



# TOWN OF LIBERTY

N E W Y O R K

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## DEPARTMENT HEAD/WORKSESSION MEETING

PLACE: SENIOR CITIZEN CENTER, 119 NORTH MAIN STREET, LIBERTY, NY 12754

DATE: June 3, 2024

TIME: 6:30 P.M.

FRANK DEMAYO, SUPERVISOR

LAURIE DUTCHER, TOWN CLERK

DEAN FARRAND, COUNCILMEMBER

SHERRI KAVLESKI, COUNCILMEMBER

VINCENT MCPHILLIPS, COUNCILMEMBER

JOHN LENNON, COUNCILMEMBER

PLEDGE OF ALLEGIANCE

### CORRESPONDENCE

INCOMING:

1. Correspondence from the NYS Department of Transportation regarding the Town's request for a speed limit reduction on Devany Rd.

OUTGOING:

PRESENTATIONS:

### DEPARTMENT HEAD REPORTS

ASSESSOR

BUILDING

COURT-No report

DOG CONTROL-No report

FINANCE

HIGHWAY-No report

PARK & RECREATION-No report

TOWN CLERK

TAX COLLECTOR

WATER & SEWER

DELAWARE ENGINEERING

NEW BUSINESS



# TOWN OF LIBERTY

N E W Y O R K

1. Motion authorizing the Supervisor to execute Change Order No. 1 to Contract No. TL2-G-2024 based on the unit pricing from the 4/4/24 bid submitted by Poley Paving, result in a net increase in the contract total of \$7,106.00. The revised total contract cost would be \$204,056.00 (increased from the previous contract cost of \$196,950.00).
2. Motion authorizing the Supervisor to endorse the Certificate of Substantial Completion Form for Contract No. TL2-G-24 – General Construction for the White Sulphur Springs Water District Phase 10 Improvement Project – Boyd Road Reconstruction Project with a date of Substantial Completion of May 31, 2024 and a final contract amount of \$204,056, with no amount for punchlist or remaining work to be withheld
3. Motion authorizing the closing on Main Street in Parksville on 8/17/24 from 10 a.m. to 7 p.m. for the B’Kawk Festival.
4. Motion accepting the resignation of James DeAveiro from the Highway Department effective 6/7/24.
5. Motion approving the following minutes as submitted by the Town Clerk:
  - Dept. Head / Worksession Mtg. 4/1/24
  - Reg. Monthly Mtg. 4/15/24
  - Dept. Head / Worksession Mtg. 5/6/24
6. Motion authorizing the Water & Sewer Department to have Loomis Sewer clarifier evaluated by Koester in the amount of \$3,165.00.

## DISCUSSION

1. Flow capacity and project budget for the Swan Lake Sewer Wastewater Treatment Plant Upgrade.
2. Devany Rd. – Request by Abraham Mizrahi to connect as out of district users.
3. Court request
4. Pavillion / Office space at Park & Rec.
5. Meter shed

## OLD BUSINESS

### UNDER REVIEW

1. Drilled wells with a yield of less than 5 GPM.
2. Training & Recommendations policy- Planning & Zoning
3. Shipping Containers
4. Fence In/Fence Out
5. AIRBNB
6. Solar
7. County Water / Sewer Study.

### IN PROGRESS



# TOWN OF LIBERTY

N E W Y O R K

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1. Converting and moving the Building Department and the Assessor's Office to the Park & Recreation Building.
2. Fines
3. Empty Lot in Parksville
4. Illegal dumping of garbage
5. Delaware Town/Village Water Sewer Study
6. Lead Service Line Inventory
7. Walnut Mt. Pavillion
8. Swan Lake- Lake
9. Clean-up of 334 Old Loomis Road, SBL # 35.-1-26.

## **PUBLIC PARTICIPATION**

## **BOARD DISCUSSION**

**EXECUTIVE SESSION**-Contract negotiations



**Department of  
Transportation**

**KATHY HOCHUL**  
Governor

**MARIE THERESE DOMINGUEZ**  
Commissioner

**ANDREW D. STILES, P.E.**  
Acting Regional Director

May 21, 2024

RECEIVED

MAY 28 2024

TOWN OF LIBERTY  
TOWN CLERK'S OFFICE

Mr. Edward McAndrew, P.E. Commissioner  
Sullivan County Government Center  
100 North Street  
P.O. Box 5012  
Monticello, NY 12701

Dear Commissioner McAndrew:

**RE: SPEED LIMIT REDUCTION  
DEVANY ROAD, TH 23  
TOWN OF LIBERTY, SULLIVAN COUNTY**

We received your request on May 21, 2024. The Traffic Safety and Mobility Office (TSMO) will perform a review of the area to assess the current situation and outline opportunities for improvement. We will notify you and the appropriate agencies of the results of our review.

If you have any questions, please contact me at (607) 721-8080.

Sincerely,

Tony Signorelli, P.E.  
Regional Traffic Engineer

PG/NA

c: Lori Dutcher, Town Clerk, Town of Liberty  
Dermot P. Dowd, L.S. Civil Engineer, Sullivan County



Assessor's Office

Department Head Report

May 2024

Deeds received

Town - 28

Village - 19

Combination: none

Splits: none

Data Entry, deeds, permits, valuation etc.....

Jordan is still doing very well.

We prepared for grievance

Kevin (data collector) work scheduled

Brad (data collector) – work scheduled



Town of Liberty Finance Office  
120 North Main Street  
Liberty, NY 12754  
(845) 292-5772  
[c.gerow@townofliberty.org](mailto:c.gerow@townofliberty.org)

