerk's Office.

The contractor will be paid in three installments - \$25,000 deposit, a second payment when the locker room and basement bathroom is complete and the final \$25,000 when all work is completed.

The Board was in agreement with the grant and the work to be completed.

APPROVAL BILLS FOR PAYMENT OF BILLS

FOR PYMT: Motion by Trustee Stoddard, seconded by Trustee Feasel and unanimously carried approving Voucher #1507 to Voucher #1598 in the amount of \$232,568.81.

EXECUTIVE SESSION: Motion by Trustee Stoddard, seconded by Trustee Feasel and unanimously carried to go into Executive Session at 8:00 p.m. for Attorney Advice.

Motion by Trustee Stoddard, seconded by Trustee Feasel and unanimously carried to come out of Executive Session at 8:37 p.m.

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

THE MEETING WAS ADJOURNED AT 8:38 P.M.

RESPECTFULLY SUBMITTED,

**JUDY H. ZURAWSKI
CLERK-TREASURER**

