**REGULAR MEETING**

MAY 6, 2021

# The Board of Trustees held the Regular Meeting of May 6, 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**,** Trustee Joan Stoddard, Trustee Daniel Wright, Trustee Robert Mir and Trustee Victoria Ferguson. Also Present: Attorney for the Village, Gary Silver and Judy Zurawski, Clerk/Treasurer.

**ALSO** Police Chief Steven D’Agata, Scott Kinne, Debra Kinne, John Little, George

**PRESENT:** Demody, Devin Brust, Mark Hess, Robert Morse, Austin Sauer, Megan Gallagan, David Ohman, Avi Adiv, Dominic Fontana, Joshua Roth, Leelani Voigtland, Elizabeth Montag, James Gordon and several members of the community and families of Village of Liberty Police Officers.

Presentation by Police Chief Steven D’Agata

Police Chief Steven D’Agata presented a plaque to former Police Chief Scott Kinne for his years of dedicated service to law enforcement with the Village of Liberty.

Police Chief Steven D’Agata announced the following promotions in his department:

Officer Robert Morse – Promoted to Sergeant

Officer Morse began his career in 2001. He has worked for several agencies in varying roles including patrol, undercover narcotics investigation, supervision and investigations. Eight of his years in law enforcement have been with the Liberty Police Department.

Mayor Ronald Stabak administered the Oath of Offce to Sergeant Morse.

Officer Devin Brust – Promoted to Detective

Officer Devin Brust began his career in 2007 and started his employment with the Village of Liberty in 2010. After working on patrol for three years Officer Brust became a School Resource Officer for the Liberty Central School. Officer Brust served as the School Resource Officer for seven years and was instrumental in expanding the program from one School Resource Officer for the whole district to one in each building.

Officer Brust has been assigned to the detective divison since June 2020.

Mayor Ronald Stabak administered the Oath of Office to Detective Brust

Police Chief D’Agata awarded Detective Devin Brust and Detective Mark Hess the Honorable Service Award for their outstanding investigative work on the following case:

Beginning in 2016 the Village of Liberty Police Department began receiving reports about a former Liberty Central School District student that appeared to be experiencing a mental health crisis. Detective Brust and Detective Hess followed the case from that date forward to see if he was receiving adequate mental health care and a couple of weeks ago found him to be in possession of a twelve-gauge shotgun. Working with the proper authorities that were to get him the evaluation he needed. Not knowing the exact intentions of this individual the incident could have had a very different ending.

**APPROVAL** Motion by Trustee Wright, seconded by Trustee Stoddard and unanimously

**OF** carried approving the following minutes:

**MINUTES:**

WORKSESSION MEETING – April 15, 2021

Motion by Trustee Stoddard, seconded by Trustee Wright and unanimously carried approving the following minutes:

PUBLIC HEARING - APRIL 15, 2021 Re: 2020/21 Budget

**CORRES-** Mayor Stabak said the following correspondence has been received

**PONDENCE**:and anyone can request copies by calling or email.

* Letter from Senator Mike Martucci Re: CHIPS Funding 4.13.21
* Letter from Bowers Development Re: Building Permit – 31 South Main Street 4.19.21

**PUBLIC** Mayor Stabak opened the meeting to comments from the Public.

**INPUT:**

**Avi Adiv - Developer**

Avi Advi approached the Board and expressed his interest in the vacant land the Village owns on Revonah Hill Road – Tax Map #18-1-1. He said he would be interested in purchasing the land, if the Village has any interest in surplussing it, to build six to ten homes.

Trustee Ferguson indicated that she wanted to look further into this property matter as to whether the Village should retain the property as a back-up water supply or for other purposes. She said at this point she did not have enough knowledge on it to make a decision.

Attorney Silver gave the Board advice on the process of selling it, if they are interested.

The Board said they would review the matter and be in touch with him.