DATE: May 31, 2024  
TO: Supervisor DeMayo and Town Board Members  
FROM: Cheryl Gerow  
RE: May Monthly Report

~~~~~  
The following took place in the Finance Office for the month of May:

1. Began processing seasonal employees (42 to date)
2. Sent letters to Town's regarding their participation in the 2024/2025 Joint Fuel Bid
3. Submitted payment request to EFC for Swan Lake Sewer. Total requested and received to date is \$541,050.16
4. Submitted Standard Work Day and Reporting Resolution to the NYS Retirement System
5. Worked with County IT and resolved issues
6. All other daily duties and responsibilities





DEPARTMENT HEAD REPORT  
WATER & SEWER DEPARTMENT  
June 3, 2024

1. Everyone has been very busy this month with mowing, weed whacking tanks and hydrants, putting on meters, weeding sand beds, fixing broken hydrants, changing oil in water pumps. We started pumping septic tanks, pressure washing sewer mains, and flushing water mains.
2. Wittcon was here to install new booster pump and motor for Sherwood and Roth on May 21<sup>st</sup>. On May 30<sup>th</sup>, Fleet is coming to do the start up and make sure it is working properly.
3. Osterhoudt was here to fix leak on Briscoe Rd on the new water main. Should be under warranty. Also, they had to finish blacktopping at the Swan Lake store from a leak in December last year.
4. We had to fix a leak on Lee Cold Rd where we were losing 20,000 gallons a day.
5. Jeremy and Dylan took their D & B water license test and are waiting for the results. Katrina passed her CDL permit test.
6. Any other items that arise prior to meeting.



**Town of Liberty, NY  
June 3, 2024 Town Board Meeting  
Update on Projects**

**1. CDBG Grant Project Phase 10 – White Sulphur Springs Boyd Road**

- **Actions for the Board to consider at today's meeting:**
  - Boyd Road Reconstruction (Poley Paving)
    - Consider Change Order No. 1 – Final Over/Under and Additional Paving Work for Poley Paving
    - Consider Substantial Completion
    - Consider Payment Request No. 2 – Final (for action at the June 17, 2024 Town Board Mtg.)
  - WSS Phase 10 Original Project (Tweedie Construction)
    - Consider Payment Request No. 5 – Final (for action at the June 17, 2024 Town Board Mtg.)

• **Boyd Road Reconstruction**

- Original Scope from Cost Estimate: 1,100 LF (of 1,500 LF total)
- An OCR extension was granted until June 28, 2024
- Base Bid Scope: 900 LF at 18 FT width (of 1,500 LF)
- Bids for the Boyd Road Construction were Received on 4/4/24
- Construction documents require completion of work by 5/31/24
- **Poley began paving work on 5/13/24 and is anticipated to be complete by 5/31/24**

**Contract No. TL2-G-2024 – General:**

- Delaware Engineering has completed bid and award services
  - The Notice of Award was forwarded to Poley on 4/16/23
  - The Contract Agreement and Notice to Proceed were executed on 4/31/24
  - The execution copies have been completed and distributed to the Town, Contractor, and Engineer
- Poley's Tentative Construction Schedule:
  - 5/13-5/17 Dig Out, Grade, Install Base and Binder
  - 5/23-5/31 Top Road Way and complete restoration
- All work is scheduled to be completed by 5/31/24, with the deadline to submit all paperwork (i.e., payment requests) of 6/7/24
- Delaware has been working with the Town and Poley to figure out how to spend the remaining \$7,161 in grant, and will advise the Town Board via email of the planned work prior to doing the work, and decide if the Town may want to contribute additional funds (\$20,000 as agreed to previously, or more) to complete the remaining of up to 600 LF (1,500 total)
- We reviewed the possible change order with the Town Supervisor and Town Highway Superintendent on 5/21 and agreed in concept that it would be acceptable and brought to the Board at the 6/3/24 meeting.

- **Change Order**

- **Change Order No. 1**

- The full application package provided to the Town Finance under separate cover on 5/29/24
- This change order adds cost for the contractor to furnish and install additional new asphalt pavement (and tack coat) uphill and downhill of the base bid work.
- **Based on discussions with OCR this change would allow for an additional 90' of pavement to be covered under the grant, based on Poley's bid prices.**
- This change order will increase the final project cost by a net amount of \$7,106.
- The revised total contract cost would be \$204,056.00 (increased from the previous contract cost of \$196,950.00).
- This would result in an addition to Poley's contract of \$7,106.
- There is 7,161 in the existing project contingency. That is, \$55 dollars remain in uncommitted funds after this change order.
- This change is eligible for payment with the remaining grant funds for this project. The deadline to submit costs to OCR is June 28.
- **Should the Town agree to proceed with this change, it is recommended that the Town Board resolve to:**
  - **Authorize the Town Supervisor to execute Change Order No. 1 to Contract No. TL2-G-2024 based on the unit pricing from the 4/4/24 bid submitted by Poley Paving, result in a net increase in the contract total of \$7,106.00. The revised total contract cost would be \$204,056.00 (increased from the previous contract cost of \$196,950.00).**

- **Substantial Completion**

- The full Substantial Completion package provided to the Town under separate cover on 5/29/24
- We recommend that the Town declare Contract No. TL2-G-24 – General Construction for the White Sulphur Springs Water District Phase 10 Improvement Project – Boyd Road Reconstruction Project, completed by Poley Paving to be substantially complete on May 31, 2024. This is the date that the one-year maintenance bond will begin.
- Executing Substantial Completion allows the contractor to secure the one-year maintenance bond and proceed to collect project closeout paperwork (e.g., maintenance bond, release of liens from subcontractors, etc.) and allows the Town to release retainage for the project.
- A copy of the Certificate of Substantial Completion is attached with a contract amount of \$204,056 (the final contract amount, including Change Order No. 1) for all contract work.
- There is no punchlist or any remaining work items
- **Therefore, if the project status and this date of Substantial Completion is acceptable to the Town, we recommend that the Town Board resolve to authorize the Town Supervisor to endorse the Certificate of Substantial Completion Form for Contract No. TL2-G-24 – General Construction for the White Sulphur Springs Water District Phase 10 Improvement Project – Boyd Road Reconstruction Project with a date of Substantial Completion**

DELAWARE ENGINEERING, D.P.C.

of May 31, 2024 and a final contract amount of \$204,056, with no amount for punchlist or remaining work to be withheld

- Delaware will then forward the Certificate to the contractor for execution and request project closeout paperwork (i.e., affidavit of release of liens for subcontractors and equipment suppliers, provide maintenance bond, etc.)
- Once all is received from the contractor, we will assemble the project closeout package, and provide it to the Town, with a copy to the contractor.

• **Payment Requests**

Payment Request No. 1

- At the May 6, 2024 meeting the Town resolved to authorize the Town Finance Department to proceed to process Payment Application No. 1, to General Contract No. TL2-G-24 for Poley Construction Corp., for the period ending April 30, 2024, in the amount of \$3,301.25, as requested by the contractor.

Payment Request No. 2 – Final (for action at the June 17, 2024 Town Board Mtg.)

- The full application package will be provided to the Town Finance under separate cover
  - We have reviewed Payment Application No. 2 - Final from Poley Paving and Construction Corp., the contractor for the subject project, for the period ending May 31, 2024, in the amount of \$ 200,581.00 for work associated with mobilization, maintenance and protection of traffic, utility support, demolition and disposal of existing road material, preparation of subgrade, installation of sub-base, installation of tack coats, installation of new pavement (3 courses), and site restoration work. The total cost to date for the project, including this payment request (and Change Order No. 1), is \$204,056.00, which equates to 100% of the General Contract price. This is the final payment request for this project.
  - We agree with the level of work completed to date and the costs presented therein. Therefore, we recommend that the Town resolve to provide payment to the contractor in the amount requested, pending release of funds by NYS OCR.
  - **Therefore, should the Town agree with our recommendation, then we recommend that at the June 17, 2024 meeting:**
    - **The Town hereby resolves to authorize the Town Finance Department to proceed to process Payment Application No. 2 – Final, to General Contract No. TL2-G-24 for Poley Construction Corp., for the period ending May 31, 2024, in the amount of \$200,581, as requested by the contractor.**
- At the April 15, 2024 meeting the Town Board resolved to:
    - Award the Contract No. TL2-G-24 – General Construction for the White Sulphur Springs Phase 10 Boyd Road Reconstruction Project to Poley Paving & Construction Corp., for the Base Bid price of \$196,950.00 for all Base Bid Items and accept unit pricing for Bid Alternate Items for future consideration.
    - Authorize the Supervisor to execute the necessary paperwork (e.g., Notice of Award, Notice to Proceed, Agreement, Change Orders, Certificate of Substantial Completion, checks for contractor payment, etc.) for contract initiation through completion of the work.
    - Authorize the Town Highway Superintendent and Delaware Engineering to direct the expenditure of any remaining grant funds, with a final over/under change-order to be prepared for Board approval at/near the end of the construction period, in conjunction with any additional Highway Department funds which may be deemed in the best interest of the project and the Town

## DELAWARE ENGINEERING, D.P.C.

- **Construction Status and Remaining Work for the Original Project (Tweedie)**
  - Contract work was substantially completed (as of 11/29/23), and all punchlist and remaining work was complete (as of 5/3/24):
    - Final site restoration - \$12,892 – **Completed May 2024**
    - Demobilization - \$6,000 – **Completed May 2024**
      - Punchlist Remaining Value = \$18,892 (amount to be withheld)
  - Project Substantial Completion
    - Tweedie has provided the required closeout documents, including final payment application, have been submitted
    - Tweedie final payment requests can be processed by the Town in June 2024.
    - We will assemble the project closeout package, and provide it to the Town, with a copy to the contractor
- **Contractor Payment Request No. 5 – Final (for action the June 17, 2024 Board Mtg.)**
  - The full application package has been/will be provided to the Town Finance under separate cover.
  - We have reviewed the attached Payment Application No. 5 – Final from Tweedie Construction Services, Inc., the contractor for the subject project, for the period ending May 10, 2024, in the amount of **\$18,892.00** for work associated with site restoration, demobilization, and punch list work. The total cost to date for the project, including this payment request, is \$403,369.00, which equates to 100% of the General Contract price for the project.
  - Following this payment, the balance to finish for the project will be \$0.00.
  - This is the final payment application for this project.
  - We agree with the level of work completed to date and the costs presented therein. Therefore, we recommend that the Town resolve to provide payment to the contractor in the amount requested, pending release of funds by NYS OCR.
  - **Therefore, should the Town agree with our recommendation, we recommend that:**
    - **The Town resolves to authorize the Town Finance Department to proceed to process Payment Application No. 5 - Final, for General Contract No. TL1-G-22 to Tweedie Construction Services, Inc., for the period ending May 10, 2024, in the amount of \$18,892.00, as requested by the contractor.**
- **Background**
  - On December 8, 2023 the Town submitted a formal request to NYSOCR, including cost estimate and anticipated project schedule, Schedule Bar Chart and Email Correspondence between Blauer Associates and OCR regarding project extension.
    - Based on the cost estimate provided with the extension request, **the estimated cost for this work is \$182,225**
    - With the **Town Highway Department willing to contribute up to \$20,000** toward the road reconstruction/paving work
  - On December 14, 2023 NYSOCR sent the Town a letter approving the request for a contract time extension for the above project. See attached.
    - *The NYS Office of Community Renewal (OCR) is in receipt of the Town of Liberty's letter requesting an extension beyond the project completion deadline of January 5, 2024.*
    - *Based on OCR's review and careful consideration the Town of Liberty's request for an extension has been granted, and your revised project completion date is June 28, 2024.*
  - This work, and other related expenses (additional engineering, not included in the cost estimate) are anticipated to be covered by the grant
  - On 2/23/24 project drawings and specifications were submitted for OCR review.
  - The Town received OCR review comments on 2/28/24, 2/29/24,
  - The Town received notice that the bid specifications appear to be in compliance with applicable OCR requirements, and on 3/1/24 that OCR has no objections to the Town of Liberty publishing the notice on 2/29/24
- **The anticipated project schedule is as follows:**

**DELAWARE ENGINEERING, D.P.C.**

| <u>Task:</u>                                    | <u>Schedule:</u>             |
|-------------------------------------------------|------------------------------|
| Second Public Hearing for Project:              | December 4, 2023 - Complete  |
| Town Considers Extension Request and OCR Terms: | December 4, 2023 - Complete  |
| Extension Request Submitted to OCR:             | December 8, 2023 - Complete  |
| Bid Document Preparation:                       | January - February 2024      |
| ERR/RROF Review and Revision/Re-evaluation:     | Complete                     |
| Bid Documents to OCR:                           | February 23, 2024 - Complete |
| Town Board Authorization to go to Bid:          | March 4, 2024 - Complete     |
| Bid Advertisement Published:                    | March 8, 2024 - Complete     |
| Pre-bid Meeting:                                | March 14, 2024 - Complete    |
| Bid Opening:                                    | April 4, 2024 - Complete     |
| Bid Review and Award Recommendation to Town:    | April 10, 2024 - Complete    |
| Board Resolution for Bid Award:                 | April 15, 2024 - Complete    |
| Issue Notice of Award:                          | April 16, 2024 - Complete    |
| Pre-Construction Meeting:                       | April 23, 2024 - Complete    |
| Submittal Review:                               | April 23-26, 2024 - Complete |
| Execution of Construction Contract Document     | April 30, 2024 - Complete    |
| Construction:                                   | May 2024 - May 31, 2024      |
| Town to Review and Consider Final Pay Request:  | On or Before June 7, 2024    |
| Construction Contract Close-out:                | On or Before June 28, 2024   |

- This schedule is an estimate and the actual schedule may differ slightly as the project proceeds. However, we are confident this project will be brought to completion by the **June 28, 2024** deadline.

**Project Cost Summary**

- **Overview/Quick Summary**
- Awarded Bid total = \$391,162
- Final Total of Contract TL1-G-22, Including All Changes = \$403,369
- Construction budget (2021 estimate) = \$587,200 (not including contingency)
- Pending Boyd Road Reconstruction/Paving, there remains \$234,831 (\$183,831 Remaining Construction Funds + \$51,000 in contingency) in grant dollars presently uncommitted.
- Planned expenditures associated with additional Boyd Road work:

| Item                                                                                                         | Cost      |               |                   |
|--------------------------------------------------------------------------------------------------------------|-----------|---------------|-------------------|
| Reconstruction of +/- 1,100 lineal feet of Boyd Road                                                         | \$196,950 | Per Poley Bid |                   |
| Other (Program Administration – advertisement)                                                               | \$719     |               |                   |
| Change Order No. 1                                                                                           | \$7,106   |               |                   |
| Additional Engineering work for design, bidding and construction phase services for Boyd Road reconstruction | \$30,000  |               | Complete/Executed |

**DELAWARE ENGINEERING, D.P.C.**

|                                                 |              |  |  |
|-------------------------------------------------|--------------|--|--|
| Sum of Items                                    | \$227,669    |  |  |
| Remaining Budget                                | \$234,831    |  |  |
| <b>Net remaining after planned expenditures</b> | <b>\$ 55</b> |  |  |

**About \$55 is anticipated to remain in contingency after planned expenditures associated with reconstruction of about 990 lineal feet of Boyd Road**

o **More detailed cost summary:**

| Item No.:          | Item Description:                                | Estimated cost/budget (Feb 2021 Engineering Report for the CFA application) | As bid April 2023 with Bid Alternate Price – no changes | Contract Costs to-date (as of 2-28-24) with all changes | Contract Costs to-date (as of 5-29-24) with all changes & Boyd Rd. Recon bid costs | Budget minus bid - minus changes & Boyd Road Reconstruction as of 5-29-24 |
|--------------------|--------------------------------------------------|-----------------------------------------------------------------------------|---------------------------------------------------------|---------------------------------------------------------|------------------------------------------------------------------------------------|---------------------------------------------------------------------------|
| 1                  | Construction – General                           | \$587,200                                                                   | \$391,162                                               | \$391,162                                               | \$391,162                                                                          | \$196,038                                                                 |
| 2                  | Construction – (no others)                       |                                                                             |                                                         |                                                         |                                                                                    |                                                                           |
| 3                  | Construction – Subtotal Bid                      | \$587,200                                                                   | \$391,162                                               | \$391,162                                               | \$391,162                                                                          | \$196,038                                                                 |
| 4                  | Change Order No. 1 (Final Over/ Under):          |                                                                             |                                                         |                                                         |                                                                                    |                                                                           |
|                    | Quantity Adjustment (net)                        |                                                                             | \$0                                                     | (\$11,068)                                              | (\$11,068)                                                                         |                                                                           |
|                    | Concrete Anchor Blocks                           |                                                                             | \$0                                                     | \$ 5,500                                                | \$ 5,500                                                                           |                                                                           |
|                    | Hydrant Extension                                |                                                                             | \$0                                                     | \$ 2,775                                                | \$ 2,775                                                                           |                                                                           |
|                    | Add'l Funds for Road Restoration                 |                                                                             | \$0                                                     | \$15,000                                                | \$15,000                                                                           |                                                                           |
|                    | Change Order No. 1 Total (net) =                 |                                                                             | \$0                                                     | \$12,207                                                | \$12,207                                                                           | (\$12,207)                                                                |
| 5                  | Boyd Road Reconstruction                         |                                                                             |                                                         | <b>\$182,225</b>                                        | <b>\$196,950</b>                                                                   | <b>(\$196,950)</b>                                                        |
|                    | Change Order No. 1                               |                                                                             |                                                         |                                                         | <b>\$7,106</b>                                                                     | <b>(\$7,106)</b>                                                          |
|                    | Anticipated Town Contribution                    |                                                                             |                                                         |                                                         |                                                                                    | \$20,000 Not deducted from total                                          |
| <b>6=3+4+5</b>     | <b>SUBTOTAL - Construction</b>                   | \$587,200                                                                   | \$391,162                                               | \$585,594                                               | <b>\$607,425</b>                                                                   | <b>(\$ 20,225)</b>                                                        |
|                    | Other Costs:                                     |                                                                             |                                                         |                                                         |                                                                                    |                                                                           |
| 7A                 | -Delaware Engineering                            | \$149,500                                                                   | \$149,500                                               | \$149,500                                               | \$149,500                                                                          |                                                                           |
| 7B                 | -Amendment 1 Add'l Boyd Road Reconstruction 2024 | \$ 0                                                                        | \$ 0                                                    | \$ 30,000                                               | \$ 30,000                                                                          | (\$30,000)                                                                |
| 8                  | -Blauer Associates (Grant Admin) (1)             | \$45,000 (1)                                                                | \$45,000 (1)                                            | \$45,000 (1)                                            | \$45,000 (1)                                                                       |                                                                           |
|                    | Other (Program Admin.)                           |                                                                             |                                                         |                                                         | \$719                                                                              |                                                                           |
| <b>9=6+7A+7B+8</b> | <b>Total Estimated Cost/Cost to Date</b>         | \$781,700                                                                   | \$585,662                                               | \$810,094                                               | <b>\$832,644</b>                                                                   | <b>(\$50,944)</b>                                                         |
| 10                 | Contingency                                      | \$51,000                                                                    | \$51,000                                                | \$ 0                                                    | <b>\$ 0</b>                                                                        | <b>\$51,000</b>                                                           |

**DELAWARE ENGINEERING, D.P.C.**

|         |                                                                        |           |           |           |           |       |
|---------|------------------------------------------------------------------------|-----------|-----------|-----------|-----------|-------|
| 11=10+9 | Project Budget/Cost to Date Plus Contingency - <b>Total</b>            | \$832,700 | \$636,662 | \$810,094 | \$832,644 | \$ 55 |
| 12=11-8 | Project Budget/Cost to Date Plus Contingency <b>Grant Eligible (2)</b> | \$787,700 | \$591,662 | \$765,094 | \$787,644 | \$ 55 |
| 13      | Grant Amount                                                           | \$787,700 | \$787,700 | \$787,700 | \$787,700 |       |
| 14      | Grant Budget Minus Cost - <b>Remaining</b>                             | \$0       | 196,038   | \$22,606  | \$ 55     | \$ 55 |

(1)– Town agreed to fund grant administration (Blauer Associates) at \$45,000 to facilitate project readiness and score more points on the application – cost not eligible for grant reimbursement

(2)– All costs except Grant Administration are eligible for grant funding

- **About \$55 is anticipated to remain in contingency after planned expenditures associated with reconstruction of about 990 lineal feet of Boyd Road are complete**
- **Professional Services Contract Amendment No. 1 for Engineering Services**
  - At the February 5, 2024 meeting the Town Board authorized the Town Supervisor to execute Delaware Engineering, D.P.C.’s Professional Services Contract Amendment No. 1 for Engineering Services for the White Sulphur Springs Water District - Phase 10 Improvements, associated with partial reconstruction of Boyd Road, OCR Small Cities CDBG Project # 641PW78-21, in the total amount of \$30,000.
  - Contract Amendment No. 1 for Engineering Services executed on February 6, 2024
  - Budget modification that includes this work has been accepted by OCR on February 26, 2024



2. *Swan Lake WWTP Upgrade*

- **Actions for the Board to consider at today's meeting:**
  - Town to resolve to agree upon a flow capacity and project budget for the Swan Lake WWTP Upgrade
- **Project Funding/Financing Overview**
  - **No Changes this month**
    - Project currently financed for hardship (0%) loan, WIIA grant and BIL funding with a grant of up to 50% of the project cost, less the WIIA grant.
- Project funding summary based on current information:

| Project#                     | Description                                                     | WIIA Grant          | BIL Grant           | BIL 0% Loan         | Total                     |
|------------------------------|-----------------------------------------------------------------|---------------------|---------------------|---------------------|---------------------------|
| C3-5370-01-00                | Engineering/Prof Services (DEDPC contract plus 10% contingency) | \$ 2,922,655        | NA                  | NA                  | \$ 2,922,655              |
| C3-5370-01-01                | Other WWTP Upgrade scope items                                  | \$ 1,577,345        | \$ 6,916,000        | \$ 6,584,000        | \$ 15,077,345             |
|                              |                                                                 |                     |                     |                     |                           |
| <b>TOTAL</b>                 |                                                                 | <b>\$ 4,500,000</b> | <b>\$ 6,916,000</b> | <b>\$ 6,584,000</b> | <b>\$ 18,000,000</b>      |
| <b>Estimated Grant Total</b> |                                                                 |                     |                     |                     | <b>\$11,416,000 (63%)</b> |

In summary, the current \$18M project is in line to receive 63% in grants and 0% financing on the balance.

- Project Financing Agreements (PFAs) executed/closed on January 12, 2023 for both projects, short term financing funds now available and costs for contracts with approved MWBE/DBE/SDOVBE Plan(s) are eligible for disbursement
  - **Professional Services Work (C3-5370-01-00)** WIIA Grant funded only
    - In response to communications with NYSEFC, the Town responded on November 15, 2022 to NYSEFC requesting that WIIA funds be utilized for professional services.
    - We sent digital copies of the executed professional services contract to NYSEFC on November 20, 2022 which was approved per 12/6/23 NYSEFC letter.
  - Has 2 programs included for compliance:
    - MWBE/DBE/SDOVBE Goals
      - 30% MWBE, and
      - 6% SDVOBE
    - Delaware/MSI submitted our MWBE & SDVOBE Utilization Plans to the Town on March 16, 2023 and the Town submitted to NYSEFC for review/approval on March 21, 2023.
    - We have worked through many of NYSEFC MWBE review comments, and have successfully completed the Construction Inspection RFP solicitation process in September and October 2023.
    - We have worked through NYSEFC's MWBE review comments and on November 2, 2023 the Town received notification that NYS EFC has reviewed and accepted our MWBE and SDVOB Utilization Plans and partial Waiver requests for the Town of Liberty - Project No. 5370-01-00, Delaware Engineering D.P.C. contract.
    - The DE contract is eligible for disbursement, EFC will release payment for all invoices submitted to date (upon receipt and processing of a disbursement request) and the Town can then reimburse internal funds
    - **Cheryl G. continues to submit disbursement requests for project invoices**

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- **Construction (C3-5370-01-01)** WIIA & BIL funded, has one program for compliance.
  - MWBE/DEB/SDVOBE
    - 20% MWBE  
[20% DBE (fed.) if equivalency project (pop >10,000), NA]
  - Utilization Plans to be provided by Construction Contractors following bid award so no action until then
- Delaware & MSI will continue to work with the Town and NYSEFC through WIIA & BIL requirements
- **Moving the WWTP Upgrade Project Forward**
  - **Professional Services Work**
    - Continuing to work with the Town and NYSEFC and our fiscal subconsultant MSI as needed on contract related items.
    - Damon, Wayne, and John Lennon went on a trip on January 10, 2024 to Waverly WWTP to see the equipment proposed at this facility
    - Site visit to Vernon, NY to see mechanical screens was done on April 16
    - Design continuing
    - Updated project cost estimate and budget based on subcontractor Trophy Point cost estimate – established \$40M as recommended budget
    - Information Session Regarding Swan Lake Waste Water Treatment Plant Upgrades was held on 5/28 @ 6:30 pm at the Swan Lake Fire House
    - Town needs to agree upon a plant flow capacity and budget in order for the project to proceed with design work, NYSDEC SPDES Permit Application, and revise the funding with NYSEFC
    - **We recommend that the Town consider and agree to a project budget of \$40M and a plant flow capacity capable of serving, at minimum, the estimated district buildout of 756,000 gpd or 960,000 gpd (maximum potential WWTP buildout using the existing oxidation ditches).**
    - **Continuing work on NYSDEC SPDES permit Application for NY-2A for a facility upgrade and expansion**
      - Requesting limits for WWTP maximum monthly average daily flow of 0.960 MGD and 0.686 MGD
      - New permit needed before NYSDEC will approve the design and before project can go out to bid
      - Need Town to decide on permit limit flow
    - Draft NY-2A Form filled out and submitted on Friday, August 4, 2023, (and resubmitted on Tuesday August 29, 2023, and September 15, 2023) to NYSDEC Permits (Aparna Roy) along with
      - Location Map
      - Upgrade Site Plans and Process Flow Schematic
      - Detailed Mixing Zone Form
    - Need to submit yet: Updated WTC Form for anticipated WTC usage following the WWTP Upgrade
    - NYSDEC advised us on 10/25/23 that they are working on the application now and will get back to us soon.
    - Followed up with NYSDEC Region 3 Permits on 10/02/23, 11/29/23, & 12/19/23 to request update(s)
    - NYSDEC Responded on December 19, 2023 requesting that the Town please provide *all* information in Tables A, B, F, and G (attached, NY-2A Revised 05/12/2023 with additional sampling)
      - TABLE A. EFFLUENT PARAMETERS FOR ALL POTWS
      - TABLE B. EFFLUENT PARAMETERS FOR ALL POTWS WITH A FLOW EQUAL TO OR GREATER THAN 0.1 MGD
      - TABLE F. WATER TREATMENT CHEMICAL LISTING
      - TABLE G. INDUSTRIAL DISCHARGE INFORMATION
      - There is only sampling required for Table A (two sections) & B. Table F. Water Treatment Chemicals and Table G. Industrial Discharge Information do not require sampling, and Delaware will fill them out
      - Please note the section on Analysis (Page 2, the General Instructions) that the lab will need to pay attention to select the appropriate test method

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- We plan to schedule a pre-sampling meeting to make sure that they fully understand what we need
  - The lab, or Town, can forward us the results and we can fill in the tables
  - W&S Dept. is reviewing and will let us know when you would like to schedule this sampling
  - We sent the list to Damon and Wayne on 12/20/23 and the Town conducted sampling on 1/17/24
  - We are summarizing the results received (in Tables A, B, F & G) and plan to submit to NYSDEC in the near future
  - We need to estimate WTC list for the upgrade as well. Depends on permit flow limit
- **On-site Under Ground Fuel Tanks**
    - There are two existing onsite fuel tanks, shown on the existing plans, that have been abandoned in place
      - Diesel Oil Tank – 1,000 gal. capacity (located near emergency generator)
      - Gasoline Tank – 500 gal. capacity (filled with sand, located in parking lot)
    - No Town records of tanks being registered or formally closed
    - The Town will need to get these tanks registered in order to fully close out and remove them (e.g., closure report and sampling, etc.)
    - The only tank that requires registration is the gas tank. The diesel tank would not require registration if the gas tank was not there, but because of the gas tank, all tanks (above & below ground) onsite need to be registered
    - Once the inground tanks are removed the other above ground tanks are not required to be registered
    - There would be an initial \$300 registration fee, but DEC may come back for additional fee based on all the missed years of registration
      - The tank registrations go in 5-year cycles, so the Town could owe \$300 for every five-year period that these tanks have existed (bases on Total Design Capacity of All Tanks at the Facility)
      - Given the age of the USTs per the record plans, there could be 8 or 9, five-year registration cycles that were missed. The Town could be looking at back registration fees of up to \$2,400.
    - Once the registrations of the tanks are processed, the Town would then submit a Tank Notification Closure Form whenever we know the schedule of the tank closing work
    - Delaware will continue to move forward with Damon on the missing application items and get the application ready to go, and recommended that the Town will need to pay \$300 in the near term to start the application review process, and may need to backpay for previous registration cycles at a cost of \$300 per 5-year cycle
    - On April 1, 2024 the Town Director of Finance issued a check payable to NYSDEC for \$300 for the existing underground fuel storage tank registration application
      - The application form and check were submitted to NYSDEC on 5/10/24
      - NYSDEC responded that the application appeared to not be completed properly, and issued some comments on the application.
      - NYSDEC will be seeking backfees for each 5-year period that each tank was active. Based on the fee schedule, capacity of tanks 1 and 2 was 1,500 gal, the back fee charges would be \$100 every five years from 1986 to 2011 or approximately \$600. From 2011 to present we are looking at \$300 for every five years or approximately \$1,500 for a total back fee charge of approximately \$2,100 – Need to confirm
    - Reviewing NYSDEC comments and will prepare a response and advise the Town with the proper check amount. We plan to request a new check for consideration at the June 17 or July 1 meeting

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- Subcontract work
  - Financial Administration – Municipal Solutions, Inc. (WBE)
    - Subcontract executed 12/29/22 with Municipal Solutions, Inc for Financial Assistance Services to comply with NYSEFC requirements (e.g., MWBE, EEO, etc.)
    - Work to include NYSEFC program compliance, monthly/quarterly paperwork, etc.
    - Continuing to work with the Town on periodic NYSEFC filings and paperwork and with DE on MWBE & SDVOBE Utilization Plan items
  - Survey and Subsurface Utility Exploration - Shumaker (WBE)
    - Subcontract executed on 10/21/22
    - SUE contractor was onsite Wednesday Nov 2 thru Friday November 4, 2022
    - The surveyor was onsite November 7 thru November 9, 2022 for the initial topo and boundary survey work
    - Topo and boundary survey received 12/22/22
  - Geotechnical (borings and geotech report for new bldgs.) – Atlantic Testing (WBE)
    - Subcontract executed on 02/08/23
    - Boring work began 3/21/23 and continued during the week of 3/27/23.
    - DRAFT boring logs were provided on 05/12/23
    - Final geotechnical report provided on 9/22/23
  - Reproduction/Printing Services
    - Planning to use Constructive Copy (WBE) for repro of bid specs and drawings
  - Construction Cost Estimating (construction) – Trophy Point (SDVOBE)
    - Subconsultant agreement with Trophy Point Construction Services (SDOVBE) and Consulting for cost estimating services executed on 1/4/24
    - 40% Design drawings were submitted to TP on 2/9/24.
    - The 40%cost estimate was received on 3/27/24 – Used this to come up with \$40M revised budget for 5/28/24 meeting
    - A revised 40% cost estimate was received on 5/29/24
    - Delaware reviewing the updated estimate
  - Mechanical/HVAC Design Review – Jade Stone (MWBE)
    - Retaining a MWBE firm to provide mechanical/HVAC design review
    - Peer review of HVAC design
    - Subcontract pending
  - Other MWBE Subcontract's Pending
    - For Construction-Phase work – will seek as design nears completion
      - Construction Material Testing
      - Special Inspections

3. *Stevensville Water Project*

- **Actions for the Board to consider at today's meeting:**
  - **None**

- Construction and punch-list work complete
- Osterhoudt to returned the maintenance bond for the project closeout package on 5/6/24
- As-builts being prepared
- Construction certification planned to go out to NYSDOH with as-builts in June 2024
- Osterhoudt repaired a leaking water service on 12/19/23. The repair will be covered under the project 1-year maintenance bond which began on May 31, 2023. (maintenance bond received 5/6/24). Some sort or restoration will need to occur in the spring. Osterhoudt was onsite 5/29/24-5/31/24 to complete punchlist site restoration
- Osterhoudt is looking into a water leak near the new watermain that was observed on 5/28/24 near the Stevensville Well Field, near Birch Ln. The repair is anticipated to be covered under the project 1-year maintenance bond which began on May 31, 2023.

More Detail below:

- **Contract TL2-E-2017 – Electrical.**
  - All work completed and paid out.
- **Contract TL2-G-2017 – General**
  - Water Storage Tank substantially complete June 2021 and paperwork previously processed.
  - **Remaining work for the Watermain, Swan Lake Crossing, and Well Field Improvements:**
    - New waterline has been in operation since late April 2023 and wellfield and other watermain work has been completed
    - All contract work is substantially completed as of 05/31/23, the following punch list items associated with the Swan Lake Crossing were completed as of 9/29/23
      - Insulation trim – Complete
      - Touch up galvanization paint for new base plates and support brackets – Complete
      - As-builts – Complete
  - **Project Completion (Substantial) – Watermain, Swan Lake Crossing, and Well Field Improvements Only** (Substantial Completion for Water Storage Tank accepted on June 7, 2021)
    - At the July 3 meeting the Town Board resolved to authorize the Town Supervisor to endorse the Certificate of Substantial Completion form for Contract No. TL2-G-17 – General with May 31, 2023 as the date of Substantial Completion for the Watermain, Swan Lake Crossing, and Well Field Improvements/non-water storage tank work and a final contract amount for Well Field Improvements/non-water storage tank work, of \$1,182,484 and a total final contract amount of \$2,378,660
    - Delaware has forwarded the Town-signed Certificate of Substantial Completion to the contractor for execution and requested project closeout paperwork (i.e., affidavit of release of liens for subcontractors and equipment suppliers, provide maintenance bond, etc.) on 07/5/23, and resent the Certificate of Substantial Completion (and Change Order No. 7) for execution on 9/22/23
    - The contractor returned the executed Certificate of Substantial Completion (and Change Order No. 7) on 10/13/23 and the maintenance bond on 5/6/24. Next month we will assemble the project closeout package, including the final payment application and as-builts, and provide it to the Town, with a copy to the contractor.
    - Osterhoudt to confirmed the final subcontract amount with Rock Mtn. and sent info to Keough Consulting submitted proof of payment to NYSEFC Program Compliance (MWBE) on 4/25/24
- **Swan Lake Crossing at Lake Outlet**
  - Osterhoudt was onsite during the weeks of April 17 and 24, 2023, completing the water main crossing, and successfully tested (disinfection and pressure) the new line
  - Delaware submitted NYSDOH Certification of Completion for the crossing and received NYSDOH-District Office approval to put it on line when ready on April 21, 2023
  - Delaware plans to submit a final Construction Certification for all contract work to be submitted with as-builts to NYSDOH – currently working on as-builts and will submit certification in June 2024

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- **Payment Request No. 10 (Final)**
    - At the November 20, 2023 meeting the Town Board resolved to authorize the Finance Department to proceed to process Payment Application No. 10 (Final), to General Contract No. TL2-G-2017 for H. Osterhoudt Excavating, Inc. for the period ending October 13, 2023, in the amount of \$133,443.00 as requested by the contractor, including submittal of the payment request to NYSEFC for reimbursement, understanding that payment to the contractor will be made following receipt of reimbursement from NYSEFC, and contingent upon the receipt of the complete closeout package and all payment application items
    - **Final payment Check mailed to the contractor the week of 11/20/23**
  - **NYSEFC Final Short Term (ST) Loan Disbursement Request and Long Term (LT) Loan**
    - LT Closing was completed on 12/6/22, Long-term funds became available for disbursement beginning on 12/8/2022
  - **NYSEFC Document Collection**
    - All documents have been submitted, with the exception of TAM's Subcontract Agreement with Turtle & Hughes, including the EEO Policy Statement and Lobbying Certificate.
    - An explanation has been provided to NYSEFC that the prime contractor for the Electrical contract has indicated that there is no subcontract because Turtle & Hughes is a materials supply vendor. They only supplied material for this project. **No comments or request back from NYSEFC since December 2022**
4. ***Economic Development Water and Sewer Infrastructure Capacity Planning Study***
- A draft/ most current revised version of the report of the report was provided to the Town Supervisor on 12/12/23, and to the Village Mayor and Dave B. on 1/17/24
  - The Town is proposing a joint meeting in June 2024
  - Met with Village DPW Supervisor on October 13, 2023
  - Working to revise this ASAP with Dave Burke and then get to the Town for review
  - Elm Street Well remediation and future use are key to this study
  - Due to likely SPDES permit changes, study to review the ability of the Village WWTP to meet the new limits will also be added to the study recommendation – WWTP has adequate capacity for some additional flow/contributions without more upgrades.
  - DE Staff held initial meeting with the Town (Frank and Damon) to review scope, current zoning, water, sewer, development projects, collaboration with Village, study products, and action items, etc. on November 14, 2022
  - Met at Village Hall on February 7 with the Village (Mayor Joan, Judy, Lynn Barry, Dave Harman, Mark Kellam) and Town (Supervisor DeMayo and Dean Farrand) with the focus on Village infrastructure and needs.
  - Meeting summary was sent to Town and Village on 3/14/22
  - Will involve planning staff as well as Town and Village water and sewer staff
  - At the September 6, 2022 meeting the Board authorized the Town Supervisor to endorse the Economic Development Water and Sewer Infrastructure Capacity Planning Study, dated August 15, 2022 to conduct:
    - Economic Development Water and Sewer Infrastructure Capacity Planning Study
    - Update to Parksville Sewer Service Alternatives Study
    - Select Grant Writing
5. ***Swan Lake Sewer System Evaluation/I/I EPG***
- **Board Action Required at Tonight's Meeting:**
    - None
    - **Need to continue with activities in order to meet August 31 2024 checklist items deadline**