**George Dermody – Children’s Home**

George Dermody (President and CEO of the Children’s Home) approached the Board to discuss the possibility of a Children’s Home in Liberty. He said they would like to purchase and renovate the former Methodist parsonage on Main Street to create an Urgent Respite Center (URC) for the use of the Sullivan County Department of Social Services. Features of this URC include:

* Serve youth ages 7 – 17
* Maximum capacity of 6 children/youth
* Maximum length of stay 45 days

George explained that the Sullivan URC would support Sullivan County Children who have been removed from their home or foster care placement due to a bad environment (abuse or neglect). This house would provide a safe place for these children while the Department of Social Services works out the next best placement. The home will not be used for juvenile justice matters. The house will have a camera system both inside and outside.

The Mayor asked about the ratio of staff to children.

George said the there is always a minimum of two staff per three youths, one worker and one supervisory staff. He said they also have a Children’s Home at 81 Grant Boulevard in Binghamton.

Leelani Voigtland (DSS) said she works with the program and had recently visited the facility and was very impressed with it.

Mayor Stabak expressed concern of having seven year old children in with seventeen year old youths.

Attorney Silver said in order for the Board to consider this request the Zoning Law would have to be amended.

The Board said they would do their research and continue to look at this matter.

James Gordon/Lake Street Resident

James Gordon (Village Resident/Lake Street) said he was pleased to see so many positive things happening in the Village.

**ATTORNEY**  Attorney Silver had no comments.

**COMMENTS:**

**TREAS.** Treasurer Zurawski’s written report was as follows:

**REPORT:**

* List of Current Taxes and collections thru 04/30/2021 of which there is $282,457.48 outstanding. The current taxes are 93.40% collected.
* List of Delinquent Taxes, which as of 04/30/21 is $289,722.21 not collected.
* Starting and Ending Central Check Numbers for April 2021
* Starting April 2021 Central Check #16438
* Financial comparison of General, Water, Sewer and Sanitation

**TABLED UPDATE ON ENGINEERING PROJECTS - D. OHMAN/DELAWARE**

**BUSINESS:ENGINEERING:**

David Ohman of Delaware Engineering reported on the following:

1. **WWTP Upgrade**

* Tonight’s meeting:
* No Action required at tonight’s meeting or in the near future by the Board
* Update/Review of Project Progress
* Proceeding with design of base contract with no sludge processing elements included.
* The new electrical building and a new mechanical screen (upstream of the fine screen building) has been added
* An allowance will be added to fix up the existing belt press
* The new belt press has been moved to Phase 2 and 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 and 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:
  + - Revised and resubmitted the approved Engineering Report (with tracked changes) on October 30, 2020 to remove sludge related work as possible to allow other work to proceed.
    - No Comments back from NYSEFC yet
    - On February 24, 2021 call NYSEFC said they would complete review of the ER amendment with plans and specs submission
    - Ultimately revising the Project Finance Agreement
    - Work on Design continuing – anticipate submitting design and Revised Engineering Report for NYSEFC review in May 2021
    - Revised Anticipated Project Schedule attached, excerpt below
* For the Enhanced Sludge project – Phase 2
  + - The State WIIA Grant Funding program is anticipated to be returning this year!!!
    - Village agreed at the March 4, 2021 meeting to stop any further work on Phase 2 pending the opportunity for more grant funds – we will remain on hold for the near future
    - More history below:
    - On January 6, 2021 the Village received notice that Phase 2 (Sludge Handling) of the Village’s WWTP project will not quality for 0% Hardship financing, as the base project score is below the Hardship Funding Line in the 2021 IUO and is not eligible for a 0% loan
    - Based on the teleconference with EFC on February 25, 2021, we believe that the Village will hold off moving forward with this project at this time and see if other grant opportunities present themselves this year. NYSEFC has advised the Village that this project will remain eligible for additional interest free financing (30 – year 0% loan), but no additional grant, under the Phase 2 project for the foreseeable future.
    - The path forward for this project will be determined based on availability of grant funding in late 2021. An engineering report has been prepared. The CWSRF intended use plan listing will be updated in the near future and submitted to NYSEFC.
    - Revised Anticipated Project Schedule attached, except below