  - Delaware submitted EPG application for up to \$50,000 in grant funding for I/I investigations, with commitment for a \$10,000 local match (20%) on August 11, 2023
  - **This Project has been selected for award!!**
  - On 2/15/24 the Town received notification from NYSEFC that the Town has been awarded a NYS Environmental Facilities Corporation (EFC) **Engineering Planning Grant (EPG)** for the project, **in an amount not to exceed \$50,000**, for the development of an engineering report to identify sources of inflow and infiltration, evaluate alternatives, and recommend improvements to the Town of Liberty's Swan Lake Sewer District. **This has a 20% local match (\$10,000) which**

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**the Town agreed to do in March 2023 if the grant was awarded.**

- At the March 4, 2024 meeting the Town Board resolved to:
  - Authorize the Town Supervisor confirm acceptance and intent to proceed with this project by completing and signing the Acknowledgement and Acceptance of EPG Grant Award Form and e-mailing it to [epg@efc.ny.gov](mailto:epg@efc.ny.gov) no later than March 8, 2024, and
  - Authorize the Town Clerk to publish the legal notice for Request for Qualifications for professional services for work associated with preparation of the Swan Lake Sewer District Engineering Report for the Sewer System evaluation
- The EPG Grant Acceptance Form was submitted NYSEFC by the Town Supervisor via email on February 22, 2024
- On March 13, 2024 NYSEFC provided the Town an EPG Checklist and supporting documentation to assist the Town in the process of entering into a Grant Agreement with EFC):
  - 1. Board Resolutions:**

Submit signed, certified board resolutions in PDF format designating the authorized representative and local match amount. Sample Resolution Language is available. Type II SEQR resolutions are no longer required for Engineering Planning Grants.

    - Authorized Representative Resolution  
Board resolution designating an Authorized Representative for the project
    - Local Match Resolution  
Board resolution authorizing and obligating local match funds

Note: Similar resolutions were adopted by the Town at the March 30, 2023 meeting. NYSEFC updated the template/sample resolutions in March 2024, so we recommend that the Town adopt the updated resolutions
  - 2. Budget and Plan of Finance Form:**
    - Detailed budget and plan of finance including all prime contracts/agreements, in-kind services, third-party funding, and satisfaction of the minimum 20% local match requirement.
  - 3. Executed Engineering Agreement (for action at the August 5, 2024 Meeting)**
    - All architectural and engineering contracts must be procured through a federally acceptable Request for Qualifications (RFQ) process, in accordance with 40 U.S.C 1101. All contracts must be signed by both parties and must contain the scope of work and fee.
    - Architectural/Engineering Procurement Certification
- All checklist items due by August 31, 2024 (See anticipated schedule below)
- In order to remain eligible for these funds, the Town must enter into a Grant Agreement for the above project by September 30, 2024
- At the May 6, 2024 meeting the Town Board resolve to:
  - Adopt the attached Board Resolutions designating an Authorized Representative, and authorizing the local match for the Liberty (T) EPG 128719/Swan Lake Sanitary Collection System I/I Investigation as set forth in the attached subject resolution
  - Accept the attached Budget and Plan of Finance Form
- Professional Services RFQ
  - Requires evaluating Request for Qualifications to facilitate selection for professional services to prepare the Engineering Report and associated activities
  - At the March 4, 2024 meeting the Town Board authorized the Town Clerk to publish the legal notice for Request for Qualifications for professional services for work associated with preparation of the Swan Lake Sewer District Engineering Report for the Sewer System evaluation
  - The Scoring Matrix, Scoring Summary, Resolution for Contract Award, A/E Procurement Certification for the RFQ will be provided next month

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### Completed Steps (May 2024)

#### ○ Legal Notice & RFQ

- Delaware provided the legal notice to the Town Clerk on May 6, 2024
- Town Clerk provided the legal notice to the Sullivan County Democrat by Wednesday May 8, 2024, for publication on May 10, 2024, and uploaded to the NYS Contract Reporter
- Delaware provided the RFQ to the Town Clerk on May 10, 2024
- Deadline to submit statement of qualification (SOQ) is June 7, 2024

### Next Steps (June-July 2024)

#### ○ Statement of Qualification (SOQ)/RFQ Responses

- Delaware to provide Scoring Matrix to the Town Clerk by June 10, 2024
- Town Clerk to distribute a hardcopy of all responses and a Scoring Matrix for each response to each Board member and Supervisor between June 10-14, 2024

#### ○ Scoring & Evaluation Matrix (for each SOQ received)

- Town Supervisor to guide the Board through review/score professional services RFQ responses & make selection
- Board & Supervisor – Review and score the SOQs for each of the firms using the *RFQ Scoring & Evaluation Matrix* (in advance of this meeting). Board members should be prepared to provide a total score for each of the responses

#### ○ Scoring Summary

- Delaware to provide *RFQ Scoring Summary Table* in May-June 2024
- Town Supervisor – Complete the *RFQ Scoring Summary* by totaling the scores for each firm from each board member and the Supervisor, to come up with a total score which will be used to compare the firms in question and form a basis for selection of a firm for contract award

#### ○ Resolution for Contract Award (At the July 1, 2024 meeting)

- Delaware to provide *RFQ Resolution for Contract Award* in May-June 2024
- Board & Supervisor – Review and act on *RFQ Resolution for Contract Award* for Engineering Services
- **At the future meeting:** If the Town agrees to award the contract for A/E Services, then we recommend that the Town Board resolve to:
  - Adopt the attached *Resolution for A/E Services Award* for the Request for Qualifications (RFQ) for Engineering Services RFQ#1-2024 Town of Liberty EPG 128719/Swan Lake Sanitary Collection System I/I Investigation as set forth in the attached subject resolution
- Town Clerk – Record results of the *RFQ Resolution to Award* for Engineering Services

#### ○ A/E Procurement Documentation

- Delaware to provide *RFQ Procurement Documentation* in May-June 2024
- Board & Supervisor – Confirm results of the *RFQ Procurement Documentation*
- Town Clerk – Record results of the *RFQ Procurement Documentation*, and keep on file, and provide to NYSEFC if they ask for it, and authorize complete the NYSEFC *Certification for Architectural/Engineering Services Procurement* (to be provided in the future upon execution of contract)



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- The anticipated schedule is as follows:
  - Adopt Board Resolutions ..... March 23, 2023 (A)
  - Submit NYSCFA EPG Funding Application..... August 11, 2023 (A)
  - Award Announcement ..... February 15, 2024 (A)
  - Award Letter received by Town ..... February 16, 2024 (A)
  - Authorize the Town Clerk to publish the legal notice for RFQ..... March 4, 2024 (A)
  - Deadline to submit an executed Award Acceptance Form ..... March 8, 2024 (A)
  - EPG Checklist of Supporting Documentation received by Town ..... March 13, 2024 (A)
  - Provide update to Town Board ..... April 1, 2024 (A)
  - Town adopts updated Board Resolutions and Plan of Finance ..... May 6, 2024 (A)
  - RFQ for A/E Procurement ..... May - August 2024 (T/A)
    - Provide Legal Notice to the Town ..... May 6, 2024 (A)
    - Provide RFQ to the Town ..... May 10, 2024 (A)
    - Publication of the legal notice ..... May 10, 2024 (A)
    - Deadline to submit RFQ/SOQ ..... June 7, 2024 (A)
    - Provide Scoring, Award, & Procurement Documents to Town . by June 10, 2024 (T)
    - Town Clerk to distribute and Board to review RFQs/SOQs June 10 – July 14, 2024 (T)
    - Town Board to score RFQ/SOQ and select firm (at Board meeting) . July 1, 2024 (T)
    - Engineering Contract Submitted to Town .....by July 31, 2024 (T)
    - Execute Agreement with selected firm (at Board meeting) ..... August 5, 2024 (T)
  - Submit EPG Checklist & Supporting Documentation .....by August 16, 2024 (T)
  - Deadline to submit EPG Checklist Supporting Documentation ..... August 31, 2024 (T)
  - Execute PFA ..... September 2024 (T)
  - Deadline to Execute Grant Agreement ..... September 31, 2024 (T)
  - Complete I/I Engineering Report ..... October 2024-October 2025 (T)
- Background
  - At the March 30, 2023 meeting the Town Board authorized the Supervisor to execute planning grant application with the NYS Environmental Facilities Corporation and authorization and appropriation of local match (minimum of 20% if the EPG grant is awarded).
  - Delaware submitted EPG application for up to \$50,000 in grant funding I/I investigations, with commitment for a \$10,000 local match (20%) on August 11, 2023
  - Digital copies forwarded to the Town Supervisor, Water and Sewer and Town Clerk on 08-31-23 – hard copy can be provided if requested.

**6. Lead & Copper Rule Revisions service line inventory requirements, due October 2024**

- Final FFY 2024 IUP Amendment No. 2 was issued in March 2024 with no changes
- However, based on the final IUP amendment, which was published by EFC in March 2024, it appears that the Town may not receive a grant
- The October 2024 inventory deadline remains
- The Town will need to continue to move forward with this recognizing that outside funding is unlikely
- Town should continue to organize information on lead services lines
- Background
  - NYSDOH recently issued a draft amendment to the FFY2024 DWSRF IUP regarding the BIL Lead Service Line Replacement (BIL-LSLR) funding. Comments were accepted via e-mail until 5:00 p.m. on Friday February 16, 2024 to [design@health.ny.gov](mailto:design@health.ny.gov)
  - The result of this submission was that the Town was determined by EFC to be eligible for funding under the BIL LSLI grant program.
  - Grant funds for the program are limited, and it appears that a majority of the funding is scheduled to be awarded to large cities like NYC, Albany, and Rochester.
  - Municipalities may provide comments to EFC, regarding the draft IUP amendment, before it is finalized.
  - On February 14, 2024 Delaware provided a draft comment letter to help municipalities (the Town) comment on the draft IUP for EFC consideration.
  - The Town Supervisor signed, and submitted, by email, to [design@health.ny.gov](mailto:design@health.ny.gov) on February 15, 2024
  - While it is possible that these comments could result in funding being awarded to a greater variety of small eligible communities, it should be understood that there is no guarantee that that the Town will be one of them.
  - Funding Listing/Application:

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- A report and listing form were finalized and submitted on 8/25/23 for a lead service line inventory project, covering the Town's seven water districts, to be considered for 100% grant funding through the BIL program administered by NYS DWSRF. PER and Listing form emailed to Town Supervisor and Damon on 8/25/23.
- The estimated project cost is \$569,094
- If a grant is received, the project will be subject to federal and DWSRF requirements (e.g., MWBE, BABA, AIS, Davis Bacon, etc.).
- A copy of what was submitted (i.e., engineering report and IUP listing form) was submitted to the Town on August 28.
- DRAFT Funding Award Notification occurred in January 2024
- It is likely that this funding application was not successful
- EFC and DOH hosted a webinar on the Lead Service Line (LSL) funding available through the Bipartisan Infrastructure Legislation (BIL).
  - Grants are only available to municipalities that meet the definition of a Disadvantaged Community (DAV). If a client is not a DAV, then they will only get subsidized financing
  - In order to qualify for BIL Lead Service Line grant funding (inventory or replacement), a municipality needs to have a 2021 MHI that is less than 80% of the regionally-adjusted State MHI. The Town of Liberty Qualifies for this.
  - DAV eligibility applies to both inventory and replacement projects. DAVs can get up to 100% grant funding (\$2M max) for inventory projects, and up to 70% grant funding (\$10M max) for replacement projects.
  - You can only apply for LSL replacement funding for locations where the number and location of LSL are known and verified, even if it is just a targeted area. However, if you are requesting replacement funding, then the entire line (public and private portion) must be replaced.
  - You can apply for both inventory and replacement projects simultaneously, but with separate applications. For example, in the Village of Catskill there are some known locations of lead service lines associated with a water main replacement project that is in the planning stages, but they still need to complete a community-wide LSL inventory before the DOH October 2024 deadline.
  - You may be able to "piggy-back" a LSL replacement project with a water main replacement project that is anticipated to receive DWSRF funding, but only if the two projects can be kept completely separate. They are two different sources of funds with different reporting requirements and must be tracked separately.
  - A/E Procurement Requirements will apply, just like every other BIL-funded project. Procurement doesn't need to happen before an application is made, but it would make sense to get that out of the way while we wait for news on any grant awards so we can hit the ground running.
  - The application process for both project types is the same. No authorizing resolution is needed, just a completed DWSRF listing form and a brief Engineering Report. Engineering report templates are being worked on. Deadline is August 25.
- Town applied for a grant for the inventory this round, and may apply for replacement in subsequent rounds

### 7. Sherwood-Roth Booster Pump Replacement

- Town Director of Finance issued purchase order to Wittcon on 4/17/24 (contract award)
- Pump submittal submitted, reviewed and was returned approved and on 4/23/24
- Construction completed on 5/21; startup was scheduled to occur on 5/30/24
- Background
- In the fall of 2023 Damon obtained three quotes for the Sherwood-Roth Booster Pump Replacement work
- Anticipated costs exceeded standard bidding requirements under General Municipal Law § 103
  - *All contracts for public work involving an expenditure of more than \$35,000 and all purchase contracts involving an expenditure of more than \$20,000 must typically be awarded to the lowest responsible bidder after advertisement for sealed bids.*
- Damon asked us for help preparing a mini specification to put this out to bid
- We have generated a Legal Notice/Advertisement for Bids (required by GML § 103) and Request for Bids (RFB) package
- The Legal Notice appeared in Friday's 1/26/24 edition of the Sullivan County Democrats (SCDC) with bids due on Friday 2/16/24
- It is anticipated that the Board will review bids at the February 21 meeting
- At the February 21, 2023 meeting the Town resolved to:
  - Award the Contract No. TL1-G-21 – General Construction for the Sherwood-Roth Booster Pump Replacement Work to Wittcon, Inc. for the low bid price of \$41,000, contingent upon
  - Authorize the Town Clerk to issue a Purchase Order to Wittcon, Inc. awarding the Sherwood-Roth Booster Pump Replacement to Wittcon, Inc. for a price of \$41,000, directing Wittcon to proceed with the work and to follow up with submittals for review as soon as possible
  - Authorize the Town Supervisor and Clerk to execute the necessary paperwork (e.g., purchase order, pay requests etc.), for contract initiation and completion of the work

### 8. Ferndale Rd/Ferndale Loomis Road Intersection Waterline Crossing

- Board Action Required at Tonight's Meeting:
  - Review status

#### Background

- The barrier that protects the waterline crossing from traffic traveling south-east on the Ferndale Loomis Road (Steep Grade) has been struck by larger vehicles three times since 2021. See photos and plan (attached)

## DELAWARE ENGINEERING, D.P.C.

- In the most recent event, the impact moved the barrier so that it is now touching the piping, and may have moved the vertical section of waterline out of alignment. It appears that the barrier may be cast around the vertical segment of pipe. See detail on plan (attached)
- **In its current state it seems stable but it might break the line if it sustains another impact**
- The Town Highway Department has worked with the County to place “Steep Grade” signs at the top of the Ferndale Loomis Road
- Damon and Cheryl have asked us to work with the Town to provide a recommendation for repair and get costs/proposals to complete the repairs, that will be submitted to the insurance company of the business/motorist at fault
- The nearby County bridge and guiderails sustained significant damage in the two recent events, the County wishes to repair the bridge structure and replace the guiderail this season before the traffic in that area increases
- At this time, the recommended repair would be to isolate and shut down the crossing, demo existing barrier, and install a new barrier that is similar to the existing (due to limited space). It is unlikely that the work required to complete repair (demo existing and cast new barrier) will be able to be completed without shutting down the line, and would be without service, for possibly up to a month
- Need to review and confirm with the Town Water & Sewer Dept:
  - What needs to be done to shut that line down?
  - Is there a secondary supply?
  - If no secondary supply, how long can this line be down for?
- The County is considering the possibility of working with the Town to complete the necessary repairs through an intermunicipal agreement (IMA) with the Town, but may ultimately decline considering the close proximity to the Town’s waterline

### 9. *Attachments*

- CDBG Grant Project Phase 10 – White Sulphur Springs Boyd Road
  - Boyd Road Reconstruction (Poley Paving)
    - Change Order No. 1 – Final Over/Under and Additional Paving Work Form
    - Substantial Completion Form
- Ferndale Rd/Ferndale Loomis Road Intersection Waterline Crossing Photos and Plan

### 10. *Items Discussed or Reviewed at Meeting but not distributed with this package:*

- CDBG Grant Project Phase 10 – White Sulphur Springs Boyd Road
  - Boyd Road Reconstruction (Poley Paving)
    - Change Order No. 1 – Final Over/Under and Additional Paving Work
    - Substantial Completion
    - Payment Request No. 2 – Final
  - WSS Phase 10 Original Project (Tweedie Construction)
    - Payment Request No. 5 – Final



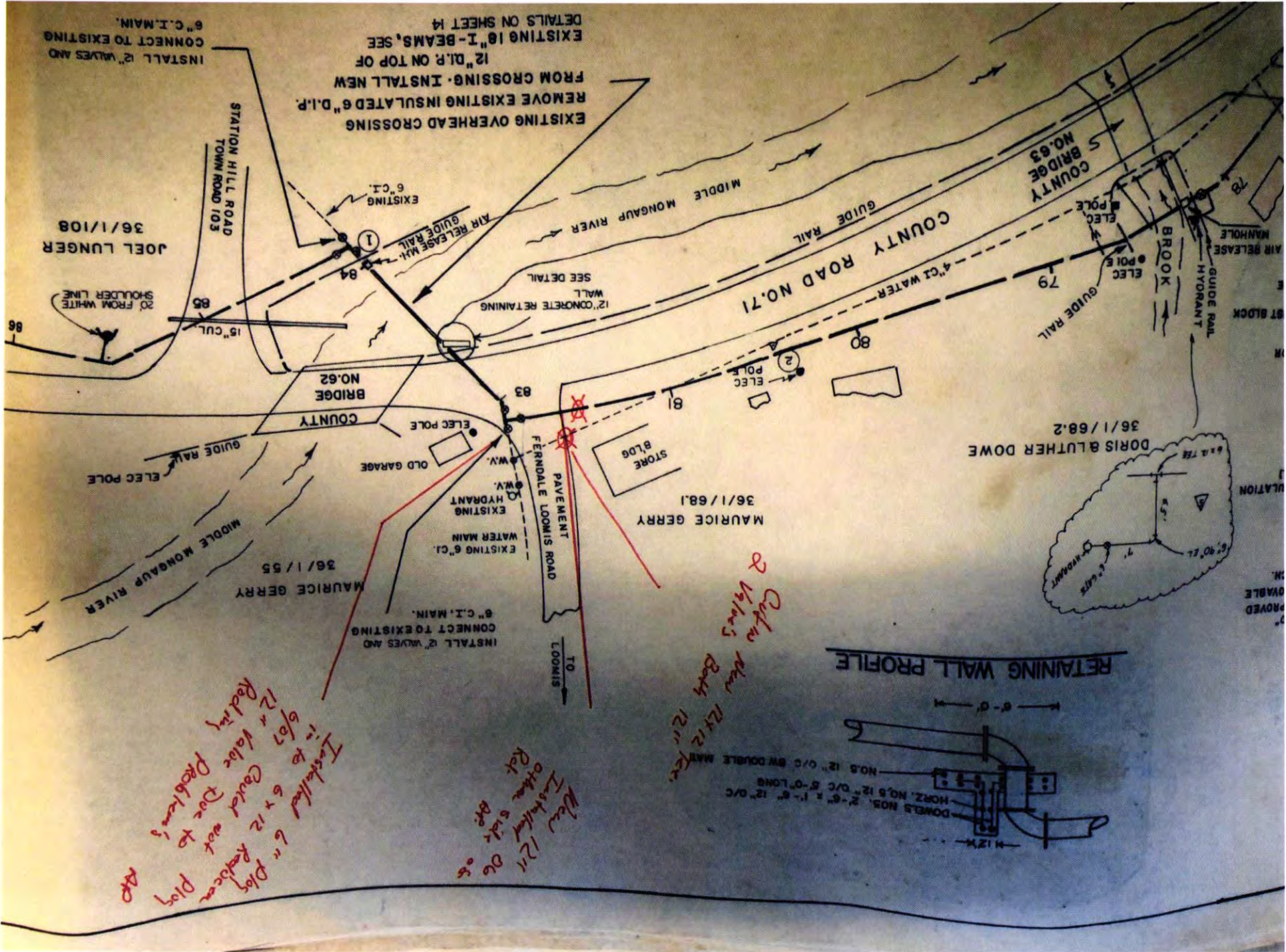
February 2024  
**Movement of barrier**



January 2024  
**No Movement** of barrier



October 2021  
**No Movement** of barrier



EXISTING OVERHEAD CROSSING REMOVE EXISTING INSULATED 6" D.I.P. FROM CROSSING. INSTALL NEW 12" D.I.P. ON TOP OF EXISTING 10" I-BEAMS, SEE DETAILS ON SHEET 14

INSTALL 12" W/VE'S AND CONNECT TO EXISTING 6" C.I. MAIN.

INSTALL 12" W/VE'S AND CONNECT TO EXISTING 6" C.I. MAIN.

MAURICE GERRY 36/1/55

MAURICE GERRY 36/1/68.1

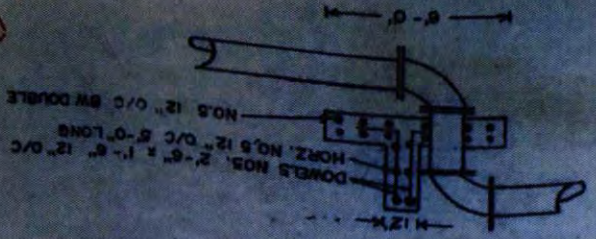
DORIS & LUTHER DOWE 36/1/68.2

*Installed 6" Poly Rods 1" to 6'0" Covered not to Rods Due to Problems AP*

*New 12" Ret. Installed Due to other side of*

*2 Galv. Rods 12" x 12" 12' x 12' 12' x 12' 12' x 12'*

RETAINING WALL PROFILE



# CHANGE ORDER

AIA DOCUMENT G701

OWNER  [X]  
 ARCHITECT  [X]  
 CONTRACTOR  [X]  
 FIELD  [X]  
 OTHER  []

PROJECT: **Town of Liberty**  
**White Sulphur Springs Water District Improvements**  
**Phase 10 - Boyd Road Reconstruction**  
 TO CONTRACTOR:  
**Poley Paving and Construction Corp.**  
**P.O. Box 916**  
**Liberty, NY 12754**

CHANGE ORDER NUMBER: **1**  
 DATE: **28-May-24**  
 ARCHITECT'S PROJECT NO: **TL2-G-2024 General**  
 CONTRACT DATE: **23-Apr-24**  
 CONTRACT FOR: **\$ 196,950.00**

The Contract is changed as follows:

**Item #1 Additional Pavement Work:**

Cost to furnish and install additional new asphalt pavement on Boyd Road, including a 2.5" compacted layer of binder course pavement, a 1.5" compacted layer of top course pavement, and a tack-coat layer between pavement courses. See below:

|                          | <u>Quantity:</u> | <u>Unit:</u> | <u>Unit Cost:</u> |           |                 |
|--------------------------|------------------|--------------|-------------------|-----------|-----------------|
| New Binder Course (2.5") | 92               | Linear Feet  | \$ 43.00          | \$        | 3,956.00        |
| New Top Course (1.5")    | 90               | Linear Feet  | \$ 33.00          | \$        | 2,970.00        |
| New Tack-coat            | 90               | Linear Feet  | \$ 2.00           | \$        | 180.00          |
|                          |                  |              |                   | <b>\$</b> | <b>7,106.00</b> |

**TOTAL = \$ 7,106.00**

**Not valid until signed by the Owner, Architect and Contractor.**

|                                                                                                                                                                                |    |            |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|------------|
| The original (Contract Sum) ( <del>Guaranteed Maximum Price</del> ) was.....                                                                                                   | \$ | 196,950.00 |
| Net change by previously authorized Change Orders.....                                                                                                                         | \$ | -          |
| The (Contract Sum) ( <del>Guaranteed Maximum Price</del> ) prior to this Change Order was.....                                                                                 | \$ | 196,950.00 |
| The (Contract Sum) ( <del>Guaranteed Maximum Price</del> ) will be (increased) ( <del>decreased</del> )<br>( <del>unchanged</del> ) by this Change Order in the amount of..... | \$ | 7,106.00   |
| The new (Contract Sum) ( <del>Guaranteed Maximum Price</del> ) including this Change Order will be.....                                                                        | \$ | 204,056.00 |

The Contract Time will be (~~increased~~) (~~decreased~~) (unchanged) by 0 days  
 The date of Completion as of the date of this Change Order therefore is (May 31, 2024)

NOTE This summary does not reflect changes in the Contract Sum, Contract Time, or Guaranteed Maximum Price which have been authorized by Construction Change Directive

Delaware Engineering, D.P.C.  
 ARCHITECT  
55 South Main Street  
 Address  
Oneonta, N.Y. 13820

Poley Paving and Construction Corp.  
 CONTRACTOR  
P.O. Box 916  
 Address  
Liberty, NY 12754

Town of Liberty  
 OWNER  
120 North Main Street  
 Address  
Liberty, NY 12754

BY \_\_\_\_\_  
 DATE \_\_\_\_\_

BY \_\_\_\_\_  
 DATE \_\_\_\_\_

BY \_\_\_\_\_  
 DATE \_\_\_\_\_

**CERTIFICATE OF SUBSTANTIAL COMPLETION**

---

PROJECT: White Sulphur Springs Water District Phase 10 Boyd Road Reconstruction

DATE OF ISSUANCE: June 4, 2024

---

OWNER: Town of Liberty, NY

OWNER's CONTRACT #: TL2-G-2024 General Construction

CONTRACTOR: Poley Paving and Construction Corp. ENGINEER: Delaware Engineering, D.P.C.

---

This Certificate of Substantial Completion applies to all Work under the Contract Documents or the following specified parts thereof:

*All Contract Base Bid and Change Order Work*

To: Town of Liberty, NY  
OWNER

And To: Poley Paving and Construction Corp.  
CONTRACTOR

---

The Work to which this Certificate applies has been inspected by authorized representatives of OWNER, CONTRACTOR and ENGINEER, and that Work is hereby declared to be substantially complete in accordance with the Contract Documents on

May 31, 2024  
DATE OF SUBSTANTIAL COMPLETION

A tentative list of items to be completed or corrected is attached hereto. This list may not be all-inclusive, and the failure to include an item in it does no alter the responsibility of CONTRACTOR to complete all the Work in accordance with the Contract Documents. The items in the tentative list shall be completed or corrected by the CONTRACTOR within 28 days of the above date of Substantial Completion.

*(Deadline to Complete OCR Work is June 28, 2024)*

EJCDC No. 1910-8-D (1990 Edition)

Prepared by the Engineers Joint Contract Documents Committee and endorsed by The Associated General Contractors of America



From the date of Substantial Completion the responsibilities between OWNER and CONTRACTOR for security operation, safety, maintenance, heat, utilities, insurance and warranties and guarantees shall be as follows:

RESPONSIBILITIES:

OWNER: Resume normal operation.

CONTRACTOR: Provide an executed Contractor's Affidavit of Release of Liens (AIA Document G706A)

Provide a one-year Maintenance Bond, with Consent of Surety, equal to the final contract amount of \$204,056.00.

Completion of all punchlist items (if any are attached)

The following documents are attached to and made a part of this Certificate:

- o *Contractor's Affidavit of Release of Liens*
- o *One-year Maintenance Bond with Consent of Surety*

*[For items to be attached see definition of Substantial Completion as supplemented and other specifically noted conditions precedent to achieving Substantial Completion as required by Contract Documents.]*

This certificate does not constitute an acceptance of Work not in accordance with the Contract Documents nor is it a release of CONTRACTOR's obligation to complete the Work in accordance with the Contract Documents.

Executed by ENGINEER on: \_\_\_\_\_

Delaware Engineering, D.P.C.

ENGINEER

By: \_\_\_\_\_  
(Authorized Signature)

CONTRACTOR accepts this Certificate of Substantial Completion on: \_\_\_\_\_

Poley Paving and Construction Corp.

CONTRACTOR

By: \_\_\_\_\_  
(Authorized Signature)

OWNER accepts this Certificate of Substantial Completion on: 6/3/2024

Town of Liberty

OWNER

By: \_\_\_\_\_  
(Authorized Signature)

TOWN BOARD MEETING  
119 NORTH MAIN STREET, LIBERTY, NY 12754  
DATE: 4/1/24  
PLACE: SENIOR CENTER 119 NORTH MAIN STREET, LIBERTY, NY 12754  
TIME: 6:30 PM

At the Department Head/Worksession Meeting the following were present:

**PRESENT:**

Supervisor Frank DeMayo  
Councilmember Dean Farrand  
Councilmember Vincent McPhillips  
Councilmember John Lennon  
Councilmember Sherri Kavleski

**RECORDING SECRETARY:**

Town Clerk Laurie Dutcher

**ALSO PRESENT:**

Town Attorney Kenneth Klein  
Confidential Secretary Nick Rusin  
Finance Director Cheryl Gerow

**ABSENT**

**PLEDGE OF ALLEGIANCE**

The Supervisor then opened the Department Head/Worksession Meeting at 6:30 p.m.

A MOMENT OF SILENCE WAS HELD FOR **TIM PELLAM** Town of Liberty Highway Superintendent who passed away on March 30<sup>th</sup>.

ANDREW ARIAS presented the Annual Audit Presentation.

**CORRESPONDENCE**

**INCOMING:**

1. Correspondence from General Code regarding improvements made to eCode360.
2. Correspondence from the Chiefs of Swan Lake Hose Co. #1 regarding Devany Rd.
3. Correspondence from the Liberty Fire Department listing the activated fire alarms in the Town and Village of Liberty for the month of February.
4. Correspondence from Sullivan 180 advising the Town that they have been awarded a Sullivan 180 Community Development Grant in the amount of \$500 to be used to support the Cinco De Mayo festival.
5. Email from Adrian Perlmutter regarding Leadership Sullivan Day in Liberty and Parksville.

TOWN BOARD MEETING  
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TIME: 6:30 PM

OUTGOING:

1. Correspondence sent by Supervisor DeMayo regarding the Daffodil Dash being held on Sunday, September 8<sup>th</sup> at the Arrowhead Ranch.

**ACCEPTANCE OF INCOMING AND OUTGOING CORRESPONDENCE**

The Town Board of the Town of Liberty does hereby accept the incoming correspondence.

Motion: Councilmember Dean Farrand  
Seconded: Councilmember John Lennon  
5 AYES Carried

**DEPARTMENT HEAD REPORTS**

**APPROVAL OF DEPARTMENT HEAD REPORTS**

The Town Board of the Town of Liberty does hereby accept the Department Head Reports as submitted.

Motion: Councilmember Dean Farrand  
Seconded: Councilmember John Lennon  
5 AYES Carried

**ASSESSOR**

Deeds received

Town - 10  
Village – 8

Combination 20.-3-5 & 20.-3-6  
Combination 13.A-38 & 13.A-3-7

Split:  
18.-1-49.1  
18.-1-49.3  
18.-1-49.4  
18.-1-49.5

Processing exemptions:  
Senior  
Agricultural

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Forest  
 Veteran's  
 Non-Profit  
 Disability  
 Enhanced Star etc.....

Data Entry, deeds, permits, valuation etc.....

Jordan is doing very well. She picks up very quickly

Brad (data collector) – worked 3/26/24  
 Kevin (data collector) scheduling work  
 Attended the Monthly Assessors Meeting

**CEO - BUILDING DEPARTMENT**

| 2024                        | Jan | Feb | Mar | April | May | June | July | Aug | Sept | Oct | Nov | De<br>c | Tot<br>al |
|-----------------------------|-----|-----|-----|-------|-----|------|------|-----|------|-----|-----|---------|-----------|
| Permits Issued              | 15  | 22  | 20  |       |     |      |      |     |      |     |     |         | 57        |
| Permits Completed/Closed    | 26  | 11  | 16  |       |     |      |      |     |      |     |     |         | 53        |
| Fire Inspections Performed  | 1   | 0   | 0   |       |     |      |      |     |      |     |     |         | 1         |
| Complaints Open             | 9   | 3   | 11  |       |     |      |      |     |      |     |     |         | 23        |
| Complaints Closed           | 41  | 16  | 7   |       |     |      |      |     |      |     |     |         | 64        |
| Appearance Tickets issued   | 0   | 0   | 10  |       |     |      |      |     |      |     |     |         | 10        |
| Planning Board Applications | 4   | 0   | 3   |       |     |      |      |     |      |     |     |         | 7         |
| Planning Board Approvals    | 2   | 3   | 1   |       |     |      |      |     |      |     |     |         | 6         |
| Zoning Board Applications   | 0   | 1   | 0   |       |     |      |      |     |      |     |     |         | 1         |
| Zoning Board Approvals      | 0   | 0   | 1   |       |     |      |      |     |      |     |     |         | 1         |
| Municipal Searches          | 15  | 18  | 25  |       |     |      |      |     |      |     |     |         | 58        |

**COURT**

| 2024                  | Jan | Feb | Mar | Apr | May | June | July | Aug | Sept | Oct | Nov | Dec |
|-----------------------|-----|-----|-----|-----|-----|------|------|-----|------|-----|-----|-----|
| V&T Appearances       | N/R | 65  | 123 |     |     |      |      |     |      |     |     |     |
| Criminal Appearances  |     | 258 | 244 |     |     |      |      |     |      |     |     |     |
| Ordinance Appearances |     | 13  | 1   |     |     |      |      |     |      |     |     |     |

TOWN BOARD MEETING  
 119 NORTH MAIN STREET, LIBERTY, NY 12754  
 DATE: 4/1/24  
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 TIME: 6:30 PM

|                        |  |               |               |  |  |  |  |  |  |  |  |  |
|------------------------|--|---------------|---------------|--|--|--|--|--|--|--|--|--|
| Civil Appearances      |  | 12            | 14            |  |  |  |  |  |  |  |  |  |
| Total Fines Collected  |  | \$51,816.00   | Not available |  |  |  |  |  |  |  |  |  |
| Total Fines to Town    |  | Not available | Not available |  |  |  |  |  |  |  |  |  |
| Total Fines to Village |  | Not available | Not available |  |  |  |  |  |  |  |  |  |

**DCO –NO REPORT SUBMITTED**

**FINANCE**

1. Completed and filed 2023 Annual Financial Report
2. Submitted two insurance claims (Ferndale Accident and employee accident)
3. Submitted payment request to EFC for Swan Lake Sewer. Total requested and received to date is \$499,003.42
4. Submitted additional requests for 2024-2025 General Liability Renewal
5. Worked with County on various IT issues
6. Completed and disbursed Employee Benefits Summary
7. Sent notification to Departments to update their inventory list for insurance purposes and to return by April 30, 2024
8. All other daily duties and responsibilities

**HIGHWAY**

**Improvements/Maintenance:**

- Cold patched all Town Roads – 9 days
- Cut trees and brush on Muhlig Road – 6 days
- Trees and brush on Ferndale Lomis Road – 7 days
- Ditched- Breezy Hill, Old Loomis, Boyd, Clements, Scheibe, Fox Mountain, Revonah
- Replaced culvert – Townsend, Boyd
- Grade gravel road – West Lily Pond
- 4 days of wind storm clean up

**Winter:**

- Saturday, March 2, 4AM – 3:30PM, snow
- Monday, March 11, 3AM – 3:30PM, snow with wind storm

TOWN BOARD MEETING  
119 NORTH MAIN STREET, LIBERTY, NY 12754

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TIME: 6:30 PM

- Thursday, March 21, 7AM – 3:30 PM, snow
- Saturday, March 23, 4AM – 12PM, ice and wind
- Sunday, March 24, 4AM – 8AM, ice and wind

**Facilities:**

- Last load of tires should be hauled out next week

**Equipment/Vehicles:**

- Battery disconnect switches have all been installed
- Maintenance and cleaning of winter equipment – 3 days

**Personnel:**

**Misc:**

- Steep grade ahead sign installed on Ferndale Loomis
- Stone Bid Opening, April 25
- Spring Clean Up, May 9, 10, 11
- Received final CHIPS check for 2023, \$61520.94

**PARK & RECREATION**

**Recreation**

**Youth Basketball** – Is wrapped up

**Day Camp/Pool** – Still taking employment applications and setting up interviews. Working on Camp and Pool permits. Swim registration open for Liberty residents only for the month of March. April, it opens to non-residents.

**Youth Indoor Baseball Clinic** – Was approved and ready to start.

**Plant Pal's** – Has started

**Warriors Football and cheerleading** – Set to open up registrations. Program will start in late summer early Fall.

**The Fun Group/Sullivan 180** – Set to enroll in our swim lessons.

**Easter Egg Hunt** – Was postponed to 3/30

**Adult Volleyball** – League meeting and registration set for early May

**Adult Woman's Soccer League** – Looking to Start in Mid to Late May.

**Mens Adult Softball League** – Set to start in May.

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**Seniors** – Working on setting up trips using a smaller bus in the spring and summer.

**NICA Bike Race** – Set to take place at Walnut Mountain on April 21<sup>st</sup>.

**Parks**

Repainted the Indoor Pavilion

Moving dumpsters across the street

Working on new pool entrance

Put in walk way going to indoor pavilion

Interviewing and hiring new summer seasonal staff

Starting the spring clean-up and getting parks ready for a very busy summer.

**TOWN CLERK**

|                   |                      |    |        |
|-------------------|----------------------|----|--------|
| Highway Fees      | Road Access Permit   |    |        |
| Conservation      | Conservation         | 1  | 1.38   |
| Marriage Licenses | Marriage Licenses    | 1  | 17.50  |
| Permits           | Refuse Collection    | 0  | 0      |
|                   | Towing Licenses      | 0  | 0      |
|                   | Peddler's Permit     | 0  | 0      |
| Small Sales       | EZ Pass              | 8  | 200.00 |
|                   | Notary Fees          | 0  | 0      |
|                   | Marriage Certificate | 7  | 70.00  |
|                   | Photocopies          | 10 | 16.75  |
|                   | Misc (2 USB Devices) | 0  | 0      |
| Building          | Certified Mailings   | 1  | 129.60 |
| Dog Licensing     | Female, Spayed       | 7  | 63.00  |
|                   | Female, Unspayed     | 0  | 0      |
|                   | Male, Neutered       | 7  | 63.00  |
|                   | Male, Unneutered     | 2  | 25.00  |
|                   | Purebred             | 0  | 0      |
|                   | Senior               | 3  | -15.00 |
|                   | Replacement Tags     | 2  | 10.00  |
|                   | Exempt Dogs          | 0  | 0      |
|                   | Redeemed Dog (1)     | 0  | 0      |

TOWN BOARD MEETING  
 119 NORTH MAIN STREET, LIBERTY, NY 12754  
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 TIME: 6:30 PM

|          |                                      |    |         |
|----------|--------------------------------------|----|---------|
|          | Redeemed Dog (2)                     | 0  | 0       |
|          | Redeemed Dog (3)                     | 4  | 1200.00 |
|          | Reimbursement of Expenses            | 0  | 0       |
| Building | Variance                             | 0  | 0       |
|          | Lot Improvement                      | 1  | 300.00  |
|          | Special Use                          | 3  | 900.00  |
|          | Junk Yard                            | 2  | 500.00  |
|          | Subdivision                          | 1  | 300.00  |
|          | Building Inspections Public Assembly | 0  | 0       |
|          | Building Permit                      | 20 | 8785.50 |
|          | Commercial Establishment Inspection  | 0  | 0       |
|          | Fire inspectors                      | 0  | 0       |
|          | Municipal search                     | 0  | 0       |
|          | Reimbursement of Expenses            | 2  | 21.25   |
|          |                                      |    |         |

**WATER & SEWER**

1. Business has been the usual for this time of year. We have been busy checking bleeders, hydrants, testing meters, looking for leaks, rebuilding chlorine pumps, and servicing our small equipment.
2. I have scheduled tank cleaning for Route 55, Stevensville (old tank-water tower road) and Ferndale tanks on April 22, 2024. I have also been working on a date to have Sherwood and Roth wells cleaned.
3. On February 7<sup>th</sup> we had to dig and repair a sewer line on Redwood Lane in Swan Lake.
4. As of March 18<sup>th</sup> we will have one new employee starting work. I have not been able to contact the second individual who was approved for the job.
5. Any other items that may arise prior to meeting.

**DELAWARE ENGINEERING**

1. **CDBG Grant Project Phase 10 – White Sulphur Springs Boyd Road and Well Screens**
  - **Actions for the Board to consider at today’s meeting:**
    - None
  - **Construction Status and Remaining Work for the Original Project (Tweedie)**
    - Contract work was substantially completed (as of 11/29/23), except for the following punch list items (as of 3/26/24):
      - Final site restoration - \$12,892 – **Spring 2024**
      - Demobilization - \$6,000 – **Pending final site restoration**
        - Punchlist Remaining Value = \$18,892 (amount to be withheld as of 1/30/24)
    - Project Substantial Completion



TOWN BOARD MEETING  
119 NORTH MAIN STREET, LIBERTY, NY 12754

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TIME: 6:30 PM

- Tweedie has provided the required closeout documents (except for final payment application, pending completion of punchlist)
  - Tweedie final work and final payment requests can be completed and submitted in May 2024.
  - We will assemble the project closeout package, and provide it to the Town, with a copy to the contractor, upon completion of as-builts and final contractor payment request
- **Contractor Final Payment Request**
    - Can be submitted in May 2024 following completion of remaining punchlist work

- **Boyd Road Reconstruction**

- An OCR extension was granted until June 28, 2024
  - Boyd Road Reconstruction package is out to bid
  - Bids due 4/4/24
  - Bid review award recommendation will be provided to the Town for review by 4/10/24 for action at the 4/15/24 board meeting
  - Construction documents require completion of work by May 31, 2024
  - Background
    - On December 8, 2023 the Town submitted a formal request to NYSOCR, including cost estimate and anticipated project schedule, Schedule Bar Chart and Email Correspondence between Blauer Associates and OCR regarding project extension.
      - 1.) Based on the cost estimate provided with the extension request, **the estimated cost for this work is \$182,225**
      - 2.) With the **Town Highway Department willing to contribute up to \$20,000** toward the road reconstruction/paving work
    - On December 14, 2023 NYSOCR sent the Town a letter approving the request for a contract time extension for the above project. See attached.
      - 1.) *The NYS Office of Community Renewal (OCR) is in receipt of the Town of Liberty's letter requesting an extension beyond the project completion deadline of January 5, 2024.*
      - 2.) *Based on OCR's review and careful consideration the Town of Liberty's request for an extension has been granted, and your **revised project completion date is June 28, 2024.***
  - This work, and other related expenses (additional engineering, not included in the cost estimate) are anticipated to be covered by the grant
  - On 2/23/24 project drawings and specifications were submitted for OCR review.
  - The Town received OCR review comments on 2/28/24, 2/29/24,
  - The Town received notice that the bid specifications appear to be in compliance with applicable OCR requirements, and on 3/1/24 that OCR has no objections to the Town of Liberty publishing the notice on 2/29/24
- The anticipated project schedule is as follows:

TOWN BOARD MEETING  
 119 NORTH MAIN STREET, LIBERTY, NY 12754  
 DATE: 4/1/24  
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 TIME: 6:30 PM

| <u>Task:</u>                                       | <u>Schedule:</u>             |
|----------------------------------------------------|------------------------------|
| Second Public Hearing for Project:                 | December 4, 2023 - Complete  |
| Town Considers Extension Request and OCR Terms:    | December 4, 2023 - Complete  |
| Extension Request Submitted to OCR:                | December 8, 2023 - Complete  |
| Bid Document Preparation:                          | January - February 2024      |
| ERR/RROF Review and Revision/Re-evaluation:        | Complete                     |
| Bid Documents to OCR:                              | February 23, 2024 - Complete |
| Town Board Authorization to go to Bid:             | March 4, 2024 - Complete     |
| Bid Advertisement Published:                       | March 8, 2024 - Complete     |
| Pre-bid Meeting:                                   | March 14, 2024 - Complete    |
| Bid Opening:                                       | April 4, 2024 - Pending      |
| Bid Review and Award Recommendation to Town:       | April 10, 2024               |
| Board Resolution for Bid Award:                    | April 15, 2024               |
| Issue Notice of Award:                             | April 16, 2024               |
| Pre-Construction Meeting:                          | April 2024                   |
| Construction Contract Document & Submittal Review: | April 2024                   |
| Construction:                                      | April 2024 - May 31, 2024    |
| Town to Review and Consider Final Pay Request:     | On or Before June 7, 2024    |
| Construction Contract Close-out:                   | On or Before June 28, 2024   |

- This schedule is an estimate and the actual schedule may differ slightly as the project proceeds. However, we are confident this project will be brought to completion by the **June 28, 2024** deadline.

**Project Cost Summary**

- **Overview/Quick Summary**
- Awarded Bid total = \$391,162
- Final Total of Contract TL1-G-22, Including All Changes = \$403,369
- Construction budget (2021 estimate) = \$587,200 (not including contingency)
- Pending Boyd Road Reconstruction/Paving, there remains \$234,831 (\$183,831 Remaining Construction Funds + \$51,000 in contingency) in grant dollars presently uncommitted.
- Planned expenditures associated with additional Boyd Road work

| Item                                                 | Estimated Cost |                             |               |
|------------------------------------------------------|----------------|-----------------------------|---------------|
| Reconstruction of +/- 1,100 lineal feet of Boyd Road | \$182,225      | Per 12/2023 estimate to OCR | To be bid out |
|                                                      |                |                             |               |

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|                                                                                                              |                 |  |                                            |
|--------------------------------------------------------------------------------------------------------------|-----------------|--|--------------------------------------------|
| Additional Engineering work for design, bidding and construction phase services for Boyd Road reconstruction | \$30,000        |  | Pending Amendment 1 to Delaware's contract |
| Sum of Items                                                                                                 | \$212,225       |  |                                            |
| Remaining Budget                                                                                             | \$234,831       |  |                                            |
| <b>Net remaining after planned expenditures</b>                                                              | <b>\$22,606</b> |  |                                            |

**About \$22,000 is anticipated to remain in contingency after planned expenditures associated with reconstruction of about 1100 lineal feet of Boyd Road including the \$30,000 Delaware Engineering Contract Amendment No. 1**

o **More detailed cost summary:**

| Item No.: | Item Description:                                | Estimated cost/budget (Feb 2021 Engineering Report for the CFA application) | As bid April 2023 with Bid Alternate Price – no changes | Contract Costs to-date (as of 2-28-24) with all changes | Budget minus bid - minus changes as of 02-28-24 |
|-----------|--------------------------------------------------|-----------------------------------------------------------------------------|---------------------------------------------------------|---------------------------------------------------------|-------------------------------------------------|
| 1         | Construction – General                           | \$587,200                                                                   | \$391,162                                               | \$391,162                                               | \$196,038                                       |
| 2         | Construction – (no others)                       |                                                                             |                                                         |                                                         |                                                 |
| 3         | Construction – Subtotal Bid                      | \$587,200                                                                   | \$391,162                                               | \$391,162                                               | \$196,038                                       |
| 4         | Change Order No. 1 (Final Over/ Under):          |                                                                             |                                                         |                                                         |                                                 |
|           | Quantity Adjustment (net)                        |                                                                             | \$0                                                     | (\$11,068)                                              |                                                 |
|           | Concrete Anchor Blocks                           |                                                                             | \$0                                                     | \$ 5,500                                                |                                                 |
|           | Hydrant Extension                                |                                                                             | \$0                                                     | \$ 2,775                                                |                                                 |
|           | Add'l Funds for Road Restoration                 |                                                                             | \$0                                                     | \$15,000                                                |                                                 |