**Other Background/History Information:**

* Put in a new Project Listing (PLUS) in April 2020 for $8.2M – update in 2021 once the form update is requested by EFC.
* Completed the 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 annual list for financing.
* Prepare a new Smart Growth Form and submitted to NYSEFC on September 18 – Reviewed with the 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.
* NYSDEC 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, above the Hardship Subsidy Line (56 pts) with a score of 1,049 pts. (this could change once ER submitted in September 2020 is scored).
  + - Funding Application (CFA program) including the WIIA Grant funding up in the air right now – nothing set for this year.
    - On January 6, 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 the 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 the 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 February 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.

1. Delaware River Basin Commission (DRBC) WWTP docket expired

* We will contact DRBC advising them that the Village intends to do Phase 1 work only at this time and see what their plan forward is.

More History below:

* Worked with Judy to submit completed Cover Letter, Application, and Applicants Statement – Project Review Fee form and check to: Delaware River Basin Commission, PO Box 7360, 25 Cosey Road, West Trenton, NJ 08628-0360, electronically submitted with confirmation on 12/8/2020 and delivered hard copy on 12/9/20.
* The Village has received the Notice of Applications Received (NAR) from DRBC, attached. This notice indicates that the project is currently under review by the Commission Staff in consultation with other public agencies. Individuals or organizations having a special interest in this project or information related to the project impacts are incited to submit written comments
* DRBC has recommended that since they have a renewal application in house they hold the current docket in administrative continuance until it can be amended with accurate details regarding the phased upgrades, then we can issue the docket once thereafter including all of the details of the phased upgrades.

1. Lily Pond Road Bridge/Waterline

* Working on the design now – draft drawings attached
* Based on the February 3, 2021 email with SCDPW’s Roman DiCio:

“Technically the bridge is still scheduled for this year but it may get pushed until next year”

* Next Steps:
* Refine temporary and permanent design concepts with Village and County
* Confirm ROWs and easements available and/or needed – looks like only property now
* Develop project cost estimated and timeline
* Get design done and forward to NYSDOH for review and to NYSDEC for streambank disturbance permit piggy backing on County’s permit

1. NYSDOH Emergency Response Plan

* Village received the attached Notice of Violation NYSDOH letter requiring an updated ERP be submitted within 45 days of April 26, 2021 (i.e., June 9, 2021)
* We had prepared the ERP back in July 2018 which does not appear to be sent to NYSDOH
* Since that is almost 3 years old, we can work with the Village to update the ERP and get it back to NYSDOH
* If the Village agrees, we can conduct the work under the General Services Agreement and invoice on at time and expenses basis.

1. Rail Trail Area Culvert Drainage/Blockage

* FEMA BRIC program:
  + The County’s January 2021 Hazard Mitigation Plan, including information on the Village’s Rail Trail Culvert/Sanitary Sewer work, was determined to be not eligible for this round of funding and therefore the FEMA BRIC Program has been eliminated as a viable funding option

* 2020 CDBG Application
* Application submitted – waiting to hear back from OCR (maybe June 2021?)
* More history below:
* Village will pursue almost $1M in grant funding for the Rail Trail Project.
* At the February 18, 2021 meeting the Village held a public hearing for the delayed 2020 Application
* The Engineering Report has been prepared and submitted to Mark Blauer at no cost to the Village – copy to be provided to the Board with the March 2021 meeting handout.
* The application and engineering report was uploaded on or before the March deadline
* Plan forward:
* Delayed 2020 CDBG Application – More Background Information
* Submitted full application prior to March 5, 2021
* Then await the determination of funding form OCR (June – July 2021)
* More Background/Historic Information on CDBG grant program
* Last summer, the Village, encouraged by the exit interview held with OCR, conducted the public hearing to get it out of the way
* On Thursday, January 14th OCR held a webinar about the delayed 2020 CDBG grant application process and announced the opening of the 2021 NYS Community Development Block Grant Program.
* Applications for Public Infrastructure, Public Facility and Community Planning projects will be accepted until 4:00 p.m. on Friday March 5, 2021
* OCR also announced that hearings held before January 1, 2021 would not count as valid and only hearings conducted in 2021 would be counted.
* Blauer Associates has worked with Judy to work out timing of the advertisement and hearing relative to the March 5, 2021 deadline for delayed 2020 CDBG grant application and in order to meet the deadline
  + - Blauer Associates recommends that the legal notice, with at least 7 days advance notices, should appear on February 2, 2021 for a Public Hearing that was held February 18, 2021
  + Approved (or at least draft) minutes of the hearing will need to be provided to Blauer Associates to be included with the 2020 CDBG grant application.
  + At the January 28, 2021 meeting, the Village board resolved toward resolve to:
    - Authorize Blauer Associates to update last year’s application and Delaware to update last year’s engineering report and submit both documents to OCR for the delayed 2020 CDBG application on or before the March 5, 2021 deadline.
    - Authorize to schedule a hearing, for the delayed 2020 CDBG application to occur at the February 18 Village Board meeting, and authorize the Village Clerk to submit the legal notice to appear in the Tuesday, February 2 edition of the Village’s official newspaper.
    - At the February 18 meeting the Village held a public hearing for the delayed 2020 Application.
    - The engineering report has been submitted to Mark Blauer’
    - The application and engineering report will be uploaded on or before the March 5 deadline by Mark Blauer.

1. DPW Garage Site Remediation

* **Per December 2020 sampling report: Levels same or lower than in September 2020**
* **Next sampling conducted in March 2021 – no report available yet**
* Based on June 2020, September 2020 and December 2020 sampling, still seeing values near garage indicating contamination remains
* Excerpts from Report for December 2020 as follows:

Observations of the laboratory analytical results are below:

* MTBE was not detected in any of the sampled monitoring wells at concentrations greater than the laboratory reporting limits.
* No analyzed VOC’s were detected at concentrations greater than the laboratory reporting limit at monitoring wells MW-19, VW-6, VW-7 and VW-8. These monitoring wells are located between the Village Garage and the production well and indicate that VOCs have not reached the production well.
* Total VOC concentrations decreased at monitoring well MW-22A from 12 ppb to 9 ppb. None of the compounds detected at monitoring well MW-22B were at concentrations greater than drinking water standards.
* Six (6) VOC compounds were recorded above the drinking water standard at MW-22A. Monitoring wells MW-22A and MW-22B are located approximately 10 to 15 feet south of the remedial excavations that were performed in November 2016 and approximately 380 feet north of the production water well. When compared to historic values, the concentrations in these wells have been steadily decreasing.

Discussion/Recommendations

Quarterly sampling and analysis of select monitoring wells should continue. The next monitoring event is scheduled for March 2021.

* Sent email to NYSDEC and Aztech on February 20, 2019 requesting an update on cost for remediation and an estimate for quarterly sampling work; no response.
* 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).
* The second quarter June 2019 groundwater monitoring report indicated that there was a contaminant increase in monitoring well VW-8 (212ppb VOCs). The other monitoring wells were within their historic values
* September 2019 sample results showed levels in VW-8 returned to low/more historic levels.
* Still seems appropriate to consider getting the sampling to locate the limits of the remaining material sooner than later.
* In addition, if we want to pump more water out of Elm Street well a more comprehensive sampling plan is needed
* Aztech cannot perform the additional work as NYSDEC believes it would be a conflict so some other firm will need to do it.
* We can pursue this if desired by the Village
* Also, right now it looks like there is more stuff to clean up out there
* Some plan forward options:
* Continue with NYSDEC quarterly monitoring and no more cleanup – status quo
* Continue with NYSDEC quarterly monitoring and ask NYSDEC to advise what else is being contemplated to accomplish more cleanup
* Develop Village plan to investigate the extent of the remaining contamination
* One of the above and look at what is needed to enable to pump more water
* At February 2020 meeting, the Village decided to seek DASNY SAM grant assistance for conducting a sampling plan site investigation to better identify remaining contamination under, up gradient and near the DPW garage.
* Use $125,000 as a target cost
* We could work on this if desired by the Village
* DPW Garage Relocation
* If sampling does not show that the contamination is principally under the garage, the most time efficient process to get rid of remaining contamination under the garage would likely be to demolish the garage to provide direct access for cleanup followed by about one year of sampling to confirm it is cleaned up
* This would require relocation of the DPW garage and associated items (salt storage, etc.) to a new facility – possibly on Willow Lane by the current cold storage and fueling station.
* We would work with the Village to seek funding to assist with this work if this is the desired plan