|           | Change Order No. 1 Total (net) =                 |                                                                             | \$0                                                     | \$12,207                                                | (\$12,207)                                      |
| 5         | Boyd Road Reconstruction (Estimated – to be bid) |                                                                             |                                                         | <b>\$182,225</b>                                        | <b>(\$182,225)</b>                              |

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|             | Anticipated Town Contribution (up to not to exceed \$20,000)           |              |              |              | Not deducted from total          |
|-------------|------------------------------------------------------------------------|--------------|--------------|--------------|----------------------------------|
| 6=3+4+5     | SUBTOTAL - Construction                                                | \$587,200    | \$391,162    | \$585,594    | \$ 1,606                         |
|             | Other Costs:                                                           |              |              |              |                                  |
| 7A          | -Delaware Engineering                                                  | \$149,500    | \$149,500    | \$149,500    |                                  |
| 7B          | - Amendment 1 Add'l Boyd Road Reconstruction 2024                      | \$ 0         | \$ 0         | \$ 30,000    | (\$30,000) Pending Town Approval |
| 8           | -Blauer Associates (Grant Admin) (1)                                   | \$45,000 (1) | \$45,000 (1) | \$45,000 (1) |                                  |
| 9=6+7A+7B+8 | <b>Total Estimated Cost/Cost to Date</b>                               | \$781,700    | \$585,662    | \$810,094    | (\$28,394)                       |
| 10          | Contingency                                                            | \$51,000     | \$51,000     | \$ 0         | \$51,000                         |
| 11=10+9     | Project Budget/Cost to Date Plus Contingency - <b>Total</b>            | \$832,700    | \$636,662    | \$810,094    | \$22,606                         |
| 12=11-8     | Project Budget/Cost to Date Plus Contingency <b>Grant Eligible (2)</b> | \$787,700    | \$591,662    | \$765,094    | \$22,606                         |
| 13          | Grant Amount                                                           | \$787,700    | \$787,700    | \$787,700    |                                  |
| 14=13-12    | Grant Budget Minus Cost – <b>Remaining</b>                             | \$0          | \$196,038    | \$22,606     |                                  |

(1)– Town agreed to fund grant administration (Blauer Associates) at \$45,000 to facilitate project readiness and score more points on the application – cost not eligible for grant reimbursement

(2)– All costs except Grant Administration are eligible for grant funding

- **About \$22,000 is anticipated to remain in contingency after planned expenditures associated with reconstruction of about 1100 lineal feet of Boyd Road including the \$30,000 Delaware Engineering Contract Amendment No. 1**
- **Professional Services Contract Amendment No. 1 for Engineering Services**
  - At the February 5, 2024 meeting the Town Board authorized the Town Supervisor to execute Delaware Engineering, D.P.C.'s Professional Services Contract Amendment No. 1 for Engineering Services for the White Sulphur Springs Water District - Phase 10 Improvements, associated with partial reconstruction of Boyd Road, OCR Small Cities CDBG Project # 641PW78-21, in the total amount of \$30,000.
  - Contract Amendment No. 1 for Engineering Services executed on February 6, 2024

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- Budget modification that includes this work has been accepted by OCR on February 26, 2024

**Swan Lake WWTP Upgrade**

- **Actions for the Board to consider at today's meeting:**
  - Town to consider authorizing the Town Clerk to issue a \$300 check to NYSDEC for the underground fuel storage tank registration application
- **Project Funding/Financing Overview**
  - **No Changes this month**
    - Project currently financed for hardship (0%) loan, WIIA grant and BIL funding with a grant of up to 50% of the project cost, less the WIIA grant.
  - Project funding summary based on current information:

| Project#                     | Description                                                     | WIIA Grant          | BIL Grant           | BIL 0% Loan         | Total                     |
|------------------------------|-----------------------------------------------------------------|---------------------|---------------------|---------------------|---------------------------|
| C3-5370-01-00                | Engineering/Prof Services (DEDPC contract plus 10% contingency) | \$ 2,922,655        | NA                  | NA                  | \$ 2,922,655              |
| C3-5370-01-01                | Other WWTP Upgrade scope items                                  | \$ 1,577,345        | \$ 6,916,000        | \$ 6,584,000        | \$ 15,077,345             |
|                              |                                                                 |                     |                     |                     |                           |
| <b>TOTAL</b>                 |                                                                 | <b>\$ 4,500,000</b> | <b>\$ 6,916,000</b> | <b>\$ 6,584,000</b> | <b>\$ 18,000,000</b>      |
| <b>Estimated Grant Total</b> |                                                                 |                     |                     |                     | <b>\$11,416,000 (63%)</b> |

In summary, the current \$18M project is in line to receive 63% in grants and 0% financing on the balance.

- Project Financing Agreements (PFAs) executed/closed on January 12, 2023 for both projects, short term financing funds now available and costs for contracts with approved MWBE/DBE/SDOVBE Plan(s) are eligible for disbursement
  - **Professional Services Work (C3-5370-01-00)** WIIA Grant funded only
  - In response to communications with NYSEFC, the Town responded on November 15, 2022 to NYSEFC requesting that WIIA funds be utilized for professional services.
  - We sent digital copies of the executed professional services contract to NYSEFC on November 20, 2022 which was approved per 12/6/23 NYSEFC letter.
  - Has 2 programs included for compliance:
    - MWBE/DBE/SDOVBE Goals
      - 30% MWBE, and
      - 6% SDVOBE

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- Delaware/MSI submitted our MWBE & SDVOBE Utilization Plans to the Town on March 16, 2023 and the Town submitted to NYSEFC for review/approval on March 21, 2023.
  - We have worked through many of NYSEFC MWBE review comments, and have successfully completed the Construction Inspection RFP solicitation process in September and October 2023.
  - We have worked through NYSEFC's MWBE review comments and on November 2, 2023 the Town received notification that NYS EFC has reviewed and accepted our MWBE and SDVOB Utilization Plans and partial Waiver requests for the Town of Liberty - Project No. 5370-01-00, Delaware Engineering D.P.C. contract.
  - The DE contract is eligible for disbursement, EFC will release payment for all invoices submitted to date (upon receipt and processing of a disbursement request) and the Town can then reimburse internal funds
  - **Cheryl G. continues to submit disbursement requests for project invoices**
- 
- **Construction (C3-5370-01-01)** WIIA & BIL funded, has one program for compliance.
    - MWBE/DEB/SDVOBE
      - 20% MWBE  
[20% DBE (fed.) if equivalency project (pop >10,000), NA]
    - Utilization Plans to be provided by Construction Contractors following bid award so no action until then
  - Delaware & MSI will continue to work with the Town and NYSEFC through WIIA & BIL requirements
- 
- **Moving the WWTP Upgrade Project Forward**
    - Professional Services Work
      - Continuing to work with the Town and NYSEFC and our fiscal subconsultant MSI as needed on contract related items.
      - Design continuing
      - Working on updated project cost estimate with subcontractor Trophy Point
      - Damon, Wayne, and John Lennon went on a trip on January 10, 2024 to Waverly WWTP to see the equipment proposed at this facility
      - Site visit to Vernon, NY to see mechanical screens is pending
      - **Continuing work on NYSDEC SPDES permit Application for NY-2A for a facility upgrade and expansion**
        - Requesting limits for WWTP maximum monthly average daily flow of 0.960 MGD and 0.686 MGD
        - New permit needed before NYSDEC will approve the design and before project can go out to bid
        - Need Town to decide on permit limit flow

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- Draft NY-2A Form filled out and submitted on Friday, August 4, 2023, (and resubmitted on Tuesday August 29, 2023, and September 15, 2023) to NYSDEC Permits (Aparna Roy) along with
  - Location Map
  - Upgrade Site Plans and Process Flow Schematic
  - Detailed Mixing Zone Form
- Need to submit yet: Updated WTC Form for anticipated WTC usage following the WWTP Upgrade
- NYSDEC advised us on 10/25/23 that they are working on the application now and will get back to us soon.
- Followed up with NYSDEC Region 3 Permits on 10/02/23, 11/29/23, & 12/19/23 to request update(s)
- NYSDEC Responded on December 19, 2023 requesting that the Town please provide *all* information in Tables A, B, F, and G (attached, NY-2A Revised 05/12/2023 with additional sampling)
  - TABLE A. EFFLUENT PARAMETERS FOR ALL POTWS
  - TABLE B. EFFLUENT PARAMETERS FOR ALL POTWS WITH A FLOW EQUAL TO OR GREATER THAN 0.1 MGD
  - TABLE F. WATER TREATMENT CHEMICAL LISTING
  - TABLE G. INDUSTRIAL DISCHARGE INFORMATION
  - There is only sampling required for Table A (two sections) & B. Table F. Water Treatment Chemicals and Table G. Industrial Discharge Information do not require sampling, and Delaware will fill them out
  - Please note the section on Analysis (Page 2, the General Instructions) that the lab will need to pay attention to select the appropriate test method
  - We plan to schedule a pre-sampling meeting to make sure that they fully understand what we need.
  - The lab, or Town, can forward us the results and we can fill in the tables
  - W&S Dept. is reviewing and will let us know when you would like to schedule this sampling
- We sent the list to Damon and Wayne on 12/20/23 and the Town conducted sampling on 1/17/24
- We are summarizing the results received (in Tables A, B, F & G)
- There are still sampling results pending
- There were some sample results received that used the incorrect standard testing method and will need to be redone (at no cost to the Town)
- The sampling that needs to be redone was ordered on 3/22/24
- The lab is shipping new sampling bottles to the Town
- The Town should receive the additional sampling bottles the week of 3/25-3/29, and should proceed with resampling

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- We need to estimate WTC list for the upgrade as well. Depends on permit flow limit
- On-site Under Ground Fuel Tanks
  - There are two existing onsite fuel tanks, shown on the existing plans, that have been abandoned in place
    - Diesel Oil Tank – 1,000 gal. capacity (located near emergency generator)
    - Gasoline Tank – 500 gal. capacity (filled with sand, located in parking lot)
  - No Town records of tanks being registered or formally closed
  - The Town will need to get these tanks registered in order to fully close out and remove them (e.g., closure report and sampling, etc.)
  - The only tank that requires registration is the gas tank. The diesel tank would not require registration if the gas tank was not there, but because of the gas tank, all tanks (above & below ground) onsite need to be registered
  - Once the inground tanks are removed the other above ground tanks are not required to be registered
  - There would be an initial \$300 registration fee, but DEC may come back for additional fee based on all the missed years of registration
    - The tank registrations go in 5-year cycles, so the Town could owe \$300 for every five-year period that these tanks have existed (bases on Total Design Capacity of All Tanks at the Facility)
    - Given the age of the USTs per the record plans, there could be 8 or 9, five-year registration cycles that were missed. The Town could be looking at back registration fees of up to \$2,400.
  - Once the registrations of the tanks are processed, the Town would then submit a Tank Notification Closure Form whenever we know the schedule of the tank closing work
  - Delaware will continue to move forward with Damon on the missing application items and get the application ready to go, and recommended that the Town will need to pay \$300 in the near term to start the application review process, and may need to backpay for previous registration cycles at a cost of \$300 per 5-year cycle
  - **Therefore, if the Town would like to move forward with closure of the existing abandoned storage tanks, then we recommend that the Town Board:**
    - **Authorize the Town Clerk to issue a check to NYSDEC for \$300 for the tank registration application**
- Subcontract work
  - Financial Administration – Municipal Solutions, Inc. (WBE)
    - Subcontract executed 12/29/22 with Municipal Solutions, Inc for Financial Assistance Services to comply with NYSEFC requirements (e.g., MWBE, EEO, etc.)



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- Work to include NYSEFC program compliance, monthly/quarterly paperwork, etc.
- Continuing to work with the Town on periodic NYSEFC filings and paperwork and with DE on MWBE & SDVOBE Utilization Plan items
- Survey and Subsurface Utility Exploration - Shumaker (WBE)
  - Subcontract executed on 10/21/22
  - SUE contractor was onsite Wednesday Nov 2 thru Friday November 4, 2022
  - The surveyor was onsite November 7 thru November 9, 2022 for the initial topo and boundary survey work
  - Topo and boundary survey received 12/22/22
- Geotechnical (borings and geotech report for new bldgs.) – Atlantic Testing (WBE)
  - Subcontract executed on 02/08/23
  - Boring work began 3/21/23 and continued during the week of 3/27/23.
  - DRAFT boring logs were provided on 05/12/23
  - Final geotechnical report provided on 9/22/23
- Reproduction/Printing Services
  - Planning to use Constructive Copy (WBE) for repro of bid specs and drawings
- Construction Cost Estimating (construction) – Trophy Point (SDVOBE)
  - Subconsultant agreement with Trophy Point Construction Services (SDOVBE) and Consulting for cost estimating services executed on 1/4/24
  - 40% Design drawings were submitted to TP on 2/9/24.
  - **The 40% cost estimate is anticipated to be received by April 1, 2024**
- Mechanical/HVAC Design Review – Jade Stone (MWBE)
  - Retaining a MWBE firm to provide mechanical/HVAC design review
  - Peer review of HVAC design
  - Subcontract pending
- Other MWBE Subcontract's Pending
  - For Construction-Phase work – will seek as design nears completion
    - Construction Material Testing
    - Special Inspections

**2. Stevensville Water Project**

- **Actions for the Board to consider at today's meeting:**
  - **None**
- Construction and punch-list work complete
- Still waiting for Osterhoudt to return the maintenance bond for the project closeout package (last requested on 3/26/24)
- As-builts being prepared
- Construction certification planned to go out to NYSDOH with as-builts in April 2024
- Osterhoudt repaired a leaking water service on 12/19/23. The repair will be covered under the project 1-year maintenance bond which began on July 3, 2023. (maintenance bond is still pending from Osterhoudt). Some sort of restoration will need to occur in the spring.

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More Detail below:

- **Contract TL2-E-2017 – Electrical.**
  - All work completed and paid out.
- **Contract TL2-G-2017 – General**
  - Water Storage Tank substantially complete June 2021 and paperwork previously processed.
  - **Remaining work for the Watermain, Swan Lake Crossing, and Well Field Improvements:**
  - New waterline has been in operation since late April 2023 and wellfield and other watermain work has been completed
  - **All contract work is substantially completed as of 05/31/23, the following punch list items associated with the Swan Lake Crossing were completed as of 9/29/23**
    - Insulation trim – **Complete**
    - Touch up galvanization paint for new base plates and support brackets – **Complete**
    - As-builts – **Complete**
  - **Project Completion (Substantial) – Watermain, Swan Lake Crossing, and Well Field Improvements Only** (Substantial Completion for Water Storage Tank accepted on June 7, 2021)
    - At the July 3 meeting the Town Board resolved to authorize the Town Supervisor to endorse the Certificate of Substantial Completion form for Contract No. TL2-G-17 – General with May 31, 2023 as the date of Substantial Completion for the Watermain, Swan Lake Crossing, and Well Field Improvements/non-water storage tank work and a final contract amount for Well Field Improvements/non-water storage tank work, of \$1,182,484 and a total final contract amount of \$2,378,660
    - Delaware has forwarded the Town-signed Certificate of Substantial Completion to the contractor for execution and requested project closeout paperwork (i.e., affidavit of release of liens for subcontractors and equipment suppliers, provide maintenance bond, etc.) on 07/5/23, and resent the Certificate of Substantial Completion (and Change Order No. 7) for execution on 9/22/23
    - The contractor returned the executed Certificate of Substantial Completion (and Change Order No. 7) on 10/13/23; we are still waiting for the maintenance bond from the contractor (last requested on 3/15/24) and, when all items are in hand, we will assemble the project closeout package, including the final payment application and as-builts, and provide it to the Town, with a copy to the contractor.
    - EFC is questioning the contract amount versus amount paid for the final quarterly report for Osterhoudt and subcontractor Rock Mtn
    - We have asked Osterhoudt to confirm the final subcontract amount with Rock Mtn., and if the subcontract decreased, to please provide a brief explanation to respond to EFC with
- **Swan Lake Crossing at Lake Outlet**
  - Osterhoudt was onsite during the weeks of April 17 and 24, 2023, completing the water

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main crossing, and successfully tested (disinfection and pressure) the new line

- Delaware submitted NYSDOH Certification of Completion for the crossing and received NYSDOH-District Office approval to put it on line when ready on April 21, 2023
  - Delaware plans to submit a final Construction Certification for all contract work to be submitted with as-builts to NYSDOH – currently working on as-builts and will submit certification in the near future
- **Payment Request No. 10 (Final)**
    - At the November 20, 2023 meeting the Town Board resolved to authorize the Finance Department to proceed to process Payment Application No. 10 (Final), to General Contract No. TL2-G-2017 for H. Osterhoudt Excavating, Inc. for the period ending October 13, 2023, in the amount of \$133,443.00 as requested by the contractor, including submittal of the payment request to NYSEFC for reimbursement, understanding that payment to the contractor will be made following receipt of reimbursement from NYSEFC, and contingent upon the receipt of the complete closeout package and all payment application items
    - **Final payment Check mailed to the contractor the week of 11/20/23**
  - **NYSEFC Final Short Term (ST) Loan Disbursement Request and Long Term (LT) Loan**
    - LT Closing was completed on 12/6/22, Long-term funds became available for disbursement beginning on 12/8/2022
  - **NYSEFC Document Collection**
    - All documents have been submitted, with the exception of TAM's Subcontract Agreement with Turtle & Hughes, including the EEO Policy Statement and Lobbying Certificate.
    - An explanation has been provided to NYSEFC that the prime contractor for the Electrical contract has indicated that there is no subcontract because Turtle & Hughes is a materials supply vendor. They only supplied material for this project. This is under review by NYSEFC.
- 3. *Economic Development Water and Sewer Infrastructure Capacity Planning Study***
- A draft/ most current revised version of the report of the report was provided to the Town Supervisor on 12/12/23, and to the Village Mayor and Dave B. on 1/17/24
  - The Town is proposing a joint meeting in April 2024
  - Met with Village DPW Supervisor on October 13, 2023
  - Working to revise this ASAP with Dave Burke and then get to the Town for review
  - Elm Street Well remediation and future use are key to this study
  - Due to likely SPDES permit changes, study to review the ability of the Village WWTP to meet the new limits will also be added to the study recommendation – WWTP has adequate capacity for some additional flow/contributions without more upgrades.

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- DE Staff held initial meeting with the Town (Frank and Damon) to review scope, current zoning, water, sewer, development projects, collaboration with Village, study products, and action items, etc. on November 14, 2022
- Met at Village Hall on February 7 with the Village (Mayor Joan, Judy, Lynn Barry, Dave Harman, Mark Kellam) and Town (Supervisor DeMayo and Dean Farrand) with the focus on Village infrastructure and needs.
- Meeting summary was sent to Town and Village on 3/14/22
- Will involve planning staff as well as Town and Village water and sewer staff
- At the September 6, 2022 meeting the Board authorized the Town Supervisor to endorse the Economic Development Water and Sewer Infrastructure Capacity Planning Study, dated August 15, 2022 to conduct:
  - Economic Development Water and Sewer Infrastructure Capacity Planning Study
  - Update to Parksville Sewer Service Alternatives Study
  - Select Grant Writing

**4. Swan Lake Sewer System Evaluation/I/I EPG**

**• Board Action Required at Tonight's Meeting:**

- Review EPG Document Checklist

**• Board Action Required at the May 6, 2024 Meeting:**

- Review and consider adopting recommended Board Resolutions
- Review and consider accepting Budget and Plan of Finance

- Delaware submitted EPG application for up to \$50,000 in grant funding for I/I investigations, with commitment for a \$10,000 local match (20%) on August 11, 2023
- **This Project has been selected for award!!**
- On 2/15/24 the Town received notification from NYSEFC that the Town has been awarded a NYS Environmental Facilities Corporation (EFC) **Engineering Planning Grant (EPG)** for the project, **in an amount not to exceed \$50,000**, for the development of an engineering report to identify sources of inflow and infiltration, evaluate alternatives, and recommend improvements to the Town of Liberty's Swan Lake Sewer District. **This has a 20% local match (\$10,000) which the Town agreed to do in March 2023 if the grant was awarded.**
- At the March 4, 2024 meeting the Town Board resolved to:
  - Authorize the Town Supervisor confirm acceptance and intent to proceed with this project by completing and signing the Acknowledgement and Acceptance of EPG Grant Award Form and e-mailing it to [epg@efc.ny.gov](mailto:epg@efc.ny.gov) no later than March 8, 2024, and
  - Authorize the Town Clerk to publish the legal notice for Request for Qualifications for professional services for work associated with preparation of the Swan Lake Sewer District Engineering Report for the Sewer System evaluation
- The EPG Grant Acceptance Form was submitted NYSEFC by the Town Supervisor via email on February 22, 2024

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- On March 13, 2024 NYSEFC provided the Town an EPG Checklist and supporting documentation to assist the Town in the process of entering into a Grant Agreement with EFC):

**1. Board Resolutions (for action at the May 6, 2024 Meeting):**

Submit signed, certified board resolutions in PDF format designating the authorized representative and local match amount. Sample Resolution Language is available. Type II SEQR resolutions are no longer required for Engineering Planning Grants.

- Authorized Representative Resolution  
Board resolution designating an Authorized Representative for the project
- Local Match Resolution  
Board resolution authorizing and obligating local match funds

Note: Similar resolutions were adopted by the Town at the March 30, 2023 meeting. NYSEFC updated the template/sample resolutions in March 2024, so we recommend that the Town adopt the updated resolutions

**2. Budget and Plan of Finance Form (for action at the May 6, 2024 Meeting):**

- Detailed budget and plan of finance including all prime contracts/agreements, in-kind services, third-party funding, and satisfaction of the minimum 20% local match requirement.

**3. Executed Engineering Agreement (for action at the August 5, 2024 Meeting)**

- All architectural and engineering contracts must be procured through a federally acceptable Request for Qualifications (RFQ) process, in accordance with 40 U.S.C 1101. All contracts must be signed by both parties and must contain the scope of work and fee.
- Architectural/Engineering Procurement Certification

- All checklist items due by August 31, 2024 (See anticipated schedule below)
- In order to remain eligible for these funds, the Town must enter into a Grant Agreement for the above project by September 30, 2024
- Therefore, if the Town would like to proceed with the project, then we recommend at the May 6, 2024 meeting, that the Town:
  - Adopt the Board Resolutions designating an Authorized Representative, and authorizing the local match for the Liberty (T) EPG 128719/Swan Lake Sanitary Collection System I/I Investigation as set forth in the attached subject resolution
  - Accept the Budget and Plan of Finance Form

**Professional Services RFQ**

- Requires evaluating Request for Qualifications to facilitate selection for professional services to prepare the Engineering Report and associated activities
- The Clerk does not need to do anything related A/E Procurement/RFQ Process at this time
- We plan to provide the Town with the A/E Procurement/RFQ documents (i.e., Legal Notice, RFQ, Scoring Matrix, Scoring Summary, Resolution for Contract Award, A/E Procurement Certification) for review at the May 6 meeting

**The anticipated schedule is as follows:**

- Adopt Board Resolutions..... March 23, 2023 (A)

TOWN BOARD MEETING  
119 NORTH MAIN STREET, LIBERTY, NY 12754

DATE: 4/1/24

PLACE: SENIOR CENTER 119 NORTH MAIN STREET, LIBERTY, NY 12754

TIME: 6:30 PM

- Submit NYSCFA EPG Funding Application ..... August 11, 2023 (A)
- Award Announcement ..... February 15, 2024 (A)
- Award Letter received by Town ..... February 16, 2024 (A)
- Authorize the Town Clerk to publish the legal notice for RFQ ..... March 4, 2024 (A)
- Deadline to submit an executed Award Acceptance Form ..... March 8, 2024 (A)
- EPG Checklist of Supporting Documentation received by Town ..... March 13, 2024 (A)
- Provide update to Town Board ..... April 1, 2024 (T)
- Town adopts updated Board Resolutions and Plan of Finance ..... May 6, 2024 (T)
- RFQ for A/E Procurement ..... May - August 2024 (T)
  - Provide RFQ Documents to the Town ..... May 6, 2024 (T)
  - Town to publish the legal notice ..... May 10, 2024 (T)
  - Deadline to submit RFQ/SOQ ..... June 7, 2024 (T)
  - Town Clerk to distribute and Board to review RFQs/SOQs ..... June 8 – July 1, 2024 (T)
  - Town Board to score RFQ/SOQ and select firm (at Board meeting) ..... July 1, 2024 (T)
  - Engineering Contract Submitted to Town ..... July 1, 2024 (T)
  - Engineering Contract Submitted to
  - Execute Agreement with selected firm (at Board meeting) ..... August 5, 2024 (T)
- Submit EPG Checklist Supporting Documentation ..... by August 16, 2024 (T)
- Deadline to submit EPG Checklist Supporting Documentation ..... August 31, 2024 (T)
- Execute PFA ..... September 2024 (T)
- Deadline to Execute Grant Agreement ..... September 31, 2024 (T)
- Complete I/I Engineering Report ..... October 2024-October 2025 (T)

• Background

- At the March 30, 2023 meeting the Town Board authorized the Supervisor to execute planning grant application with the NYS Environmental Facilities Corporation and authorization and appropriation of local match (minimum of 20% if the EPG grant is awarded).
- Delaware submitted EPG application for up to \$50,000 in grant funding I/I investigations, with commitment for a \$10,000 local match (20%) on August 11, 2023
- Digital copies forwarded to the Town Supervisor, Water and Sewer and Town Clerk on 08-31-23 – hard copy can be provided if requested.

5. **Lead & Copper Rule Revisions service line inventory requirements, due October 2024**

- Final FFY 2024 IUP Amendment No. 2 was issued in March 2024 with no changes
- However, based on the final IUP amendment, which was published by EFC in March 2024, it appears that the Town may not receive a grant
- The October 2024 inventory deadline remains
- The Town will need to continue to move forward with this recognizing that outside funding is unlikely
- Town should continue to organize information on lead services lines
- Background
- NYSDOH recently issued a draft amendment to the FFY2024 DWSRF IUP regarding the BIL Lead

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Service Line Replacement (BIL-LSLR) funding. Comments were accepted via e-mail until 5:00 p.m. on Friday February 16, 2024 to [design@health.ny.gov](mailto:design@health.ny.gov)

- The result of this submission was that the Town was determined by EFC to be eligible for funding under the BIL LSLI grant program.
- Grant funds for the program are limited, and it appears that a majority of the funding is scheduled to be awarded to large cities like NYC, Albany, and Rochester.
- Municipalities may provide comments to EFC, regarding the draft IUP amendment, before it is finalized.
- On February 14, 2024 Delaware provided a draft comment letter to help municipalities (the Town) comment on the draft IUP for EFC consideration.
- The Town Supervisor signed, and submitted, by email, to [design@health.ny.gov](mailto:design@health.ny.gov) on February 15, 2024
- While it is possible that these comments could result in funding being awarded to a greater variety of small eligible communities, it should be understood that there is no guarantee that that the Town will be one of them.
- Funding Listing/Application:
  - A report and listing form were finalized and submitted on 8/25/23 for a lead service line inventory project, covering the Town's seven water districts, to be considered for 100% grant funding through the BIL program administered by NYS DWSRF. PER and Listing form emailed to Town Supervisor and Damon on 8/25/23.
  - The estimated project cost is \$569,094.
  - If a grant is received, the project will be subject to federal and DWSRF requirements (e.g., MWBE, BABA, AIS, Davis Bacon, etc.).
  - A copy of what was submitted (i.e., engineering report and IUP listing form) was submitted to the Town on August 28.
  - DRAFT Funding Award Notification occurred in January 2024
  - It is likely that this funding application was not successful
- EFC and DOH hosted a webinar on the Lead Service Line (LSL) funding available through the Bipartisan Infrastructure Legislation (BIL).
  - Grants are only available to municipalities that meet the definition of a Disadvantaged Community (DAV). If a client is not a DAV, then they will only get subsidized financing
  - In order to qualify for BIL Lead Service Line grant funding (inventory or replacement), a municipality needs to have a 2021 MHI that is less than 80% of the regionally-adjusted State MHI. The Town of Liberty Qualifies for this.
  - DAV eligibility applies to both inventory and replacement projects. DAVs can get up to 100% grant funding (\$2M max) for inventory projects, and up to 70% grant funding (\$10M max) for replacement projects.
  - You can only apply for LSL replacement funding for locations where the number and location of LSL are known and verified, even if it is just a targeted area. However, if you are requesting replacement funding, then the entire line (public and private portion) must be replaced.
  - You can apply for both inventory and replacement projects simultaneously, but with

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separate applications. For example, in the Village of Catskill there are some known locations of lead service lines associated with a water main replacement project that is in the planning stages, but they still need to complete a community-wide LSL inventory before the DOH October 2024 deadline.

- You may be able to “piggy-back” a LSL replacement project with a water main replacement project that is anticipated to receive DWSRF funding, but only if the two projects can be kept completely separate. They are two different sources of funds with different reporting requirements and must be tracked separately.
- A/E Procurement Requirements will apply, just like every other BIL-funded project. Procurement doesn’t need to happen before an application is made, but it would make sense to get that out of the way while we wait for news on any grant awards so we can hit the ground running.
- The application process for both project types is the same. No authorizing resolution is needed, just a completed DWSRF listing form and a brief Engineering Report. Engineering report templates are being worked on. Deadline is August 25.
- Town applied for a grant for the inventory this round, and may apply for replacement in subsequent rounds

**6. Swan Lake WWTP USEPA Administrative Compliance Order**

- **On 2/20/24 USEPA issued formal closeout of the administrative order, see February 20, 2024 USEPA Town of Liberty**
  - USEPA had minor comments on the O&M Manual, mostly related to figures that would need to be updated annually (e.g., annual budgets, capital and O&M units) and other minor wording recommendations
  - Ideally the Town wants develop the document so it can stand on its own, without having to make too many edits over the years.
  - **Delaware updated the O&M Plan with the Town, and if required resubmit to USEPA, confirmation still pending**
- Background
- Working with the Town to develop written O&M procedures for its Sanitary Sewer System SSS in accordance with EPA’s Attachment entitled “EPA Region 2’s Recommendations Concerning Written Sanitary Sewer System Operation and Maintenance Procedures.”
- Provided with the EPA correspondence was an attachment with EPA’s recommendations for written O&M procedures and O&M manual Template for the Town to get an idea of what others have developed.
- Needs to be submitted to EPA, with a copy to NYSDEC, by February 1, 2024
- A draft response letter, and enclosures for the Town review and comment on 1/24/24.
- We worked with the Town to finalize the response letter, and enclosures, and submitted to USEPA (and NYSDEC) on Wednesday 1/31/24

**7. Sherwood-Roth Booster Pump Replacement**



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TIME: 6:30 PM

- Contract award and work Contingent upon successful permissive referendum (April 19, 30-days after adoption)
- At the February 21, 2023 meeting the Town resolved to:
- Award the Contract No. TL1-G-21 – General Construction for the Sherwood-Roth Booster Pump Replacement Work to Wittcon, Inc. for the low bid price of \$41,000, contingent upon
- Authorize the Town Clerk to issue a Purchase Order to Wittcon, Inc. awarding the Sherwood-Roth Booster Pump Replacement to Wittcon, Inc. for a price of \$41,000, directing Wittcon to proceed with the work and to follow up with submittals for review as soon as possible.
- Authorize the Town Supervisor and Clerk to execute the necessary paperwork (e.g., purchase order, pay requests etc.), for contract initiation and completion of the work.
- Background
- In the fall of 2023 Damon obtained three quotes for the Sherwood-Roth Booster Pump Replacement work
- Anticipated costs exceeded standard bidding requirements under General Municipal Law § 103
  - All contracts for public work involving an expenditure of more than \$35,000 and all purchase contracts involving an expenditure of more than \$20,000 must typically be awarded to the lowest responsible bidder after advertisement for sealed bids.
- Damon asked us for help preparing a mini specification to put this out to bid
- We have generated a Legal Notice/Advertisement for Bids (required by GML§ 103) and Request for Bids (RFB) package
- The Legal Notice appeared in Friday's 1/26/24 edition of the Sullivan County Democrats (SCDC) with bids due on Friday 2/16/24
- It is anticipated that the Board will review bids at the February 21 meeting

**8. Attachments**

- EPG 128719 Swan Lake Sanitary Collection System I/I Investigations
  - Checklist of Supporting Documents Needed for Grant Agreement
  - Resolution for Authorization for a Designated Representative to Execute Grant Agreement and Appropriation of Local Match
  - Budget and Plan of Finance Form

**9. Items Discussed or Reviewed at Meeting but not distributed with this package:**

- None

Liberty (T) TBM Handout 04-01-24.docx

Enclosures

**NEW BUSINESS**

**APPROVAL OF MINUTES AS SUBMITTED BY THE TOWN CLERK**

Approval of the following minutes as submitted by the Town Clerk:

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TIME: 6:30 PM

- Town & Village Joint Comp. mtg. 2/21/24
- Regular Monthly mtg. 2/21/24
- Public Hearing- LL Parks 3/4/24
- Dept. Head/Worksession mtg. 3/4/24

Motion: Councilmember Dean Farrand  
Seconded: Councilmember John Lennon  
5 AYES Carried

**RESOLUTION IN MEMORY OF FORMER SUPERVISOR BEVERLY O'HEARN**

WHEREAS, the Town of Liberty wishes to record its deep sorrow over the passing of Beverly O'Hearn; and

WHEREAS, Beverly served as Town Supervisor for the Town of Liberty from 1988-1991; and

WHEREAS, many said she was the best Supervisor the Town ever had; and

WHEREAS, the Town is grateful for her service and dedication to the Town; and

WHEREAS, Beverly's service was given with such dedication that she earned the respect, admiration and friendship of the citizens of our community.

NOW, THEREFORE, In recognition of Beverly's contributions to the Town of Liberty and its citizens, we hereby express our deep appreciation for her service to this community and extend to her family our sincere sympathy upon her passing.

Motion: Councilmember Vincent McPhillips  
Seconded: Councilmember John Lennon  
5 AYES Carried

**STONE BID SET FOR 4/25/24**

The Town Board does hereby set the stone bid for 4/25/24 at the Town Clerk's Office, 120 North Main Street, Liberty at 11:00 a.m.

Motion: Councilmember John Lennon  
Seconded: Councilmember Vincent McPhillips  
5 AYES Carried

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TIME: 6:30 PM

**SPRING CLEAN-UP SET FOR MAY 9<sup>TH</sup>, 10<sup>TH</sup> & 11<sup>TH</sup>**

The Town Board does hereby set the Spring Clean-up at the Highway Department located at the corner of Ferndale-Loomis & Rt. 52 for 5/9, 5/10 & 5/11. The hours are 7:30 a.m. until 3:00 p.m.

Motion: Councilmember John Lennon  
Seconded: Councilmember Dean Farrand  
4 AYES Carried

**INTRODUCTORY LOCAL LAW #3 OF 2024 ENTITLED “A LOCAL LAW AMENDING CHAPTER 147 ENTITLED “ZONING” OF THE CODE OF THE TOWN OF LIBERTY, SULLIVAN COUNTY, NEW YORK”**

At a regular meeting of the Town Board of the Town of Liberty, Sullivan County, New York, held at the Town of Liberty Senior Center, 119 North Main Street, Liberty, New York, in said Town, on the 1<sup>st</sup> day of April, 2024, at 6:30 p.m., prevailing time.

The meeting was called to order by Supervisor DeMayo and upon roll being called, the following were:

PRESENT: Supervisor Frank DeMayo  
Councilmember Dean Farrand  
Councilmember Vincent McPhillips  
Councilmember John Lennon  
Councilmember Sherri Kavleski

ABSENT:

The following resolution was introduced by Supervisor Frank DeMayo, who moved its adoption, and seconded by Councilmember Dean Farrand, to wit:

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TIME: 6:30 PM

**BE IT RESOLVED**, that introductory Local Law No. 3 of the Year 2024 entitled “A local law amending Chapter 147 entitled “Zoning” of the Code of the Town of Liberty, Sullivan County, New York” is hereby introduced before the Town Board of the Town of Liberty, County of Sullivan, State of New York; and

**BE IT FURTHER RESOLVED**, that copies of the aforesaid local law be laid upon the desk of each member of the Town Board; and

**BE IT FURTHER RESOLVED**, that the Town Board hereby determines the aforesaid local law to be a Type I Action pursuant to the regulations promulgated under the State Environmental Quality Review Act for which a full environmental assessment form shall be completed; and

**BE IT FURTHER RESOLVED**, that the Town Board hereby designates itself as Lead Agency for purposes of environmental review of the aforesaid local law pursuant to the regulations promulgated under the State Environmental Quality Review Act; and

**BE IT FURTHER RESOLVED**, that the Town Board hold a public hearing on the aforesaid local law at the Town of Liberty Senior Center, 119 North Main Street, Liberty, New York, at 6:00 p.m., prevailing time, on May, 2024; and

**BE IT FURTHER RESOLVED**, that the Town Clerk publish or cause to be published a public notice in the Sullivan County Democrat, of such public hearing at least five (5) days prior thereto.

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

|                                  |        |     |
|----------------------------------|--------|-----|
| Supervisor Frank DeMayo          | voting | AYE |
| Councilperson Dean Farrand       | voting | AYE |
| Councilperson Vincent McPhillips | voting | AYE |

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Councilperson John Lennon voting AYE

Councilperson Sherri Kavleski voting AYE

The resolution was thereupon declared duly adopted.

Motion: Supervisor Frank DeMayo  
Seconded: Councilmember Dean Farrand  
5 AYES Carried

**PLACEMENT OF HISTORICAL MARKER TO BE PLACED IN MUNICIPAL LOT BEHIND PARKSVILLE CHURCH**

The Town Board does hereby authorize the placement of Historical Marker to be placed in the Municipal Lot behind the Church located at the intersection of Short Ave. and Parksville Rd.

Motion: Councilmember Vincent McPhillips  
Seconded: Councilmember John Lennon  
5 AYES Carried

**REQUEST A 239 REVIEW FROM THE COUNTY OF SULLIVAN FOR INTRODUCTORY LOCAL LAW #3 OF 2024 AMENDING THE ZONING OF THE TOWN OF LIBERTY**

The Town Board does hereby request a 239 Review from the County regarding Local Law #3 of 2025 amending the Zoning of the Town of Liberty.

Motion: Councilmember John Lennon  
Seconded: Councilmember Vincent McPhillips  
5 AYES Carried

**SPECIAL MEETING SET ON 5/8/24 AT SWAN LAKE FIREHOUSE**

The Town Board does hereby set a Special Meeting on 5/8/24 at 6:30 p.m. at the Swan Lake Firehouse, 52 Stanton Corner Road, Swan Lake to discuss the Lake and the Downtown Commercial Core Zone.

Motion: Councilmember Vincent McPhillips  
Seconded: Councilmember John Lennon  
5 AYES Carried

**DISCUSSION**

**UNDER REVIEW**

TOWN BOARD MEETING  
119 NORTH MAIN STREET, LIBERTY, NY 12754

DATE: 4/1/24

PLACE: SENIOR CENTER 119 NORTH MAIN STREET, LIBERTY, NY 12754

TIME: 6:30 PM

1. Drilled wells with a yield of less than 5 GPM.
2. Training & Recommendations policy- Planning & Zoning
3. Shipping Containers
4. Fence In/Fence Out
5. AIRBNB
6. Solar
7. County Water / Sewer Study.

**IN PROGRESS**

1. Converting and moving the Building Department and the Assessor's Office to the Park & Recreation Building.
2. Fines
3. Empty Lot in Parksville
4. Illegal dumping of garbage
5. Delaware Town/Village Water Sewer Study
6. Lead Service Line Inventory
7. Walnut Mt. Pavillion.

**PUBLIC PARTICIPATION**

Many members of the Latino Community came out in support of Abraham Mizrahi. All comments pertained to Devany Rd.

**BOARD DISCUSSION**

**Councilmember Vincent McPhillips**

It's nice to see all the people that turned out here tonight. I wish you would come on more often, just not for one project, you need to take an interest in the Town. I know you guys all work hard. Swan Lake Fire Department works very hard and they're volunteers they're not getting paid. I think this Devaney Road project needs a meeting with certain people, right? Not 50, not 100. Not that I want to exclude anyone. But it's got to be the Fire Chief, the Water Department, Al Fusco, the Town Barn and the Developer and we can work through anything, whether it's moving the driveways deeper into the property so the cars are parked on Devaney road, or another parking lot above the development for visitors or aunts and uncles or whatever. We can work through the problem. We can work through the water problem and we can work through the sewer problem but, nobody's going to be held hostage here while I'm on this board. I'm for all of you, the developer, the Fire Company, the community that you hire to do your work but let's have a meeting. We're only five of us or six of us and work through the problem.

**Councilmember John Lennon**

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TIME: 6:30 PM

Basically, I guess we all agree with Vince. I also have a couple of things myself. I know we didn't discuss anything about the assessment issues that are coming up. I don't know if anybody's aware of it. They made some changes, the state has made some changes, different kinds of assessments for the better word of it, senior exemptions and the some other things there and there's some options that I think that the board we should start to look at also, insurance options, whether we can opt in or opt out. Some that the state mandated, and there's some options for that, you know, part of the new code coming out for the assessor. So at least she has some guidance on how she's going to handle these some of these situations as they come up.

**Councilmember Dean Farrand**

I echo everything that's been said. There was a training class held, Sherri and I went to it last week. It was supported by the county given by DOS and it was very good. It provided attendees with useful relative information that we will be able to use in our comprehensive plan and our rezoning process. The Planning Board interviews of applicants will commence tomorrow. It's been a three month project. Continuing gathering data necessary to the comprehensive plan. That's something I've been doing for a while which when we do sit down with that plan we actually have some factual information. And the well data report just keeps on growing.

**Councilmember Sherri Kavleski**

I am still operating on a learning curve but I agree with Vince absolutely.

**Supervisor Frank DeMayo**

Yeah, I'll go with what Vince said. We will be talking about that because there is potential litigation with regards to Devany Rd., so we will be going into executive session to discuss this with counsel. Just a couple of things. Congratulations to Maurice Gerry and Kurt Scheibe for being the next recipients at the Liberty Central Schools Wall of Fame. Much well deserved for both of these folks. We held the Easter egg hunt this weekend and it was a good success, especially since it was rescheduled. Thanks to Ernie Feasel for playing the Easter Bunny and thanks to Joanne McPhillips for stepping up and helping out and well done by the Parks and Rec folks and Felix in particular who pretty much emceed the event. Just to let the board know, at the next Department Head Meeting on May 6, I'm going to invite Parks and Rec.

For those out there who don't know, there's a project out there by the state and they're studying what the situation is statewide with broadband. I know in Sullivan County there are a lot of areas where you cannot connect. I will get this stuff posted on our website tomorrow. There's a program called CONNECTALL and they have mapping and all sorts of stuff but, it's an opportunity for the public if you're not connected, I realize, if you're not connected, it's probably difficult to connect, so you're going to have to find somebody that can connect with them but they're asking for input. If you have slow speed, or no speed, or nothing, they want to know, because I took a quick look at the mapping and it's pretty inaccurate. So there's a lot of areas that aren't identified that need to be identified. So I would encourage anybody that can get access to contact these folks, and we'll put the information on our website tomorrow.