1. Tiger’s Den Monitoring Well Decommissioning

* No new information
* We haven’t received a response from the DEC about the proposed monitoring well decommissioning. They may have lost interest in it for now? We’ll let you know if they get us answers.

More Background Information

* On October 7, 2020 DEC requested latest sampling results and water production of the Elm St. municipal well.
* The water department provided data on October 9, 2020
* Delaware summarized and returned the requested information via email on November 2, 2020; we copied the Water Department, Mayor and Judy on the email to the DEC.

1. Elm Street Wellfield and Lead and Copper Compliance/Electrical Improvements

* We believe all required items have been forwarded to the DASNY contact for the $100,000 grant and their move is to get contract paperwork back to the Village.
* More Background/Historic Information
  + DASNY letter dated 12/1/20 and associated paperwork attached that approves the scope change for the $100,000 to be applied to electrical improvements.
* The paperwork requested to be returned within 30 days was submitted to DASNY on December 24, 2020.
* SEQR
  + At the December 3 meeting the Village Board resolved to declare itself lead agency for Electrical Improvements at the Elm Street Well house.
  + Based on review of the proposal, it has been determined that the project meets the criteria for a Type II Action and no further review would be necessary.
  + At the January 7 meeting the Village adopted a resolution identifying the Elm Street Well Field Electrical Improvements as a Type II Action under SEQR
* Resolution to commitment to provide balance of funds necessary to complete the project
* At the January 7 meeting the Village adopted a resolution to commit to provide balance of funds necessary to complete the project.
* We sent certified copies of the resolution to Amanda on 1/27/21
* Amanda responded that if any additional information is needed she will be in touch

1. NYSDOH Water System Inspection/Cross Connection Control Program

* No Change from last month

1. Federal Aid Status Update – Info from our Planning people FYI

* American Rescue Plan
* $1.04 million will be provided to the Town of Liberty. The Village will receive funding; however, the value of the funding is embedded in the Town figures. Distribution is a function of population and other community Census data statistics.
* The US Treasury is developing rules and regs for this money, the legislation states that funds may be used for lost revenue due to COVID, costs incurred due to COVID (e.g. PPE) negative economic impacts due to COVID including housing, food insecurity, infrastructure and broadband.
* The Treasury has 60 days from the date the bill was signed to develop the rules.
* Local government will receive funds from the state as a pass through and an application for funds will not be required.
* The states have 30 days to pass the funds to municipalities from receipt; however, states can request three extensions. So, the longest timeframe would be four months from when the Treasury provided the funds to the states before the local governments receive the money
* Funds should be received between 4 – 8 months (mid July – mid November) from signing of the bill (mid-March).
* The funds will be provided in two tranches, with half in the first payment and the other half within one year of the bill becoming law so about this time next year. All funds must be spent by December 31, 2024 and periodic reporting of the use of funds will be required.
* Updates will continue as the Treasury develops more information
* Community Project Funding (Congressional Earmarks)
* Community Project Funding (CPF) is a new initiative for Fiscal Year 2022 that will allow Members of Congress to request direct funding for projects that benefit the communities they represent. CPF is separate from federal grants and funding apportioned by formula.
* Each congressional representative will have the opportunity to refer 10 projects from their district to the House Appropriations Committee who will ultimately select projects to be funded. Many have match requirements.
* Winning an earmark through this process will be a bit like winning the lottery; however, it is reasonable to assume that if your community has a majority member, the project may be more favorably received.
* Committee Project Funding opportunities will be available through two House Committees; the Committee on Appropriations, and the Committee on Transportation and Infrastructure. The two Committees are handling requests through separate processes. The deadline for Appropriations submissions to your office is April 15, 2021.
* In terms of the amount of money available through the Community Project funding stream, it’s hard to say as there is no limit on the amount that can be requested, but there is a 20% match for water and sewer projects.
* Has Village received correspondence from U.S. Congressman Delgado?
* Dave submitted a list of Projects that are generally eligible for STAG Grants

* FEMA declaration for COVID
* No new information
* American Recovery Plan (Federal Infrastructure Package)
* While the recently adopted American Rescue Plan is legislation that looks into the past regarding the impacts of COVID 19, the American Recovery Plan is intended to be forward looking and to bolster the economy, address income inequity and other constraints on economic recovery. As such, it will include funding for infrastructure. The plan should be announced in the very near future; however, he Congressman stressed that the goals is bi-partisan legislation and as such, we should not expect a vote on the infrastructure funding legislation until the fall of this year. Additionally, we should not expect new programs per se, by rather likely more funding for existing programs such as SRF, USDA, EDA and CDBG.

1. NYSDOH Water System Inspection/Cross Connection Control Program

* No change from last month

**NEW CONSIDER RESOLUTION 2021/22 SANITATION USER FEES**

**BUSINESS:**

**RESOL. #** Motion by Trustee Ferguson, seconded by Trustee Stoddard and unanimously

**28-2021:** carried approving Resolution #28-2021

**VILLAGE OF LIBERTY CODE – SANITATION USER FEES**

**WHEREAS,** the Village Board has authority pursuant to Section 35-17 of the Village Code to set, modify and change by Resolution sanitation user fees and;

**WHEREAS,** the Village Board has previously set sanitation user fees effective June 1, 2020 by Resolution, and;

**WHEREAS,** in order to avoid confusion since the Village, has, at times in the past, adopted and/or amended sanitation user fees by Local Law, and

**RESOLVED**, that effective as June 1, 2021, the sanitation user fees will be as follows:

COMMERCIAL

1 Dumpster/1 Pickup per week - $ 1587

1 Dumpster/2 Pickups per week – $ 2775

No Dumpster/1 Pickup per week – $ 668

No Dumpster/2 Pickups per week - $ 1168

RESIDENTIAL

Single - $ 318

Two Family - $ 635

Three Family - $ 953

Apartment/Dumpster - $1587

OPT OUT FEES

Single - $159

Two Family - $318

Three Family - $477

Commercial users/Apartment Units - $794

**RESOLVED,** that all the above sanitation user fees will be effective as of June 1, 2021.

THE MOTION WAS PUT TO VOTE, WHICH RESULTED AS FOLLOWS:

MAYOR STABAK - Yes

TRUSTEE STODDARD - Yes

TRUSTEE FERGUSON - Yes RESOLUTION

TRUSTEE MIR - Yes ADOPTED

TRUSTEE WRIGHT - Yes

**CONSIDER RESOLUTION FOR 2021/22 WATER RENTS**

**RESOL. #** Motion by Trustee Ferguson, seconded by Trustee Stoddard and unanimously

**29-2021:** carried approving Resolution #29-2021.

**VILLAGE OF LIBERTY CODE – WATER RENTS**

**WHEREAS,** the Village Board has authority pursuant to Section 84-6 of the Village Code to set, modify and change by Resolution water rents, service changes and penalties for non-timely payment and;

**WHEREAS,** the Village Board has previously set water rates effective June 1, 2020 by Resolution and;

**WHEREAS,** in order to avoid confusion since the Village, has, at times in the past, adopted and/or amended sewer, services charges and penalties for non-timely payments by Local Law and;