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Nick and I and Felix and James attended on the 21st, last Thursday, Career Day at the Middle School, it was really a good success. Okay, the middle school kids, were really excited to hear about some of the things that are going around town and they're willing to participate in helping us identify those things that the youth really could use and, and we expand a little bit on some of the progress, the progress that we're making with regards to things like a basketball court, the village and some other projects that we'll be working on in the future for the youth.

**EXECUTIVE SESSION**

The Town Board does hereby go into Executive Session at 7:47 p.m. regarding a personnel matter.

Motion: Supervisor Frank DeMayo  
Seconded: Councilmember Dean Farrand  
5 AYES Carried

**OUT OF EXECUTIVE SESSION**

The Town Board does hereby come out of Executive Session at 8:21 p.m.

Motion: Supervisor Frank DeMayo  
Seconded: Councilmember Dean Farrand  
5 AYES Carried

**ADJOURN**

The Town Board does hereby adjourn the meeting at 8:21 p.m.

Motion: Supervisor Frank DeMayo  
Seconded: Councilmember Dean Farrand  
4 AYES Carried

Respectfully submitted,

Town Clerk, Laurie Dutcher



May 21, 2024

James DeAveiro  
210 Snyder Hill Rd.  
Ithaca, NY 14850

**RECEIVED**  
**MAY 22 2024**  
TOWN OF LIBERTY  
TOWN CLERK'S OFFICE

To Highway Superintendent,

Please accept this letter as a formal resignation from my position as H.M.E.O. with the Town of Liberty Highway Department. My last day of work will be Friday June 7, 2024.

Thank you,

A handwritten signature in black ink, appearing to read 'James DeAveiro', with a long horizontal flourish extending to the right.

James DeAveiro

TOWN OF LIBERTY BOARD MEETING  
119 NORTH MAIN STREET, LIBERTY, NY 12754

DATE: 04/15/24

TIME: 6:00 PM

At the Regular Meeting of the Town Board of the Town of Liberty held on 4/15/24 at 6:00 p.m., the following were present:

**PRESENT:**

Supervisor Frank DeMayo  
Councilmember Dean Farrand  
Councilmember Vincent McPhillips  
Councilmember John Lennon  
Councilmember Sherri Kavleski

**ABSENT:**

**RECORDING SECRETARY:**

Town Clerk Laurie Dutcher

**ALSO PRESENT:**

Town Attorney Kenneth Klein  
Confidential Secretary Nick Rusin  
Finance Director Cheryl Gerow  
Highway Superintendent Matt DeWitt  
Matt McPhillips  
Brian McPhillips  
Derek Kirk

**PLEDGE OF ALLEGIANCE**

PUBLIC HEARING-Introductory Local Law #3 of 2024

**CORRESPONDENCE**

**INCOMING:**

1. Copy of the ARPA/Fiscal Recovery Funds budget submitted to the Treasury Department.
2. Copy of the Departmental Quarterly Report.
3. Correspondence sent by the Sullivan County Association of Supervisors regarding opposition to proposed Faith-Based Affordable Housing Act.
4. Memo from Cirillo Architects, PC of Pre-bid Meeting/Addendum No. 2 for the Walnut Mt. pavilion.
5. Report of the March Town and Village activated fire alarms from the Liberty Fire Department.
6. Correspondence from the New York State Department of Environmental Conservation Department regarding Camp Gan Israel Pond Dam (aka Kleins Hillside Dam).

TOWN OF LIBERTY BOARD MEETING  
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TIME: 6:00 PM

7. Correspondence from the New York State Department of Environmental Conservation Department regarding the Sewer Use Ordinance.
8. Correspondence asking for a \$100 sponsorship donation for the White Sulphur Springs Golf Event to benefit beautification efforts in White Sulphur Springs.
9. Correspondence from the Sullivan County Division of Planning regarding the GML-239 County Review for Introductory Local Law No. 3 of 2024 entitled "Amending Chapter 147, Entitled "Zoning," of the Code of the Town of Liberty.

OUTGOING:

**ACCEPTANCE OF INCOMING CORRESPONDENCE**

The Town Board of the Town of Liberty does hereby accept the incoming correspondence.

Motion: Councilmember Dean Farrand  
Seconded: Councilmember John Lennon  
5 AYES Carried

**NEW BUSINESS**

**APPROVAL OF THE MONTHLY REPORTS**

The Town Board does hereby approve the following monthly reports:

- Town Clerk's Report 3/24
- Tax Collector's Report 3/24
- Revenue & Expense Report 3/24
- Supervisor's Report 3/24

Motion: Councilmember John Lennon  
Seconded: Councilmember Dean Farrand  
5 AYES Carried

**APPROVAL OF AUDITS**

The Town Board does hereby approve of the audits as follows:

- March, 2024 Post Audit Claims #495 to #634 totaling \$368,960.63.
- April, 2024 Abstract Claims #474 to #494 totaling \$108,742.85.
- March, 2024 General Ledger Abstract Claims #60 to #82 totaling \$317,532.00

Motion: Councilmember Dean Farrand  
Seconded: Supervisor Frank DeMayo

TOWN OF LIBERTY BOARD MEETING  
119 NORTH MAIN STREET, LIBERTY, NY 12754  
DATE: 04/15/24  
TIME: 6:00 PM

5 AYES Carried

**AWARD OF WHITE SULPHUR SPRINGS PHASE 10 BOYD RD. RECONSTRUCTION PROJECT TO POLEY PAVING & CONSTRUCTION CORP.**

The Town Board does hereby award the White Sulphur Springs Phase 10 Boyd Rd. Reconstruction Project to Poley Paving & Construction Corp. for the Base Bid price of \$196,950.00 for all Base Bid Items and accept unit pricing for Bid Alternate Items for future consideration.

Motion: Councilperson John Lennon  
Seconded: Councilmember Supervisor Frank DeMayo  
5 AYES Carried

**SUPERVISOR AUTHORIZED TO EXECUTE THE NECESSARY PAPERWORK (e.g., (e.g., NOTICE OF AWARD, NOTICE TO PROCEED, AGREEMENT, CERTIFICATE OF SUBSTANTIAL COMPLETION, CHECKS FOR CONTRACTOR PAYMENT, ETC.) FOR CONTRACT INITIATION THROUGH COMPLETION OF THE WORK.**

The Town Board does authorize the Supervisor to execute the necessary paperwork (e.g., Notice of Award, Notice to Proceed, Agreement, Certificate of Substantial Completion, Checks for Contractor Payment, Etc.) for Contract Initiation through the Completion of the Work.

Motion: Councilmember Dean Farrand  
Seconded: Councilmember John Lennon  
5 AYES Carried

**MOTION AUTHORIZING THE TOWN HIGHWAY SUPERINTENDENT AND DELAWARE ENGINEERING TO DIRECT THE EXPENDITURE OF ANY REMAINING GRANT FUNDS, WITH A FINAL OVER/UNDER CHANGE-ORDER TO BE PREPARED FOR BOARD APPROVAL AT/NEAR COMPLETION OF THE CONSTRUCTION PERIOD, IN CONJUNCTION WITH ANY ADDITIONAL HIGHWAY DEPARTMENT FUNDS WHICH MAY BE DEEMED IN THE BEST INTEREST OF THE PROJECT AND THE TOWN**

Motion authorizing the Town Highway Superintendent and Delaware Engineering to direct the expenditure of any remaining grant funds, with a final over/under change-order to be prepared for Board approval at/near completion of the construction period, in conjunction with any additional Highway Department Funds which may be deemed in the best interest of the project and the town.

Motion: Councilmember Dean Farrand  
Seconded: Councilmember John Lennon  
5 AYES Carried

TOWN OF LIBERTY BOARD MEETING  
119 NORTH MAIN STREET, LIBERTY, NY 12754  
DATE: 04/15/24  
TIME: 6:00 PM

**AUTHORIZATION TO HIRE ANTHONY D'AVERSA AS A LABORER FOR THE WATER & SEWER DEPARTMENT**

The Town Board does hereby give authorization to hire Anthony D'Aversa as a Laborer for the Water & Sewer Department.

Motion: Councilmember Vincent McPhillips  
Seconded: Supervisor Frank DeMayo  
5 AYES Carried

**TOWN OF LIBERTY SUPPORTS AND SPONSORS APPLICATION FOR FUNDING UNDER ROUND (8) OF RESTORE NY COMMUNITIES INITIATIVE MUNICIPAL GRANT PROGRAM**

**WHEREAS**, the Town of Liberty is eligible for grant funding under Round [8] of the Restore NY Communities Initiative Municipal Grant Program, and

**WHEREAS**, the Town of Liberty has considered projects that qualify for funding under the program and selected the following projects to be included in an application that will be submitted to Empire State Development Corporation (ESDC) as follows:

Redevelopment of 2 Main Street in Parksville, NY. This project will rehabilitate an abandoned 1,485 square foot former synagogue into a community-oriented arts space and events venue in our service commercial zone. Second, the redevelopment of 29 Main Street in Parksville, NY. This project will rehabilitate 5,902 square feet of vacant property into Marlowe and Eddie's, a community market focused on food, provision, and hospitality in our service commercial zone.

**WHEREAS**, this project is consistent with all existing local plans, the proposed financing is appropriate for the project, the project will facilitate effective and efficient use of existing and future public resources so as to promote both economic development and preservation of community resources and the project develops and enhances infrastructure and/or other facilities in a manner that will attract, create and sustain employment opportunities in the Town of Liberty.

**NOW, THEREFORE BE IT RESOLVED**, that the Town Board hereby supports and will sponsor an application for Restore NY funding for both 2 Main Street and 29 Main Street in Parksville, NY and will administer the grant in accordance with all applicable rules and regulations established by ESDC, and

**BE IT FURTHER RESOLVED**, that the Town Supervisor is authorized to sign the applications and any agreements required by ESDC for grant funding that results from the application

Motion: Councilmember Vince McPhillips  
Seconded: Councilmember John Lennon  
5 AYES Carried

TOWN OF LIBERTY BOARD MEETING  
 119 NORTH MAIN STREET, LIBERTY, NY 12754  
 DATE: 04/15/24  
 TIME: 6:00 PM

**APPROVAL OF THE STANDARD WORK DAY AND REPORTING RESOLUTION**

The Town Board does hereby approve the following Standard Work Day and Reporting Resolution:

**Standard Work Day and Reporting Resolution  
 RS 2417-A**

BE IT RESOLVED, that the Town of Liberty, location code 30357 hereby establishes the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees' Retirement System based on the time keeping system records or the record of activities maintained and submitted by these officials to the clerk of the body:

| Title                      | Name                    | Social Security Number (last 4 digits) | Registration Number | Standard Work Day (Hrs/Day) | Term Begins/Ends    | Participates in Employers Time Keeping System (Y/N) | Days/Month (based on Record of Activities) | Not Submitted (Check box if no record of activities completed or timekeeping system) |
|----------------------------|-------------------------|----------------------------------------|---------------------|-----------------------------|---------------------|-----------------------------------------------------|--------------------------------------------|--------------------------------------------------------------------------------------|
| <b>Elected Officials</b>   |                         |                                        |                     |                             |                     |                                                     |                                            |                                                                                      |
| Supervisor                 | Francis J. DeMayo       | 8148                                   | R10355038           | 6                           | 1/1/2024-12/31/2027 | N                                                   | 20.00/30.00                                |                                                                                      |
| Town Clerk                 | Laurie Dutcher          | 0998                                   | R10697984           | 6                           | 1/1/2024-12/31/2027 | N                                                   | 20.00/30.00                                |                                                                                      |
| <b>Appointed Officials</b> |                         |                                        |                     |                             |                     |                                                     |                                            |                                                                                      |
| Dog Control Officer        | Joanne Gerow            | 1137                                   | R10704712           | 6                           | 1/1/2024-12/31/2024 | N                                                   | 20.00/30.00                                |                                                                                      |
| Attorney for Town          | Jacob Billig            | 2128                                   | R11872877           | 6                           | 1/1/2024-12/31/2024 | N                                                   | 3.26/4.89                                  |                                                                                      |
| Planning Board Member      | Menachem Steinberg      | 4672                                   | R13117717           | 6                           | 1/1/2024-12/31/2024 | N                                                   | .59                                        |                                                                                      |
| Zoning Board Member        | Mordechai Aaron Halpern | 5100                                   | R13211370           | 6                           | 1/1/2022-12/31/2022 | N                                                   | .59                                        | X                                                                                    |

On this 15<sup>th</sup> day of April 2024 Laurie Dutcher Signature of Clerk Date enacted: 4/15/24

I, Laurie Dutcher, clerk of the governing board of the Town of Liberty, of the State of New York, do hereby certify that I have compared the foregoing with the original resolution passed by such board, at a legally convened meeting held on the 15th day of April, 2024 on file as part of the minutes of such meeting, and that same is a true copy thereof and the whole of such original.

I further certify that the full board consists of 5 members and that 5 of such members were present at such meeting and that 5 of such members voted in favor of the above resolution.

IN WITNESS WHEREOF, I have hereunto Set my hand and the seal of the Town of Liberty seal

Motion: Councilmember Dean Farrand  
 Seconded: Supervisor Frank DeMayo  
 5 AYES Carried

**MOTION APPROVING A LARGE GROUP PARK USE PERMIT FOR THE SULLIVAN CATSKILLS VISITORS ASSOCIATION FOR A SLEEPOVER OF 50-100 PEOPLE ON 6/14/24 AND TO HOST A NATIONALLY SANCTIONED BBQ COMPETITION AND A SINGLE DAY FATHER'S DAY CELEBRATION, FREE TO THE PUBLIC ON 6/15/24 AT WALNUT MT.**

The Town Board does hereby approve a Large Group Park Use Permit for the Sullivan Catskills Visitors Association for a sleepover of 50-100 people on 6/14/24 and to host a nationally sanctioned BBQ competition and a single day Father's Day Celebration, free to the public on 6/15/24 at Walnut Mt.

Motion: Councilmember Vincent McPhillips  
 Seconded: Councilmember Dean Farrand  
 5 AYES Carried

TOWN OF LIBERTY BOARD MEETING  
119 NORTH MAIN STREET, LIBERTY, NY 12754  
DATE: 04/15/24  
TIME: 6:00 PM

**ACCEPTANCE OF NYMIR INSURANCE PROPOSAL IN THE AMOUNT OF \$206,319.79**

The Town Board of the Town of Liberty does accept the NYMIR Insurance Proposal in the amount of \$206,319.79, an increase of 12.91% from 2023.

Motion: Councilmember Vincent McPhillips  
Seconded: Councilmember John Lennon  
5 AYES Carried

**SEQR 1, 2 & 3 FOR INTRODUCTORY LOCAL LAW NO. 3 OF 2024**

1. The Town Board declares its intention to serve as Lead Agency for the purposes of the SEQR; and
2. The Town hereby determines that the project is classified as an Unlisted action under the State Environmental Quality Review Act (SEQRA), pursuant to 6 NYCRR Part 617; and
3. The Town, having reviewed Part 1, Part 2, and Part 3 of the Short Environmental Assessment Form, hereby determines that the PROJECT will not have an adverse environmental impact and hereby issues a "Negative Declaration" for the Project.

Motion: Councilmember Vincent McPhillips  
Seconded: Councilmember John Lennon  
5 AYES Carried

**MORDECHAI HEIMLICH APPOINTED TO THE TOWN OF LIBERTY PLANNING BOARD AS AN ALTERNATE MEMBER FOR A TERM EXPIRING 12/31/24**

The Town Board does hereby appoint Mordechai Heimlich to the Town of Liberty Planning Board as an alternate member for a term expiring on 12/31/24.

Motion: Supervisor Frank DeMayo  
Seconded: Councilmember Dean Farrand  
5 AYES Carried

**DISCUSSION**

**ARPA FUNDS**

Expenses through April 11, 2024:

| Description                    | April 2023 Budget |
|--------------------------------|-------------------|
| Illegal Dumping/Beautification | \$20,000.00       |
| Cleanup of Used Tires          | \$24,866.00       |

TOWN OF LIBERTY BOARD MEETING  
 119 NORTH MAIN STREET, LIBERTY, NY 12754  
 DATE: 04/15/24  
 TIME: 6:00 PM

|                                                     |              |
|-----------------------------------------------------|--------------|
| Portable Concession Stand                           | \$ 10,000.00 |
| Town Hall Windows/Renovation Assessor & Bldg. Space | \$ 75,000.00 |
| Infrastructure/Water Search                         | \$223,673.68 |
| Chamber Funds                                       | \$ 6,411.90  |
| WSS Grant Administration                            | \$ 45,000.00 |
| Misc (TV)                                           | \$ 688.00    |
| Highway Equipment                                   | \$ 82,000.00 |
| W&S Equipment                                       | \$ 40,000.00 |
| Park & Rec. Shed                                    | \$ 13,487.00 |

Motion: Councilmember John Lennon  
 Seconded: Councilmember Dean Farrand  
 5 AYES Carried

**OLD BUSINESS**

**UNDER REVIEW**

1. Drilled wells with a yield of less than 5 GPM.
2. Training & Recommendations policy- Planning & Zoning
3. Shipping Containers
4. Fence In/Fence Out- Next meeting
5. AIRBNB
6. Solar
7. County Water / Sewer Study

**IN PROGRESS**

1. Converting and moving the Building Department and the Assessor's Office to the Park & Recreation Building.
2. Fines
3. Empty Lot in Parksville
4. Illegal dumping of garbage
5. Delaware Town/Village Water Sewer Study
6. Lead Service Line Inventory
7. Walnut Mt. Pavilion.

**PUBLIC PARTICIPATION**

**BOARD DISCUSSION**

**Councilmember Vincent McPhillips**



TOWN OF LIBERTY BOARD MEETING  
119 NORTH MAIN STREET, LIBERTY, NY 12754  
DATE: 04/15/24  
TIME: 6:00 PM

- Received the reports from Dara Smith in regard to Devany Rd. from the EAP. I found it very complicated. I did look at it but I wondered if we are going to have Ken look at it and get back to us so that we are not in violation of anything in regards to that.

Supervisor DeMayo advised that he spoke with Nicholas ? One thing I asked him because it's the second report that they sent on this project and if you take a look at the dates these issues occurred in February, and they signed off on it in the beginning of April. So what I did is I asked them to please forward us copies so we know earlier. He said that would be fine. I'll send them to Ken, I don't think this is something that involves us because we don't have codes that deal with SWPPP applications and runoff so the EPA handles this. I don't know what the results of this were but we'll find out. We are meeting for our discussion the last meeting on Monday, the 22nd.

Councilmember Vincent McPhillips continued. My last thing is, I know you and Nick were at the breakfast for the partnership. It was very enlightening and you know, I've been invited many times, but I for whatever reason, but I found it a good thing to go to. I guess I'm being a little prejudiced in Vanessa is my daughter in law. I believe the Grossinger's project, and the Sullivan County Golf Course, is two very positive things that could happen in our town. I don't think any of us are experts on zoning, or a project of that size and I would recommend that we look for outside counsel or an engineering firm if it comes to the light that it's actually going to happen. Because there's a lot of issues. I think that I don't think we as a board really know all the answers. That's all I have. Thank you.

**Councilmember John Lennon**

I second Vince's his recommendation that we see if we need to find counsel.

**Councilmember Dean Farrand**

I also agree with the recommendation.

**Councilmember Sherri Kavleski**

Same. I also agree with Vince.

Supervisor Frank DeMayo

On Thursday, at 7 pm. Rob Eagleton has the representative from that solar company come to his meeting at the Rockland Town Hall.

We mentioned the test pits Devany Road is on the 22<sup>nd</sup>.

Cinco De Mayo is on May 4<sup>th</sup>. These folks, this community has put together a really, really good presentation. So it's already posted, but we'll have that schedule of events. I think they got a whole day, of dancing, music and vendors. It's going to be a really, really big time.

Nick and I attended a meeting on the 3<sup>rd</sup> with Patterns for Progress in Poughkeepsie. They had four county leaders there and the big issues that they brought up were housing, infrastructure. I think the issue they spoke about most was hiring and maintaining of workers and salary issues. These were some of the important things that all leaders of the four counties had talked about.

TOWN OF LIBERTY BOARD MEETING  
119 NORTH MAIN STREET, LIBERTY, NY 12754  
DATE: 04/15/24  
TIME: 6:00 PM

This past Friday we met with County Planning, two representatives from ESD. Bruce was a gracious host to show us around the theater. We took him down in the back, where, where we opened up the stream, which by the way, the culvert has been collapsed in by School Street, part of the Creekside project Creekside Park project. But, you know, we didn't mince any words, I don't think with regards to New York Forward. We said that you really need to give us some serious consideration we showed them the parking lots and we showed him the things that we proposed what we wanted to do with the funding from New York grant which is 4 ½ million dollars. Nick and I had had an exit interview with them that seemed to go very well. We have some good contacts there now. So throughout the course, I think this application goes in again in September probably we have some legwork to do in the meantime but we'll continue to work towards that application. We're going to be a squeaky wheel this time we're going to look for residents and groups in any organizations to be a squeaky wheel. Let's get this thing. Alright. I think I think it's about time it came up here to Sullivan County.

**EXECUTIVE SESSION**

The Town Board does hereby go into Executive Session at 7:33 p.m. to discuss a personnel matter.

Motion: Supervisor Frank DeMayo  
Seconded: Councilmember Dean Farrand  
5 AYES Carried

**OUT OF EXECUTIVE SESSION**

The Town Board does hereby come out of Executive Session at 8:15 p.m.

Motion: Supervisor Frank DeMayo  
Seconded: Councilmember John Lennon  
5 AYES Carried

**ADJOURN**

The Town Board does hereby adjourn the meeting at 8:16 p.m.

Motion: Councilmember Vincent McPhillips  
Seconded: Councilmember Dean Farrand  
5 AYES Carried

Respectfully submitted,

Laurie Dutcher, Town Clerk

TOWN BOARD MEETING  
119 NORTH MAIN STREET, LIBERTY, NY 12754  
DATE: 05/06/24  
PLACE: SENIOR CENTER 119 NORTH MAIN STREET, LIBERTY, NY 12754  
TIME: 6:30PM

At the Department Head/Worksession Meeting the following were present:

**PRESENT:**

Supervisor Frank DeMayo  
Councilmember Dean Farrand  
Councilmember Vincent McPhillips  
Councilmember John Lennon  
Councilmember Sherri Kavleski

**RECORDING SECRETARY:**

Deputy Town Clerk Sara Sprague

**ALSO PRESENT:**

Town Attorney Kenneth Klein  
Confidential Secretary Nick Rusin  
Finance Director Cheryl Gerow

**PLEDGE OF ALLEGIANCE**

The Supervisor then opened the Department Head/Worksession Meeting at 6:30 p.m.

**CORRESPONDENCE**

**INCOMING:**

1. Correspondence sent by Finance Director Gerow to Delaware River Solar, LLC regarding the Harris Road Solar Project Decommissioning Agreement.
2. Correspondence from NYS Department of Agriculture and Markets regarding a "Satisfactory" inspection.
3. Correspondence regarding the 3<sup>rd</sup> Sullivan County Youth Book Festival on 5/9/24

**ACCEPTANCE OF INCOMING CORRESPONDENCE**

The Town Board of the Town of Liberty does hereby accept the incoming correspondence.

Motion: Councilmember Dean Farrand  
Seconded: Councilmember John Lennon

TOWN BOARD MEETING  
 119 NORTH MAIN STREET, LIBERTY, NY 12754  
 DATE: 05/06/24  
 PLACE: SENIOR CENTER 119 NORTH MAIN STREET, LIBERTY, NY 12754  
 TIME: 6:30PM

5 AYES      Carried

**PRESENTATIONS:**

SUPERINTENDENT OF SCHOOLS DR. PATRICK SULLIVAN- School Budget Presentation- Full Presentation on the LCSD website [www.libertyk12.org](http://www.libertyk12.org)

PETER MANNING-PUD Presentation-Full Presentation on our website [www.townofliberty.org](http://www.townofliberty.org)

**DEPARTMENT HEAD REPORTS**

**APPROVAL OF DEPARTMENT HEAD REPORTS**

The Town Board of the Town of Liberty does hereby accept the Department Head Reports as submitted.

Motion:            Councilmember Dean Farrand  
 Seconded:        Councilmember John Lennon  
 5 AYES            Carried

**ASSESSOR**

Deeds received  
 Town - 20  
 Village – 9

Combination: none

Splits: none

Data Entry, deeds, permits, valuation etc.....

Jordan is doing very well. She picks up very quickly

Kevin (data collector) work scheduled  
 Brad (data collector) – work scheduled

**CEO - BUILDING DEPARTMENT**

|      |     |     |     |       |     |      |      |     |      |     |     |     |       |
|------|-----|-----|-----|-------|-----|------|------|-----|------|-----|-----|-----|-------|
| 2024 | Jan | Feb | Mar | April | May | June | July | Aug | Sept | Oct | Nov | Dec | Total |
|------|-----|-----|-----|-------|-----|------|------|-----|------|-----|-----|-----|-------|

TOWN BOARD MEETING  
 119 NORTH MAIN STREET, LIBERTY, NY 12754  
 DATE: 05/06/24  
 PLACE: SENIOR CENTER 119 NORTH MAIN STREET, LIBERTY, NY 12754  
 TIME: 6:30PM

|                                |    |    |    |    |  |  |  |  |  |  |  |  |  |    |
|--------------------------------|----|----|----|----|--|--|--|--|--|--|--|--|--|----|
| Permits Issued                 | 15 | 22 | 20 | 17 |  |  |  |  |  |  |  |  |  | 74 |
| Permits Completed/<br>Closed   | 26 | 11 | 16 | 12 |  |  |  |  |  |  |  |  |  | 65 |
| Fire Inspections<br>Performed  | 1  | 0  | 0  | 4  |  |  |  |  |  |  |  |  |  | 5  |
| Complaints Open                | 9  | 3  | 11 | 17 |  |  |  |  |  |  |  |  |  | 40 |
| Complaints Closed              | 41 | 16 | 7  | 8  |  |  |  |  |  |  |  |  |  | 72 |
| Appearance Tickets<br>issued   | 0  | 0  | 10 | 0  |  |  |  |  |  |  |  |  |  | 10 |
| Planning Board<br>Applications | 4  | 0  | 3  | 3  |  |  |  |  |  |  |  |  |  | 10 |
| Planning Board<br>Approvals    | 2  | 3  | 1  | 3  |  |  |  |  |  |  |  |  |  | 9  |
| Zoning Board<br>Applications   | 0  | 1  | 0  | 0  |  |  |  |  |  |  |  |  |  | 1  |
| Zoning Board<br>Approvals      | 0  | 0  | 1  | 0  |  |  |  |  |  |  |  |  |  | 1  |
| Municipal Searches             | 15 | 18 | 25 | 17 |  |  |  |  |  |  |  |  |  | 75 |

**COURT**

| 2024                     | Jan | Feb      | Mar      | Apr              | May | June | July | Aug | Sept | Oct | Nov | Dec |
|--------------------------|-----|----------|----------|------------------|-----|------|------|-----|------|-----|-----|-----|
| V&T Appearances          | N/R | 65       | 123      | 145              |     |      |      |     |      |     |     |     |
| Criminal Appearances     |     | 258      | 244      | 283              |     |      |      |     |      |     |     |     |
| Ordinance<br>Appearances |     | 13       | 1        | 19               |     |      |      |     |      |     |     |     |
| Civil Appearances        |     | 12       | 14       | 20               |     |      |      |     |      |     |     |     |
| Total Fines Collected    |     | \$51,816 | \$53,369 | \$67,072.50      |     |      |      |     |      |     |     |     |
| Total Fines to Town      |     | \$23,814 | \$21,481 | Not<br>available |     |      |      |     |      |     |     |     |
| Total Fines to Village   |     | \$265    | \$400    | Not<br>available |     |      |      |     |      |     |     |     |

**DCO –NO REPORT SUBMITTED**

**FINANCE**

Submitted quarterly report for ARPA Funds

Attended Employee Relations Committee meeting

Submitted Outstanding Debt request to Sullivan County

Mailed letters to retirees requesting 2024 Medicare information for reimbursement

TOWN BOARD MEETING  
119 NORTH MAIN STREET, LIBERTY, NY 12754  
DATE: 05/06/24  
PLACE: SENIOR CENTER 119 NORTH MAIN STREET, LIBERTY, NY 12754  
TIME: 6:30PM

Distributed Quarterly Report to Department Heads

Communicated with NYS Comptroller's Office regarding 2023 Annual Financial Report and made necessary changes

Received Certification of the 2024 payroll from Sullivan County

Submitted Utilization Work Plan with MBO information to EFC for the Swan Lake Sewer Project and Stevensville Water Project

Submitted payment request to EFC for Swan Lake Sewer. Total requested and received to date is \$541,050.16

Notified Delaware River Solar regarding NY Liberty II, LLC (Harris Road) Decommissioning Agreement payment due

All other daily duties and responsibilities

## **HIGHWAY**

### **Improvements/Maintenance:**

- Cold patched all Town Roads – 4 days
- Cut trees and brush
  1. Ferndale Loomis – 3 days
  2. Boyd Road – 2 days
- Ditched
  1. Benton Hollow – 8 days
  2. Boyd Road – 10 days
  3. Twin Bridge – 2 days
- Culvert Replacement
  1. Boyd Road – 4 days
- 5 days of wind storm clean up
- Road sweeping – Midway, Robertson, Cattail
- Hand hot patched – Twin Bridge, Shore, Muhlig, Lake Marie, Old Monticello, Lily Pond
- Culvert pipe flush – Wade Road, Benton Hollow
- Guard rail repair – Radcliff, Midway

### **Winter:**

- Thursday, April 4, 4AM – 3:30Pm, ice, snow wind

TOWN BOARD MEETING  
 119 NORTH MAIN STREET, LIBERTY, NY 12754  
 DATE: 05/06/24  
 PLACE: SENIOR CENTER 119 NORTH MAIN STREET, LIBERTY, NY 12754  
 TIME: 6:30PM

**Facilities:**

- Tires are completed

**Equipment/Vehicles:**

- All construction season equipment serviced and ready
- Rebuilding dump bed floor in #21

**Personnel:**

**Misc:**

- Spring Clean May 9, 10, 11

**PARK & RECREATION-NO REPORT SUBMITTED**

**TOWN CLERK**

|                   |                      |    |        |
|-------------------|----------------------|----|--------|
| Highway Fees      | Road Access Permit   | 1  | 100.00 |
| Conservation      | Conservation         | 3  | 4.14   |
| Marriage Licenses | Marriage Licenses    | 1  | 17.50  |
| Permits           | Refuse Collection    | 0  | 0      |
|                   | Towing Licenses      | 0  | 0      |
|                   | Peddler's Permit     | 0  | 0      |
| Small Sales       | EZ Pass              | 7  | 175.00 |
|                   | Notary Fees          | 34 | 68.00  |
|                   | Marriage Certificate | 5  | 50.00  |
|                   | Photocopies          | 0  | 0      |
|                   | Misc (2 USB Devices) | 0  | 0      |
| Building          | Certified Mailings   | 2  | 86.90  |
| Dog Licensing     | Female, Spayed       | 4  | 36.00  |
|                   | Female, Unspayed     | 4  | 50.00  |
|                   | Male, Neutered       | 14 | 126.00 |
|                   | Male, Unneutered     | 3  | 37.50  |
|                   | Purebred             | 0  | 0      |
|                   | Senior               | 3  | -15.00 |
|                   | Replacement Tags     | 1  | 5.00   |
|                   | Boarding Fees        | 1  | 25.00  |

TOWN BOARD MEETING  
 119 NORTH MAIN STREET, LIBERTY, NY 12754  
 DATE: 05/06/24  
 PLACE: SENIOR CENTER 119 NORTH MAIN STREET, LIBERTY, NY 12754  
 TIME: 6:30PM

|          |                                      |    |           |
|----------|--------------------------------------|----|-----------|
|          | Redeemed Dog (1)                     | 2  | 150.00    |
|          | Redeemed Dog (2)                     | 0  | 0         |
|          | Redeemed Dog (3)                     | 0  | 0         |
|          | Reimbursement of Expenses            | 0  | 0         |
| Building | Variance                             | 0  | 0         |
|          | Lot Improvement                      | 0  | 0         |
|          | Special Use                          | 0  | 0         |
|          | Junk Yard                            | 0  | 0         |
|          | Subdivision                          | 0  | 0         |
|          | Building Inspections Public Assembly | 0  | 0         |
|          | Building Permit                      | 18 | 21,832.30 |
|          | Commercial Establishment Inspection  | 0  | 0         |
|          | Fire inspectors                      | 0  | 0         |
|          | Municipal search                     | 17 | 1,700.00  |
|          | Reimbursement of Expenses            | 3  | 21.00     |
|          |                                      |    |           |

**TAX COLLECTION**

*Tax Collection*

Analysis of Collections by Bill Type  
by transactionDate

4/22/24 Page 1 of 2

| Date         | Qty          | Taxes collected     | Interest paid | Penalty paid | Over-payments | Daily total collected | Total overall collections |
|--------------|--------------|---------------------|---------------|--------------|---------------|-----------------------|---------------------------|
| 1/8/24       | 7            | 14,994.39           | 0.00          | 0.00         | 0.00          | 14,994.39             | 14,994.39                 |
| 1/9/24       | 28           | 75,529.38           | 0.00          | 0.00         | 0.00          | 75,529.38             | 90,523.77                 |
| 1/10/24      | 41           | 60,108.92           | 0.00          | 0.00         | 4.00          | 60,112.92             | 150,636.69                |
| 1/11/24      | 68           | 129,061.84          | 0.00          | 0.00         | 0.02          | 129,061.86            | 279,698.55                |
| 1/12/24      | 164          | 254,811.84          | 0.00          | 0.00         | 0.00          | 254,811.84            | 534,510.39                |
| 1/14/24      | 2            | 2,341.81            | 0.00          | 0.00         | 0.00          | 2,341.81              | 536,852.20                |
| 1/15/24      | 4            | 4,897.19            | 0.00          | 0.00         | 0.00          | 4,897.19              | 541,749.39                |
| 1/16/24      | 478          | 828,004.25          | 0.00          | 0.00         | 0.00          | 828,004.25            | 1,369,753.64              |
| 1/17/24      | 44           | 85,359.21           | 0.00          | 0.00         | 0.00          | 85,359.21             | 1,455,112.85              |
| 1/18/24      | 97           | 330,424.60          | 0.00          | 0.00         | 0.00          | 330,424.60            | 1,785,537.45              |
| 1/19/24      | 107          | 226,000.99          | 0.00          | 0.00         | 0.00          | 226,000.99            | 2,011,538.44              |
| 1/21/24      | 6            | 13,308.44           | 0.00          | 0.00         | 0.00          | 13,308.44             | 2,024,846.88              |
| 1/22/24      | 195          | 342,009.77          | 0.00          | 0.00         | 0.00          | 342,009.77            | 2,366,856.65              |
| 1/23/24      | 374          | 824,575.94          | 0.00          | 0.00         | 20.00         | 824,595.94            | 3,191,452.59              |
| 1/24/24      | 264          | 543,074.47          | 0.00          | 0.00         | 0.00          | 543,074.47            | 3,734,527.06              |
| 1/25/24      | 250          | 461,560.27          | 0.00          | 0.00         | 0.00          | 461,560.27            | 4,196,087.33              |
| 1/26/24      | 203          | 476,424.16          | 0.00          | 0.00         | 0.00          | 476,424.16            | 4,672,511.49              |
| 1/29/24      | 230          | 421,593.97          | 0.00          | 0.00         | 0.00          | 421,593.97            | 5,094,105.46              |
| 1/30/24      | 321          | 669,163.25          | 0.00          | 0.00         | 0.00          | 669,163.25            | 5,763,268.71              |
| 1/31/24      | 319          | 730,728.90          | 0.00          | 0.00         | 0.00          | 730,728.90            | 6,493,997.61              |
| <b>01.24</b> | <b>3,202</b> | <b>6,493,973.59</b> | <b>0.00</b>   | <b>0.00</b>  | <b>0.00</b>   | <b>6,493,997.61</b>   | <b>6,493,997.61</b>       |
| 2/1/24       | 157          | 322,587.98          | 36.75         | 0.00         | 10.00         | 322,634.73            | 6,816,632.34              |
| 2/2/24       | 1,111        | 2,416,067.12        | 78.94         | 0.00         | 0.00          | 2,416,146.06          | 9,232,778.40              |
| 2/5/24       | 257          | 541,405.68          | 286.65        | 0.00         | 0.00          | 541,692.33            | 9,774,470.73              |
| 2/6/24       | 92           | 273,964.98          | 244.09        | 0.00         | 0.00          | 274,209.07            | 10,048,679.80             |
| 2/7/24       | 22           | 58,250.63           | 102.11        | 0.00         | 0.00          | 58,352.74             | 10,107,032.54             |
| 2/8/24       | 13           | 19,939.03           | 199.39        | 0.00         | 0.00          | 20,138.42             | 10,127,170.96             |
| 2/9/24       | 13           | 26,574.71           | 181.00        | 0.00         | 0.00          | 26,755.71             | 10,153,926.67             |
| 2/12/24      | 24           | 52,631.13           | 362.78        | 0.00         | 0.00          | 52,993.91             | 10,206,920.58             |
| 2/13/24      | 25           | 66,086.49           | 642.25        | 0.00         | 0.00          | 66,728.74             | 10,273,649.32             |
| 2/14/24      | 14           | 21,046.74           | 210.44        | 0.00         | 0.00          | 21,257.18             | 10,294,906.50             |
| 2/15/24      | 9            | 8,896.59            | 74.24         | 0.00         | 0.00          | 8,970.83              | 10,303,877.33             |
| 2/18/24      | 22           | 34,207.47           | 306.85        | 0.00         | 0.00          | 34,514.32             | 10,338,391.65             |



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Analysis of Collections by Bill Type  
by transactionDate

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| Date           | Qty          | Taxes collected      | Interest paid    | Penalty paid  | Over-payments | Daily total collected | Total overall collections |
|----------------|--------------|----------------------|------------------|---------------|---------------|-----------------------|---------------------------|
| 3/1/24         | 19           | 20,571.58            | 219.87           | 2.00          | 0.00          | 20,793.45             | 10,999,597.90             |
| 3/4/24         | 12           | 29,850.61            | 558.70           | 14.00         | 0.00          | 30,423.31             | 11,030,021.21             |
| 3/5/24         | 28           | 16,714.05            | 227.92           | 14.00         | 0.00          | 16,955.97             | 11,046,977.18             |
| 3/6/24         | 7            | 6,064.55             | 103.30           | 6.00          | 0.01          | 6,173.86              | 11,053,151.04             |
| 3/7/24         | 6            | 7,935.14             | 145.59           | 7.98          | 0.00          | 8,088.71              | 11,061,239.75             |
| 3/8/24         | 17           | 22,921.00            | 196.79           | 4.00          | 0.00          | 23,121.79             | 11,084,361.54             |
| 3/11/24        | 24           | 25,033.63            | 510.93           | 10.00         | 0.00          | 25,554.56             | 11,109,916.10             |
| 3/12/24        | 18           | 15,197.99            | 248.79           | 17.98         | 0.00          | 15,464.76             | 11,125,380.86             |
| 3/13/24        | 8            | 45,821.61            | 739.27           | 10.00         | 0.00          | 46,570.88             | 11,171,951.74             |
| 3/14/24        | 15           | 18,629.70            | 182.72           | 21.99         | 0.00          | 18,834.41             | 11,190,786.15             |
| 3/15/24        | 11           | 14,177.41            | 283.55           | 15.99         | 0.00          | 14,476.95             | 11,205,263.10             |
| 3/17/24        | 1            | 3,236.98             | 64.74            | 2.00          | 0.00          | 3,303.72              | 11,208,566.82             |
| 3/18/24        | 16           | 27,310.71            | 535.02           | 25.98         | 0.00          | 27,871.71             | 11,236,438.53             |
| 3/19/24        | 17           | 28,500.34            | 455.71           | 31.99         | 0.00          | 28,988.04             | 11,265,426.57             |
| 3/20/24        | 11           | 10,298.26            | 205.96           | 20.00         | 0.00          | 10,524.22             | 11,275,950.79             |
| 3/21/24        | 15           | 34,705.12            | 543.36           | 20.00         | 0.01          | 35,268.49             | 11,311,219.28             |
| 3/22/24        | 12           | 24,634.81            | 492.69           | 20.00         | 0.00          | 25,147.50             | 11,336,366.78             |
| 3/25/24        | 10           | 25,210.04            | 504.19           | 17.99         | 0.00          | 25,732.22             | 11,362,099.00             |
| 3/26/24        | 30           | 27,485.66            | 549.68           | 45.98         | 558.68        | 28,640.00             | 11,390,739.00             |
| 3/27/24        | 27           | 77,272.41            | 1,545.44         | 54.00         | 0.00          | 78,871.85             | 11,469,610.85             |
| 3/28/24        | 25           | 30,633.51            | 612.67           | 45.98         | 0.00          | 31,292.16             | 11,500,903.01             |
| 3/29/24        | 83           | 119,528.63           | 2,519.16         | 27.99         | 0.00          | 122,075.78            | 11,622,978.79             |
| 3/31/24        | 2            | 5,962.41             | 119.25           | 4.00          | 0.00          | 6,085.66              | 11,629,064.45             |
| <b>03.24</b>   | <b>414</b>   | <b>637,696.15</b>    | <b>11,565.30</b> | <b>439.85</b> | <b>0.00</b>   | <b>650,260.00</b>     | <b>11,629,064.45</b>      |
| 4/1/24         | 26           | 47,179.78            | 943.62           | 45.99         | 0.00          | 48,169.39             | 11,677,233.84             |
| 4/2/24         | 17           | 18,296.91            | 365.95           | 23.96         | 0.01          | 18,686.83             | 11,695,920.67             |
| 4/3/24         | 14           | 8,969.35             | 174.38           | 16.00         | 0.00          | 9,159.73              | 11,705,080.40             |
| 4/4/24         | 1            | 6,797.06             | 135.94           | 2.00          | 0.00          | 6,935.00              | 11,712,015.40             |
| 4/8/24         | 2            | 837.24               | 16.75            | 4.00          | 0.00          | 857.99                | 11,712,873.39             |
| 4/9/24         | 1            | 5,386.27             | 0.00             | 0.00          | 0.00          | 5,386.27              | 11,718,259.66             |
| 4/10/24        | 4            | 6,773.55             | 133.80           | 6.00          | 0.00          | 6,913.35              | 11,725,173.01             |
| 4/11/24        | 1            | 375.34               | 7.51             | 1.99          | 0.00          | 384.84                | 11,725,557.85             |
| 4/15/24        | 1            | 591.86               | 11.84            | 2.00          | 0.00          | 605.70                | 11,726,163.55             |
| 4/16/24        | 1            | 2,916.19             | 58.32            | 2.00          | 0.00          | 2,976.51              | 11,729,140.06             |
| 4/22/24        | 9            | 61,720.73            | 722.16           | 7.99          | 0.00          | 62,450.88             | 11,791,590.94             |
| <b>04.24</b>   | <b>77</b>    | <b>159,844.28</b>    | <b>2,570.27</b>  | <b>111.93</b> | <b>0.00</b>   | <b>162,526.49</b>     | <b>11,791,590.94</b>      |
| <b>Totals:</b> | <b>5,832</b> | <b>11,767,200.72</b> | <b>23,244.63</b> | <b>551.78</b> | <b>593.81</b> | <b>11,791,590.94</b>  | <b>11,791,590.94</b>      |

**WATER & SEWER**

On April 22, Aqueous was here to clean Stevensville, Ferndale, and Route 55 tanks, and all went well.

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Everyone has been busy with the usual spring work. We have been putting on meters, picking up hydrant flags, testing hydrants, rebuilding the ones that break, and finishing up all the spring cleanup so we can start mowing.

We had a new employee start on April 22<sup>nd</sup>. Hopefully he will work out.

Dyna-vac called me on April 16<sup>th</sup> and let me know that the vac trailer should be ready for pick up by the end of May.

Wayne & I went to the Verona sewer plant to look at the new screens that will be installed when we upgrade our plant. They look like they will be a major improvement to the plant.

Any other items that may arise prior to meeting.

## DELAWARE ENGINEERING

### 1. CDBG Grant Project Phase 10 – White Sulphur Springs Boyd Road

- Actions for the Board to consider at today's meeting:

- None

- **Boyd Road Reconstruction**

- Original Scope from Cost Estimate: 1,100 LF (of 1,500 LF total)
- An OCR extension was granted until June 28, 2024
- Base Bid Scope: 900 LF at 18 FT width (of 1,500 LF)
- Bids for the Boyd Road Construction were Received on 4/4/24
- Construction documents require completion of work by 5/31/24
- Town preparation work complete and ready
- Poley is planned to start paving work on 5/13/24

- **Project Bid Review and Award Recommendation**

- Bids opened at Town Hall on April 4<sup>th</sup>, 2024.

**Contract No. TL2-G-2024 – General:**

- Delaware Engineering has nearly completed bid and award services
  - The Notice of Award was forwarded to Poley on 4/16/23
  - The Contract Agreement and Notice to Proceed were executed on 4/31/24
  - The execution copies are nearly complete pending hardcopies of the bonds and are anticipated to be available by 5/6/24, and will be distributed to the Town, Contractor, and Engineer
- Poley's Tentative Construction Schedule:
  - 5/13-5/17 Dig Out, Grade, Install Base and Binder

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- 5/23-5/27 Top Road Way and complete restoration
- All work is scheduled to be completed by 5/31/24, with the deadline to submit all paperwork (i.e., payment requests) of 6/7/24
- Delaware will work with the Town and Poley to figure out how to spend the remaining \$7,161 in grant, and will advise the Town Board via email of the planned work prior to doing the work, and decide if the Town may want to contribute additional funds (\$20,000 as agreed to previously, or more) to complete the remaining of up to 600 LF (1,500 total)
- Payment Requests  
Payment Request No. 1 (for action at May 20, 2024 Town Board Mtg.)

- The full application package has been provided to the Town Director of Finance under separate cover on 5/1/24
- We have reviewed Payment Application No. 1 from Poley Paving and Construction Corp. the contractor for the subject project, for the period ending April 30, 2024, in the amount of \$3,301.25 for Mobilization, Demobilization, Bonds, and Insurance (40%), and Maintenance and Protection of Traffic (25%), as allowed by the Contract, which equates to approximately 2% of the Contract Sum
- Contract Sum for the project of \$196,950. Following this payment, the balance to finish for the project, including retainage, will be \$193,648.75.
- We agree with the level of work completed to date and the costs presented therein. Therefore, we recommend that the Town resolve to provide payment to the contractor in the amount requested, pending release of funds by NYS OCR.
- **Therefore, should the Town agree with our recommendation, then we recommend that at the May 20, 2024 meeting:**
  - **The Town hereby resolves to authorize the Town Finance Department to proceed to process Payment Application No. 1, to General Contract No. TL2-G-24 for Poley Construction Corp., for the period ending April 30, 2024, in the amount of \$3,301.25, as requested by the contractor.**
- At the April 15, 2024 meeting the Town Board resolved to:
  - Award the Contract No. TL2-G-24 – General Construction for the White Sulphur Springs Phase 10 Boyd Road Reconstruction Project to Poley Paving & Construction Corp., for the Base Bid price of \$196,950.00 for all Base Bid Items and accept unit pricing for Bid Alternate Items for future consideration.
  - Authorize the Supervisor to execute the necessary paperwork (e.g., Notice of Award, Notice to Proceed, Agreement, Change Orders, Certificate of Substantial Completion, checks for contractor payment, etc.) for contract initiation through completion of the work.
  - Authorize the Town Highway Superintendent and Delaware Engineering to direct the expenditure of any remaining grant funds, with a final over/under change-order to be prepared for Board approval at/near the end of the construction period, in conjunction with any additional Highway Department funds which may be deemed in the best interest of the project and the Town

- **Construction Status and Remaining Work for the Original Project (Tweedie)**

- Contract work was substantially completed (as of 11/29/23), except for the following punch list items (as of 3/26/24):
  - Final site restoration - \$12,892 – May 2024

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- Tweedie is scheduled to begin site restoration on 5/3/24
- Town Highway Dept. has completed work to widened the roadway to allow for Tweedie site restoration and for Poley to complete paving work
- Town Highway Super and Tweedie have agreed that the Town Highway Dept. will complete all machine work, and Tweedie will seed and mulch all of Boyd Road
- Demobilization - \$6,000 – **Pending final site restoration**
  - Punchlist Remaining Value = \$18,892 (amount to be withheld as of 1/30/24)
- Project Substantial Completion
  - Tweedie has provided the required closeout documents (except for final payment application, pending completion of punchlist)
  - Tweedie final work and final payment requests can be completed and submitted in May 2024.
  - We will assemble the project closeout package, and provide it to the Town, with a copy to the contractor, upon completion of as-builts and final contractor payment request
- **Contractor Final Payment Request**
  - Can be submitted in May 2024 following completion of remaining punchlist work

• **Background**

- On December 8, 2023 the Town submitted a formal request to NYSOCR, including cost estimate and anticipated project schedule, Schedule Bar Chart and Email Correspondence between Blauer Associates and OCR regarding project extension.
  - Based on the cost estimate provided with the extension request, **the estimated cost for this work is \$182,225**
  - With the **Town Highway Department willing to contribute up to \$20,000** toward the road reconstruction/paving work
- On December 14, 2023 NYSOCR sent the Town a letter approving the request for a contract time extension for the above project. See attached.
  - *The NYS Office of Community Renewal (OCR) is in receipt of the Town of Liberty's letter requesting an extension beyond the project completion deadline of January 5, 2024.*
  - *Based on OCR's review and careful consideration the Town of Liberty's request for an extension has been granted, and your revised project completion date is June 28, 2024.*
- This work, and other related expenses (additional engineering, not included in the cost estimate) are anticipated to be covered by the grant
- On 2/23/24 project drawings and specifications were submitted for OCR review.
- The Town received OCR review comments on 2/28/24, 2/29/24,
- The Town received notice that the bid specifications appear to be in compliance with applicable OCR requirements, and on 3/1/24 that OCR has no objections to the Town of Liberty publishing the notice on 2/29/24

• **The anticipated project schedule is as follows:**

| <u>Task:</u>                                    | <u>Schedule:</u>             |
|-------------------------------------------------|------------------------------|
| Second Public Hearing for Project:              | December 4, 2023 - Complete  |
| Town Considers Extension Request and OCR Terms: | December 4, 2023 - Complete  |
| Extension Request Submitted to OCR:             | December 8, 2023 - Complete  |
| Bid Document Preparation:                       | January - February 2024      |
| ERR/RROF Review and Revision/Re-evaluation:     | Complete                     |
| Bid Documents to OCR:                           | February 23, 2024 - Complete |
| Town Board Authorization to go to Bid:          | March 4, 2024 - Complete     |
| Bid Advertisement Published:                    | March 8, 2024 - Complete     |

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Pre-bid Meeting: March 14, 2024 - Complete  
 Bid Opening: April 4, 2024 - Complete  
 Bid Review and Award Recommendation to Town: April 10, 2024 - Complete  
 Board Resolution for Bid Award: April 15, 2024 - Complete  
 Issue Notice of Award: April 16, 2024 - Complete  
 Pre-Construction Meeting: April 23, 2024 - Complete  
 Submittal Review: April 23-26, 2024 - Complete  
 Execution of Construction Contract Document: April 30, 2024 - Complete  
 Construction: May 2024 - May 31, 2024  
 Town to Review and Consider Final Pay Request: On or Before June 7, 2024  
 Construction Contract Close-out: On or Before June 28, 2024

- This schedule is an estimate and the actual schedule may differ slightly as the project proceeds. However, we are confident this project will be brought to completion by the **June 28, 2024** deadline.

**Project Cost Summary**

- **Overview/Quick Summary**
- Awarded Bid total = \$391,162
- Final Total of Contract TL1-G-22, Including All Changes = \$403,369
- Construction budget (2021 estimate) = \$587,200 (not including contingency)
- Pending Boyd Road Reconstruction/Paving, there remains \$234,831 (\$183,831 Remaining Construction Funds + \$51,000 in contingency) in grant dollars presently uncommitted.
- Planned expenditures associated with additional Boyd Road work

| Item                                                                                                         | Cost            |               |                   |
|--------------------------------------------------------------------------------------------------------------|-----------------|---------------|-------------------|
| Reconstruction of +/- 1,100 lineal feet of Boyd Road                                                         | \$196,950       | Per Poley Bid |                   |
| Other (Program Administration – advertisement)                                                               | \$719           |               |                   |
| Additional Engineering work for design, bidding and construction phase services for Boyd Road reconstruction | \$30,000        |               | Complete/Executed |
| Sum of Items                                                                                                 | \$227,669       |               |                   |
| Remaining Budget                                                                                             | \$234,831       |               |                   |
| <b>Net remaining after planned expenditures</b>                                                              | <b>\$ 7,161</b> |               |                   |

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**About \$7,161 is anticipated to remain in contingency after planned expenditures associated with reconstruction of about 900 lineal feet of Boyd Road**

o **More detailed cost summary:**

| Item No.: | Item Description:                       | Estimated cost/budget<br><br>(Feb 2021 Engineering Report for the CFA application) | As bid April 2023 with Bid Alternate Price – no changes | Contract Costs to-date (as of 2-28-24) with all changes | Contract Costs to-date (as of 4-10-24) with all changes & Boyd Rd. Recon bid costs | Budget minus bid - minus changes & Boyd Road Reconstruction as of 4-10-24 |
|-----------|-----------------------------------------|------------------------------------------------------------------------------------|---------------------------------------------------------|---------------------------------------------------------|------------------------------------------------------------------------------------|---------------------------------------------------------------------------|
| 1         | Construction – General                  | \$587,200                                                                          | \$391,162                                               | \$391,162                                               | \$391,162                                                                          | \$196,038                                                                 |
| 2         | Construction – (no others)              |                                                                                    |                                                         |                                                         |                                                                                    |                                                                           |
| 3         | Construction – Subtotal Bid             | \$587,200                                                                          | \$391,162                                               | \$391,162                                               | \$391,162                                                                          | \$196,038                                                                 |
| 4         | Change Order No. 1 (Final Over/ Under): |                                                                                    |                                                         |                                                         |                                                                                    |                                                                           |
|           | Quantity Adjustment (net)               |                                                                                    | \$0                                                     | (\$11,068)                                              | (\$11,068)                                                                         |                                                                           |
|           | Concrete Anchor Blocks                  |                                                                                    | \$0                                                     | \$ 5,500                                                | \$ 5,500                                                                           |                                                                           |
|           | Hydrant Extension                       |                                                                                    | \$0                                                     | \$ 2,775                                                | \$ 2,775                                                                           |                                                                           |
|           | Add'l Funds for Road Restoration        |                                                                                    | \$0                                                     | \$15,000                                                | \$15,000                                                                           |                                                                           |
|           | Change Order No. 1 Total (net) =        |                                                                                    | \$0                                                     | \$12,207                                                | \$12,207                                                                           | (\$12,207)                                                                |
| 5         | Boyd Road Reconstruction                |                                                                                    |                                                         | <b>\$182,225</b>                                        | <b>\$196,950</b>                                                                   | <b>(\$196,950)</b>                                                        |

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|             |                                                                 |              |              |              |              |                                  |
|-------------|-----------------------------------------------------------------|--------------|--------------|--------------|--------------|----------------------------------|
|             | Anticipated Town Contribution                                   |              |              |              |              | \$20,000 Not deducted from total |
| 6=3+4+5     | SUBTOTAL - Construction                                         | \$587,200    | \$391,162    | \$585,594    | \$600,319    | (\$ 16,119)                      |
|             | Other Costs:                                                    |              |              |              |              |                                  |
| 7A          | -Delaware Engineering                                           | \$149,500    | \$149,500    | \$149,500    | \$149,500    |                                  |
| 7B          | -Amendment 1 Add'l Boyd Road Reconstruction 2024                | \$ 0         | \$ 0         | \$ 30,000    | \$ 30,000    | (\$30,000)                       |
| 8           | -Blauer Associates (Grant Admin) (1)                            | \$45,000 (1) | \$45,000 (1) | \$45,000 (1) | \$45,000 (1) |                                  |
|             | Other (Program Admin.)                                          |              |              |              | \$719        |                                  |
| 9=6+7A+7B+8 | Total Estimated Cost/Cost to Date                               | \$781,700    | \$585,662    | \$810,094    | \$825,538    | (\$43,838)                       |
| 10          | Contingency                                                     | \$51,000     | \$51,000     | \$ 0         | \$ 0         | \$51,000                         |
| 11=10+9     | Project Budget/Cost to Date Plus Contingency - Total            | \$832,700    | \$636,662    | \$810,094    | \$825,538    | \$7,161                          |
| 12=11-8     | Project Budget/Cost to Date Plus Contingency Grant Eligible (2) | \$787,700    | \$591,662    | \$765,094    | \$780,538    | \$7,161                          |
| 13          | Grant Amount                                                    | \$787,700    | \$787,700    | \$787,700    | \$787,700    |                                  |
| 14          | Grant Budget Minus Cost - Remaining                             | \$0          | 196,038      | \$22,606     | \$ 7,161     | \$7,161                          |

(1)- Town agreed to fund grant administration (Blauer Associates) at \$45,000 to facilitate project readiness and score more points on the application – cost not eligible for grant reimbursement

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(2)– All costs except Grant Administration are eligible for grant funding

- About \$7,161 is anticipated to remain in contingency after planned expenditures associated with reconstruction of about 900 lineal feet of Boyd Road

- **Professional Services Contract Amendment No. 1 for Engineering Services**

- At the February 5, 2024 meeting the Town Board authorized the Town Supervisor to execute Delaware Engineering, D.P.C.'s Professional Services Contract Amendment No. 1 for Engineering Services for the White Sulphur Springs Water District - Phase 10 Improvements, associated with partial reconstruction of Boyd Road, OCR Small Cities CDBG Project # 641PW78-21, in the total amount of \$30,000.
- Contract Amendment No. 1 for Engineering Services executed on February 6, 2024
- Budget modification that includes this work has been accepted by OCR on February 26, 2024

**2. Swan Lake WWTP Upgrade**

- **Actions for the Board to consider at today's meeting:**

- Town to resolve to authorize the Town Director of Finance to issue a \$300 check to NYSDEC for the existing underground fuel storage tank registration application

- **Project Funding/Financing Overview**

- **No Changes this month**

- Project currently financed for hardship (0%) loan, WIIA grant and BIL funding with a grant of up to 50% of the project cost, less the WIIA grant.

- Project funding summary based on current information:

| Project#                     | Description                                                     | WIIA Grant   | BIL Grant    | BIL 0% Loan  | Total                               |
|------------------------------|-----------------------------------------------------------------|--------------|--------------|--------------|-------------------------------------|
| C3-5370-01-00                | Engineering/Prof Services (DEDPC contract plus 10% contingency) | \$ 2,922,655 | NA           | NA           | \$ 2,922,655                        |
| C3-5370-01-01                | Other WWTP Upgrade scope items                                  | \$ 1,577,345 | \$ 6,916,000 | \$ 6,584,000 | \$ 15,077,345                       |
|                              |                                                                 |              |              |              |                                     |
| <b>TOTAL</b>                 |                                                                 | \$ 4,500,000 | \$ 6,916,000 | \$ 6,584,000 | \$ 18,000,000                       |
| <b>Estimated Grant Total</b> |                                                                 |              |              |              | <b>\$11,416,000</b><br><b>(63%)</b> |



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In summary, the current \$18M project is in line to receive 63% in grants and 0% financing on the balance.

- Project Financing Agreements (PFAs) executed/closed on January 12, 2023 for both projects, short term financing funds now available and costs for contracts with approved MWBE/DBE/SDOVBE Plan(s) are eligible for disbursement
  - **Professional Services Work (C3-5370-01-00)** WIIA Grant funded only
    - In response to communications with NYSEFC, the Town responded on November 15, 2022 to NYSEFC requesting that WIIA funds be utilized for professional services.
    - We sent digital copies of the executed professional services contract to NYSEFC on November 20, 2022 which was approved per 12/6/23 NYSEFC letter.
    - Has 2 programs included for compliance:
      - MWBE/DBE/SDOVBE Goals
        - 30% MWBE, and
        - 6% SDVOBE
      - Delaware/MSI submitted our MWBE & SDVOBE Utilization Plans to the Town on March 16, 2023 and the Town submitted to NYSEFC for review/approval on March 21, 2023.
      - We have worked through many of NYSEFC MWBE review comments, and have successfully completed the Construction Inspection RFP solicitation process in September and October 2023.
      - We have worked through NYSEFC's MWBE review comments and on November 2, 2023 the Town received notification that NYS EFC has reviewed and accepted our MWBE and SDVOB Utilization Plans and partial Waiver requests for the Town of Liberty - Project No. 5370-01-00, Delaware Engineering D.P.C. contract.
      - The DE contract is eligible for disbursement, EFC will release payment for all invoices submitted to date (upon receipt and processing of a disbursement request) and the Town can then reimburse internal funds
      - **Cheryl G. continues to submit disbursement requests for project invoices**
    - **Construction (C3-5370-01-01)** WIIA & BIL funded, has one program for compliance.
      - MWBE/DEB/SDVOBE
        - 20% MWBE  
[20% DBE (fed.) if equivalency project (pop >10,000), NA]
      - Utilization Plans to be provided by Construction Contractors following bid award so no action until then
    - Delaware & MSI will continue to work with the Town and NYSEFC through WIIA & BIL requirements
- **Moving the WWTP Upgrade Project Forward**
  - **Professional Services Work**
    - Continuing to work with the Town and NYSEFC and our fiscal subconsultant MSI as needed on contract related items.

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- Design continuing
- Working on updated project cost estimate with subcontractor Trophy Point
- Damon, Wayne, and John Lennon went on a trip on January 10, 2024 to Waverly WWTP to see the equipment proposed at this facility
- Site visit to Vernon, NY to see mechanical screens was done on April 16
- **Continuing work on NYSDEC SPDES permit Application for NY-2A for a facility upgrade and expansion**
  - Requesting limits for WWTP maximum monthly average daily flow of 0.960 MGD and 0.686 MGD
  - New permit needed before NYSDEC will approve the design and before project can go out to bid
  - Need Town to decide on permit limit flow
  - Draft NY-2A Form filled out and submitted on Friday, August 4, 2023, (and resubmitted on Tuesday August 29, 2023, and September 15, 2023) to NYSDEC Permits (Aparna Roy) along with
    - Location Map
    - Upgrade Site Plans and Process Flow Schematic
    - Detailed Mixing Zone Form
  - Need to submit yet: Updated WTC Form for anticipated WTC usage following the WWTP Upgrade
  - NYSDEC advised us on 10/25/23 that they are working on the application now and will get back to us soon.
  - Followed up with NYSDEC Region 3 Permits on 10/02/23, 11/29/23, & 12/19/23 to request update(s)
  - NYSDEC Responded on December 19, 2023 requesting that the Town please provide *all* information in Tables A, B, F, and G (attached, NY-2A Revised 05/12/2023 with additional sampling)
    - TABLE A. EFFLUENT PARAMETERS FOR ALL POTWS
    - TABLE B. EFFLUENT PARAMETERS FOR ALL POTWS WITH A FLOW EQUAL TO OR GREATER THAN 0.1 MGD
    - TABLE F. WATER TREATMENT CHEMICAL LISTING
    - TABLE G. INDUSTRIAL DISCHARGE INFORMATION
    - There is only sampling required for Table A (two sections) & B. Table F. Water Treatment Chemicals and Table G. Industrial Discharge Information do not require sampling, and Delaware will fill them out
    - Please note the section on Analysis (Page 2, the General Instructions) that the lab will need to pay attention to select the appropriate test method
    - We plan to schedule a pre-sampling meeting to make sure that they fully understand what we need.
    - The lab, or Town, can forward us the results and we can fill in the tables
    - W&S Dept. is reviewing and will let us know when you would like to schedule this sampling
  - We sent the list to Damon and Wayne on 12/20/23 and the Town conducted sampling on 1/17/24
  - We are summarizing the results received (in Tables A, B, F & G)
  - There are still sampling results pending
  - There were some sample results received that used the incorrect standard testing method and will need to be redone (at no cost to the Town)
  - The Town resampled the week of 3/25-3/29
  - More sample results received on 04/29/24, some sample results are still missing, confirming with lab
  - We need to estimate WTC list for the upgrade as well. Depends on permit flow limit
- On-site Under Ground Fuel Tanks
  - There are two existing onsite fuel tanks, shown on the existing plans, that have been

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abandoned in place

- Diesel Oil Tank – 1,000 gal. capacity (located near emergency generator)
  - Gasoline Tank – 500 gal. capacity (filled with sand, located in parking lot)
  - No Town records of tanks being registered or formally closed
  - The Town will need to get these tanks registered in order to fully close out and remove them (e.g., closure report and sampling, etc.)
  - The only tank that requires registration is the gas tank. The diesel tank would not require registration if the gas tank was not there, but because of the gas tank, all tanks (above & below ground) onsite need to be registered
  - Once the inground tanks are removed the other above ground tanks are not required to be registered
  - There would be an initial \$300 registration fee, but DEC may come back for additional fee based on all the missed years of registration
    - The tank registrations go in 5-year cycles, so the Town could owe \$300 for every five-year period that these tanks have existed (bases on Total Design Capacity of All Tanks at the Facility)
    - Given the age of the USTs per the record plans, there could be 8 or 9, five-year registration cycles that were missed. The Town could be looking at back registration fees of up to \$2,400.
  - Once the registrations of the tanks are processed, the Town would then submit a Tank Notification Closure Form whenever we know the schedule of the tank closing work
  - Delaware will continue to move forward with Damon on the missing application items and get the application ready to go, and recommended that the Town will need to pay \$300 in the near term to start the application review process, and may need to backpay for previous registration cycles at a cost of \$300 per 5-year cycle
  - Therefore, if the Town would like to move forward with closure of the existing abandoned storage tanks, then we recommend that the Town Board:
    - Authorize the Town Director of Finance to issue a check payable to NYSDEC for \$300 for the existing underground fuel stage tank registration application
  - Delaware to pick up check from Cheryl and send into NYSDEC with the tank registration application form
- Subcontract work
    - Financial Administration – Municipal Solutions, Inc. (WBE)
      - Subcontract executed 12/29/22 with Municipal Solutions, Inc for Financial Assistance Services to comply with NYSEFC requirements (e.g., MWBE, EEO, etc.)
      - Work to include NYSEFC program compliance, monthly/quarterly paperwork, etc.
      - Continuing to work with the Town on periodic NYSEFC filings and paperwork and with DE on MWBE & SDVOBE Utilization Plan items
    - Survey and Subsurface Utility Exploration - Shumaker (WBE)
      - Subcontract executed on 10/21/22
      - SUE contractor was onsite Wednesday Nov 2 thru Friday November 4, 2022
      - The surveyor was onsite November 7 thru November 9, 2022 for the initial topo and boundary survey work

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- Topo and boundary survey received 12/22/22
- **Geotechnical (borings and geotech report for new bldgs.) – Atlantic Testing (WBE)**
  - Subcontract executed on 02/08/23
  - Boring work began 3/21/23 and continued during the week of 3/27/23.
  - DRAFT boring logs were provided on 05/12/23
  - Final geotechnical report provided on 9/22/23
- **Reproduction/Printing Services**
  - Planning to use Constructive Copy (WBE) for repro of bid specs and drawings
- **Construction Cost Estimating (construction) – Trophy Point (SDVOBE)**
  - Subconsultant agreement with Trophy Point Construction Services (SDOVBE) and Consulting for cost estimating services executed on 1/4/24
  - 40% Design drawings were submitted to TP on 2/9/24.
  - The 40% cost estimate was received on 3/27/24
  - Delaware reviewing estimate with Trophy Point
- **Mechanical/HVAC Design Review – Jade Stone (MWBE)**
  - Retaining a MWBE firm to provide mechanical/HVAC design review
  - Peer review of HVAC design
  - Subcontract pending
- **Other MWBE Subcontract's Pending**
  - **For Construction-Phase work – will seek as design nears completion**
    - Construction Material Testing
    - Special Inspections

**3. *Stevensville Water Project***

• **Actions for the Board to consider at today's meeting:**

- None

- Construction and punch-list work complete
- Still waiting for Osterhoudt to return the maintenance bond for the project closeout package (last requested on 4/16/24)
- As-builts being prepared
- Construction certification planned to go out to NYSDOH with as-builts in May 2024
- Osterhoudt repaired a leaking water service on 12/19/23. The repair will be covered under the project 1-year maintenance bond which began on July 3, 2023. (maintenance bond is still pending from Osterhoudt). Some sort of restoration will need to occur in the spring.

More Detail below:

- **Contract TL2-E-2017 – Electrical.**
  - All work completed and paid out.
- **Contract TL2-G-2017 – General**
  - Water Storage Tank substantially complete June 2021 and paperwork previously processed.

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- **Remaining work for the Watermain, Swan Lake Crossing, and Well Field Improvements:**
- New waterline has been in operation since late April 2023 and wellfield and other watermain work has been completed
- **All contract work is substantially completed as of 05/31/23, the following punch list items associated with the Swan Lake Crossing were completed as of 9/29/23**
  - Insulation trim – **Complete**
  - Touch up galvanization paint for new base plates and support brackets – **Complete**
  - As-builts – **Complete**
- **Project Completion (Substantial) – Watermain, Swan Lake Crossing, and Well Field Improvements Only (Substantial Completion for Water Storage Tank accepted on June 7, 2021)**
  - At the July 3 meeting the Town Board resolved to authorize the Town Supervisor to endorse the Certificate of Substantial Completion form for Contract No. TL2-G-17 – General with May 31, 2023 as the date of Substantial Completion for the Watermain, Swan Lake Crossing, and Well Field Improvements/non-water storage tank work and a final contract amount for Well Field Improvements/non-water storage tank work, of \$1,182,484 and a total final contract amount of \$2,378,660
  - Delaware has forwarded the Town-signed Certificate of Substantial Completion to the contractor for execution and requested project closeout paperwork (i.e., affidavit of release of liens for subcontractors and equipment suppliers, provide maintenance bond, etc.) on 07/5/23, and resent the Certificate of Substantial Completion (and Change Order No. 7) for execution on 9/22/23
  - The contractor returned the executed Certificate of Substantial Completion (and Change Order No. 7) on 10/13/23; we are still waiting for the maintenance bond from the contractor (last requested on 3/15/24) and, when all items are in hand, we will assemble the project closeout package, including the final payment application and as-builts, and provide it to the Town, with a copy to the contractor.
  - Osterhoudt to confirmed the final subcontract amount with Rock Mtn. and sent info to Keough Consulting submitted proof of payment to NYSEFC Program Compliance (MWBE) on 4/25/24
- **Swan Lake Crossing at Lake Outlet**
  - Osterhoudt was onsite during the weeks of April 17 and 24, 2023, completing the water main crossing, and successfully tested (disinfection and pressure) the new line
  - Delaware submitted NYSDOH Certification of Completion for the crossing and received NYSDOH-District Office approval to put it on line when ready on April 21, 2023
  - Delaware plans to submit a final Construction Certification for all contract work to be submitted with as-builts to NYSDOH – currently working on as-builts and will submit certification in the near future
  -
- **Payment Request No. 10 (Final)**
  - At the November 20, 2023 meeting the Town Board resolved to authorize the Finance Department to proceed to process Payment Application No. 10 (Final), to General Contract No. TL2-G-2017 for H. Osterhoudt Excavating, Inc. for the period ending October 13, 2023, in the amount of \$133,443.00 as requested by the contractor, including submittal of the payment request to NYSEFC for reimbursement, understanding that payment to the contractor will be made following receipt of reimbursement from NYSEFC, and contingent upon the receipt of the complete closeout package and all payment application items
  - **Final payment Check mailed to the contractor the week of 11/20/23**
- **NYSEFC Final Short Term (ST) Loan Disbursement Request and Long Term (LT) Loan**
  - LT Closing was completed on 12/6/22, Long-term funds became available for disbursement beginning on 12/8/2022
- **NYSEFC Document Collection**
  - All documents have been submitted, with the exception of TAM's Subcontract Agreement with Turtle & Hughes, including the EEO Policy Statement and Lobbying Certificate.

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- An explanation has been provided to NYSEFC that the prime contractor for the Electrical contract has indicated that there is no subcontract because Turtle & Hughes is a materials supply vendor. They only supplied material for this project. **No comments or request back from NYSEFC since December 2022**

**4. Economic Development Water and Sewer Infrastructure Capacity Planning Study**

- A draft/ most current revised version of the report of the report was provided to the Town Supervisor on 12/12/23, and to the Village Mayor and Dave B. on 1/17/24
- The Town is proposing a joint meeting in May 2024
- Met with Village DPW Supervisor on October 13, 2023
- Working to revise this ASAP with Dave Burke and then get to the Town for review
- Elm Street Well remediation and future use are key to this study
- Due to likely SPDES permit changes, study to review the ability of the Village WWTP to meet the new limits will also be added to the study recommendation – WWTP has adequate capacity for some additional flow/contributions without more upgrades.
- DE Staff held initial meeting with the Town (Frank and Damon) to review scope, current zoning, water, sewer, development projects, collaboration with Village, study products, and action items, etc. on November 14, 2022
- Met at Village Hall on February 7 with the Village (Mayor Joan, Judy, Lynn Barry, Dave Harman, Mark Kellam) and Town (Supervisor DeMayo and Dean Farrand) with the focus on Village infrastructure and needs.
- Meeting summary was sent to Town and Village on 3/14/22
- Will involve planning staff as well as Town and Village water and sewer staff
- At the September 6, 2022 meeting the Board authorized the Town Supervisor to endorse the Economic Development Water and Sewer Infrastructure Capacity Planning Study, dated August 15, 2022 to conduct:
  - Economic Development Water and Sewer Infrastructure Capacity Planning Study
  - Update to Parkville Sewer Service Alternatives Study
  - Select Grant Writing

**5. Swan Lake Sewer System Evaluation/I/I EPG**

- **Board Action Required at Tonight's Meeting:**
  - Review EPG Document Checklist
  - **Review and consider adopting recommended Board Resolutions**
  - **Review and consider accepting Budget and Plan of Finance**
- Delaware submitted EPG application for up to \$50,000 in grant funding for I/I investigations, with commitment for a \$10,000 local match (20%) on August 11, 2023
- **This Project has been selected for award!!**
- On 2/15/24 the Town received notification from NYSEFC that the Town has been awarded a NYS Environmental Facilities Corporation (EFC) **Engineering Planning Grant (EPG)** for the project, in an amount not to exceed \$50,000, for the development of an engineering report to identify sources of inflow and infiltration, evaluate alternatives, and recommend improvements to the Town of Liberty's Swan Lake Sewer District. **This has a 20% local match (\$10,000) which the Town agreed to do in March 2023 if the grant was awarded.**
- At the March 4, 2024 meeting the Town Board resolved to:
  - Authorize the Town Supervisor confirm acceptance and intent to proceed with this project by completing and signing the Acknowledgement and Acceptance of EPG Grant Award Form and e-mailing it to [epg@efc.ny.gov](mailto:epg@efc.ny.gov) no later than March 8, 2024, and
  - Authorize the Town Clerk to publish the legal notice for Request for Qualifications for professional

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services for work associated with preparation of the Swan Lake Sewer District Engineering Report for the Sewer System evaluation

- The EPG Grant Acceptance Form was submitted NYSEFC by the Town Supervisor via email on February 22, 2024
- On March 13, 2024 NYSEFC provided the Town an EPG Checklist and supporting documentation to assist the Town in the process of entering into a Grant Agreement with EFC):
  1. **Board Resolutions:**

Submit signed, certified board resolutions in PDF format designating the authorized representative and local match amount. Sample Resolution Language is available. Type II SEQR resolutions are no longer required for Engineering Planning Grants.

    - Authorized Representative Resolution  
Board resolution designating an Authorized Representative for the project
    - Local Match Resolution  
Board resolution authorizing and obligating local match funds

Note: Similar resolutions were adopted by the Town at the March 30, 2023 meeting. NYSEFC updated the template/sample resolutions in March 2024, so we recommend that the Town adopt the updated resolutions
  2. **Budget and Plan of Finance Form:**
    - Detailed budget and plan of finance including all prime contracts/agreements, in-kind services, third-party funding, and satisfaction of the minimum 20% local match requirement.
  3. **Executed Engineering Agreement (for action at the August 5, 2024 Meeting)**
    - All architectural and engineering contracts must be procured through a federally acceptable Request for Qualifications (RFQ) process, in accordance with 40 U.S.C 1101. All contracts must be signed by both parties and must contain the scope of work and fee.
    - Architectural/Engineering Procurement Certification
- All checklist items due by August 31, 2024 (See anticipated schedule below)
- In order to remain eligible for these funds, the Town must enter into a Grant Agreement for the above project by September 30, 2024
- Therefore, if the Town would like to proceed with the project, then we recommend that the Town Board resolve to:
  - Adopt the attached Board Resolutions designating an Authorized Representative, and authorizing the local match for the Liberty (T) EPG 128719/Swan Lake Sanitary Collection System I/I Investigation as set forth in the attached subject resolution
  - Accept the attached Budget and Plan of Finance Form
- Professional Services RFQ
  - Requires evaluating Request for Qualifications to facilitate selection for professional services to prepare the Engineering Report and associated activities
  - At the March 4, 2024 meeting the Town Board authorized the Town Clerk to publish the legal notice for Request for Qualifications for professional services for work associated with preparation of the Swan Lake Sewer District Engineering Report for the Sewer System evaluation
  - We plan to provide the Town with the A/E Procurement/RFQ Legal Notice and RFQ by May 6, 2024

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- The Scoring Matrix, Scoring Summary, Resolution for Contract Award, A/E Procurement Certification for the RFQ will be provided next month

**Next steps (May-June 2024)**

○ **Legal Notice & RFQ**

- Delaware to provide legal notice and RFQ to Town Clerk by May 6, 2024
- Town Clerk to provide the legal notice to the Sullivan County Democrat by Wednesday May 8, 2024, for publication on May 10, 2024
- Deadline to submit statement of qualification (SOQ) is June 7, 2024

**Next Steps (June-July 2024)**

○ **Statement of Qualification (SOQ)/RFQ Responses**

- Delaware to provide Scoring Matrix to the Town Clerk by June 10, 2024
- Town Clerk to distribute a hardcopy of all responses and a Scoring Matrix for each response to each Board member and Supervisor between June 10-14, 2024

○ **Scoring & Evaluation Matrix (for each SOQ received)**

- Town Supervisor to guide the Board through review/score professional services RFQ responses & make selection
- Board & Supervisor – Review and score the SOQs for each of the firms using the *RFQ Scoring & Evaluation Matrix* (in advance of this meeting). Board members should be prepared to provide a total score for each of the responses

○ **Scoring Summary**

- Delaware to provide *RFQ Scoring Summary Table* in May-June 2024
- Town Supervisor – Complete the *RFQ Scoring Summary* by totaling the scores for each firm from each board member and the Supervisor, to come up with a total score which will be used to compare the firms in question and form a basis for selection of a firm for contract award

○ **Resolution for Contract Award (At the July 1, 2024 meeting)**

- Delaware to provide *RFQ Resolution for Contract Award* in May-June 2024
- Board & Supervisor – Review and act on *RFQ Resolution for Contract Award for Engineering Services*
- **At the future meeting:** If the Town agrees to award the contract for A/E Services, then we recommend that the Town Board resolve to:
  - Adopt the attached *Resolution for A/E Services Award* for the Request for Qualifications (RFQ) for Engineering Services RFQ#1-2024 Town of Liberty EPG 128719/Swan Lake Sanitary Collection System I/I Investigation as set forth in the



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attached subject resolution

- Town Clerk – Record results of the *RFQ Resolution to Award for Engineering Services*

○ **A/E Procurement Documentation**

- Delaware to provide *RFQ Procurement Documentation* in May-June 2024
- Board & Supervisor – Confirm results of the *RFQ Procurement Documentation*
- Town Clerk – Record results of the *RFQ Procurement Documentation*, and keep on file, and provide to NYSEFC if they ask for it, and authorize complete the NYSEFC *Certification for Architectural/Engineering Services Procurement* (to be provided in the future upon execution of contract)

• The anticipated schedule is as follows:

- Adopt Board Resolutions ..... March 23, 2023 (A)
- Submit NYSCFA EPG Funding Application ..... August 11, 2023 (A)
- Award Announcement ..... February 15, 2024 (A)
- Award Letter received by Town ..... February 16, 2024 (A)
- Authorize the Town Clerk to publish the legal notice for RFQ ..... March 4, 2024 (A)
- Deadline to submit an executed Award Acceptance Form ..... March 8, 2024 (A)
- EPG Checklist of Supporting Documentation received by Town ..... March 13, 2024 (A)
- Provide update to Town Board ..... April 1, 2024 (A)
- Town adopts updated Board Resolutions and Plan of Finance ..... May 6, 2024 (A)
- RFQ for A/E Procurement ..... May - August 2024 (T)
  - Provide RFQ Documents to the Town ..... May 6, 2024 (T)
  - Town to publish the legal notice ..... May 10, 2024 (T)
  - Deadline to submit RFQ/SOQ ..... June 7, 2024 (T)
  - Town Clerk to distribute and Board to review RFQs/SOQs ..... June 10 – July 14, 2024 (T)
  - Town Board to score RFQ/SOQ and select firm (at Board meeting) ..... July 1, 2024 (T)
  - Engineering Contract Submitted to Town ..... by July 31, 2024 (T)
  - Execute Agreement with selected firm (at Board meeting) ..... August 5, 2024 (T)
- Submit EPG Checklist & Supporting Documentation ..... by August 16, 2024 (T)
- Deadline to submit EPG Checklist Supporting Documentation ..... August 31, 2024 (T)
- Execute PFA ..... September 2024 (T)
- Deadline to Execute Grant Agreement ..... September 31, 2024 (T)
- Complete I/I Engineering Report ..... October 2024-October 2025 (T)

• **Background**

- At the March 30, 2023 meeting the Town Board authorized the Supervisor to execute planning grant application with the NYS Environmental Facilities Corporation and authorization and appropriation of local match (minimum of 20% if the EPG grant is awarded).
- Delaware submitted EPG application for up to \$50,000 in grant funding I/I investigations, with commitment for a \$10,000 local match (20%) on August 11, 2023
- Digital copies forwarded to the Town Supervisor, Water and Sewer and Town Clerk on 08-31-23 – hard copy can be provided if requested.

**6. Lead & Copper Rule Revisions service line inventory requirements, due October 2024**

- Final FFY 2024 IUP Amendment No. 2 was issued in March 2024 with no changes
- However, based on the final IUP amendment, which was published by EFC in March 2024, it appears that the Town may not receive a grant

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- **The October 2024 inventory deadline remains**
- **The Town will need to continue to move forward with this recognizing that outside funding is unlikely**
- **Town should continue to organize information on lead services lines**
- **Background**
- NYSDOH recently issued a draft amendment to the FFY2024 DWSRF IUP regarding the BIL Lead Service Line Replacement (BIL-LSLR) funding. Comments were accepted via e-mail until 5:00 p.m. on Friday February 16, 2024 to [design@health.ny.gov](mailto:design@health.ny.gov)
- The result of this submission was that the Town was determined by EFC to be eligible for funding under the BIL LSLI grant program.
- Grant funds for the program are limited, and it appears that a majority of the funding is scheduled to be awarded to large cities like NYC, Albany, and Rochester.
- Municipalities may provide comments to EFC, regarding the draft IUP amendment, before it is finalized.
- On February 14, 2024 Delaware provided a draft comment letter to help municipalities (the Town) comment on the draft IUP for EFC consideration.
- The Town Supervisor signed, and submitted, by email, to [design@health.ny.gov](mailto:design@health.ny.gov) on February 15, 2024
- While it is possible that these comments could result in funding being awarded to a greater variety of small eligible communities, it should be understood that there is no guarantee that that the Town will be one of them.
- Funding Listing/Application:
  - A report and listing form were finalized and submitted on 8/25/23 for a lead service line inventory project, covering the Town's seven water districts, to be considered for 100% grant funding through the BIL program administered by NYS DWSRF. PER and Listing form emailed to Town Supervisor and Damon on 8/25/23.
  - The estimated project cost is \$569,094.
  - If a grant is received, the project will be subject to federal and DWSRF requirements (e.g., MWBE, BABA, AIS, Davis Bacon, etc.).
  - A copy of what was submitted (i.e., engineering report and IUP listing form) was submitted to the Town on August 28.
  - **DRAFT Funding Award Notification occurred in January 2024**
  - **It is likely that this funding application was not successful**
- EFC and DOH hosted a webinar on the Lead Service Line (LSL) funding available through the Bipartisan Infrastructure Legislation (BIL).
  - Grants are only available to municipalities that meet the definition of a Disadvantaged Community (DAV). If a client is not a DAV, then they will only get subsidized financing
  - In order to qualify for BIL Lead Service Line grant funding (inventory or replacement), a municipality needs to have a 2021 MHI that is less than 80% of the regionally-adjusted State MHI. The Town of Liberty Qualifies for this.
  - DAV eligibility applies to both inventory and replacement projects. DAVs can get up to 100% grant funding (\$2M max) for inventory projects, and up to 70% grant funding (\$10M max) for replacement projects.
  - You can only apply for LSL replacement funding for locations where the number and location of LSL are known and verified, even if it is just a targeted area. However, if you are requesting replacement funding, then the entire line (public and private portion) must be replaced.
  - You can apply for both inventory and replacement projects simultaneously, but with separate applications. For example, in the Village of Catskill there are some known locations of lead service lines associated with a water main replacement project that is in the planning stages, but they still need to complete a community-wide LSL inventory before the DOH October 2024 deadline.
  - You may be able to "piggy-back" a LSL replacement project with a water main replacement project that is anticipated to receive DWSRF funding, but only if the two projects can be kept completely separate. They are two different sources of funds with different reporting requirements and must be tracked separately.
  - A/E Procurement Requirements will apply, just like every other BIL-funded project. Procurement doesn't need to happen before an application is made, but it would make sense to get that out of the way while we wait for news on any grant awards so we can hit the ground running.
  - The application process for both project types is the same. No authorizing resolution is needed, just a completed DWSRF listing form and a brief Engineering Report. Engineering report templates are being worked on. Deadline is August 25.
- Town applied for a grant for the inventory this round, and may apply for replacement in subsequent rounds

## 7. **Swan Lake WWTP USEPA Administrative Compliance Order**

- **On 2/20/24 USEPA issued formal closeout of the administrative order, see February 20, 2024 USEPA Town**

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**of Liberty**

- USEPA had minor comments on the O&M Manual, mostly related to figures that would need to be updated annually (e.g., annual budgets, capital and O&M units) and other minor wording recommendations
- Ideally the Town wants develop the document so it can stand on its own, without having to make too many edits over the years.
- Delaware updated the O&M Plan with the Town, and delivered hard copies to the Town on 4/18/24 and transmitted the updated and final version via email on 4/30/24 to the Town and USEPA
- **Background**
- Working with the Town to develop written O&M procedures for its Sanitary Sewer System SSS in accordance with EPA's Attachment entitled "EPA Region 2's Recommendations Concerning Written Sanitary Sewer System Operation and Maintenance Procedures."
- Provided with the EPA correspondence was an attachment with EPA's recommendations for written O&M procedures and O&M manual Template for the Town to get an idea of what others have developed.
- Needs to be submitted to EPA, with a copy to NYSDEC, by February 1, 2024
- A draft response letter, and enclosures for the Town review and comment on 1/24/24.
- We worked with the Town to finalize the response letter, and enclosures, and submitted to USEPA (and NYSDEC) on Wednesday 1/31/24

**8. Sherwood-Roth Booster Pump Replacement**

- Town Director of Finance issued purchase order to Wittcon on 4/17/24 (contract award)
- Pump submittal submitted, reviewed and was returned approved and on 4/23/24
- Construction schedule pending
- **Background**
- In the fall of 2023 Damon obtained three quotes for the Sherwood-Roth Booster Pump Replacement work
- Anticipated costs exceeded standard bidding requirements under General Municipal Law § 103
  - *All contracts for public work involving an expenditure of more than \$35,000 and all purchase contracts involving an expenditure of more than \$20,000 must typically be awarded to the lowest responsible bidder after advertisement for sealed bids.*
- Damon asked us for help preparing a mini specification to put this out to bid
- We have generated a Legal Notice/Advertisement for Bids (required by GML§ 103) and Request for Bids (RFB) package
- The Legal Notice appeared in Friday's 1/26/24 edition of the Sullivan County Democrats (SCDC) with bids due on Friday 2/16/24
- It is anticipated that the Board will review bids at the February 21 meeting
- At the February 21, 2023 meeting the Town resolved to:
  - Award the Contract No. TL1-G-21 – General Construction for the Sherwood-Roth Booster Pump Replacement Work to Wittcon, Inc. for the low bid price of \$41,000, contingent upon
  - Authorize the Town Clerk to issue a Purchase Order to Wittcon, Inc. awarding the Sherwood-Roth Booster Pump Replacement to Wittcon, Inc. for a price of \$41,000, directing Wittcon to proceed with the work and to follow up with submittals for review as soon as possible
  - Authorize the Town Supervisor and Clerk to execute the necessary paperwork (e.g., purchase order, pay requests etc.), for contract initiation and completion of the work

**9. Ferndale Rd/Ferndale Loomis Road Intersection Waterline Crossing**

- **Board Action Required at Tonight's Meeting:**
  - Review status

Background

- The barrier that protects the waterline crossing from traffic traveling south-east on the Ferndale Loomis Road (Steep Grade) has been struck by larger vehicles three time since 2021. See photos and plan (attached)

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- In the most recent event, the impact moved the barrier so that it is now touching the piping, and may have moved the vertical section of waterline out of alignment. It appears that the barrier may be cast around the vertical segment of pipe. See detail on plan (attached)
- **In its current state it seems stable but it might break the line if it sustains another impact**
- The Town Highway Department has worked with the County to place "Steep Grade" signs at the top of the Ferndale Loomis Road
- Damon and Cheryl have asked us to work with the Town to provide a recommendation for repair and get costs/proposals to complete the repairs, that will be submitted to the insurance company of the business/motorist at fault
- The nearby County bridge and guiderails sustained significant damage in the two recent events, the County wishes to repair the bridge structure and replace the guiderail this season before the traffic in that area increases
- At this time, the recommended repair would be to isolate and shut down the crossing, demo existing barrier, and install a new barrier that is similar to the existing (due to limited space). It is unlikely that the work required to complete repair (demo existing and cast new barrier) will be able to be completed without shutting down the line, and would be without service, for possibly up to a month
- Need to review and confirm with the Town Water & Sewer Dept:
  - What needs to be done to shut that line down?
  - Is there a secondary supply?
  - If no secondary supply, how long can this line be down for?
- The County is considering the possibility of working with the Town to complete the necessary repairs through an intermunicipal agreement (IMA) with the Town, but may ultimately decline considering the close proximity to the Town's waterline

#### 10. Attachments

- EPG 128719 Swan Lake Sanitary Collection System I/I Investigations
  - Checklist of Supporting Documents Needed for Grant Agreement
  - Resolution for Authorization for a Designated Representative to Execute Grant Agreement and Appropriation of Local Match
  - Budget and Plan of Finance Form
- Ferndale Rd/Ferndale Loomis Road Intersection Waterline Crossing Photos and Plan

#### NEW BUSINESS

#### APPROVAL OF MINUTES

The Town Board does hereby approve the following minutes as submitted by the Town Clerk:

- Regular Monthly Mtg.      3/18/24

Motion:            Councilmember John Lennon  
Seconded:        Councilmember Sherri Kavleski

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5 AYES          Carried

**APPROVAL OF VOUCHER FOR GREY'S WOODWORKS FOR SHED FOR PARKS & REC.**

The Town Board does hereby authorize payment of voucher for Grey's Woodworks in the amount of \$13,487.00 to purchase a storage shed for Parks & Recreation.

Motion:          Councilmember John Lennon  
Seconded:        Councilmember Dean Farrand  
5 AYES          Carried

**APPROVAL OF VOUCHER FOR FIDEL OLIVARES FOR HIS BAND AT CINCO DE MAYO**

The Town Board does hereby authorize payment of voucher for Fidel Olivares in the amount of \$500.00 for the band Costa Mix for Cinco De Mayo on 5/4/24.

Motion:          Councilmember John Lennon  
Seconded:        Councilmember Dean Farrand  
5 AYES          Carried

**APPROVAL OF VOUCHER FOR NYSDEC FOR PETROLEUM BULK STORAGE TANK**

The Town Board does hereby authorize payment of voucher for NYSDEC in the amount of \$300.00 for application fee for petroleum bulk storage tank.

Motion:          Councilmember John Lennon  
Seconded:        Councilmember Dean Farrand  
5 AYES          Carried

**APPROVAL OF VOUCHER FOR SULLIVAN COUNTY CLERK'S OFFICE FOR RECORDING FEES FOR LAPOLT PARK**

The Town Board does hereby authorize the payment of voucher for Sullivan County Clerk's Office in the amount of \$320.00 for recording and filing fees for LaPolt Park.

Motion:          Councilmember John Lennon  
Seconded:        Councilmember Dean Farrand  
5 AYES          Carried

**APPROVAL OF VOUCHER FOR POLEY PAVING FOR BOYD RD. CONSTRUCTION**

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The Town Board does hereby authorize payment of voucher for Poley Paving in the amount of \$3,301.25 for Boyd Rd. reconstruction TL2-G-2024.

Motion: Councilmember John Lennon  
Seconded: Councilmember Dean Farrand  
5 AYES Carried

**APPROVAL OF VOUCHER FOR DELAWARE ENGINEERING WSS PHASE 10 (MARCH)**

The Town Board does hereby authorize payment of voucher for Delaware Engineering in the amount of \$8,451.10 for additional design services for WSS Water District Phase 10 improvements (March).

Motion: Councilmember John Lennon  
Seconded: Councilmember Dean Farrand  
5 AYES Carried

**APPROVAL OF VOUCHER FOR DELAWARE ENGINEERING WSS PHASE 10 (APRIL)**

The Town Board does hereby authorize payment of voucher for Delaware Engineering in the amount of \$5,661.91 for additional design services for WSS Water District Phase 10 improvements (April).

Motion: Councilmember John Lennon  
Seconded: Councilmember Dean Farrand  
5 AYES Carried

**SUPERVISOR AUTHORIZED TO EXECUTE ENGINEERING PLANNING GRANT AGREEMENT WITH NEW YORK STATE ENVIORNENTAL FACILITIES CORPORATION**

BE IT RESOLVED, the Town Supervisor is hereby authorized to execute an Engineering Planning Grant (EPG) Agreement with the New York State Environmental Facilities Corporation (NYS EFC) and any and all other contracts, documents, and/or instruments necessary to facilitate the EPG project referenced herein and to fulfill the Town of Liberty's obligations thereunder.

Authorization and Appropriation of Local Match

\*Local match is a minimum of 20% of the total EPG grant award.

NOW, THEREFORE, BE IT RESOLVED, the Town of Liberty hereby authorizes and appropriates a minimum 20% local match as required by the Engineering Planning Grant Program for the Liberty (T) EPG 128719/Swan Lake Sanitary Collection System I/I Investigations in the amount of \$10,000 and based upon the total EPG Grant award of \$50,000

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BE IT FURTHER RESOLVED, the source of the local match, and any amount in excess of the required match shall be provided by the Town's Sewer Fund.

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

|                                  |        |     |
|----------------------------------|--------|-----|
| Supervisor Frank DeMayo          | voting | AYE |
| Councilmember Dean Farrand       | voting | AYE |
| Councilmember John Lennon        | voting | AYE |
| Councilmember Vincent McPhillips | voting | AYE |
| Councilmember Sherri Kavleski    | voting | AYE |

The resolution was thereupon declared duly adopted.

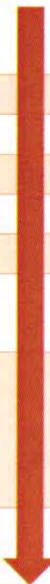

|           |                            |
|-----------|----------------------------|
| Motion:   | Councilmember John Lennon  |
| Seconded: | Councilmember Dean Farrand |
| 5 AYES    | Carried                    |

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**AWARD OF STONE BID**

The Town Board does hereby award the stone bid to the following that are highlighted:

|                             |                                                                            |                                                                 |                                                                     |
|-----------------------------|----------------------------------------------------------------------------|-----------------------------------------------------------------|---------------------------------------------------------------------|
| <b>STONE BID</b><br>4/25/24 | <b>R&amp;H Gorr, Inc</b><br>14 Hortonville Main St.<br>Callicoon, NY 12723 | <b>JKN Trucking, Inc</b><br>86 Ridge Road<br>Marlboro, NY 12542 | <b>Callanan Industries, Inc</b><br>PO Box 15097<br>Albany, NY 12212 |
|-----------------------------|----------------------------------------------------------------------------|-----------------------------------------------------------------|---------------------------------------------------------------------|

|                                   | DELIVERED | FOB                                                                                | DELIVERED | FOB                                                                                  | DELIVERED | FOB   |
|-----------------------------------|-----------|------------------------------------------------------------------------------------|-----------|--------------------------------------------------------------------------------------|-----------|-------|
| #1A<br>(Limestone)                | N/B       | N/B                                                                                | 38.25     | N/B                                                                                  | N/B       | N/B   |
| #1A (Ledge<br>Rock)               | 34.18     |  |           |  | 35.40     | 28.50 |
| #1                                | 23.36     |                                                                                    |           |                                                                                      | 23.50     | 16.70 |
| #1B                               | 21.95     |                                                                                    |           |                                                                                      | 24.30     | 17.50 |
| #2                                | 22.18     |                                                                                    |           |                                                                                      | 22.65     | 15.85 |
| #3                                | 21.80     |                                                                                    |           |                                                                                      | 22.30     | 15.50 |
| #4                                | 21.80     |                                                                                    |           |                                                                                      | N/B       | N/B   |
| Crusher<br>Run                    | 16.70     |                                                                                    |           |                                                                                      | 18.65     | 11.85 |
| #1 & #2<br>50/50<br>Ledge<br>Rock | 22.58     |                                                                                    |           |                                                                                      | 23.50     | 16.70 |
| Ledge<br>Stone Sand               | 21.95     |                                                                                    |           |                                                                                      | 20.30     | 13.50 |
| Surge<br>Stone-Non<br>DOT         | 17.15     |                                                                                    |           |                                                                                      | 18.70     | 11.90 |
| Light Stone<br>Fill               | 22.10     |                                                                                    | 23.00     | 16.20                                                                                |           |       |

Motion: Councilmember Vincent McPhillips  
 Seconded: Supervisor Frank DeMayo  
 5 AYES Carried



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**SUPERVISOR AUTHORIZED TO EXECUTE THE 2024 SULLIVAN 180 MUNICIPAL PARTNERSHIP GRANT IN THE AMOUNT OF \$7,000**

The Town Board does hereby authorize the Supervisor to execute the 2024 Sullivan 180 Municipal Partnership Grant in the amount of \$7,000 to support the seasonal care of public spaces throughout the Town and installation of murals in Parksville.

Motion: Councilmember Dean Farrand  
Seconded: Councilmember John Lennon  
5 AYES Carried

**SUPERVISOR AUTHORIZED TO EXECUTE INTER-MUNICIPAL AGREEMENT BETWEEN THE VILLAGE OF LIBERTY, NEW YORK, AND THE TOWN OF LIBERTY, NEW YORK, RELATIVE TO THE VILLAGE PROVIDING SEWER SERVICE TO A NEW SEWER DISTRICT TO BE CREATED BY THE TOWN OF LIBERTY NEW YORK WHICH SHALL INCLUDE ONLY TOWN OF LIBERTY TAX MAP PARCEL NO. 26.-1-59**

WHEREAS, the Village and the Town are empowered to enter into inter-municipal Agreement pursuant to Article 5-G of the General Municipal Law; and

WHEREAS, the Village has sewer capacity in excess of that needed by the residents of the Village; and

WHEREAS, 2514 Route 52 Property Co., LLC owns Town of Liberty tax map parcel no.26.-1-59 and desires to construct a hotel, homes for sale, and homes for rental on Town of Liberty tax map parcel no. 26.-1-59; and

WHEREAS, the Town intends to create a new sewer district which shall encompass solely Town of Liberty tax map parcel no. 26.-1-59, which is presently owned by 2514 Route 52 Property Co., LLC; and

WHEREAS, the Town is desirous of the new sewer district it will create to purchase sewer service, as an outside user, from the Village and the new sewer district then providing that sewer service to the developer of Town of Liberty tax map parcel no. 26.-1-59; and

WHEREAS, the Town has requested that the Village adopt new outside user rates for sewer service for outside users for the new sewer district that the Town intends to create, with incentives in the form of lower per gallon rates for projects or developments which create jobs; and

WHEREAS, the Village is agreeable to adopting new sewer outside user fees for projects or developments in the new sewer district with incentives in the form of lower per gallon rates for projects or developments which create jobs, on condition that the Town create the new sewer district which shall

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encompass solely Town of Liberty tax map parcel no. 26.-1-59 and on the terms and conditions of this Agreement;

NOW, THEREFORE, in consideration of the premises and the mutual covenants contained herein, the receipt and sufficiency of which is hereby acknowledged, the parties hereto hereby agree as follows:

1. (a) In the event that the Town creates the new sewer district which encompasses solely Town of Liberty tax map parcel no. 26.-1-59, the Village shall adopt new outside user rates (i.e., outside district user rates) for sewer service which will be supplied to the new sewer district, with incentives in the form of lower per gallon rates for projects or developments which create full-time jobs, as follows:

Sewer Outside User Rates

| <u>Jobs created</u> | <u>Discount from Difference Between Outside User Rate and Inside User Rate</u> |
|---------------------|--------------------------------------------------------------------------------|
| 0                   | 0                                                                              |
| 5-10                | 25%                                                                            |
| 11-25               | 50%                                                                            |
| 26-50               | 75%                                                                            |
| 51-100              | 100%                                                                           |

(b) As an illustration, the present sewer outside user rate is \$13.38/1000 gallons and the present inside user rate is \$8.58/1000 gallons. If the developer is creating 8 jobs, the discount would be 25%. The difference between the outside and inside sewer user rates is \$4.80/1000 gallon, so the discount per 1000 gallons would be \$1.20/1000 gallons and the rate per 1000 gallons would be \$ 12.18.

(c) The discount shall apply to the jobs which the developer indicates will be created and shall continue for so long as the developer maintains such number of created jobs. The number of full-time jobs maintained for the prior year (see "1[i]" below) shall be the actual average full-time employees, which shall be determined by adding the actual full-time employees in each month of the applicable year prior to the Reporting Date ((see "1[i]" below) and dividing such sum by twelve (12). In the event that the number of jobs created is not maintained at that level and is reduced below the level for which the initial discount has been provided, the Village shall be entitled to immediately apply the discount applicable, if any, to the reduced number of jobs.

(d) The aforesaid outside user rates shall apply to the number of jobs created by the developer, regardless of whether the developer is the actual outside user. Thus, if the developer of Town of Liberty tax map parcel no. 26.-1-59 creates jobs for which the above formulas would require a discount of the outside user sewer rate, the discount shall be applied even though the outside user will be the new sewer district to

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be created by the Town, which shall then be providing the sewer to the developer of Town of Liberty tax map parcel no.

(e) The new Town sewer district shall not charge the developer of Town of Liberty tax map parcel no. 26.-1-59 a rate for sewer service different than that charged by the Village to the new Town sewer district. Notwithstanding the foregoing, the Town sewer district may increase the charge to the developer solely on account of operation and maintenance expenses and/or capital costs of the sewer district. The new Town sewer district shall be limited solely to Town of Liberty tax map parcel no.26.-1-59, upon which there shall only be one integrated development of a hotel, homes for sale, and homes for rental. This Agreement and the obligation of the Village to provide the discounted sewer rates shall be terminable by the Village in the event that Town of

Liberty tax map parcel no. 26.-1-59 is not developed as one integrated development with a hotel, homes for sale, and homes for rental.

(g) The Town and new Town sewer district shall be required to pay for all costs and fees associated with (i) extending any sewer mains or lines from the Village's existing mains or lines to Town of Liberty tax map parcel no. 26.-1-59 (or the new sewer district, as applicable) and all repairs and maintenance associated with such extended lines after they are installed, (ii) replacing, improving, repairing and maintaining any sewer lines or mains necessary (as determined by the Village in its sole discretion) for proper, safe and uninterrupted service to be provided, (iii) purchasing and installing any pumps or pump stations required to ensure proper, safe and uninterrupted service, and (iv) any engineering and./or legal work incurred in connection with any of the foregoing.

(h) The Village shall retain the right to change its inside and outside sewer rates from time to time, as the Village believes is appropriate. The above discounted sewer rates shall apply to the difference between the inside and the outside user rates in effect at the time.

(i) In order to assure compliance with the fulltime employment requirements (see "l [a]" above), the developer shall file with the Village, not later than of each year (the "Reporting Date"), a statement certified under oath setting forth the fulltime employees employed by the developer in connection with the one integrated development of a hotel, homes for sale, and homes for rental on Town of Liberty tax map parcel no. 26.-1-59 for the preceding year prior to the Reporting Date. Such statement shall contain such additional information as the Village may reasonably request. The developer shall make available to the Village such information as it may request to verify the information provided to the Village including, but not limited to, State and Federal employment tax forms and payroll records of the developer. The failure of the developer to timely file such statement may, in the discretion of the Village, permit the Village to immediately charge the new Town sewer district the full sewer outside user rate.

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2. As an outside user, the new Town sewer district shall remain subject to the requirement that, in the event that the Village needs sewer capacity for Village residents and there is insufficient capacity for such use, the Village shall be entitled to reduce the amount of, or if necessary, terminate, sewer service to the new sewer district in order that there be sufficient capacity for Village residents. In the event that the Village anticipates that the total sewage treatment capacity will be exceeded by the

Village or its inhabitants and it is a possibility that the new Town sewer district will be disconnected by the Village from the ability to have its sewage treated and disposed of by the Village sewage treatment plant pursuant to this Agreement (see Village Law § 14-1404), the Village shall provide the new Town sewer district no less than eighteen (18) months' notice of such possibility so that the new Town sewer district can explore other options for the treatment and disposal of the sewage which would otherwise be treated and disposed of pursuant to this Agreement. In addition, the new Town sewer district shall have the right, up to two (2) times per year, to request and receive from the Village the average daily amount of sewage treatment capacity (in gallons) being used at that time.

2. The term of this Agreement shall be for five (5) years.

3. This Agreement constitutes the entire and exclusive agreement between the Town and the Village concerning the subject matter herein and therein and supersedes any prior or contemporaneous oral or written agreements or understandings.

4. Neither this Agreement nor any provision thereof may be modified, amended, changed, altered, supplemented, waived, terminated, cancelled or rescinded, except by a writing executed by the parties hereto or as otherwise expressly and specifically provided for in this Agreement. No waiver of any term or provision of this Agreement shall in any way affect any other term or condition of this Agreement or constitute a cause or excuse for a repetition of such or any other breach unless the waiver shall include the same.

5. This Agreement shall be binding on and inure to the benefit of the respective successors, assigns, and personal representatives of the parties.

6. This Agreement shall be deemed to have been mutually drafted and shall be construed fairly and in accordance with its terms. No party shall be entitled to any presumption or construction in such party's favor as a result of any party assuming the

7. This Agreement may be executed in one or more counterparts, each of which shall be deemed an original, and all of which together shall constitute one and the same instrument. Faxed or e-mailed signatures to this Agreement shall be binding for all purposes.

8. This Agreement shall be governed by the internal laws of the State of New York applicable to agreements entered into and to be wholly performed within the State

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of New York, without regard to conflict of law principles. The parties agree that any legal action or proceeding may only be brought in the Supreme Court of the State of New York, Sullivan County sitting without a jury, which each party voluntarily waives the right to request or receive.

9. Any and all notices required hereunder shall be addressed as follows, or to such other address as may hereafter be designated in writing by either party hereto:

Motion: Councilmember Vincent McPhillips  
Seconded: Councilmember Dean Farrand  
5 AYES Carried

**SUPERVISOR AUTHORIZED TO EXECUTE MEMORANDUM OF AGREEMENT BETWEEN CORNELL COOPERATIVE EXTENSION SULLIVAN COUNTY AND THE TOWN AND VILLAGE OF LIBERTY FOR (9) PORTABLE PEDESTRIAN SAFETY CROSSING SIGNS**

The Town Board does hereby authorize the Supervisor to execute Memorandum of Agreement between Cornell Cooperative Extension Sullivan County and the Town and Village of Liberty, for (9) portable pedestrian safety crossing signs.

Motion: Councilmember Vincent McPhillips  
Seconded: Councilmember John Lennon  
5 AYES Carried

**SUPERVISOR AUTHORIZED TO EXECUTE MEMORANDUM OF AGREEMENT BETWEEN CORNELL COOPERATIVE EXTENSION SULLIVAN COUNTY AND THE TOWN AND VILLAGE OF LIBERTY**

The Town Board does hereby authorize the Supervisor to execute Memorandum of Agreement between Cornell Cooperative Extension Sullivan County and the Town and Village of Liberty, for (6) dog stations.

Motion: Supervisor Frank DeMayo  
Seconded: Councilmember Dean Farrand  
5 AYES Carried

**APPROVAL OF PAYMENT FOR T.J.E LANDSCAPING, INC. TO PICK UP, DELIVER AND PLANT (2) PIN OAK TREES IN THE AMOUNT OF \$2,350**

Approval of payment to T.J.E. Landscaping, Inc. to pick-up, deliver and plant (2) pin oak trees in the amount of \$2,350 from monies donated by Maurice Gerry and the balance from the Town of Liberty. The trees will be planted at the Liberty Elementary School, Liberty, NY.

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Motion: Councilmember Vincent McPhillips  
Seconded: Supervisor Frank DeMayo  
5 AYES Carried

**ACCEPTANCE OF RESIGNATION FROM MATTHEW MACARTHUR FROM THE WATER & SEWER DEPT EFFECTIVE 4/26/24**

The Town Board does hereby accept the resignation from Matther MacArthur from the Water & Sewer Department effective 4/26/24. Councilmember Vincent McPhillips requested an exit interview.

Motion: Councilmember Dean Farrand  
Seconded: Councilmember John Lennon  
5 AYES Carried

**APPROVAL TO NAME PRIVATE ROAD/DRIVEWAY LOCATED ON RADCLIFF ROAD IN FERNDALE, NY SBL #48.-2-6 AS "CHICKADEE LANE" FOR USE WITHIN THE 911 ADDRESS SYSTEM FOR SULL. CO.**

The Town Board of the Town of Liberty does hereby name private road/driveway located on Radcliff Rd., Ferndale, NY, SBL #48.-2-6, as "Chickadee Lane" for use within the 911 Address System for Sullivan County.

Motion: Supervisor Frank DeMayo  
Seconded: Councilmember John Lennon  
5 AYES Carried

**SET PUBLIC HEARING FOR THE SUBMISSION OF APPLICATION FOR THE EMPIRE STATE DEVELOPEMNT FOR FINANCIAL ASSISTANCE UNDER THE RESTORE NY COMMUNITIES INITATIVE ON 5/20/24**

The Town Board of the Town of Liberty does hereby schedule a Public Hearing for 5/20/24 at 6:50 p.m. in the Liberty Senior Center located at 119 N. Main Street. The purpose of the hearing is to obtain citizens' views and comments relative to the submission of an application to Empire State Development for financial assistance under the Restore NY Communities Initiative.

WHEREAS the Town of Liberty is eligible for grant funding under Round [8] of the Restore NY Communities Initiative Municipal Grant Program, and

WHEREAS the Town Board of the Town of Liberty has selected 2 Main Street Parksville and 29 Main Street Parksville to be included in an application that will be submitted to Empire State Development Corporation (ESDC) as follows:

TOWN BOARD MEETING  
119 NORTH MAIN STREET, LIBERTY, NY 12754  
DATE: 05/06/24  
PLACE: SENIOR CENTER 119 NORTH MAIN STREET, LIBERTY, NY 12754  
TIME: 6:30PM

Redevelopment of 2 Main Street in Parksville, NY. This project will rehabilitate an abandoned 1,485 square foot former synagogue into a community-oriented arts space and events venue in our service commercial zone. Second, the redevelopment of 29 Main Street in Parksville, NY. This project will rehabilitate 5,902 square feet of vacant property into Marlowe and Eddie's, a community market focused on food, provision, and hospitality in our service commercial zone.

WHEREAS this project is consistent with all existing local plans, the proposed financing is appropriate for the project, the project will facilitate effective and efficient use of existing and future public resources so as to promote both economic development and preservation of community resources and the project develops and enhances infrastructure and/or other facilities in a manner that will attract, create and sustain employment opportunities in the Town of Liberty.

NOW THEREFORE BE IT RESOLVED that the Town Board hereby supports and will sponsor an application for Restore NY funding for both 2 Main Street and 29 Main Street in Parksville, NY and will administer the grant in accordance with all applicable rules and regulations established by ESDC, and

BE IT FURTHER RESOLVED that the Town Supervisor is authorized to sign the applications and any agreements required by ESDC for grant funding that results from the application

Motion: Councilmember Vince McPhillips  
Seconded: Councilmember John Lennon  
5 AYES Carried

**BID DATE SET FOR CLEAN-UP OF 334 OLD LOOMIS ROAD ON 6/6/24**

The Town Board does hereby set a bid date for the clean-up of 334 Old Loomis Road, SBL # 35.-1-26 on 6/6/24 at 11:00 a.m. in the Town Clerk's Office, 120 North Main Street, Liberty.

Motion: Councilmember Dean Farrand  
Seconded: Supervisor Frank DeMayo  
5 AYES Carried

**NOMINATION FOR MEMBER & ALTERNATE MEMBER TO COALITION OF WATERSHED TOWNS EXECUTIVE COMMITTEE**

The Town Board does hereby nominate Ric Coombe from Town of Neversink as a member and Scott Grey from Town of Neversink as an alternate member, both for two-year terms to the Coalition of Watershed Towns Executive Committee.

Motion: Councilmember Dean Farrand  
Seconded: Supervisor Frank DeMayo

TOWN BOARD MEETING  
119 NORTH MAIN STREET, LIBERTY, NY 12754  
DATE: 05/06/24  
PLACE: SENIOR CENTER 119 NORTH MAIN STREET, LIBERTY, NY 12754  
TIME: 6:30PM

5 AYES      Carried

**TOWN BOARD REQUESTS THAT THE COUNTY OF SULLIVAN PETITION THE STATE OF NEW YORK DEPARTMENT OF TRANSPORTATION TO ESTABLISH A LOWER SPEED LIMIT ON DEVANY RD., FERNDALE, NY**

The Town Board of the Town of Liberty does hereby request with the submittal of a completed TE-9 that the County of Sullivan Department of Public Works request the State of New York Department of Transportation to establish a lower speed limit on Devany Rd. TR 23, from CR 71 to CR 74.

Motion:            Councilmember Dean Farrand  
Seconded:        Supervisor Frank DeMayo  
5 AYES            Carried

**SPECIAL MEETING FOR 5/28/24 AT SWAN LAKE FIREHOUSE AT 6:30 P.M.**

The Town Board of the Town of Liberty does hereby set a special meeting on 5/28/24 at Swan Lake Firehouse at 6:30 p.m. to discuss the Swan Lake Sewer Plant.

Motion:            Councilmember Dean Farrand  
Seconded:        Councilmember John Lennon  
5 AYES            Carried

**BID DATE SET FOR BUILDING/ASSESSOR OFFICE RESTORATION ON 6/6/24**

The Town Board does hereby set a bid date for the Building/Assessor Restoration on 6/6/24 at 11:00 a.m. in the Town Clerk's Office, 120 North Main Street, Liberty.

Motion:            Councilmember Dean Farrand  
Seconded:        Councilmember John Lennon  
5 AYES            Carried

**DISCUSSION**

1. LCI Lake Water Quality Summary-Lake at Swan Lake-On our website [www.townofliberty.org](http://www.townofliberty.org)
2. Town of Fallsburg Public Hearing-Solar Field-Cross Farm Road

**UNDER REVIEW**

1. Drilled wells with a yield of less than 5 GPM.
2. Training & Recommendations policy- Planning & Zoning



TOWN BOARD MEETING  
119 NORTH MAIN STREET, LIBERTY, NY 12754  
DATE: 05/06/24  
PLACE: SENIOR CENTER 119 NORTH MAIN STREET, LIBERTY, NY 12754  
TIME: 6:30PM

3. Shipping Containers
4. Fence In/Fence Out
5. AIRBNB
6. Solar
7. County Water / Sewer Study.

**IN PROGRESS**

1. Converting and moving the Building Department and the Assessor's Office to the Park & Recreation Building.
2. Fines
3. Empty Lot in Parksville
4. Illegal dumping of garbage
5. Delaware Town/Village Water Sewer Study
6. Lead Service Line Inventory
7. Walnut Mt. Pavilion.

**PUBLIC PARTICIPATION**

Brandon Sterling

- Bringing presentation to Town Board-Otto Hillig

Manny Steinberg

- Issue with neighbor's dogs biting numerous times-Spoken with police and DCO Joanne Gerow trying to rectify the situation before having to go to court.

**BOARD DISCUSSION**

Councilmember Vincent McPhillips

- HR Situation

Councilmember John Lennon

- Recommendation for HR

Councilmember Dean Farrand

- Cinco De Mayo-Great Day
- Water Survey-20% response from DEC
- Well data on our map-ask County
- Report on DAM-Need to be informed

Councilmember Sherri Kavleski

- LitterPluck-Need more no dumping signs

TOWN BOARD MEETING  
119 NORTH MAIN STREET, LIBERTY, NY 12754  
DATE: 05/06/24  
PLACE: SENIOR CENTER 119 NORTH MAIN STREET, LIBERTY, NY 12754  
TIME: 6:30PM

- Bike Race at Walnut-Nice Event

Supervisor Frank DeMayo

- Schedule joint meeting in June with the Village re the sewer & comp plan w/ Peter Manning
- Cinco De Mayo-Amazing Day
- Sullivan 180-Cleaned Trails

**EXECUTIVE SESSION**

The Town Board does hereby go into Executive Session to discuss a personnel matter at 8:21 p.m.

Motion: Supervisor Frank DeMayo  
Seconded: Councilmember John Lennon  
5 AYES Carried

**OUT OF EXECUTIVE SESSION**

The Town Board does hereby come out of Executive Session at 9:02 p.m.

Motion: Councilmember John Lennon  
Seconded: Supervisor Frank DeMayo  
5 AYES Carried

**ADJOURN**

The Town Board does hereby adjourn the meeting at 9:03 p.m.

Motion: Councilmember Dean Farrand  
Seconded: Councilmember Sherri Kavleski  
5 AYES Carried



| QUOTATION |         |        |
|-----------|---------|--------|
| DATE      | NUMBER  | PAGE   |
| 5/29/2024 | 0002673 | 1 of 1 |

B TOL025  
 I TOWN OF LIBERTY  
 L 120 N MAIN ST  
 L LIBERTY, NY 12754-1861  
 T US  
 O

*Loomis Sewer*  
 S TOWN OF LIBERTY  
 H 2851 RTE 52  
 I LIBERTY, NY 12754-0001  
 P US  
 T  
 O

Accepted By: \_\_\_\_\_  
 Company: \_\_\_\_\_  
 Date: \_\_\_\_\_  
 PO#: \_\_\_\_\_  
 Ship To: \_\_\_\_\_

ATTENTION:  
 JOAN REDINGTON 845-292-5620 w.s.dept@townofliberty.org  
 DAMON KNACK

WE ARE PLEASED TO PROPOSE THE FOLLOWING FOR YOUR CONSIDERATION:

TERMS: NET 30

| CUSTOMER REF/PO# | JOB TITLE                  | SLP     | SHIPPING TYPE |
|------------------|----------------------------|---------|---------------|
|                  | EVALUATE CLARIFIER, WALKER | CAF/HMD |               |

| QTY  | PART    | DESCRIPTION                                                                                                                                                   | UNIT PRICE | EXTENDED   |
|------|---------|---------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|------------|
| 1.00 | SERVICE | SCOPE OF SERVICE:<br>- TRAVEL TO SITE TO EVALUATE CLARIFIER<br>- REMOVE GEARBOX FROM TORQUE TUBE IN ORDER TO OPERATE SEPARATELY TO DETERMINE CAUSE OF LOCKUP. | \$3,165.00 | \$3,165.00 |

NOTE: REPAIRS TO BE QUOTED UNDER SEPARATE COVER

THANK YOU FOR THE OPPORTUNITY TO BE OF SERVICE.  
 ALL SERVICES PERFORMED BY CONFINED SPACE  
 TRAINED, OSHA CERTIFIED TECHNICIANS.

IF YOU WISH TO PROCEED WITH THIS PROPOSAL, PLEASE  
 SIGN & RETURN. IF YOU HAVE ANY QUESTIONS, PLEASE  
 FEEL FREE TO CONTACT US.

SINCERELY,

HEIDI DUSELL  
 SERVICE COORDINATOR  
 315-697-3800  
 HDUSELL@KOESTERASSOCIATES.COM

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                 |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------|
| <p>This quote is subject to and incorporates by reference Koester Associates ("Koester") Terms &amp; Conditions and Customer Warranty available at <a href="https://koesterassociates.com">www.https://koesterassociates.com</a> which will be provided by email upon written request. Buyer expressly agrees to the provisions set forth in the Terms &amp; Conditions and Customer Warranty posted on Koester's website.</p> <p><b>QUOTE VALID FOR 30 DAYS. CREDIT CARD PAYMENTS ARE SUBJECT TO AN ADDITIONAL 3% PROCESSING FEE</b></p> | <p><b>TOTAL: \$3,165.00</b></p> |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------|

3101 Seneca Turnpike Canastota, NY 13032 - Phone: 315-697-3800 - Fax: 315-697-3888

[www.koesterassociates.com](http://www.koesterassociates.com)

**Abraham Mizrahi**  
**35 Lake St. Liberty NY 12754**  
**845-774-5616**

**May 3, 2024**

**RE: Devany Road houses**

**To Town of Liberty board,**

**We are requesting you to allow the following parcels to connect as out of district water users with a condition that tanks are installed to offset high usage times as per Delta Engineering letter dated 05/03/2024**

41.B-1-2  
41.B-1-3  
41.B-1-4  
41.B-1-5  
41.B-1-6  
41.B-1-7  
41.B-1-8  
41.B-1-9  
41.B-1-10  
41.B-1-11  
41.B-1-12  
41.B-1-13  
41.B-1-14  
41.B-1-15  
41.B-1-16  
41.B-1-17  
41.B-1-18  
41.B-1-19

**Feel free to contact me with any questions.**

**Thanks,**

**Abraham Mizrahi**

**Abraham Mizrahi**  
**35 Lake St. Liberty NY 12754**  
**845-774-5616**

**May 3, 2024**

**RE: Devany Road houses**

**To Town of Liberty board,**

**We are requesting you to allow the following parcels to connect as out of district sewer users.**

41.B-1-11

41.B-1-12

41.B-1-13

41.B-1-14

41.B-1-15

41.B-1-16

41.B-1-17

41.B-1-18

41.B-1-19

**Feel free to contact me with any questions**

**Thanks,**

**Abraham Mizrahi**

May 3, 2024

Mr. Abraham Mizrahi  
FastBuild Inc.  
39 Merriwold Lane S.  
Monroe, NY 10950

**RE: Devany Road Project Water Consumption**  
**Delta Project No.: 2022.119.046**

Dear Mr. Mizrahi:

This letter is a follow up to our letter dated April 1, 2024, regarding water supply for the Devany Rd project. It is our understanding that stakeholders would prefer to avoid the use of a system that would involve flushing the tanks.


Based on our understanding, the Town is concerned it may not be able to supply water during the systems peak demand (post-construction), which is typically on Fridays from noon to midnight. A viable option to assist in cutting the peak supply requirements is to install a hydropneumatic water tank near the water system inlet to the structure. A hydropneumatic tank utilizes an air bladder over a volume of water to provide relatively consistent pressure over a period of time.

To accommodate 350 gallons per day for the residences that are currently located on your Devany Rd. project, Model Number WX-455C (see attached) should be installed. The tank will contain a sufficient volume of water to supply the peak daily demand of the system and re-fill only in the early mornings and at night. A timer-actuated supply valve should also be installed. This will allow the Town system to fill the tank outside of the peak demand period(s), and the tank would supply water at a consistent pressure during that time.

We believe this is an acceptable approach to mitigate the concern of avoiding the need to flush the tanks. If you have any questions, please do not hesitate to reach out to me. I am available by cell as needed.

Respectfully,

**DELTA ENGINEERS, ARCHITECTS, LAND SURVEYORS, & LANDSCAPE ARCHITECTS, DPC**



Christopher J. Maby, CPESC  
Director of Transportation / Civil Engineering Services



# WELLXTROL

Commercial Pump Systems Tanks



**188**

AntiLegionella.



Antimicrobial.



Turbulator.



# WELLXTROL

Amtrol pre-charged, potable water pressure tanks are engineered to reduce surge and ensure minimum pump run time in municipal well systems and pump applications. Available in diaphragm, full acceptance and partial acceptance bladder designs, all Well-X-Trol tanks are made in the USA at our ISO 9001:2015 certified facilities. All ASME tanks meet Section VIII, Division I standards.



**188**

AntiLegionella. Antimicrobial. Turbulator.



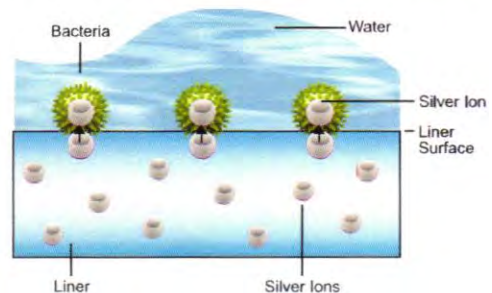
### Fresh Water Turbulator™

- Patented diffuser agitates incoming water to keep it tasting fresh and clean.
- Prevents sediment build-up to extend tank life.



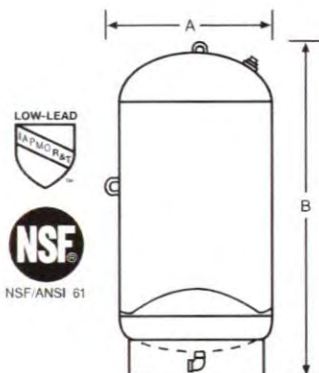
### Antimicrobial Liner Protection

- Safe, Silver-Ion technology targets active microorganisms; neutralizes bacteria on contact.
- Compound is molded into the water reservoir lining; lasts the life of the tank; patent pending.



### Diaphragm Models

- Industry's thickest butyl diaphragm for extra long life.
- Patent pending Antimicrobial liner neutralizes bacteria on contact.
- Tested to JIS Z 2801 for reduction of Legionella, staphylococcus and E. coli.
- Follows ASHRAE 188 Anti-Legionella guidelines.
- Patented Turbulator™ prevents sediment buildup.



### ASME Diaphragm Series Specifications

| Model Number | Tank Volume (Gallons) | Max. Accept. Volume (Gallons) | A Diameter (Inches) | B Length (Inches) | System Conn. <sup>1</sup> NPTF (Inches) | Shipping Weight (lbs.) Max. Working Pressure |         |         |         |         |
|--------------|-----------------------|-------------------------------|---------------------|-------------------|-----------------------------------------|----------------------------------------------|---------|---------|---------|---------|
|              |                       |                               |                     |                   |                                         | 125 PSI                                      | 150 PSI | 175 PSI | 250 PSI | 300 PSI |
| WX-401C      | 18                    | 11                            | 16                  | 31                | 1                                       | 77                                           | 96      | 110     | 126     | 133     |
| WX-402C      | 25                    | 11                            | 16                  | 40                | 1                                       | 93                                           | 113     | 125     | 145     | 160     |
| WX-403C      | 34                    | 11                            | 16                  | 49                | 1                                       | 115                                          | 120     | 145     | 183     | 200     |
| WX-404C      | 68                    | 34                            | 24                  | 48                | 1/4                                     | 227                                          | 232     | 313     | 411     | 432     |
| WX-405C      | 90                    | 34                            | 24                  | 59                | 1/4                                     | 252                                          | 255     | 384     | 433     | 460     |
| WX-406C      | 110                   | 34                            | 24                  | 70                | 1/4                                     | 286                                          | 335     | 402     | 475     | 500     |
| WX-407C      | 132                   | 46                            | 30                  | 57                | 1/4                                     | 436                                          | 450     | 510     | 570     | 625     |

<sup>1</sup>Malleable Iron System Connection.  
Maximum Operating Temperature: 200°F. Factory Pre-charge: 25 PSIG.

### Non-ASME Diaphragm Series Specifications

| Model Number | Tank Volume (Gallons) | Max. Accept. Volume (Gallons) | A Diameter (Inches) | B Height (Inches) | System Conn. <sup>1</sup> NPTF (Inches) | Shipping Weight (lbs.) Max. Working Pressure |
|--------------|-----------------------|-------------------------------|---------------------|-------------------|-----------------------------------------|----------------------------------------------|
|              |                       |                               |                     |                   |                                         | 150 PSI                                      |
| WX-401       | 18                    | 11                            | 16                  | 31                | 1                                       | 96                                           |
| WX-402       | 25                    | 11                            | 16                  | 40                | 1                                       | 113                                          |
| WX-403       | 34                    | 11                            | 16                  | 49                | 1                                       | 120                                          |
| WX-404       | 68                    | 34                            | 24                  | 48                | 1/4                                     | 232                                          |
| WX-405       | 90                    | 34                            | 24                  | 59                | 1/4                                     | 255                                          |
| WX-406       | 110                   | 34                            | 24                  | 70                | 1/4                                     | 313                                          |
| WX-407       | 132                   | 46                            | 30                  | 57                | 1/4                                     | 450                                          |

<sup>1</sup>Malleable Iron System Connection.  
Maximum Operating Temperature: 200°F. Factory Pre-charge: 25 PSIG



# Commercial Water Systems Tanks

## Full Acceptance Bladder Models

- Larger sizes for high flow systems.
- Replaceable, full acceptance design.
- Heavy duty butyl bladder; industry's thickest.
- Bladder meets NSF/ANSI 61 standards.
- NAF 2016 compliant.



### ASME Full Acceptance Bladder Series Specifications

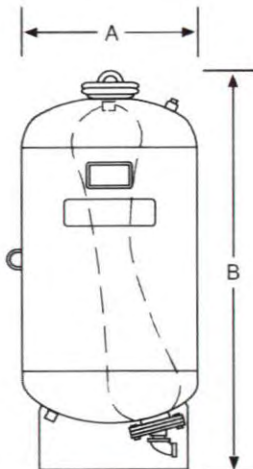
| Model Number | Tank Volume (Gallons) | Max. Accept. Volume (Gallons) | A Diameter (Inches) | B Height (Inches) | System Conn. <sup>1</sup> NPTF (Inches) | Shipping Weight (lbs.) Max. Working Pressure |         |         |         |         |
|--------------|-----------------------|-------------------------------|---------------------|-------------------|-----------------------------------------|----------------------------------------------|---------|---------|---------|---------|
|              |                       |                               |                     |                   |                                         | 125 PSI                                      | 150 PSI | 175 PSI | 250 PSI | 300 PSI |
| WX-447C      | 53                    | 53                            | 24                  | 45                | 2                                       | 263                                          | 289     | 368     | 420     | 462     |
| WX-448C      | 80                    | 80                            | 24                  | 59                | 2                                       | 315                                          | 338     | 430     | 492     | 540     |
| WX-449C      | 106                   | 106                           | 24                  | 73                | 2                                       | 319                                          | 350     | 440     | 507     | 557     |
| WX-450C      | 132                   | 132                           | 24                  | 87                | 2                                       | 351                                          | 392     | 454     | 570     | 627     |
| WX-451C      | 158                   | 158                           | 30                  | 73                | 2                                       | 493                                          | 587     | 680     | 813     | 894     |
| WX-452C      | 211                   | 211                           | 30                  | 91                | 2                                       | 602                                          | 627     | 694     | 1,007   | 1,107   |
| WX-453C      | 264                   | 264                           | 36                  | 86                | 3                                       | 676                                          | 752     | 846     | 1,095   | 1,204   |
| WX-454C      | 317                   | 317                           | 36                  | 98                | 3                                       | 762                                          | 840     | 959     | 1,264   | 1,390   |
| WX-455C      | 370                   | 370                           | 36                  | 110               | 3                                       | 843                                          | 930     | 1,060   | 1,350   | 1,485   |
| WX-456C      | 422                   | 422                           | 48                  | 82                | 3                                       | 1,154                                        | 1,418   | 1,655   | 1,700   | 1,826   |
| WX-457C      | 528                   | 528                           | 48                  | 97                | 3                                       | 1,331                                        | 1,500   | 1,870   | 2,231   | 2,450   |
| WX-458C      | 660                   | 660                           | 60                  | 84                | 4                                       | 1,450                                        | 1,740   | 2,030   | 2,320   | 2,750   |
| WX-459C      | 792                   | 792                           | 60                  | 99                | 4                                       | 2,169                                        | 2,385   | 3,036   | 3,470   | 3,690   |
| WX-460C      | 925                   | 925                           | 60                  | 107               | 4                                       | 2,300                                        | 2,530   | 3,220   | 3,680   | 3,910   |
| WX-461C      | 1,056                 | 1,056                         | 60                  | 121               | 4                                       | 2,638                                        | 2,900   | 3,695   | 4,220   | 4,485   |
| WX-462C      | 1,320                 | 1,320                         | 72                  | 104               | 4                                       | 3,500                                        | 3,850   | 4,900   | 5,600   | 5,950   |
| WX-463C      | 1,980                 | 1,980                         | 72                  | 140               | 4                                       | 4,100                                        | 4,510   | 5,740   | 6,560   | 6,970   |

<sup>1</sup>Malleable Iron System Connection.  
Maximum Operating Temperature: 240°F. Factory Pre-charge: 25 PSIG.

### Non-ASME Full Acceptance Bladder Series Specifications

| Model Number | Tank Volume (Gallons) | Max. Accept. Volume (Gallons) | A Diameter (Inches) | B Height (Inches) | System Conn. <sup>1</sup> NPTF (Inches) | Shipping Weight (lbs.) Max. Working Pressure |         |
|--------------|-----------------------|-------------------------------|---------------------|-------------------|-----------------------------------------|----------------------------------------------|---------|
|              |                       |                               |                     |                   |                                         | 100 PSI                                      | 150 PSI |
| WX-421       | 158                   | 158                           | 30                  | 75                | 2                                       | 388                                          | N/A     |
| WX-422       | 211                   | 211                           | 30                  | 93                | 2                                       | 454                                          | N/A     |
| WX-423       | 264                   | 264                           | 36                  | 82                | 3                                       | 506                                          | N/A     |
| WX-424       | 317                   | 317                           | 36                  | 95                | 3                                       | 571                                          | N/A     |
| WX-426       | 422                   | 422                           | 48                  | 82                | 3                                       | 971                                          | N/A     |
| WX-427       | 528                   | 528                           | 48                  | 96                | 3                                       | 1,222                                        | N/A     |
| WX-447       | 53                    | 53                            | 24                  | 45                | 2                                       | N/A                                          | 289     |
| WX-448       | 80                    | 80                            | 24                  | 59                | 2                                       | N/A                                          | 338     |
| WX-449       | 106                   | 106                           | 24                  | 73                | 2                                       | N/A                                          | 350     |
| WX-450       | 132                   | 132                           | 24                  | 87                | 2                                       | N/A                                          | 392     |
| WX-451       | 158                   | 158                           | 30                  | 73                | 2                                       | N/A                                          | 587     |
| WX-452       | 211                   | 211                           | 30                  | 91                | 2                                       | N/A                                          | 627     |
| WX-453       | 264                   | 264                           | 36                  | 86                | 3                                       | N/A                                          | 752     |
| WX-454       | 317                   | 317                           | 36                  | 98                | 3                                       | N/A                                          | 840     |
| WX-455       | 370                   | 370                           | 36                  | 110               | 3                                       | N/A                                          | 930     |
| WX-456       | 422                   | 422                           | 48                  | 82                | 3                                       | N/A                                          | 1,418   |
| WX-457       | 528                   | 528                           | 48                  | 97                | 3                                       | N/A                                          | 1,500   |

<sup>1</sup>Malleable Iron System Connection.  
Maximum Operating Temperature: 240°F. Factory Pre-charge: 25 PSIG



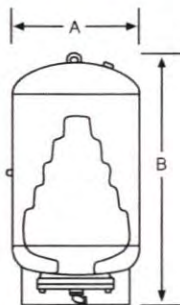
NSF/ANSI 61  
(Bladder Only)



# WELLX TROL

## Partial Acceptance Bladder Models

- Replaceable, partial acceptable bladder design.
- Heavy duty butyl bladder; industry's thickest.
- Available in compact sizes for limited space.



### ASME Partial Acceptance Bladder Series Specifications

| Model Number | Tank Volume (Gallons) | Max. Accept. Volume (Gallons) | A Diameter (Inches) | B Height (Inches) | System Conn. <sup>1</sup> NPTF (Inches) | Shipping Weight (lbs.) |
|--------------|-----------------------|-------------------------------|---------------------|-------------------|-----------------------------------------|------------------------|
|              |                       |                               |                     |                   |                                         | Max. Working Pressure  |
| WX-35CL      | 10                    | 10                            | 10                  | 37                | 1¼                                      | 69                     |
| WX-50CL      | 13                    | 11                            | 12                  | 37                | 1¼                                      | 76                     |
| WX-85CL      | 22                    | 11                            | 16                  | 35                | 1¼                                      | 92                     |
| WX-100CL     | 26                    | 11                            | 16                  | 39                | 1¼                                      | 98                     |
| WX-130CL     | 34                    | 27                            | 20                  | 35                | 1½                                      | 136                    |
| WX-165CL     | 44                    | 27                            | 20                  | 40                | 1½                                      | 146                    |
| WX-200CL     | 53                    | 27                            | 24                  | 41                | 1½                                      | 198                    |
| WX-300CL     | 80                    | 27                            | 24                  | 56                | 1½                                      | 236                    |
| WX-400CL     | 106                   | 53                            | 24                  | 69                | 2                                       | 282                    |
| WX-500CL     | 132                   | 53                            | 24                  | 83                | 2                                       | 316                    |
| WX-600CL     | 158                   | 53                            | 30                  | 67                | 2                                       | 450                    |

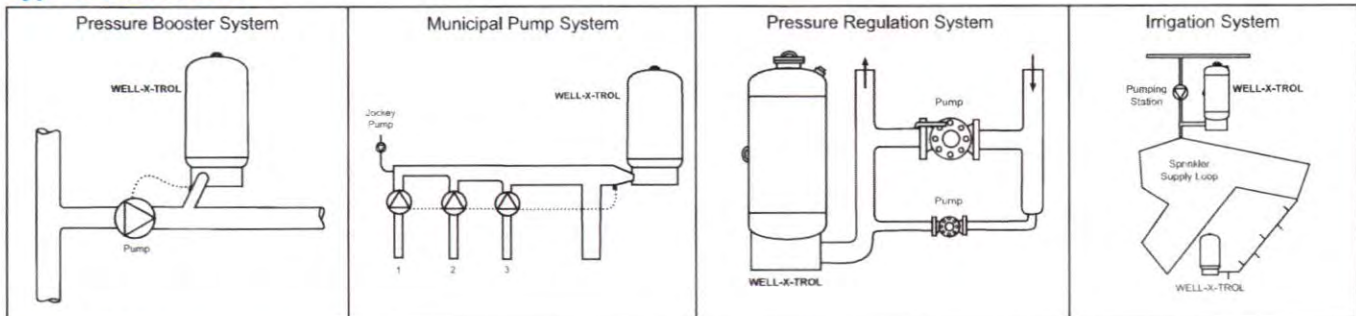
<sup>1</sup>Malleable Iron System Connection.  
Maximum Operating Temperature: 240°F. Factory Pre-charge: 25 PSIG

### Non-ASME Partial Acceptance Bladder Series Specifications

| Model Number | Tank Volume (Gallons) | Max. Accept. Volume (Gallons) | A Diameter (Inches) | B Height (Inches) | System Conn. <sup>1</sup> NPTF (Inches) | Shipping Weight (lbs.) |
|--------------|-----------------------|-------------------------------|---------------------|-------------------|-----------------------------------------|------------------------|
|              |                       |                               |                     |                   |                                         | Max. Working Pressure  |
| WX-35L       | 10                    | 10                            | 10                  | 37                | 1¼                                      | 69                     |
| WX-50L       | 13                    | 11                            | 12                  | 37                | 1¼                                      | 76                     |
| WX-85L       | 22                    | 11                            | 16                  | 35                | 1¼                                      | 92                     |
| WX-100L      | 26                    | 11                            | 16                  | 39                | 1¼                                      | 98                     |
| WX-130L      | 34                    | 27                            | 20                  | 35                | 1½                                      | 136                    |
| WX-165L      | 44                    | 27                            | 20                  | 40                | 1½                                      | 146                    |
| WX-200L      | 53                    | 27                            | 24                  | 41                | 1½                                      | 198                    |
| WX-300L      | 80                    | 27                            | 24                  | 56                | 1½                                      | 236                    |
| WX-400L      | 106                   | 53                            | 24                  | 69                | 2                                       | 282                    |
| WX-500L      | 132                   | 53                            | 24                  | 83                | 2                                       | 316                    |
| WX-600L      | 158                   | 53                            | 30                  | 67                | 2                                       | 450                    |

<sup>1</sup>Malleable Iron System Connection.  
Maximum Operating Temperature: 240°F. Factory Pre-charge: 25 PSIG

## Typical Installations



Multiple WELL-X-TROL tanks can be used in larger systems.



1400 Division Road, West Warwick, RI USA 02893  
T: 800.426.8765 [www.amtrol.com](http://www.amtrol.com)



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Home > Asco 212 Series 3/4" NSF Composite Solenoid Valve



## CHOOSE OPTIONS



# Asco 212 Series 3/4" NSF Composite Solenoid Valve

|                       |                     |
|-----------------------|---------------------|
| List Price:           | <del>\$736.59</del> |
| Factory Direct Price: | <del>\$491.06</del> |
| <b>SALE PRICE:</b>    | <b>\$441.95</b>     |



**40% OFF**

FACTORY DIRECT SAVINGS

SKU: 230-RECIRC/TIMER : 231-RECIRC/TIMER-050

US Water Systems has designed a timer controlled solenoid valve system that can be utilized in many applications. This system can be used to recirculate an atmospheric tank to keep it fresh or it can be used as dump valve for boiler or filter housing blowdown. This timer can be programmed with ON and OFF events to cycle several times during the day.

**Inlet/Outlet:** 1/2 Inch

1/2 Inch

**Quantity:**

1

Subtotal: **\$441.95**



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### Recirculation or Auto-flush Timer and Solenoid Valve



US Water Systems has designed a timer controlled solenoid valve system that can be utilized in many applications. This system can be used to recirculate an atmospheric tank to keep it fresh or it can be used as dump valve for boiler or filter housing blowdown. This timer can be programmed with ON and OFF events to cycle several times during the day.

#### Features

- 24 Hour Day Scheduling
- ON and OFF set points
- Total of #20 per day
- Minimum setting: 1 Minute
- Daylight Saving Time Mode (Automatic or can be adjusted)
- Leap Year (Automatic Compensation)



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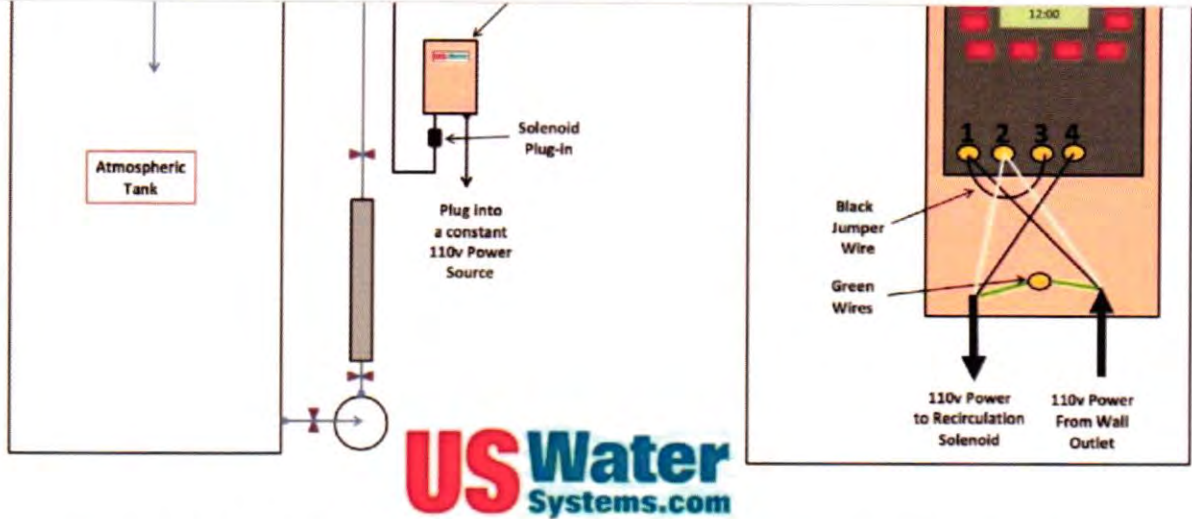
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Solenoid Valve      To Distribution      110v Power to recirculation

## CHOOSE OPTIONS



- Manual Override (Until the next schedule ON or OFF. Automatic operation then resumes)
- Power Outage (Permanent schedule retention. Super-capacitor maintains real time up to 4 days)

### Valve Approvals

- UL recognized coil - File E153691
- CSA certified coil - see CSA file No. 113111
- Tested and certified by NSF International:
- NSF 61 Annex G: Drinking Water System Components
- NSF 169: Special Purpose Food Equipment and Devices
- NSF 42: Drinking Water Treatment Units - Material and Structural Integrity Requirements
- NSF 372: Drinking Water Systems Components - Lead Content Certification
- The NSF Certification Program is accredited by the Standards Council of Canada and ANSI.

### Warranty

- 1 Year



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**supervisordemayo townofliberty.org**

---

**From:** supervisordemayo townofliberty.org  
**Sent:** Wednesday, May 8, 2024 7:46 AM  
**To:** Menachem Steinberg  
**Subject:** FW: Devany Hills Realty Subdision

FYI

**From:** Illing, Glenn D (HEALTH) <glenn.illing@health.ny.gov>  
**Sent:** Tuesday, May 7, 2024 4:10 PM  
**To:** supervisordemayo townofliberty.org <supervisordemayo@townofliberty.org>  
**Subject:** RE: Devany Hills Realty Subdision

Good afternoon Frank,

It is worth noting that regardless of the decision(s) made by the Town Board and/or Planning Board concerning water and sewer services, development of the lots in the Devany Hills subdivision will deviate from the plans on file with the Sullivan County Clerk's Office. The project will therefore require new engineering plans that receive review and approval by NYSDOH and possibly NYSDEC before refileing with the Sullivan County Clerk's Office.

Please contact me should you have any questions or wish to discuss.  
Thank you.

Glenn D. Illing, P.E.  
Professional Engineer 1  
NYS Dept. of Health, Middletown District Office  
90 Crystal Run Road, Suite 200  
Middletown, New York 10941-7102  
(845) 794-2045  
(845) 794-3165 – Fax  
email: [glenn.illing@health.ny.gov](mailto:glenn.illing@health.ny.gov)

**From:** supervisordemayo townofliberty.org <supervisordemayo@townofliberty.org>  
**Sent:** Tuesday, May 7, 2024 1:46 PM  
**To:** Illing, Glenn D (HEALTH) <glenn.illing@health.ny.gov>  
**Subject:** RE: Devany Hills Realty Subdision

*ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.*

Good Afternoon Glenn,

Thanks for this information.

I don't really have an update for you at this time. The builder has requested water and sewer supply for the properties and did so formally on Friday which was too late to get it on our meeting agenda for last nights meeting. The Board will discuss this at the May 20<sup>th</sup> meeting. If the Board approves the builder will have to comply with all DEC and DOH requirements. The builder has been instructed that no CO's will be issued without full compliance.

As soon as I have additional information I will be sure to share same with you.

Thanks,  
Frank

**From:** Illing, Glenn D (HEALTH) <[glenn.illing@health.ny.gov](mailto:glenn.illing@health.ny.gov)>  
**Sent:** Monday, May 6, 2024 12:48 PM  
**To:** [supervisordemayo@townofliberty.org](mailto:supervisordemayo@townofliberty.org) <[supervisordemayo@townofliberty.org](mailto:supervisordemayo@townofliberty.org)>  
**Subject:** Devany Hills Realty Subdision

Good afternoon Frank,

Just following up for an update on the status of the Devany Hills Realty Subdivision? As previously discussed, the New York State Department of Health will need to review and approve engineering plans for proposed changes to the original filing of the Realty Subdivision in accordance with 10NYCRR Part 74. This will include water supply and any proposal for onsite septic systems (if feasible). The need for a water works transportation corporation could also be required as with the previous Devany Hills subdivision filing. If all sewage collection is proposed for conveyance to the municipal sewer collections system, the New York State Department of Environmental Conservation will need to review and approve any such engineering plans. NYSDOH and possibly NYSDEC approvals will be necessary prior to refiling the Realty Subdivision with the Sullivan County Clerk's Office.

Attached is a copy of our Applicant Check List and New York State Realty Subdivision Law for you reference.

Please contact me should you have any questions.  
Thank you.

Glenn D. Illing, P.E.  
Professional Engineer 1  
NYS Dept. of Health, Middletown District Office  
90 Crystal Run Road, Suite 200  
Middletown, New York 10941-7102  
(845) 794-2045  
(845) 794-3165 – Fax  
email: [glenn.illing@health.ny.gov](mailto:glenn.illing@health.ny.gov)





# New York State Department of Health

## Applicant's checklist for proposed realty subdivisions

|                                                                                                                                                                                                                                                                                                                                          |                                                        |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------|
| Proposed realty subdivision name and location:<br><br>(C,V,T) _____ County _____                                                                                                                                                                                                                                                         | Applicant (owner):<br><br>_____                        |
| Total parcel size owned: _____ acres<br>Total proposed project size (this application): _____ acres<br>Number of proposed lots: _____ Phase #: ___ of ___<br><input type="checkbox"/> Public water <input type="checkbox"/> Individual wells<br><input type="checkbox"/> Public sewer <input type="checkbox"/> Individual septic systems | Prepared by (P.E., R.A., or exempt L.S.):<br><br>_____ |

**The following documents are being submitted for NYSDOH review and approval consideration:**

**General:**

- DOH-2249 "Plan Review Fee Determination Schedule" with fee (\$100 for each residential lot ≤ 5 acres)
- GEN-157 "Application for Approval of Sanitary Facilities for Realty Subdivisions"
- SEQRA determination: Full EAF signed by the designated lead agency (e.g., municipal authority)
- Subdivision plans signed and stamped by a New York State licensed P.E. or R.A.
- Plat plan signed and stamped by a New York State licensed L.S.
- NYSDEC and/or Local Authority wetlands determination shown on plans (if required)
- NYSDEC and/or Local Authority wetlands disturbance permit (if required)
- All metes, bounds, easements, and rights-of-way shown on plans
- Topographic features shown on plans (site contours, flood plains, water bodies, rock outcroppings, etc.)

**Public water: (if applicable)**

- Form DOH-348, "Application for Approval of Plans for Public Water Supply Improvement"
- Engineer's Report demonstrating a water supply of sufficient quantity and quality
- NYSDEC WWA and Permit for a new water supply or a service area extension (if required)
- Water supply distribution network details and notes shown on plans
- Letter from the water supplier stating their ability and willingness to supply water to the subdivision

**Public sewer: (if applicable)**

- Sewer and storm water plans submitted to NYSDEC for review
- Letter from the sewer service provider stating their ability and willingness to service the subdivision

**Individual wells per 10 NYCRR Appendix 5-B: (if applicable)**

- At least one (1) test well for every ten (10) lots
- Complete* water well completion reports
- Well yield tests
- Water quality analysis (ELAP laboratory reports)
- "Typical" drilled well construction details shown on plans
- Proposed well locations and applicable separation distances shown for each lot

**Individual septic systems per 10 NYCRR Appendix 75-A: (if applicable)**

- Soil and site investigation data (deep test pits and percolation tests) results and locations shown on plans
- "Typical" system design (daily flows, septic tank size, trench length, absorption area, etc.) shown on plans
- Septic system locations and applicable separation distances shown for each lot

**Other:**

\_\_\_\_\_

Submitted by: \_\_\_\_\_ Date: \_\_\_\_\_ Seal / Stamp:

Signature: \_\_\_\_\_

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## **NEW YORK STATE REALTY SUBDIVISION LAWS**

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 **Article 11, Title II  
Public Health Law**

 **Article 17, Title 15  
Environmental Conservation Law**

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**NEW YORK STATE DEPARTMENT OF HEALTH  
Division of Environmental Health Protection**

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**NEW YORK STATE**  
**REALTY SUBDIVISION LAWS**

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**Article 11, Title II Public Health Law**  
**Article 17, Title 15 Environmental Conservation Law**

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## FOREWORD

Water supplies and sewage disposal systems serving realty subdivisions in New York State are regulated under Article 11, Title II of the Public Health Law and Article 17, Title 15 of the Environmental Conservation Law. This booklet includes these regulations. The Public Health Law establishes water supply requirements, while the Environmental Conservation Law includes requirements for sewerage service.

Under a Memorandum of Understanding with the State Department of Environmental Conservation (NYSDEC), the State Health Department (NYSDOH) has statewide responsibility for approval of all realty subdivisions, including the review and approval of plans for individual sewage treatment systems. NYSDEC retains responsibility only for the review and approval of plans for public or community sewerage. To obtain detailed instructions on submitting an application for the approval of realty subdivision plans, contact your city or county health department, or the state district health office having jurisdiction. Municipal officials representing the locality in which the development is proposed should also be contacted to determine if there are local subdivision requirements.

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**PUBLIC HEALTH LAW****ARTICLE 11****TITLE II-REALTY SUBDIVISIONS: WATER AND SEWERAGE SERVICE****SECTIONS**

- 1115. Realty Subdivisions: definitions
- 1115-a. Remedy for purchaser of one parcel of unapproved realty subdivision.
- 1116. Realty subdivisions; plans required to be filed and approved.
- 1117. Realty subdivisions; duty of county clerk or registrar in respect to filing of plans and map.
- 1118. Realty subdivisions; local regulations.
- 1119. Realty subdivisions; filing fees to accompany plans.
- 1120. Realty subdivisions; regulation by commissioner.

**§1115. REALTY SUBDIVISIONS; DEFINITIONS**

1. As used in sections one thousand one hundred fifteen to one thousand one hundred eighteen of this chapter, inclusive, the word "subdivision" shall mean any tract of land which is divided into five or more parcels, after the effective date of this act, along an existing or proposed street, highway, easement or right-of-way for sale or for rent as residential lots or residential building plots, and in the county of Suffolk also as business, commercial or industrial lots or building plots, regardless of whether the lots or plots to be sold or offered for sale, or leased for any period of time, are described by metes and bounds or by reference to a map or survey of the property or by any other method of description and regardless of whether the lots or plots are contiguous. A tract of land shall constitute a subdivision upon the sale, rental or offer for sale or lease of the fifth residential lot or residential building plot therefrom within any consecutive three year period, and at this time the provisions of section eleven hundred sixteen of the public health law shall apply to all such parcels thereof, including the first four parcels, regardless of whether said parcels have been sold, rented or offered for sale or lease singly or collectively.
  2. The word "tract" shall mean any body of land, including contiguous parcels of land, under one ownership or under common control of any group of persons acting in concert as part of a common scheme or plan.
  3. "Residential lot" or "residential building plot" shall mean any parcel of land of five acres or less, any point on the boundary line of which is less than one-half mile from any point on the boundary line of another such lot in the same tract, unless any such lot may not legally be used for residential purposes. Without limiting the generality of the foregoing, the term "residential" shall include temporary, seasonal and permanent residential use.
-

**§1115-A. REMEDY FOR PURCHASER OF ONE PARCEL OF UNAPPROVED REALTY SUBDIVISION.**

1. The owner of a parcel of land acquired as one parcel for residential purposes may apply to the local or state health department having jurisdiction for a certificate approving the water supply for said parcel as adequate and satisfactory. The application shall include the description of the parcel as specified in the instrument, by which owner acquired title.
2. The proper department shall entertain said application and issue said certificate providing that the water supply shall, in the opinion of such department, be adequate in quality and potable and unobjectionable in physical and chemical quality and not be or become so polluted or subject to such pollution as to constitute a menace or potential menace to the public health or the health of persons using or who may use the water thereby supplied.
3. The certificate approving the water supply for said parcel shall contain the name of the owner-applicant and the description of the property set forth in the application. The owner shall append the certificate of approval to a verified petition directed to the county clerk of the county wherein the property is located, praying that the petition and certificate of approval annexed be recorded and indexed against the owner-petitioner.
4. The county clerk upon receiving the petition with annexed certificate of approval, and upon tender of the lawful recording fees, shall record the same in his office and index it against the owner-petitioner. The recording of the petition with annexed certificate of approval shall be deemed compliance with section eleven hundred sixteen of this title, for the parcel described.
5. This section shall apply only to a single residential lot which was acquired May third, nineteen hundred sixty-six without having complied with the provisions of former section eighty-nine of the Public Health Law or section eleven hundred sixteen of this title but was:
  - (a) acquired by the owner-applicant prior to January first, nineteen hundred seventy-one; or
  - (b) acquired by the owner-applicant through devise or intestate succession; or
  - (c) not at the time of acquisition of title by the owner-applicant, a part of a subdivision, as such term is defined in section eleven hundred fifteen of this title.

In addition, this section shall apply to a single residential lot which the appropriate department deems proper for approval because of hardship or other special circumstances established to its satisfaction by the owner-applicant.

**§1116. REALTY SUBDIVISIONS; PLANS REQUIRED TO BE FILED AND APPROVED.**

1. No subdivision or portion thereof shall be sold, offered for sale, leased or rented by any corporation, company or person, and no permanent building shall be erected thereon, until a plan or map of such subdivision shall be filed with and approved by the department or city, county or part-county department of health having jurisdiction and in the county of Suffolk until a plan or map shall have been also filed with and approved by the county department of environmental control and such plan or map

thereafter filed in the office of the clerk of the county in which such subdivision is located.

2. Such plan or map shall show methods for obtaining and furnishing adequate and satisfactory water supply to said subdivision.
3. The installation of such facilities shall be in accordance with the plans or any revision or revisions thereof approved by the department or city, county or part-county department of health having jurisdiction.

**§1117. REALTY SUBDIVISIONS; DUTY OF COUNTY CLERK OR REGISTRAR IN RESPECT TO FILING OF PLANS AND MAP.**

The county clerk or registrar shall not file nor record nor accept for filing or recording any map or plat showing a subdivision of land in any town, village or city having a population of less than one million unless there is endorsed thereon or annexed thereto a certificate of the department or city, county or part-county department of health having jurisdiction approving the water supply system proposed or installed for such subdivision and consenting to the filing thereof.

**§1118. REALTY SUBDIVISIONS; LOCAL REGULATIONS.**

1. Any city or county which has established or establishes a city, county or part-county department of health may adopt regulations for the control of such developments. Regulations adopted by a county or city board of health may include, but not be limited to, establishment of such requirements as it may deem necessary to guarantee the installation of such water supply in accordance with the plans heretofore or hereinafter approved by the county or city department of health or any approved revision or revisions thereof.
2. Nothing contained in sections one thousand one hundred fifteen to one thousand one hundred eighteen of this chapter, inclusive, shall be construed to delegate the general powers of the department of environmental conservation nor to impair nor to deprive such department of its powers and functions as now provided by law.

**§1119. REALTY SUBDIVISIONS; FILING FEES TO ACCOMPANY PLANS.**

1. At the time of submitting a plan for approval as required by this article, a filing fee computed at the rate of twelve dollars and fifty cents per lot shall be paid to the department or to the city, county or part-county health district wherein such plans are filed.
2. The department, or the city, county or part-county health district, shall not review or approve any such subdivision map submitted for approval after this section takes effect until such fee, as herein provided, has been received by it.
3. If any plan submitted to the department, or to a city, county or part-county health district, cannot be approved, such plan shall be returned to the person who submitted the plan with a summary of the reasons for disapproval.

4. Notwithstanding any other provision of this title the commissioner of health is empowered to make administrative arrangements with the commissioner of environmental conservation for joint or cooperative administration of this title and title fifteen of article seventeen of the environmental conservation law, such that only one plan must be filed and only one fee totaling twenty five dollars per lot must be paid.

**§1120. REALTY SUBDIVISIONS; REGULATION BY COMMISSIONER.**

The commissioner of health may from time to time establish by rule or regulation standards for subdivisions necessary to effect the purposes of this title and not inconsistent with regulations of a city, county or part-county department of health having jurisdiction, now or hereafter adopted pursuant to law. In the event of and to the extent of such inconsistency, the standards established by the commissioner shall be deemed inapplicable.

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**ENVIRONMENTAL CONSERVATION LAW****ARTICLE 17****TITLE 15 - REALTY SUBDIVISIONS: SEWERAGE SERVICE****SECTIONS**

- 17-1501. Definitions
- 17-1503. Local regulations.
- 17-1505. Plans required to be filed and approved.
- 17-1507. Filing fees to accompany plans.
- 17-1509. Cooperation with the Department of Health.
- 17-1511. Duty of county clerk or registrar in respect to filing of plans and map.
- 17-1513. Remedy for purchaser of one parcel of unapproved realty subdivision.
- 17-1515. Regulation by commissioner.

**§17-1501. DEFINITIONS:**

1. As used in sections 17-1501 to 17-1505 inclusive, and section 17-1509 and 17-1511, the word "subdivision" shall mean any tract of land which is divided into five or more parcels, after the effective date of this act, along any existing or proposed street(s), highway(s), easement(s) or right(s)-of-way for sale or for rent as residential lots or residential building plots, and in the county of Suffolk also as business, commercial or industrial lots or building plots, regardless of whether the lots or plots to be sold or offered for sale, or leased for any period of time, are described by metes and bounds or by reference to a map or survey of the property or by any other method of description and regardless of whether the lots or plots are contiguous. A tract of land shall constitute a subdivision upon the sale, rental or offer for sale or lease of the fifth residential lot or residential building plot therefrom within any consecutive three year period, and at this time the provisions of section 17-1505 of this chapter shall apply to all such parcels thereof, including the first four parcels, regardless of whether said parcels have been sold, rented or offered for sale or lease singly or collectively.
  2. The word "tract" shall mean any body of land, including contiguous parcels of land, under one ownership or under common control of any group of persons acting in concert as part of a common scheme or plan.
  3. "Residential lot" or "residential building plot" shall mean any parcel of land of five acres or less, any point on the boundary line of which is less than one-half mile from any point on the boundary line of another such lot in the same tract, unless any such lot may not legally be used for residential purposes. Without limiting the generality of the foregoing, the term "residential" shall include temporary, seasonal and permanent residential use.
-

4. For the purposes of this title sewage shall be defined as any substance, solid or liquid that contains any of the waste products or excrementitious or other wastes or washings from the bodies of human beings or animals.

#### **§17-1503. LOCAL REGULATIONS**

1. Any city or county which has established or establishes a city, county or part-county department of health may adopt regulations for the control of such developments. Regulations adopted by a county or city board of health may include, but not be limited to, establishment of such requirements as it may deem necessary to guarantee the installation of such sewage facilities in accordance with the plans heretofore or hereinafter approved by the county or city department of health or any approved revision or revisions thereof.
2. Nothing contained in sections 17-1501 to 17-1505, inclusive, and sections 17-1511 and 17-1513, shall be construed to delegate the general powers of the department nor to impair nor to deprive the department of its powers and functions as now provided by law.

#### **§17-1505. PLANS REQUIRED TO BE FILED AND APPROVED.**

1. No subdivision or portion thereof shall be sold, offered for sale, leased or rented by any corporation, company or person, and no permanent building shall be erected thereon, until a plan or map of such subdivision shall be filed with and approved by the department or city, county or part-county department of health having jurisdiction and such plan or map thereafter filed in the office of the clerk of the county in which such subdivision is located.
2. Such plan or map shall show methods for obtaining and furnishing adequate and satisfactory sewerage facilities to said subdivision.
3. The installation of such facilities shall be in accordance with the plans or any revision or revisions thereof approved by the department or city, county or part-county department of health having jurisdiction.
4. The rules and regulations adopted by the department to implement this title and the provisions of article 70 of this chapter and rules and regulations adopted thereunder shall govern department processing of approval applications and modifications under this title.

#### **\* §17-1507. FILING FEES TO ACCOMPANY PLANS.**

1. At the time of submitting a plan for approval as required by this title, a filing fee computed at the rate of twelve dollars and fifty cents per lot shall be paid to the department or to the city, county or part-county health districts wherein such plans are filed, and where the approval sought is from the department, such additional fee as may be specified in article 70 of this chapter shall also be paid.
2. The department, or the city, county or part-county health district shall not review or approve any such subdivision map submitted for approval after this section takes effect until such fee, as herein provided, has been received by it.

3. If any plan submitted to the department, or to a city, county or part-county health district, cannot be approved, such plan shall be returned to the person who submitted the plan with a summary of the reasons for disapproval.

**\* §17-1509. COOPERATION WITH THE DEPARTMENT OF HEALTH.**

Notwithstanding any other provision of this title the Commissioner of Environmental Conservation is empowered to make administrative arrangements with the Commissioner of Health for joint or cooperative administration of this title and title II of Article 11 of the Public Health Law, such that only one plan must be filed and only one fee totaling three dollars and fifty cents per lot must be paid, except that where department approval is sought in connection with a particular plan or map, such additional fee as may be specified in article 70 of this chapter shall also be paid.

**§17-1511. DUTY OF COUNTY CLERK OR REGISTRAR IN RESPECT TO FILING OF PLANS AND MAP.**

The county clerk or registrar shall not file nor record nor accept for filing or recording any map or plat showing a subdivision of land in any town, village or city having a population of less than one million unless there is endorsed thereon or annexed thereto a certificate of the department or city, county or part-county department of health having jurisdiction approving the sewerage systems proposed or installed for such subdivision and consenting to the filing of such map or plat.

**§17-1513. REMEDY FOR PURCHASER OF ONE PARCEL OF UNAPPROVED REALTY SUBDIVISION.**

1. The owner of a parcel of land acquired as one parcel for residential purposes may apply to the department or local health department having jurisdiction for a certificate approving the sewage facilities for said parcel as adequate and satisfactory. The application shall include the description of the parcel as specified in the instrument, by which owner acquired title.

2. The proper department shall entertain said application and issue said certificate providing the sewage facilities will not, in the opinion of such department, result in the contravention of standards adopted for and assigned to the receiving waters pursuant to this chapter, or be injurious to public health for the public enjoyment of said waters, the propagation and protection of fish and wild life or the industrial development of the state or result in the exposure of sewage on the ground surface or impair the quality of the ground water for drinking purposes or otherwise create a nuisance, or menace or potential menace to health.

3. The certificate approving the sewage facilities for said parcel shall contain the name of the owner-applicant and the description of the property set forth in the application. The owner shall append the certificate of approval to a verified petition directed to the county clerk of the county wherein the property is located, praying that the petition and certificate of approval annexed be recorded and indexed against the owner-petitioner.

4. The county clerk upon receiving the petition with annexed certificate of approval,

and upon tender of the lawful recording fees, shall record the same in his office and index it against the owner-petitioner. The recording of the petition with annexed certificate of approval shall be deemed in compliance with section 17-1505, for the parcel described.

5.a. This section shall apply only to a single residential lot which was acquired without having complied with the provisions of former section 89 of the Public Health Law or section 17-1505 of this title but was:

1. acquired by the owner-applicant prior to January first, nineteen hundred seventy-one; or
2. acquired by the owner-applicant through devise or intestate succession; or
3. not at the time of acquisition of title by the owner-applicant, a part of a subdivision, as such term is defined in section 17-1501 of this title.

b. In addition, this section shall apply to a single residential lot which the appropriate department deems proper for approval because of hardship or other special circumstances established to its satisfaction by the owner-applicant.

**§17-1515. REGULATION BY COMMISSIONER.**

The commissioner may from time to time establish by rule or regulation standards for subdivisions necessary to effect the purposes of this title and not inconsistent with regulations of a city, county or part-county department of health having jurisdiction, now or hereafter adopted pursuant to law. In the event of and to the extent of such inconsistency, the standards established by the commissioner shall be deemed inapplicable.

\* NOTE: The fees are currently twelve dollars and fifty cents per lot and twenty five dollars per lot as per Public Health Law sections 1119.1 and 1119.4. Plans will not be reviewed and approved until the twenty five dollars per lot fee is paid as required by Public Health Law section 1119.2.

---

Town of Liberty Finance Office  
120 North Main Street  
Liberty, NY 12754  
(845) 292-5772  
[c.gerow@townofliberty.org](mailto:c.gerow@townofliberty.org)

DATE: May 20, 2024  
TO: Supervisor DeMayo and Town Board Members  
FROM: Cheryl Gerow  
RE: Justice Court

The Justice Court is asking approval for the following repairs. Below is a summary of their requests:

1. Relocate Wall Hung Mini Split Air Conditioner
  - Black Bear Plumbing and Heating to relocate unit \$2,236.00
  - Ross Electric to install outlet for unit and remove/reinstall lights for new door \$1,521.00
  - Brimstone Home Improvement to patch/paint area where current air condition is \$ 143.00

\$3,900.00
2. Remove half door and install full size door in Court Office
  - Brimstone Home Improvement to remove existing half door, build frame for 32" door, install door and paint frame \$2,160.00
  - Brimstone Home Improvement to move lights above desks and relocate after door is complete \$ 525.00  
(Ross Electric quoted \$979.00 for this task) \$2,685.00
3. Ceiling in "Sunroom" of Court Office
  - Brimstone Home Improvement to remove existing ceiling tiles and replace with sheetrock \$4,361.00
4. Courtroom
  - Brimstone Home Improvement to clean concrete steps leading to Courtroom and install Grit Stip Metal Stair Treads with tapcons \$2,340.40
  - Remove and replace broken floor tiles \$ 853.00
  - Remove back door in the Courtroom and shave the door to allow it to close \$ 375.00
  - Remove and replace half wall counter top on Judges bench \$ 225.00

\$3,814.95