**WHEREAS**, on April 22, 2002 the Village of Liberty has repealed such Local Law and has amended Section 84-6 of the Village Code to clarify its intent in order to avoid any further confusion, it is

**RESOLVED**, that effective as June 1, 2021, inside water rates in the Village of Liberty shall be $7.45 per thousand gallons inside rate and $13.10 per thousand gallons outside rate, and it is further

**RESOLVED,** that effective as of the date of adoption of this Resolution by the Village Board, all of the water rents (including service charges not paid within thirty (30) days shall be charged a 10% penalty fee.

THE MOTION WAS PUT TO VOTE, WHICH RESULTED AS FOLLOWS:

MAYOR STABAK - YES

TRUSTEE STODDARD - YES

TRUSTEE FERGUSON - YES RESOLUTION

TRUSTEE MIR - YES ADOPTED

TRUSTEE WRIGHT - YES

**CONSIDER RESOLUTION FOR 2021/22 SEWER RENTS**

**RESOL. #** Motion by Trustee Ferguson, seconded by Trustee Stoddard and unanimously

**30-2021:** carriedapproving Resolution #30-2021.

**VILLAGE OF LIBERTY CODE – SEWER RENTS**

**WHEREAS,** the Village Board has authority pursuant to Section 67-7 of the Village Code to set, modify and change by Resolution sewer rates, service changes and penalties for non-timely payment and;

**WHEREAS,** the Village Board has previously set sewer rates effective June 1, 2020 by Resolution, and

**WHEREAS,** in order to avoid confusion since the Village, has, at times in the past, adopted and/or amended sewer, services charges and penalties for non-timely payments by Local Law, and

**WHEREAS**, on May 14, 2014 the Village of Liberty has repealed such Local Law and has amended Section 67-7 of the Village Code to clarify its intent in order to avoid any further confusion, it is

**RESOLVED**, that effective as June 1, 2021, inside sewer rates in the Village of Liberty shall be $8.37 per thousand gallons inside rate and $12.99 per thousand gallons outside rate, and it is further

**RESOLVED,** that effective as of the date of adoption of this Resolution by Village Board, there shall be a $1.50 per month service charge for sewer line maintenance (i.e. $4.50 per quarter), and it is further

**RESOLVED,** that effective as of the date of adoption of this Resolution by the Village Board, all of the water rents (including service charges not paid within thirty (30) days shall be charged a 10% penalty fee.

THE MOTION WAS PUT TO VOTE, WHICH RESULTED AS FOLLOWS:

MAYOR STABAK - YES

TRUSTEE STODDARD - YES

TRUSTEE FERGUSON - YES RESOLUTION

TRUSTEE MIR - YES APPROVED

TRUSTEE WRIGHT - YES

**CONSIDER RESOLUTION – WATER/SEWER RELEVY TO 2021/22 TAXES**

**RESOL#** Motion by Trustee Stoddard, seconded by Trustee Ferguson and unanimously

**31-2021** carried approving Resolution #31-2021

RESOLUTION TO RELEVY UNPAID WATER/SEWER BILLS AND ACCOUNTS RECEIVABLE BILLINGS TO 2021/2022 VILLAGE TAXES

**RESOLVED** that pursuant to Chapter 67.5 and Chapter 83 of the Code of the Village of Liberty pertaining to unpaid water and sewer rents, the following listing of unpaid rents billed from April 1, 2020 and unpaid by May 1, 2021 shall be added to the real property tax of the owner of the property whose property benefited by the use of the water/sewer systems, and the Village services to wit:

The total amounts are: Water - $68,482.32 Sewer - $79,616.35

Accts. Rec. - $ 2,250.00 - Gen

288.51- San

**TOTAL TO RELEVY: $150,637.18**

THE MOTION WAS PUT TO VOTE, WHICH RESULTED AS FOLLOWS:

MAYOR STABAK - YES

TRUSTEE STODDARD - YES

TRUSTEE FERGUSON - YES Relevy to 2021 Taxes approved

TRUSTEE MIR - YES

TRUSTEE WRIGHT - YES

**CONSIDER PURCHASE OF FLAGS FOR MAIN STREET**

Motion by Trustee Stoddard, seconded by Trustee Ferguson and unanimously carried approving the purchase of flags for Main Street from American Flag Express, Butler WI. In the amount of $2,527.89 for forty flags (American made) and poles. The cost of the flags is $26.55 per flag.

A second quote for flags was received from United-States-Flags.com for flags at a cost of $33.09 per flag.

**CONSIDER EVENT PERMIT – SOAP BOX DERBY**

Motion by Trustee Stoddard, seconded by Trustee Ferguson and unanimously

carried approving the Event Permit for the Annual Soap Box Derby to be held on Saturday, June 5, 2021 on North Main Street.

The approval is subject to receiving a satisfactory Certificate of Insurance

before the Event is held.

The Event is sponsored by Sullivan County Soap Box Derby.

**CONSIDER ACTION PLAN FOR 163/185 CARRIER STREET**

Motion by Trustee Stoddard, seconded by Trustee Ferguson and unanimously carried to have Village Attorney Gary Silver write a letter to the owner (Binyamin Yitchakov) of 163/185 Carrier Street regarding the commercial business that is operating out of a residential property.

The background information on this property is that it is a commercial business that is operating out of Zone. In the past the Code Enforcement Officer issued them a ticket which was not paid. A letter is now being sent to them by the Village Attorney Silver as they are still operating the business.

**PUBLIC** Mayor Stabak opened the meeting to comments from the Public.

**COMMENT:**

James Gordon/Lake Street Resident

James Gordon (Lake Street) asked about the 2021/22 rate increases for Sanitation, Water and Sewer.

Deputy Mayor/Trustee Stoddard told them they will all have a very small increase.

**TRUSTEE** Mayor Stabak opened the meeting to comments from the Board.

**COMMENTS:**

Trustee Ferguson said the Land Bank has homes on order for Mager Avenue and Balsam Avenue. She said they will be breaking ground in the next month or two.

Trustee Stoddard discussed the opening of the Village Offices

Trustee Mir – No Comment

Trustee Wright – No Comment

Mayor Stabak – No Comment

**APPROVAL** **POST AUDIT VOUCHERS**

**OF BILLS**

**FOR PYMT:** Motion by Trustee Stoddard, seconded by Trustee Wright and unanimously carried approving Post Audit Voucher #864 to Voucher #874 in the amount of $570,494.67

Planning Board Escrow - Bill for payment

Motion by Trustee Stoddard, seconded by Trustee Ferguson and unanimously carried approving the following Planning Board Escrow bills for payment:

Delaware Engineering/Liberty Boys Camp - $600.00

(Yeshiva Bnos)

**EXECUTIVE** Motion by Trustee Stoddard, seconded by Trustee Ferguson and unanimously

**SESSION:** to go into Executive Session at 8:55 p.m. to discuss a personnel matter in the Code Enforcement Department. Police Chief D’Agata was invited into the meeting.

Motion by Trustee Stoddard, seconded by Trustee Ferguson and unanimously carried to come out of Executive Session at 9:29 p.m.

**CONSIDER RATE OF PAY – JASMINE BULLARO – EMPLOYEE #336**

Motion by Trustee Stoddard, seconded by Trustee Wright and unanimously carried approving a pay rate increase for Jasmine Bullaro (Employee #336) effective June 1, 2021.

Her rate of pay, currently at $16.00 per hour, will increase to $18.00 per hour.

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

**THE MEETING WAS ADJOURNED AT 9:30 P.M.**

**RESPECTFULLY SUBMITTED,**

**JUDY H. ZURAWSKI**

**CLERK-TREASURER**

|  |  |  |  |
| --- | --- | --- | --- |
|  |  |  |  |
|  |  |  |  |
|  | **De** |  |  | |
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |