



TOWN OF LIBERTY

N E W Y O R K

TOWN BOARD MEETING

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

DATE: February 3, 2025

TIME: 6:30 P.M.

FRANK DEMAYO, SUPERVISOR

LAURIE DUTCHER, TOWN CLERK

DEAN FARRAND, COUNCILMEMBER

VINCENT MCPHILLIPS, COUNCILMEMBER

JOHN LENNON, COUNCILMEMBER

BRUCE DAVIDSON, COUNCILMEMBER

PLEASE NOTE: ALL ITEMS FOR THE AGENDA MUST BE RECEIVED BY NOON THE WEDNESDAY BEFORE THE MEETING.

PLEDGE OF ALLEGIANCE

CORRESPONDENCE

INCOMING:

1. Copy of the 2024 quarterly year to date expenditure report for departments submitted by the Finance Director.

OUTGOING:

NEW BUSINESS

1. Motion closing the Public Hearing for the Proposed Increase and Improvement of Facilities of the Swan Lake/Briscoe Road Consolidated Sewer District.
2. Motion approving (2) Towing licenses for White Sulphur Garage, LLC.
3. Motion approving the minutes for the 1/6/25 as submitted by the Town Clerk.
4. Motion by the Town Board making a determination to complete the proposed improvements using the Resolution and Order After Public Hearing provided by Bond Counsel, or with conditions/contingencies.
5. Motion to consider adopting the Bond Resolution provided by Bond Counsel, or with conditions/contingencies.
6. Motion introducing Introductory Local Law No.1 of 2025 entitled "Planned Unit Development".
7. Distribute Requests for Qualifications for the Old Rt. 17 Infrastructure.

DISCUSSION



TOWN OF LIBERTY

N E W Y O R K

1. Swan Lake Sewer- Answer to DEC Violations.
2. Planning Board Attendance & Training Policies.
3. Converting and moving the Building Department and the Assessor's Office to the Park & Recreation Building.

OLD BUSINESS

UNDER REVIEW

1. Training & Recommendations policy- Planning & Zoning
2. Shipping Containers
3. Fence In/Fence Out
4. Solar
5. Update of Comprehensive Plan

IN PROGRESS

1. Converting and moving the Building Department and the Assessor's Office to the Park & Recreation Building.
2. Fines
3. Illegal dumping of garbage
4. Delaware Town/Village Water Sewer Study
5. Walnut Mt. Pavilion

PUBLIC PARTICIPATION

BOARD DISCUSSION

EXECUTIVE SESSION-Planning & Zoning Board Attorney / Personnel

ADJOURN

2024

Justice Court		Budgeted	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr		Cumulative	% Expended	Balance
Expenditures:	Per Serv	\$ 236,820.00	\$ 56,112.23	\$ 51,312.16	\$ 64,917.52	\$ 69,728.09		\$ 242,070.00	102.22%	\$ (5,250.00)
	Equipment	\$ 750.00	\$ -		\$ -			\$ -	0.00%	\$ 750.00
	Contractual	\$ 25,100.00	\$ 6,388.01	\$ 6,878.60	\$ 5,226.69	\$ 8,383.59		\$ 26,876.89	107.08%	\$ (1,776.89)
	Total:	\$ 262,670.00	\$ 62,500.24	\$ 58,190.76	\$ 70,144.21	\$ 78,111.68		\$ 268,946.89	102.39%	\$ (6,276.89)
Revenues:		\$ 325,000.00	\$ 37,062.50					\$ 37,062.50	11.40%	\$ 287,937.50

Supervisor		Budgeted	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr		Cumulative	% Expended	Balance
Expenditures:	Per Serv	\$ 130,790.00	\$ 30,950.34	\$ 29,951.94	\$ 35,468.93	\$ 36,168.79		\$ 132,540.00	101.34%	\$ (1,750.00)
	Equipment	\$ -	\$ -	\$ 497.00	\$ -	\$ -		\$ 497.00	#DIV/0!	\$ (497.00)
	Contractual	\$ 2,500.00	\$ 387.62	\$ 363.62	\$ 1,591.42	\$ 375.72		\$ 2,718.38	108.74%	\$ (218.38)
	Total:	\$ 133,290.00	\$ 31,337.96	\$ 30,812.56	\$ 37,060.35	\$ 36,544.51		\$ 135,755.38	101.85%	\$ (2,465.38)

Finance Office		Budgeted	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr		Cumulative	% Expended	Balance
Expenditures:	Per Serv	\$ 68,790.00	\$ 16,851.89	\$ 13,607.96	\$ 19,458.61	\$ 18,661.55		\$ 68,580.01	99.69%	\$ 209.99
	Equipment	\$ -	\$ -	\$ -	\$ -	\$ -		\$ -	0.00%	\$ -
	Contractual	\$ 3,000.00	\$ 485.19	\$ 138.27	\$ 231.14	\$ 555.23		\$ 1,409.83	46.99%	\$ 1,590.17
	Total:	\$ 71,790.00	\$ 17,337.08	\$ 13,746.23	\$ 19,689.75	\$ 19,216.78		\$ 69,989.84	97.49%	\$ 1,800.16

Assessor		Budgeted	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr		Cumulative	% Expended	Balance
Expenditures:	Per Serv	\$ 112,977.00	\$ 23,226.44	\$ 23,950.66	\$ 20,293.84	\$ 23,684.67		\$ 91,155.61	80.69%	\$ 21,821.39
	Equipment	\$ 956.00	\$ -	\$ 299.00	\$ -	\$ 234.99		\$ 533.99	55.86%	\$ 422.01
	Contractual	\$ 12,815.00	\$ 1,261.11	\$ 1,285.33	\$ 2,630.84	\$ 2,813.40		\$ 7,990.68	62.35%	\$ 4,824.32
	Appraisals	\$ 10,000.00	\$ -		\$ -	\$ -		\$ -	0.00%	\$ 10,000.00
	Total:	\$ 136,748.00	\$ 24,487.55	\$ 25,534.99	\$ 22,924.68	\$ 26,733.06		\$ 99,680.28	72.89%	\$ 37,067.72

Tax Collector		Budgeted	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr		Cumulative	% Expended	Balance
Expenditures:	Per Serv	\$ 9,500.00	\$ -	\$ 9,500.00	\$ -	\$ -		\$ 9,500.00	100.00%	\$ -
	Contractual	\$ 9,375.00	\$ 508.35	\$ 283.76	\$ 2,941.55	\$ 6,198.30		\$ 9,931.96	105.94%	\$ (556.96)
	Total:	\$ 18,875.00	\$ 508.35	\$ 9,783.76	\$ 2,941.55	\$ 6,198.30		\$ 19,431.96	102.95%	\$ (556.96)

Town Clerk		Budgeted	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr		Cumulative	% Expended	Balance
Expenditures:	Per Serv	\$ 104,594.00	\$ 26,421.41	\$ 16,001.44	\$ 31,059.89	\$ 34,821.91		\$ 108,304.65	103.55%	\$ (3,710.65)
	Equipment	\$ 4,000.00	\$ -	\$ -	\$ 1,089.99	\$ 1,773.99		\$ 2,863.98	71.60%	\$ 1,136.02
	Contractual	\$ 10,460.00	\$ 798.96	\$ 2,940.18	\$ 2,708.41	\$ 3,060.61		\$ 9,508.16	90.90%	\$ 951.84
	Total:	\$ 119,054.00	\$ 27,220.37	\$ 18,941.62	\$ 34,858.29	\$ 39,656.51		\$ 120,676.79	101.36%	\$ (1,622.79)
Revenues:		\$ 6,000.00	\$ 2,180.06	\$ 1,879.96	\$ 1,804.40			\$ 5,864.42	97.74%	\$ 135.58

Dog Control		Budgeted	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr		Cumulative	% Expended	Balance
Expenditures:	Per Serv	\$ 37,881.00	\$ 9,579.50	\$ 5,770.48	\$ 11,340.56	\$ 13,240.38		\$ 39,930.92	105.41%	\$ (2,049.92)
	Equipment	\$ -	\$ -	\$ 721.71	\$ -	\$ -		\$ 721.71	0.00%	\$ (721.71)
	Contractual	\$ 17,000.00	\$ 1,025.00	\$ 5,783.40	\$ 9,699.81	\$ 25,297.32		\$ 41,805.53	245.91%	\$ (24,805.53)
	Total:	\$ 54,881.00	\$ 10,604.50	\$ 12,275.59	\$ 21,040.37	\$ 38,537.70		\$ 82,458.16	150.25%	\$ (27,577.16)
Revenues:	Dog Licensing	\$ 2,000.00	\$ 195.00	\$ 561.50	\$ 701.50	\$ 540.50		\$ 1,998.50	99.93%	\$ 1.50
	Dog Redemption	\$ 1,000.00	\$ 75.00	\$ 1,825.00	\$ 300.00	\$ 1,125.00		\$ 3,325.00	332.50%	\$ 2,325.00
	Total:	\$ 3,000.00	\$ 270.00	\$ 2,386.50	\$ 1,001.50	\$ 1,665.50		\$ 5,323.50	177.45%	\$ (2,323.50)

Code Enforcement		Budgeted	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr		Cumulative	% Expended	Balance
Expenditures:	Per Serv	\$ 93,080.00	\$ 22,428.87	\$ 18,505.36	\$ 26,372.92	\$ 29,272.93		\$ 96,580.08	103.76%	\$ (3,500.08)
	Equipment	\$ 1,000.00	\$ -	\$ 673.19	\$ 471.00	\$ -		\$ 1,144.19	114.42%	\$ (144.19)
	Contractual	\$ 10,050.00	\$ 5,834.78	\$ 892.07	\$ 976.82	\$ 1,330.13		\$ 9,033.80	89.89%	\$ 1,016.20
	Fusco	\$ 145,000.00	\$ 48,333.32	\$ 36,249.99	\$ 24,166.66	\$ 36,249.99		\$ 144,999.96	100.00%	\$ 0.04
	Fire Inspections	\$ 5,000.00	\$ 100.00	\$ 600.00	\$ 4,400.00	\$ 500.00		\$ 5,600.00	112.00%	\$ (600.00)
	Additional Services	\$ -	\$ -		\$ 625.00	\$ -		\$ 625.00	#DIV/0!	\$ (625.00)
		\$ 254,130.00	\$ 76,696.97	\$ 56,920.61	\$ 56,387.40	\$ 67,353.05		\$ 257,983.03	101.52%	\$ (3,853.03)
Revenues:		\$ 175,000.00								\$ 85,033.91
	Public Assembly Insp.		\$ -	\$ -	\$ -	\$ 75.00		\$ 75.00		
	Building Permit		\$ 49,260.86	\$ 54,305.60	\$ 30,911.55	\$ 86,775.90		\$ 221,253.91		
	Fire Inspection		\$ -	\$ 1,535.00	\$ 9,880.00	\$ 2,670.00		\$ 14,085.00		
	Municipal Search		\$ 3,300.00	\$ 7,400.00	\$ 3,800.00	\$ 6,900.00		\$ 21,400.00		
	Multi Family Insp		\$ -		\$ -	\$ 290.00		\$ 290.00		
	Comm. Establish Insp.		\$ -	\$ 2,555.00	\$ 225.00	\$ 150.00		\$ 2,930.00		
		\$ 175,000.00	\$ 52,560.86	\$ 65,795.60	\$ 44,816.55	\$ 96,860.90		\$ 260,033.91	148.59%	

Planning Board		Budgeted	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr		Cumulative	% Expended	Balance
Expenditures:	Per Serv	\$ 7,900.00	\$ 700.00	\$ 2,362.50	\$ 1,075.00	\$ 1,362.50		\$ 5,500.00	69.62%	\$ 2,400.00
	Contractual	\$ 500.00	\$ 91.43	\$ 9.65	\$ 9.65	\$ 112.62		\$ 223.35	44.67%	\$ 276.65
		\$ 8,400.00	\$ 791.43	\$ 2,372.15	\$ 1,084.65	\$ 1,475.12		\$ 5,723.35	68.14%	\$ 2,676.65
Revenues:		\$ 10,000.00								\$ (3,650.00)
	Special Use		\$ 900.00	\$ 300.00	\$ 1,500.00	\$ 1,800.00		\$ 4,500.00		
	Site Plan Review		\$ -	\$ -	\$ -	\$ -		\$ -		
	Lot Improve		\$ 300.00	\$ -	\$ -	\$ -		\$ 300.00		
	Subdivision		\$ 300.00	\$ -	\$ 350.00	\$ 900.00		\$ 1,550.00		
	Special Mtg							\$ -		
		\$ 10,000.00	\$ 1,500.00	\$ 300.00	\$ 1,850.00	\$ 2,700.00		\$ 6,350.00	63.50%	

Zoning Board		Budgeted	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr		Cumulative	% Expended	Balance
Expenditures:	Per Serv	\$ 5,200.00	\$ 962.50	\$ 1,600.00	\$ -	\$ -		\$ 2,562.50	49.28%	\$ 2,637.50
	Contractual	\$ 500.00	\$ 42.58	\$ -	\$ -	\$ -		\$ 42.58	8.52%	\$ 457.42
	Zoning Update	\$ 3,000.00	\$ -	\$ -	\$ 3,078.13	\$ 3,675.00		\$ 6,753.13	225.10%	\$ (3,753.13)
		\$ 8,700.00	\$ 1,005.08	\$ 1,600.00	\$ -	\$ -		\$ 9,358.21	107.57%	\$ (658.21)
Revenues:		\$ 500.00								\$ (200.00)
	Variance Fees		\$ 300.00	\$ -	\$ -			\$ 300.00		
	Zoning App		\$ -	\$ -	\$ -			\$ -		
		\$ 500.00	\$ 300.00	\$ -	\$ -	\$ -		\$ 300.00	60.00%	

Additional Carryover from Prior Year

2024

W&S Operating Acct		Budgeted	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr		Cumulative	% Expended	Balance
Expenditures:	Per Serv	\$ 472,060.00	\$ 80,443.38	\$ 92,914.04	\$ 111,894.87	\$ 121,682.65		\$ 406,934.94	86.20%	\$ 65,125.06
	Equipment	\$ -	\$ 407.00	\$ 299.99		\$ 505.99		\$ 1,212.98		\$ (1,212.98)
	Contractual	\$ 97,700.00	\$ 15,149.04	\$ 19,722.39	\$ 18,360.36	\$ 27,430.35		\$ 80,662.14	82.56%	\$ 17,037.86
	Total:	\$ 569,760.00	\$ 95,999.42	\$ 112,936.42	\$ 130,255.23	\$ 149,618.99		\$ 488,810.06	85.79%	\$ 80,949.94

Loomis Sewer		Budgeted	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr		Cumulative	% Expended	Balance
Expenditures:	Equipment	\$ -	\$ 127.78	\$ -	\$ -	\$ -		\$ 127.78		\$ (127.78)
	Contractual	\$ 50,145.00	\$ 5,398.92	\$ 3,865.70	\$ 8,417.16	\$ 15,033.97		\$ 32,715.75	65.24%	\$ 17,429.25
	Total:	\$ 50,145.00	\$ 5,526.70	\$ 3,865.70	\$ 8,417.16	\$ 15,033.97		\$ 32,843.53	65.50%	\$ 17,301.47
Revenues:	Charges	\$ 28,000.00	\$ 27,067.50	\$ -	\$ -	\$ -		\$ 27,067.50	96.67%	\$ 932.50
	Penalties	\$ 500.00	\$ -	\$ -	\$ -	\$ -		\$ -	0.00%	\$ 500.00
		\$ 28,500.00	\$ 27,067.50	\$ -	\$ -	\$ -		\$ 27,067.50	94.97%	\$ 1,432.50

Swan Lake Sewer		Budgeted	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr		Cumulative	% Expended	Balance
Expenditures:	Equipment	\$ -	\$ 766.80	\$ -	\$ -	\$ -		\$ 766.80	#DIV/0!	\$ (766.80)
	Contractual	\$ 189,350.00	\$ 13,913.52	\$ 23,907.81	\$ 49,922.28	\$ 44,058.16		\$ 131,801.77	69.61%	\$ 57,548.23
	Total:	\$ 189,350.00	\$ 14,680.32	\$ 23,907.81	\$ 49,922.28	\$ 44,058.16		\$ 132,568.57	70.01%	\$ 56,781.43
Revenues:	Charges	\$ 151,000.00	\$ 16,826.43	\$ 10,585.59	\$ 125,229.02	\$ 19,499.21		\$ 172,140.25	114.00%	\$ (21,140.25)
	Penalties	\$ 15,000.00	\$ 612.33	\$ 1,316.15	\$ 589.62	\$ 2,597.50		\$ 5,115.60	34.10%	\$ 9,884.40
		\$ 166,000.00	\$ 17,438.76	\$ 11,901.74	\$ 125,818.64	\$ 22,096.71		\$ 177,255.85	106.78%	\$ (11,255.85)

Youngs Hill Sewer		Budgeted	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr		Cumulative	% Expended	Balance
Expenditures:	Equipment	\$ -	\$ 21.30	\$ -	\$ -	\$ -		\$ 21.30	#DIV/0!	\$ (21.30)
	Contractual	\$ 16,850.00	\$ 3,537.30	\$ 3,217.99	\$ 4,239.61	\$ 3,950.19		\$ 14,945.09	88.69%	\$ 1,904.91
	Total:	\$ 16,850.00	\$ 3,558.60	\$ 3,217.99	\$ 4,239.61	\$ 3,950.19		\$ 14,966.39	88.82%	\$ 1,883.61
Revenues:	Charges	\$ 14,000.00	\$ 2,809.80	\$ 2,609.10	\$ 3,924.00	\$ 3,204.00		\$ 12,546.90	89.62%	\$ 1,453.10
	Penalties	\$ 200.00	\$ 270.21	\$ 109.72	\$ 163.42	\$ 149.39		\$ 692.74	346.37%	\$ (492.74)
		\$ 14,200.00	\$ 3,080.01	\$ 2,718.82	\$ 4,087.42	\$ 3,353.39		\$ 13,239.64	93.24%	\$ 960.36

Infirmary Rd Sewer		Budgeted	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr		Cumulative	% Expended	Balance
Expenditures:	Equipment	\$ -	\$ 106.50	\$ -	\$ -	\$ -		\$ 106.50	#DIV/0!	\$ (106.50)
	Contractual	\$ 97,250.00	\$ 813.05	\$ 23,421.58	\$ 24,861.65	\$ 36,034.03		\$ 85,130.31	87.54%	\$ 12,119.69
	Total:	\$ 97,250.00	\$ 919.55	\$ 23,421.58	\$ 24,861.65	\$ 36,034.03		\$ 85,236.81	87.65%	\$ 12,013.19
Revenues:	Charges	\$ 1,500.00	\$ 1,285.89	\$ -	\$ -	\$ -		\$ 1,285.89	85.73%	\$ 214.11
	Penalties	\$ -		\$ 257.18	\$ -	\$ -		\$ 257.18	0.00%	\$ (257.18)
		\$ 1,500.00	\$ 1,285.89	\$ 257.18	\$ -	\$ -		\$ 1,543.07	102.87%	\$ (43.07)

Loomis Water		Budgeted	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr		Cumulative	% Expended	Balance
Expenditures:	Equipment	\$ -	\$ 63.90	\$ -	\$ -	\$ -		\$ 63.90		\$ (63.90)
	Contractual	\$ 27,000.00	\$ 3,766.34	\$ 2,206.57	\$ 3,022.48	\$ 2,153.53		\$ 11,148.92	41.29%	\$ 15,851.08
	District Sales	\$ 35,300.00	\$ 4,988.50	\$ 5,610.00	\$ 10,643.25	\$ -		\$ 21,241.75	60.17%	\$ 14,058.25
	Total:	\$ 62,300.00	\$ 8,818.74	\$ 7,816.57	\$ 13,665.73	\$ 2,153.53		\$ 32,454.57	52.09%	\$ 29,845.43
Revenues:	Sales	\$ 45,000.00	\$ 7,416.58	\$ -	\$ 15,659.70	\$ 12,706.50		\$ 35,782.78	79.52%	\$ 9,217.22
	Summer SC	\$ 4,500.00	\$ -	\$ -	\$ 4,090.00	\$ -		\$ 4,090.00	90.89%	\$ 410.00
	Water Charges	\$ 500.00	\$ 30.00	\$ -	\$ 120.00	\$ 60.00		\$ 210.00	42.00%	\$ 290.00
	Penalties	\$ 1,500.00	\$ 294.80	\$ 221.29	\$ 255.52	\$ 1,048.92		\$ 1,820.53	121.37%	\$ (320.53)
		\$ 51,500.00	\$ 7,741.38	\$ 221.29	\$ 20,125.22	\$ 13,815.42		\$ 41,903.31	81.37%	\$ 9,596.69

Ferndale Water		Budgeted	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr		Cumulative	% Expended	Balance
Expenditures:	Equipment	\$ -	\$ 404.70	\$ -	\$ -	\$ -		\$ 404.70	#DIV/0!	\$ (404.70)
	Contractual	\$ 49,500.00	\$ 4,797.37	\$ 7,289.43	\$ 5,063.41	\$ 4,306.28		\$ 21,456.49	43.35%	\$ 28,043.51
	District Sales	\$ 158,500.00	\$ 22,841.50	\$ 22,211.75	\$ 92,736.50	\$ 23,163.25		\$ 160,953.00	101.55%	\$ (2,453.00)
	Total:	\$ 208,000.00	\$ 28,043.57	\$ 29,501.18	\$ 97,799.91	\$ 27,469.53		\$ 182,814.19	87.89%	\$ 25,185.81
Revenues:	Sales	\$ 225,000.00	\$ 47,435.30	\$ 53,188.50	\$ 100,737.75	\$ 45,500.50		\$ 246,862.05	109.72%	\$ (21,862.05)
	Summer SC	\$ 43,500.00	\$ -	\$ -	\$ 39,639.50	\$ -		\$ 39,639.50	91.13%	\$ 3,860.50
	Water Charges	\$ 2,000.00	\$ 955.48	\$ 930.00	\$ 26.00	\$ 930.00		\$ 2,841.48	142.07%	\$ (841.48)
	Penalties	\$ 3,000.00	\$ 1,381.28	\$ 1,151.54	\$ 4,063.85	\$ 3,181.07		\$ 9,777.74	325.92%	\$ (6,777.74)
		\$ 273,500.00	\$ 49,772.06	\$ 55,270.04	\$ 144,467.10	\$ 49,611.57		\$ 299,120.77	109.37%	\$ (25,620.77)

Stevensville Water		Budgeted	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr		Cumulative	% Expended	Balance
Expenditures:	Equipment	\$ -	\$ 468.60	\$ -	\$ -	\$ -		\$ 468.60		\$ (468.60)
	Contractual	\$ 95,700.00	\$ 8,591.93	\$ 14,128.26	\$ 15,669.77	\$ 15,205.96		\$ 53,595.92	56.00%	\$ 42,104.08
	District Sales	\$ -	\$ -					\$ -	0.00%	\$ -
	Total:	\$ 95,700.00	\$ 9,060.53	\$ 14,128.26	\$ 15,669.77	\$ 15,205.96		\$ 54,064.52	56.49%	\$ 41,635.48
Revenues:	Sales	\$ 175,000.00	\$ 37,061.40	\$ 35,024.55	\$ 112,466.45	\$ 41,025.45		\$ 225,577.85	128.90%	\$ (50,577.85)
	Summer SC	\$ 40,000.00	\$ -	\$ -	\$ 48,509.50	\$ -		\$ 48,509.50	121.27%	\$ (8,509.50)
	Water Charges	\$ 6,000.00	\$ 378.65	\$ 1,380.00	\$ 775.00	\$ 1,688.18		\$ 4,221.83	70.36%	\$ 1,778.17
	Penalties	\$ 10,000.00	\$ 2,427.70	\$ 2,299.82	\$ 2,636.47	\$ 3,139.49		\$ 10,503.48	105.03%	\$ (503.48)
		\$ 231,000.00	\$ 39,867.75	\$ 38,704.37	\$ 164,387.42	\$ 45,853.12		\$ 288,812.66	125.03%	\$ (57,812.66)

WSS Water		Budgeted	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr		Cumulative	% Expended	Balance
Expenditures:	Equipment	\$ -	\$ 106.50	\$ -	\$ -	\$ -		\$ 106.50	0.00%	\$ (106.50)
	Contractual	\$ 39,750.00	\$ 3,709.35	\$ 1,502.72	\$ 4,442.72	\$ 1,643.16		\$ 11,297.95	28.42%	\$ 28,452.05
	District Sales	\$ -	\$ -					\$ -	0.00%	\$ -
	Total:	\$ 39,750.00	\$ 3,815.85	\$ 1,502.72	\$ 4,442.72	\$ 1,643.16		\$ 11,404.45	28.69%	\$ 28,345.55
Revenues:	Sales	\$ 50,000.00	\$ 14,151.90	\$ 14,751.10	\$ 14,542.45	\$ 14,103.75		\$ 57,549.20	115.10%	\$ (7,549.20)
	Water Charges	\$ 1,000.00	\$ 60.00	\$ -	\$ 253.73	\$ -		\$ 313.73	31.37%	\$ 686.27
	Penalties	\$ 1,500.00	\$ 800.34	\$ 745.63	\$ 814.14	\$ 543.94		\$ 2,904.05	193.60%	\$ (1,404.05)
		\$ 52,500.00	\$ 15,012.24	\$ 15,496.73	\$ 15,610.32	\$ 14,647.69		\$ 60,766.98	115.75%	\$ (8,266.98)

Indian Lake Water		Budgeted	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr		Cumulative	% Expended	Balance
Expenditures:	Equipment	\$ -	\$ 21.30	\$ -	\$ -	\$ -		\$ 21.30	0.00%	\$ (21.30)
	Contractual	\$ 7,000.00	\$ 13.23	\$ 139.48	\$ 172.07	\$ 1,962.33		\$ 2,287.11	32.67%	\$ 4,712.89
	District Sales	\$ 3,300.00		\$ 481.25	\$ 462.00	\$ 1,199.00		\$ 2,142.25	64.92%	\$ 1,157.75
	Total:	\$ 10,300.00	\$ 34.53	\$ 620.73	\$ 634.07	\$ 3,161.33		\$ 4,450.66	43.21%	\$ 5,849.34
Revenues:	Sales	\$ 10,000.00	\$ 3,047.10	\$ 2,760.30	\$ 3,067.25	\$ 2,559.90		\$ 11,434.55	114.35%	\$ (1,434.55)
	Water Charges	\$ 200.00	\$ -	\$ 30.00	\$ 30.00	\$ 60.00		\$ 120.00	60.00%	\$ 80.00
	Penalties	\$ 250.00	\$ 163.94	\$ 207.75	\$ 226.27	\$ 129.12		\$ 727.08	290.83%	\$ (477.08)
		\$ 10,450.00	\$ 3,211.04	\$ 2,998.05	\$ 3,323.52	\$ 2,749.02		\$ 12,281.63	117.53%	\$ (1,831.63)

Cold Spring Water		Budgeted	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr		Cumulative	% Expended	Balance
Expenditures:	Equipment	\$ -	\$ 21.30	\$ -	\$ -	\$ -		\$ 21.30	0.00%	\$ (21.30)
	Contractual	\$ 20,500.00	\$ 3,018.81	\$ 3,034.37	\$ 2,657.91	\$ 4,112.75		\$ 12,823.84	62.56%	\$ 7,676.16
	District Sales	\$ -	\$ -	\$ -	\$ -	\$ -		\$ -	0.00%	\$ -
	Total:	\$ 20,500.00	\$ 3,040.11	\$ 3,034.37	\$ 2,657.91	\$ 4,112.75		\$ 12,845.14	62.66%	\$ 7,654.86
Revenues:	Charges	\$ 15,100.00	\$ 3,799.00	\$ 3,694.20	\$ 3,353.60	\$ 3,576.30		\$ 14,423.10	95.52%	\$ 676.90
	Penalties	\$ 1,000.00	\$ 313.09	\$ 402.16	\$ 366.80	\$ 372.30		\$ 1,454.35	145.44%	\$ (454.35)
		\$ 16,100.00	\$ 4,112.09	\$ 4,096.36	\$ 3,720.40	\$ 3,948.60		\$ 15,877.45	98.62%	\$ 222.55

Route 55 Water		Budgeted	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr		Cumulative	% Expended	Balance
Expenditures:	Equipment	\$ -	\$ 21.30	\$ -	\$ -	\$ -		\$ 21.30		\$ (21.30)
	Contractual	\$ 27,000.00	\$ 2,108.55	\$ 6,869.17	\$ 2,908.05	\$ 3,822.01		\$ 15,707.78	58.18%	\$ 11,292.22
	<u>District Sales</u>	<u>\$ 70,300.00</u>	<u>\$ 8,068.50</u>	<u>\$ 9,707.50</u>	<u>\$ 42,822.75</u>	<u>\$ 16,544.00</u>		<u>\$ 77,142.75</u>	<u>109.73%</u>	<u>\$ (6,842.75)</u>
	Total:	\$ 97,300.00	\$ 10,198.35	\$ 16,576.67	\$ 45,730.80	\$ 20,366.01		\$ 92,871.83	95.45%	\$ 4,428.17
Revenues:	Sales:	\$ 72,642.00	\$ 8,611.80	\$ 11,429.70	\$ 49,485.30	\$ 12,136.50		\$ 81,663.30	112.42%	\$ (9,021.30)
	Charges	\$ 500.00	\$ -	\$ 389.08	\$ 94.56	\$ 180.00		\$ 663.64	132.73%	\$ (163.64)
	Summer SC	\$ 12,000.00	\$ -	\$ -	\$ 17,527.75	\$ -		\$ 17,527.75	146.06%	\$ (5,527.75)
	Penalties	<u>\$ 2,500.00</u>	<u>\$ 1,067.29</u>	<u>\$ 846.72</u>	<u>\$ 441.09</u>	\$ 4,605.17		<u>\$ 6,960.27</u>	<u>278.41%</u>	<u>\$ (4,460.27)</u>
		\$ 87,642.00	\$ 9,679.09	\$ 12,665.50	\$ 67,548.70	\$ 4,785.17		\$ 106,814.96	121.88%	\$ (19,172.96)

2024

Traffic Control/Signs		Budgeted	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr		Cumulative	% Expended	Balance
Expenditures:	Contractual	\$ 7,000.00	\$ -	\$ 1,182.00	\$ 75.98	\$ 3,414.34		\$ 4,672.32	66.75%	\$ 2,327.68
Super of Highways		Budgeted	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr		Cumulative	% Expended	Balance
Expenditures:	Per Serv	\$ 121,288.00	\$ 28,147.15	\$ 27,247.24	\$ 32,809.28	\$ 36,771.83		\$ 124,975.50	103.04%	\$ (3,687.50)
	Equipment	\$ -	\$ -	\$ -	\$ -	\$ -		\$ -	0.00%	\$ -
	Contractual	\$ 2,500.00	\$ 343.72	\$ 153.66	\$ 695.72	\$ 3,633.89		\$ 4,826.99	193.08%	\$ (2,326.99)
	Total:	\$ 123,788.00	\$ 28,490.87	\$ 27,400.90	\$ 33,505.00	\$ 40,405.72		\$ 129,802.49	104.86%	\$ (6,014.49)
Town Barn/Garage		Budgeted	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr		Cumulative	% Expended	Balance
Expenditures:	Per Serv	\$ -	\$ -	\$ -				\$ -	#DIV/0!	\$ -
	Equipment	\$ -	\$ -	\$ -	\$ 551.67	\$ 1,615.00		\$ 2,166.67	0.00%	\$ (2,166.67)
	Contractual	\$ 61,555.00	\$ 23,785.59	\$ 13,363.78	\$ 8,499.15	\$ 34,390.33		\$ 80,038.85	130.03%	\$ (18,483.85)
	Total:	\$ 61,555.00	\$ 23,785.59	\$ 13,363.78	\$ 9,050.82	\$ 36,005.33		\$ 82,205.52	133.55%	\$ (20,650.52)
Bridges		Budgeted	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr		Cumulative	% Expended	Balance
Expenditures:	Contractual	\$ 131,701.00	\$ -	\$ 66,431.82	\$ 7,020.26	\$ 432.90		\$ 73,884.98	56.10%	\$ 57,816.02
Machinery		Budgeted	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr		Cumulative	% Expended	Balance
Expenditures:	Per Serv	\$ 127,833.00	\$ 33,099.14	\$ 41,056.22	\$ 32,013.55	\$ 31,778.56		\$ 137,947.47	107.91%	\$ (10,114.47)
	Equipment	\$ -		\$ 2,991.63	\$ 23,000.00	\$ 14,970.00		\$ 40,961.63	#DIV/0!	\$ (40,961.63)
	Contractual	\$ 150,000.00	\$ 34,843.62	\$ 24,840.82	\$ 30,665.60	\$ 67,228.98		\$ 157,579.02	105.05%	\$ (7,579.02)
		\$ 277,833.00	\$ 67,942.76	\$ 68,888.67	\$ 85,679.15	\$ 113,977.54		\$ 336,488.12	121.11%	\$ (58,655.12)
Brush and Weed		Budgeted	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr		Cumulative	% Expended	Balance
	Equipment	\$ -	\$ 364.02	\$ -	\$ 1,261.46	\$ 654.45		\$ 2,279.93	#DIV/0!	\$ (2,279.93)
Expenditures:	Contractual	\$ 3,500.00	\$ 467.17	\$ 73.77	\$ 71.08	\$ 618.78		\$ 1,230.80	35.17%	\$ 2,269.20
Snow Removal		Budgeted	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr		Cumulative	% Expended	Balance
Expenditures:	Per Serv	\$ 422,685.00	\$ 199,546.16	\$ -	\$ 15,587.10	\$ 170,958.01		\$ 386,091.27	91.34%	\$ 36,593.73
	Equipment	\$ -				\$ 8,790.00		\$ 8,790.00	#DIV/0!	\$ (8,790.00)
	Contractual	\$ 330,000.00	\$ 105,575.99	\$ 16,281.92	\$ 2,284.21	\$ 135,501.21		\$ 259,643.33	78.68%	\$ 70,356.67
		\$ 752,685.00	\$ 305,122.15	\$ 16,281.92	\$ 17,871.31	\$ 315,249.22		\$ 654,524.60	86.96%	\$ 98,160.40
Highway Improvements		Budgeted	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr		Cumulative	% Expended	Balance
Expenditures:	Per Serv	\$ 450,508.00	\$ -	\$ 178,543.64	\$ 155,245.08	\$ 51,576.70		\$ 385,365.42	85.54%	\$ 65,142.58
	Contractual	\$ 549,500.00	\$ -	\$ 41,795.12	\$ 175,727.07	\$ 338,211.89		\$ 555,734.08	101.13%	\$ (6,234.08)
	ARPA	\$ -	\$ -	\$ -	\$ 17,955.81	\$ -		\$ 17,955.81	#DIV/0!	\$ (17,955.81)
		\$ 1,000,008.00	\$ -	\$ 220,338.76	\$ 348,927.96	\$ 389,788.59		\$ 959,055.31	95.90%	\$ 58,908.50
CHIPS		Budgeted	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr		Cumulative	% Expended	Balance
Expenditures:	Contractual	\$ 644,000.00	\$ -	\$ 12,104.83	\$ 100,715.27	\$ 578,131.48		\$ 690,951.58	107.29%	\$ (46,951.58)
Revenues:		\$ 644,000.00	\$ -	\$ -	\$ 40,561.11	\$ 609,829.36		\$ 650,390.47	100.99%	\$ (6,390.47)

Additional Carryover from Prior Year

2024

Parks and Recreation Admin		Budgeted	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr		Cumulative	% Expended	Balance
Expenditures:	Per Serv	\$ 137,531.00	\$ 29,576.66	\$ 34,384.56	\$ 39,014.17	\$ 44,592.55		\$ 147,567.94	107.30%	\$ (10,036.94)
	Equipment	\$ 1,000.00	\$ 685.00	\$ -	\$ -	\$ -		\$ 685.00	68.50%	\$ 315.00
	Contractual	\$ 5,155.00	\$ 1,892.30	\$ 955.50	\$ 1,238.23	\$ 3,019.67		\$ 7,105.70	137.84%	\$ (1,950.70)
	Total:	\$ 143,686.00	\$ 32,153.96	\$ 35,340.06	\$ 40,252.40	\$ 47,612.22		\$ 155,358.64	108.12%	\$ (11,672.64)

Play and Rec		Budgeted	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr		Cumulative	% Expended	Balance
Expenditures:	Per Serv	\$ 2,000.00	\$ 597.38	\$ 468.15	\$ 1,150.99	\$ 1,031.13		\$ 3,247.65	162.38%	\$ (1,247.65)
	Equipment	\$ -	\$ -		\$ -	\$ -		\$ -	0.00%	\$ -
	Contractual	\$ 5,900.00	\$ 2,168.56	\$ 680.50	\$ 2,324.84	\$ 790.21		\$ 5,964.11	101.09%	\$ (64.11)
	Total:	\$ 7,900.00	\$ 2,765.94	\$ 1,148.65	\$ 3,475.83	\$ 1,821.34		\$ 9,211.76	116.60%	\$ (1,311.76)
Revenue:		\$ 17,000.00	\$ 1,850.00	\$ 10,635.00	\$ 7,265.00	\$ 1,135.00		\$ 20,885.00	122.85%	\$ (3,885.00)

Concession		Budgeted	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr		Cumulative	% Expended	Balance
Expenditures:	Per Serv	\$ 10,000.00	\$ -	\$ -	\$ 8,993.72	\$ -		\$ 8,993.72	89.94%	\$ 1,006.28
	Equipment	\$ 500.00	\$ -	\$ -	\$ 154.71	\$ -		\$ 154.71	30.94%	\$ 345.29
	Contractual	\$ 9,000.00	\$ -	\$ -	\$ 9,573.62	\$ 262.50		\$ 9,836.12	109.29%	\$ (836.12)
	Total:	\$ 19,500.00	\$ -	\$ -	\$ 18,722.05	\$ 262.50		\$ 18,984.55	97.36%	\$ 515.45
Revenue:		\$ 9,000.00	\$ 50.00	\$ 235.00	\$ 13,476.16	\$ -		\$ 13,761.16	152.90%	\$ (4,761.16)

Day Camp		Budgeted	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr		Cumulative	% Expended	Balance
Expenditures:	Per Serv	\$ 99,519.00	\$ 557.60	\$ 3,505.95	\$ 108,325.19	\$ -		\$ 112,388.74	112.93%	\$ (12,869.74)
	Equipment	\$ -	\$ -		\$ -	\$ -		\$ -	0.00%	\$ -
	Contractual	\$ 6,500.00	\$ -	\$ 3,032.02	\$ 2,295.95	\$ 274.35		\$ 5,602.32	86.19%	\$ 897.68
	Total:	\$ 106,019.00	\$ 557.60	\$ 6,537.97	\$ 110,621.14	\$ 274.35		\$ 117,991.06	111.29%	\$ (11,972.06)
Revenue:		\$ 120,000.00	\$ 49,940.00	\$ 81,995.00	\$ 2,110.00	\$ -		\$ 134,045.00	111.70%	\$ (14,045.00)

Pool		Budgeted	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr		Cumulative	% Expended	Balance
Expenditures:	Per Serv	\$ 74,000.00	\$ -	\$ 6,296.56	\$ 64,100.56	\$ -		\$ 70,397.12	95.13%	\$ 3,602.88
	Equipment	\$ 1,000.00	\$ -	\$ -	\$ 630.66	\$ -		\$ 630.66	63.07%	\$ 369.34
	Contractual	\$ 20,000.00	\$ 1,398.47	\$ 6,674.94	\$ 14,739.82	\$ 4,146.34		\$ 26,959.57	134.80%	\$ (6,959.57)
	Total:	\$ 95,000.00	\$ 1,398.47	\$ 12,971.50	\$ 79,471.04	\$ 4,146.34		\$ 97,987.35		\$ (2,987.35)
Revenue		\$ 20,000.00	\$ 6,210.00	\$ 11,536.00	\$ 7,467.00	\$ -		\$ 25,213.00	126.07%	\$ (5,213.00)

Parks		Budgeted	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr		Cumulative	% Expended	Balance
Expenditures:	Per Serv	\$ 138,250.00	\$ 13,348.85	\$ 28,358.65	\$ 63,078.23	\$ 19,356.76		\$ 124,142.49	89.80%	\$ 14,107.51
	Equipment	\$ 4,360.00	\$ -		\$ 591.98	\$ 648.99		\$ 1,240.97	28.46%	\$ 3,119.03
	<u>Contractual</u>	<u>\$ 35,000.00</u>	<u>\$ 8,484.93</u>	<u>\$ 6,579.56</u>	<u>\$ 12,289.68</u>	<u>\$ 10,349.12</u>		<u>\$ 37,703.29</u>	<u>107.72%</u>	<u>\$ (2,703.29)</u>
	Total:	\$ 177,610.00	\$ 21,833.78	\$ 34,938.21	\$ 75,959.89	\$ 30,354.87		\$ 163,086.75	91.82%	\$ 14,523.25

Youth Football/Cheerleading		Budgeted	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr		Cumulative	% Expended	Balance
Expenditures:	Contractual	\$ 4,000.00	\$ -	\$ 1,115.16	\$ 2,654.65	\$ 173.81		\$ 3,943.62	98.59%	\$ 56.38
Revenue		\$ 4,000.00	\$ -	\$ 1,200.00	\$ 2,280.00	\$ 50.00		\$ 3,530.00	88.25%	\$ 470.00

Celebrations		Budgeted	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr		Cumulative	% Expended	Balance
Expenditures:	Contractual	\$ 5,500.00	\$ 3,099.85	\$ 520.64	\$ 11,450.00	\$ 1,529.37		\$ 16,599.86	301.82%	\$ (11,099.86)

*\$11,000 was for fireworks not budgeted

**\$6,300 received from Camps for fireworks

Programs for Aging		Budgeted	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr		Cumulative	% Expended	Balance
Expenditures:	Per Serv	\$ -	\$ -	\$ -	\$ -	\$ -		\$ -		\$ -
	Equipment	\$ 500.00	\$ -	\$ -	\$ -			\$ -	0.00%	\$ 500.00
	<u>Contractual</u>	<u>\$ 1,000.00</u>	<u>\$ 132.15</u>	<u>\$ 222.19</u>	<u>\$ 179.19</u>	<u>\$ 522.15</u>		<u>\$ 1,055.68</u>	<u>105.57%</u>	<u>\$ (55.68)</u>
	Total:	\$ 1,500.00	\$ 132.15	\$ 222.19	\$ 179.19	\$ 522.15		\$ 1,055.68	70.38%	\$ 444.32

Senior Citizen Programs		Budgeted	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr		Cumulative	% Expended	Balance
Expenditures:	Per Serv	\$ -	\$ -	\$ -	\$ -	\$ -		\$ -		\$ -
	Equipment	\$ -	\$ -	\$ -	\$ -	\$ -		\$ -		\$ -
	<u>Contractual</u>	<u>\$ 1,250.00</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>		<u>\$ -</u>	<u>0.00%</u>	<u>\$ 1,250.00</u>
	Total:	\$ 1,250.00	\$ -	\$ -	\$ -	\$ -		\$ -	0.00%	\$ 1,250.00

RECEIVED

JAN 16 2025

TOWN OF LIBERTY
TOWN CLERK'S OFFICE

TOWN OF LIBERTY
APPLICATION FOR TOWING & ROAD SERVICE LICENSE

License expires the 31st day of December following the Date of Issue

1. NAME OF APPLICANT: Kevin Zeres AGE 52
2. BUSINESS ADDRESS: 3309 State Rt 52
3. RESIDENCE ADDRESS: White Sulphur NY 12787
4. TELEPHONE: (845)(292)(1600) EXT

5. VEHICLE INFORMATION:

- A. NAME OF OWNER White Sulphur Garage LLC
B. MAKE OF VEHICLE: 2013 Ram
C. LICENSE PLATE#: 16345 TY
D. BODYTYPE: Flat Deck
E. ^{VIN#} REGISTRATION#: GC7WRNDL3DG532655

6. INSURANCE INFORMATION:

- A. NAME OF INSURANCE CO. Erie
B. AMOUNT OF LIABILITY INSURANCE: \$1000m
C. POLICY NUMBER Q067030356

7. APPLICANT'S REGISTERED REPAIR SHOP CERTIFICATE#: 2102885
(PLEASE ATTACH COPY OF THIS CERTIFICATE)

PLEASE EMAIL PICTURES OF YOUR LICENSE PLATE & BUSINESS EMBLEM FOR EACH VEHICLE TO s.sprague@townofliberty.org
IF YOU ARE UNABLE TO EMAIL PLEASE ATTACH COPIES OF PICTURES W/ THE APPLICATION.

I CERTIFY THAT I AM FAMILIAR WITH CHAPTER #136, ENTITLED "TOWING AND ROAD SERVICE", OF THE TOWN OF LIBERTY CODE AND THE RULES AND REGULATIONS APPLYING TO SAID CHAPTER AND AGREE TO COMPLY WITH THE TERMS AND CONDITIONS THEREOF. I CERTIFY THAT I AM ALSO FAMILIAR WITH THE TOWN OF LIBERTY'S TOWING AND ROAD SERVICE FEE SCHEDULE.

[Signature]
SIGNATURE OF APPLICANT

SARA SPRAGUE

SWORN TO BEFORE ME THIS 16th DAY OF January 2025
Sara Sprague (clerk)
NOTARY PUBLIC

Notary Public, State of New York
Qualified in Sullivan County
No. 01SP6169490
Commission expires on June 25, 2027

LICENSE ISSUED

LICENSE # 0434

DATE

RATE SCHEDULE: \$100 PER TRUCK

RECEIVED

TOWN OF LIBERTY
APPLICATION FOR TOWING & ROAD SERVICE LICENSE

JAN 16 2025

TOWN OF LIBERTY
TOWN CLERK'S OFFICE

License expires the 31st day of December following the Date of Issue

1. NAME OF APPLICANT: Kevin Tierney AGE 52
2. BUSINESS ADDRESS: 3309 State Rt 52
3. RESIDENCE ADDRESS: White Sulphur NY 12787
4. TELEPHONE: (845) (292) (1600) EXT
5. VEHICLE INFORMATION:
 - A. NAME OF OWNER White Sulphur garage LLC
 - B. MAKE OF VEHICLE: 14 Ram
 - C. LICENSE PLATE#: 22137TT
 - D. BODYTYPE: wrecker
 - E. REGISTRATION#: 3C7WRNE55EG234638
6. INSURANCE INFORMATION:
 - A. NAME OF INSURANCE CO. ERIE
 - B. AMOUNT OF LIABILITY INSURANCE: \$1000m
 - C. POLICY NUMBER Q067030356
7. APPLICANT'S REGISTERED REPAIR SHOP CERTIFICATE#: 8102885
 (PLEASE ATTACH COPY OF THIS CERTIFICATE)

PLEASE EMAIL PICTURES OF YOUR LICENSE PLATE & BUSINESS EMBLEM FOR EACH VEHICLE TO s.sprague@townofliberty.org
IF YOU ARE UNABLE TO EMAIL PLEASE ATTACH COPIES OF PICTURES W/ THE APPLICATION.

I CERTIFY THAT I AM FAMILIAR WITH CHAPTER #136, ENTITLED "TOWING AND ROAD SERVICE", OF THE TOWN OF LIBERTY CODE AND THE RULES AND REGULATIONS APPLYING TO SAID CHAPTER AND AGREE TO COMPLY WITH THE TERMS AND CONDITIONS THEREOF. I CERTIFY THAT I AM ALSO FAMILIAR WITH THE TOWN OF LIBERTY'S TOWING AND ROAD SERVICE FEE SCHEDULE.

[Signature]
 SIGNATURE OF APPLICANT

SARA SPRAGUE
 Notary Public, State of New York
 Qualified in Sullivan County
 No. 01SP6169490
 Commission expires on June 25, 2027

SWORN TO BEFORE ME THIS 16th DAY OF January 2025.

Sara Sprague (Alvarez)
 NOTARY PUBLIC

LICENSE ISSUED

LICENSE # 0435

DATE _____
 RATE SCHEDULE: \$100 PER TRUCK

TOWN OF LIBERTY BOARD MEETING
119 NORTH MAIN STREET, LIBERTY, NY 12754
DATE: 1/6/25
TIME: 6:30 P.M.

At the Regular Meeting of the Town Board of the Town of Liberty held on 1/6/25 at 6:30 p.m., the following were present:

PRESENT:

Supervisor Frank DeMayo
Councilmember Dean Farrand
Councilmember Vincent McPhillips
Councilmember John Lennon
Councilmember Bruce Davidson

ABSENT:

RECORDING SECRETARY:

Town Clerk Laurie Dutcher

ALSO PRESENT:

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

PLEDGE OF ALLEGIANCE

CORRESPONDENCE

INCOMING:

1. Correspondence from the Association of Towns for 2025.
2. Correspondence the NYS Department of Environmental Conservation regarding a notice of violation for the Swan Lake Sewage Treatment Plant- Annual Compliance Inspection.
3. Correspondence from the NYS Department of Transportation notifying the Town that the speed limit on White Sulphur Road has been reduced to 45 mph.
4. Correspondence from Sullivan County Paving & Construction, Inc. regarding Lily Pond Rd.
5. Correspondence from Catskill-Delaware Publications, Inc. asking the Town to name them as the Official Newspaper of the Town.
6. Correspondence from the NYS Department of Environmental Conservation regarding the Town's application for the 2024 Consolidated Funding Application (CFA) and the Water Quality Improvement Project (WQIP) Program.
7. Correspondence from Cornell Cooperative Extension regarding the Sullivan Fresh Community Cupboard.

TOWN OF LIBERTY BOARD MEETING
119 NORTH MAIN STREET, LIBERTY, NY 12754
DATE: 1/6/25
TIME: 6:30 P.M.

8. Copy of article in the Sullivan County Democrat regarding Walnut Mt.

OUTGOING:

ACCEPTANCE OF INCOMING CORRESPONDENCE

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

	Motion	Second	Aye	Abstain	No	Absent
Supervisor Frank DeMayo			X			
Councilmember Dean Farrand	X		X			
Councilmember VincentMcPhillips			X			
Councilmember John Lennon			X			
Councilmember Bruce Davidson		X	X			

NEW BUSINESS

APPROVAL FOR TAMMY WILSON & SARA ALVAREZ TO CARRY OVER UNUSED VACATION TIME TO 2025

The Town Board of the Town of Liberty does hereby authorize Tammy Wilson to carryover up to (41) hours to 2025 and Sara Alvarez to carry over up to (35) hours to 2025.

	Motion	Second	Aye	Abstain	No	Absent
Supervisor Frank DeMayo		X	X			
Councilmember Dean Farrand	X		X			
Councilmember VincentMcPhillips			X			
Councilmember John Lennon			X			
Councilmember Bruce Davidson			X			

INCREASE AND IMPROVEMENT OF FACILITIES OF THE SWAN LAKE/BRISCOE ROAD CONSOLIDATED SEWER DISTRICT, IN THE TOWN OF LIBERTY, IN THE COUNTY OF SULLIVAN, SULLIVAN, NEW YORK, PURSUANT TO SECTION 202-B OF THE TOWN LAW

At a regular meeting of the Town Board of the Town of Liberty, in the County of Sullivan, New York, held at the Town Hall, 120 North Main Street, Liberty, New York, on the 6th day of January, 2025.

PRESENT:

TOWN OF LIBERTY BOARD MEETING
119 NORTH MAIN STREET, LIBERTY, NY 12754
DATE: 1/6/25
TIME: 6:30 P.M.

Hon. Frank DeMayo, Supervisor
Dean Farrand , Councilmember
Vincent McPhillips, Councilmember
John Lennon, Councilmember
Bruce Davidson, Councilmember

In the Matter

of the

Increase and Improvement of Facilities of the Swan Lake/Briscoe
Road Consolidated Sewer District, in the Town of Liberty,
in the County of Sullivan, New York, pursuant to Section 202-b
of the Town Law

Offered by: Councilmember John Lennon

Seconded by: Councilmember Bruce Davidson

ORDER CALLING FOR A PUBLIC
HEARING TO BE HELD ON
JANUARY 22, 2025

WHEREAS, the Town Board of the Town of Liberty (herein called the "Town"), in the County of Sullivan, New York, on behalf of the Swan Lake/Briscoe Road Consolidated Sewer District, in the Town (herein called the "District"), has caused Delaware Engineering, engineers duly licensed by the State of New York (the "Engineer"), to prepare a preliminary map, plan and report for the increase and improvement of facilities of the District, consisting of the construction of improvements to the Wastewater Treatment Plant facilities, including related and ancillary work and engineering, legal and other costs, as further described in the revised map, plan and report dated December 11, 2024; and said map, plan and report have been filed with the Town Board

TOWN OF LIBERTY BOARD MEETING
119 NORTH MAIN STREET, LIBERTY, NY 12754
DATE: 1/6/25
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and the cost thereof has been estimated to be \$40,000,000; and said map, plan and report are available for inspection during regular business hours at the office of the Town Clerk;

Now, therefore, be it

ORDERED, that a meeting of the Town Board of the Town be held at the Town of Liberty Senior Citizens Center, 119 North Main Street, Liberty, New York, on the 22nd day of January, 2025 at 6:45 P.M. (Prevailing Time) to consider said increase and improvement of facilities of the District and to hear all persons interested in the subject thereof concerning the same and for such other action on the part of the Town Board with relation thereto as may be required by law; and be it,

FURTHER ORDERED, that the Town Clerk publish at least once in the "*Sullivan County Democrat*," hereby designated as the official newspaper of the Town for such publication, and post on the sign board of the Town maintained pursuant to subdivision 6 of Section 30 of the Town Law, a Notice of such public hearing certified by said Town Clerk, in substantially the form attached hereto as Exhibit A, the first publication thereof and said posting to be not less than ten (10) nor more than twenty (20) days before the date of such public hearing.

DATED: January 6, 2025

TOWN BOARD OF THE TOWN OF LIBERTY

(SEAL)

TOWN OF LIBERTY BOARD MEETING
119 NORTH MAIN STREET, LIBERTY, NY 12754
DATE: 1/6/25
TIME: 6:30 P.M.

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

Supervisor Frank DeMayo	voting AYE
Councilmember Dean Farrand	voting AYE
Councilmember Vincent McPhillips	voting NO
Councilmember John Lennon	voting AYE
Councilmember Bruce Davidson	voting AYE

The Order was declared adopted.

SUPERVISOR AUTHORIZED TO EXECUTE THE 2025 GENERAL SERVICES AGREEMENT WITH DELAWARE ENGINEERING

The Town Board does hereby authorize the Supervisor to execute the 2025 General Services Agreement with Delaware Engineering.

	Motion	Second	Aye	Abstain	No	Absent
Supervisor Frank DeMayo	X		X			
Councilmember Dean Farrand		X	X			
Councilmember VincentMcPhillips			X			
Councilmember John Lennon			X			
Councilmember Bruce Davidson			X			

SUPERVISOR AUTHORIZED TO EXECUTE THE PLANNING SERVICES AGREEMENT WITH PETER MANNING (GENIUS LOCI PLANNING)

The Town Board does hereby authorize the Supervisor to execute the Planning Services Agreement with Peter Manning (Genius Loci Planning).

	Motion	Second	Aye	Abstain	No	Absent
Supervisor Frank DeMayo		X	X			
Councilmember Dean Farrand	X		X			
Councilmember VincentMcPhillips			X			
Councilmember John Lennon			X			

TOWN OF LIBERTY BOARD MEETING
119 NORTH MAIN STREET, LIBERTY, NY 12754
DATE: 1/6/25
TIME: 6:30 P.M.

Councilmember Bruce Davidson			X			
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APPROVAL OF (13) REFUSE COLLECTION LICENSES

The Town Board does hereby approve the following refuse collection licenses:

- On Time Disposal (12)
- Raymond Houghtaling, Jr. (1)

	Motion	Second	Aye	Abstain	No	Absent
Supervisor Frank DeMayo			X			
Councilmember Dean Farrand		X	X			
Councilmember VincentMcPhillips			X			
Councilmember John Lennon	X		X			
Councilmember Bruce Davidson			X			

APPROVAL OF (9) TOWING COLLECTION LICENSES

The Town Board does hereby approve the following towing collection licenses:

- Marty's Service, Inc. (3)
- Prestige Towing & Recovery (3)
- Better Service, Inc. (3)

	Motion	Second	Aye	Abstain	No	Absent
Supervisor Frank DeMayo			X			
Councilmember Dean Farrand	X		X			
Councilmember VincentMcPhillips			X			
Councilmember John Lennon		X	X			
Councilmember Bruce Davidson			X			

MOTION TO CLOSE TOWN OFFICES FOR A DAY OF MOURNING FOR PRESIDENT JIMMY CARTER

	Motion	Second	Aye	Abstain	No	Absent
Supervisor Frank DeMayo	X		X			
Councilmember Dean Farrand		X	X			
Councilmember VincentMcPhillips					X	
Councilmember John Lennon					X	
Councilmember Bruce Davidson					X	

MOTION DID NOT PASS -2 AYES 3 OPPOSED

TOWN OF LIBERTY BOARD MEETING
119 NORTH MAIN STREET, LIBERTY, NY 12754
DATE: 1/6/25
TIME: 6:30 P.M.

At this point in the meeting the Town Board had a Question & Answer Worksession for the Swan Lake Wastewater Treatment Plant Upgrade. These are available to view on the Town webpage: www.townofliberty.org

OLD BUSINESS

UNDER REVIEW

1. Training & Recommendations policy- Planning & Zoning
2. Shipping Containers
3. Fence In/Fence Out
4. AIRBNB
5. Update of Comprehensive Plan

IN PROGRESS

1. Converting and moving the Building Department and the Assessor's Office to the Park & Recreation Building.
2. Fines (*Sent to KK 9/17/24*)
3. Solar
4. Illegal dumping of garbage
5. Delaware Town/Village Water Sewer Study
6. Walnut Mt. Pavilion.

PUBLIC PARTICIPATION

No one from the public had anything to say.

BOARD DISCUSSION

Councilmember Vincent McPhillips

- Nothing

Councilmember John Lennon

- Association of Towns made some good proposals/resolutions

Supervisor Frank DeMayo

- Nothing

Councilmember Dean Farrand

- Sent letter to NYSEG awaiting their response.
- Meeting with Tammy tomorrow and Sunny on Wednesday for OpenGov.

TOWN OF LIBERTY BOARD MEETING
119 NORTH MAIN STREET, LIBERTY, NY 12754
DATE: 1/6/25
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Councilmember Bruce Davidson

- Nothing

EXECUTIVE SESSION

The Town Board does hereby go into Executive Session at 8:31 p.m. to discuss possible litigation.

	Motion	Second	Aye	Abstain	No	Absent
Supervisor Frank DeMayo			X			
Councilmember Dean Farrand	X		X			
Councilmember VincentMcPhillips			X			
Councilmember John Lennon			X			
Councilmember Bruce Davidson		X	X			

OUT OF EXECUTIVE SESSION

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

	Motion	Second	Aye	Abstain	No	Absent
Supervisor Frank DeMayo			X			
Councilmember Dean Farrand			X			
Councilmember VincentMcPhillips			X			
Councilmember John Lennon			X			
Councilmember Bruce Davidson			X			

ADJOURN

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

	Motion	Second	Aye	Abstain	No	Absent
Supervisor Frank DeMayo			X			
Councilmember Dean Farrand			X			
Councilmember VincentMcPhillips			X			
Councilmember John Lennon			X			
Councilmember Bruce Davidson			X			

Respectfully submitted,

Laurie Dutcher, Town Clerk



DELAWARE ENGINEERING, D.P.C.

55 South Main Street
Oneonta, New York 13820

Tel: 607.432.8073
Fax: 607.432.0432

Town of Liberty, NY February 3, 2025 Town Board Meeting Update on Projects

1. *Swan Lake WWTP Upgrade*

Note: At the January 30, 2025 Town Board Worksession meeting, the Town will be discussing alternatives/"offramps" should adequate non-loan funding (e.g., grants contributions, etc.) fail to be secured to ensure that loan do not exceed \$10-15M and condition/contingencies that may affect the resolutions provided by Bond Counsel on 1/29/25

Key Items for Board Review and Consideration at this meeting (February 3, 2025):

- Town to review final public comments from the 1/22/25 public hearing
- Town to consider conditions/contingencies for the resolutions (202B and BR) should adequate non-loan funding (e.g., grants contributions, etc.) fail to be secured to ensure that loan do not exceed \$10-15M, as considered/discussed at the January 30, 2025 Town Board Worksession meeting
- Town to consider making a determination in the public interest to complete the proposed improvements using the *Resolution and Order After Public Hearing* provided by Bond Counsel, or with conditions/contingencies
- Town to consider adopting the *Bond Resolution* provided by Bond Counsel, or with conditions/contingencies
- At the January 30, 2025 Town Board Worksession meeting, the Town will be discussing alternatives/"offramps" should adequate non-loan funding (e.g., grants contributions, etc.) fail to be secured to ensure that loan do not exceed \$10-15M and condition/contingencies that may affect the resolutions provided by Bond Counsel on 1/29/25

§ 202-B Proceedings/Map Plan & Report (MPR)

- At the January 6, 2025 meeting the Town Board accepted the MPR for the increase or improvement of the facility (§ 202-B), for the Swan Lake WWTP upgrade, with a total project budget of up to \$40M and a plant flow capacity of up 960,000 gpd

Public Hearing (PH)

- At the January 22, 2025 meeting the Town Board held a public hearing for the increase or improvement of the facility (§ 202-B), for the Swan Lake WWTP upgrade, with a total project budget of up to \$40M and a plant flow capacity of up 960,000 gpd
- At the January 30, 2025 Town Board Worksession meeting, the Town will be discussing alternatives/"offramps" should adequate non-loan funding (e.g., grants contributions, etc.) fail to be secured to ensure that loan do not exceed \$10-15M and condition/contingencies that may affect the resolutions provided by Bond Counsel on 1/29/25

At Today's meeting (February 3, 2025)

- Town to review final public comments from the 1/22/25 public hearing
- Town to consider conditions/contingencies for the resolutions (202B and BR) should adequate non-loan funding (e.g., grants contributions, etc.) fail to be secured to ensure that

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loan do not exceed \$10-15M, discussed at the January 30, 2025 Town Board Worksession meeting

- Town to consider making a determination in the public interest to complete the proposed improvements using the *Resolution and Order After Public Hearing* provided by Bond Counsel, or with conditions/contingencies
- Town to consider adopting the *Bond Resolution* provided by Bond Counsel, or with conditions/contingencies

Preliminary Engineering Report Amendment No. 1 (December 2024):

- Delaware has prepared a **PER Amendment No. 1** (last revised and distributed on December 11, 2024), for the Swan Lake WWTP Upgrade, with a total project budget of up to \$40M and a plant flow capacity of up to 960,000 gpd, and forwarded to the Town, based on the upgrade plan agreed upon as the June 3, 2024 meeting
- Review **PER Amendment No. 1** for the Swan Lake WWTP Upgrade, with a total project budget of \$40M and a plant flow capacity of up to 960,000 gpd (last revised and distributed on December 11, 2024)
- Continue to receive and address Town Board comments
- Continue to address public comments when directed to do so by the Town
- **PER Amendment No. 1** will be finalized to address Town Board comments, and public comments that will be reviewed at the February 3, 2025 Town Board meeting (public comment period ends 2/2/25), that the Town requests to be addressed, and resubmit to the Town
- PER Amendment is critical for SPDES permit and for NYSEFC funding discussions

Critical Items Planned for the to Keep Moving the Project Forward

§ 202-B Proceedings/MPR & PH

- On or before February 5, 2025
 - Town Clerk to forward the Bond Resolution Notice with estoppel provision - provided by BC - to the Town's official paper for publishing on 2/7/25
- February 7, 2025
 - Bond Resolution with estoppel provision appears in the Town's official paper
- February 27, 2025
 - 20-day Estoppel period is complete and Bond Resolution is Effective
- On or before February 14, 2025
 - BC to submit 2 certified copies of the finding resolution to be filed with OSC

Preliminary Engineering Report Amendment No. 1 (December 2024):

- On or Before February 12, 2025
 - Continue to address Town Board comments, and public comments when directed to so by the Town
 - **PER Amendment No. 1** will be finalized to address Town Board comments, and public comments that will be reviewed at the February 3, 2025 Town Board meeting (public comment period ends 2/2/25), that the Town requests to be addressed, and resubmit to the Town

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- **February 19, 2025 – Town Board Meeting (Accept PER Amendment No. 1)**
 - Consider accepting the **PER Amendment No. 1**, for the Swan Lake WWTP upgrade, with a total project budget of up to \$40M and a plant flow capacity of up 960,000 gpd – Or as modified by the Town
- **On or before February 28, 2025**
 - Delaware to submit complete NY-2A Application Form & **PER Amendment No. 1** to the regulatory agencies for review and to allow NYSDEC to officially proceed with the permit review

Project Funding/Financing Overview:

- Current Project Budget Overview
 - Current Project Budget = \$18 M
 - Current Project Funding = \$11.4M (63%)
 - Town Portion = \$ 6.6M (0% interest loan)
- Proposed Project Budget Overview
 - Proposed Project Budget = \$40 M
 - Current Project Funding = \$11.4M
 - Other Funding = \$ 0M (other funding opportunities e.g., WQIP, USDA-RD, & Enhanced. WIIA, etc. under review)
 - Town Portion = \$28.6M (loan, may go down with other Funding opportunities)
- **Additional Funding Request – NYSDEC WQIP**
 - On 1/15/25 a meeting was held with NYSDEC WQIP Program Staff to discuss the project
 - The project scored well as a General WWTP Upgrade project
 - This project scored a total of 69 out of 115 points possible (Fallsburg was funded in 2024 with a total score of 75)
 - This project only scored 5 out of 40 points possible for Performance Measures for the 2024 program goals (disinfection, phosphorus reduction, watershed implementation, CSO, SSO, removal of onsite, septic systems, etc.).
 - Program goals can change each application year
 - There may be up to 5 points that the Town can gain for Climate Resilience. The Town is currently working through process to be a Climate Smart Community
 - **2025 scoring criteria not determined yet**
 - **The Town plans to reapply in 2025**
 - Application submitted on 7/31/24 requesting up to \$10M in grant funding.
 - On 12/23/24 the Town received a letter regarding the Consolidated Funding Application (CFA) for the 2024 Water Quality Improvement Project (WQIP) program
 - Unfortunately, the referenced application was not selected for WQIP funding.
 - If the Town interested in discussing why your project was not funded this round, contact WQIP program staff no later than January 10, 2025 at user.water@dec.ny.gov.
 - On 12/26/24 the Town Supervisor contacted NYSDEC and indicated that the Town is interested in discussing the reason(s) why our project was not funded this round for the WQIP Program, and requested some dates for availability to schedule a meeting and NYSDEC confirmed receipt of the Town's request and have added the Town to their list of debriefing requests and will contact the Town soon to schedule a date and time to discuss the Town's application
- **Delaware plans to continue to work with the Town seek additional funding to mitigate rate impacts prior to commencement of debt services/loan repayments in 2027-2028 (3-4 years out)**

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- Request to Modify an EFC Funding Agreement
 - **Nothing new this month**
 - Current Project Financing Agreement = \$18M
 - A draft/unsigned Request to Modify an EFC Funding Agreement form and updated cost estimate on SRF Budget Form showing current and proposed budget increase to \$40M and an upgrade capacity increase from 0.686 to 0.960 MGD upgrade, as well as questions related to ER and design review schedule, was submitted to NYSEFC on 6/28/24. Comments, and responses to questions were as follows:
 - *The Town needs to sign the PFA mod request, the schedule extension needs to be included, and it should be submitted to the CWapply email address at the bottom of the form*
 - *EFC will need a new engineering report as soon as DEC confirms SPDES limits*
 - *EFC will coordinate with DEC to confirm who will be the lead agency for review and approval of the revised engineering report, BODR, plans and specifications.*
 - *EFC and/or DEC will not approve the revised ER/P&S until the new permit is finalized*
 - *EFC can start reviewing the design once draft permit limits are issued for public comment, but no review will be considered final until the final SPDES permit issued. Please check with DEC on their approval process.*
 - The final Request to Modify for a \$40M upgrade, signed by the Town Supervisor, including schedule and other additional information, was submitted to NYSEFC on September 17, 2024
 - NYSEFC is reviewing to evaluate possible opportunities for funding the additional amount
 - Status update requested on 10/28/24
 - **Based on a call with NYSEFC on 11/7/24, a PFA for the revised project cost can't be issued until the PER Amendment is approved, which is contingent upon draft/final SPDES permit limits**
- **FFY 2025 IUP / Updated PFA for the Updated \$40M Project Budget**
 - The Final Intended Use Plan (IUP) for clean water projects became effective on October 1, 2024.
 - This project is listed on the annual list with a Total Cost of \$40M, and is eligible for short term financing in FFY 2025 (October 2024 – September 2025), pending PFA Modification Request Approval (see Request to Modify an EFC Funding Agreement, above)

Moving the WWTP Upgrade Project Forward

- Professional Services Work
 - Information Session Regarding Swan Lake Waste Water Treatment Plant Upgrades was held on 5/28 @ 6:30 pm at the Swan Lake Fire House
 - At the June 3, 2024 meeting the Town agreed to a project budget of \$40M and a plant flow capacity capable of 960,000 gpd (maximum potential WWTP buildout using the existing oxidation ditches)
 - Delaware prepared a revised Schedule, Map Plan Report (MPR), PH Presentation, & Revised Engineering Report (ER) (December 2024); with a project \$40M upgrade and a plant flow capacity of 960,000 gpd
 - Need to confirm plant flow and budget and commit to moving forward (bond resolution) so that the PER Amendment and SPDES permit can proceed
 - Working with the Town to identify alternatives/"offramps" in the should adequate

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non-loan funding (e.g., grants contributions, etc.) fails to be secured to ensure that lodes do not exceed \$10-15M. These will need to be reiterated in the PER amendment.

- See *Key Items for Board Review and Consideration at this meeting* and *Critical Items to Keep Moving the Project Forward* above

- SPDES Permit

- Continuing work on NYSDEC SPDES Permit Application (NY-2A) for a facility upgrade and expansion with a plant flow capacity of 960,000 gpd, including PER Amendment. **Submittal of the application is pending Town acceptance of the PER Amendment No. 1 (December 2024) in order to submit to NYSDEC.**
- Notice of Incomplete Application received on June 3, 2024
 - SPDES Permit
 - General Comments from NOI Application cover letter
 - SPDES Outfall Location
 - Incorrect outfall location in the current permit
 - Revise NY-2A to reflect current outfall location
 - Provide easements for all non-Town owned property
 - Stream Disturbance
 - Upgraded outfall pipe will require a Stream Disturbance Permit
 - Freshwater Wetlands
 - No nearby wetlands currently
 - NYSDEC is amending freshwater wetlands regulations, effective 01/01/25
 - NYSDEC may reevaluate our jurisdiction for the proposed project at a later time.
 - State Environmental Quality Review (SEQR)
 - Appears to be an Unlisted action
 - Short Environmental Assessment Form is required
 - Uniform Procedures
 - New applications processed pursuant to Uniform Procedures regulations
 - Major Action, will require a 30-day public comment period
 - Community Risk and Resiliency Act (CRRA)
 - Requirement to demonstrate that the applicant has considered future physical climate risk due to sea-level rise, storm surge and flooding
 - Technical Comments
 - General Corrections – Minor corrections required
 - NY-2A – Minor corrections/additional information required
 - Additional Submittals - Revision Required
 - Topographic Map
 - Conditional Exclusion Certification Form
 - Consideration of Future Physical Climate Risk Form
 - Stream Disturbance, Freshwater Wetlands, SEQR, Uniform Procedures, and Community Risk and Resiliency Act (CRRA)
- Conference call with NYSDEC on June 21, 2024 focusing on outfall location
 - The current outfall location and receiving waterbody (West Branch Mongaup River), which has been in place since 1984, is not the outfall location and receiving waterbody (tributary to the West Branch Mongaup) in the existing permit.
 - Affects Water Quality analysis and may affect discharge limits
- Plan Forward
 - Delaware has prepared the response to notice of incomplete application (NOIA) and will submit to NYSDEC with PER Amendment, **on or before February 28, 2025**
 - **Need revised PER, accepted by the Town to do this**
 - NYSDEC will do the Water Quality review based on actual/current outfall location to provide draft limits to Delaware/Town
- Notice of Violation (NOV) Letter (December 2024)
 - **On December 20, 2024 NYSDEC the Town received a Notice of Violation** letter for the Swan Lake WWTP Annual Compliance Inspection
 - A NOV technical meeting was held on Wednesday 1/15/2025, and NYSDEC

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will be expecting in the form of a written response by Friday 2/14/25:

- A proposal for dealing with screenings and rag removal at the Swan Lake SD STP and a commitment to a schedule for corrective actions so the facility may meet its permitted effluent limits during the summer of 2025
 - The Department also expects the development of a revised Sewer Use Law that states a method for limiting rag generation with a control measure at sources, prior to discharge at the plant
- Project Schedule (updated January 21, 2024)
 - The Anticipated Project Schedule based on completion of design prior to draft effluent limits which are anticipated to be provided by NYSDEC in September 2025
 - A summary of the detailed schedule is as follows:

Task/Milestone	Timeframe Start to Complete	Date/Timeframe (A) / (T)
WQIP CFA 2024 Application	Completed	July 2024 (A)
Design Completion (intermittent)	15-months	July 2024 – September 2025 (T)
NYSEFC Request to Modify an Existing PFA	Completed	September 2024 (A)
WQIP 2024 Award Announcement	1-month	December 2024 (A)
202(b) Process & Bond Resolution	4-months	November 2024 – February 2025 (T)
Submit Final SPDES NY-2A Items	1-3 months	December 2024 – February 2025 (T)
Submit Preliminary Engineering Report	1-3 months	December 2024 – February 2025 (T)
Review & consider revising Schedule of Rates	12-months	January 2025 – December 2025 (T)
NYSDEC SPDES Permit Technical Review	6-months*	March – August 2025 (T)
WQIP CFA 2025 Application	3-months	May – July 2025 (T)
Complete Design	1-month	September 2025 (T)
NYSDEC SPDES Permit Draft Limits	1-month*	September 2025 (T)
NYSDEC SPDES Public Notice	1-2 months*	September – October 2025 (T)
NYSDEC & NYSEFC PER and Design Rev.	2-4 months*	September 2025 – December 2025 (T)
NYSDEC SPDES Permit Finalized	1-2 months*	November – December 2025 (T)
Anticipated WQIP Award Announcement	3-months	December 2025 – February 2026 (T)
NYSDEC & NYSEFC PER Approval	1-month*	January 2026 (T)
NYSDEC & NYSEFC Design Approval	1-months*	February 2026 (T)
NYSEFC Revised PFA Approval Memo	1-2 months*	February – March 2026 (T)
Authorization to go to Bid from Town	1-month	April 2026 (T)
Close on Revised SRF Financing	1-2 months*	April – May 2026 (T)
Bidding	1-months	April 2026 (T)
Review Bids, Funding, and Revised Budget	1-month	May 2026 (T)
Town GO/NO GO	1-month	May 2026 (T)
Award	1-month	May 2026 (T)
Notice to Proceed	1-2 months*	June – July 2026 (T)
Construction	18-months	August 2026 – January 2028 (T)
Substantial Completion	1-month	December 2027 (T)
Construction Completion	1-month	January 2028 (T)
NYSEFC Long Term Loan Closing	1-month*	May 2028 (T)
Revised Schedule of Rates is effective	1-month	July 2028 (T)

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* Gray shading denotes regulatory processes. Estimated timeframes for action, or review and approval periods subject to change. All subsequent anticipated dates shall be revised as necessary once regulatory approvals are obtained.

- On-site Under Ground Fuel Tanks
 - **Nothing new this month**
 - NYSDEC is 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 \$500. From 2011 to present we are looking at \$300 for every five years or approximately \$900 for a total back fee charge of approximately \$1,400 – NYSDEC confirmed that fee is \$1,400
 - At the August 5, 2024 meeting the Town Board Authorize the Town Supervisor to sign the PBS Application Form, and for the Town Director of Finance to issue a check payable to NYSDEC for \$1,400 for the existing underground fuel stage tank registration application
 - Delaware picked up check from Cheryl and Application Form from the Town Supervisor and send into NYSDEC along with the tank registration application form
 - Need to confirm with NYSDEC that the remaining section of the registration forms are properly completed
 - Final PBS Application and Application Fee will be submitted to NYSDEC, following the final NY-2A and PER Amendment
- Subcontract Work
 - **Nothing new this month**
 - Mechanical/HVAC Design Review – Jade Stone (MWBE)
 - Retaining a MWBE firm to provide mechanical/HVAC design review
 - Peer review of HVAC design
 - Subcontract pending

2. *Stevensville Water Project*

Key Items for Board Review and Consideration at this meeting:

- None

Funding

- All invoices paid
- NYSEFC is finalizing the project and will submit an Unspent Proceeds letter

Engineering Services

- As-builts (Record Drawings) have been completed
- Construction certification planned to go out to NYSDOH with as-builts (record drawings) in February 2025

3. *Swan Lake Sewer System Evaluation/II EPG Study*

Key Items for Board Review and Consideration at this meeting:

- **Review status**

Project Status

- Grant Agreement Pending (see Project Funding below)
- Target areas for CCTV work identified
- Subcontract with CCTV subcontractor pending
- System component inventory of targeted areas is under way

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Project Funding

- All required checklist items submitted to NYSEFC on 8/16/2024
- Grant Agreement with NYSEFC is pending
- Grant Agreements expected 2-3 months following acceptable Scoping Call Outline (see below)
- Engineering Agreement with the Town is under review by NYSEFC
- A Scoping Call was held on 12/3/24 to review project outline with NYSEFC
 - EFC requested an update to the Project Scope to identify target areas in system and to include a map of said areas.
 - The updated scope and map were submitted to EFC on 12/16/24
- On January 24, 2025 NYSEFC followed up on the Scoping Call Outline asking Delaware to confirm whether flow monitoring will be done as part of this study, and if so, identify the areas being monitored
 - NYSEFC is in the process of reviewing the documents submitted for the Town's Swan Lake engineering study.
 - It was noticed that the application mentions flow monitoring, but the scope included in the Engineering Agreement does not
 - Delaware plans to respond and clarify that the application provided examples of the technologies that can be employed to investigate sources and causes of I&I. The list was not meant to be either exhaustive nor necessarily representative of the technologies that will be utilized on this project. In the case of Swan Lake, the Town has identified areas suspected of high levels of infiltration and have decided that the use of CCTV will be adequate for investigating the condition of the pipe. The areas chosen are known to contain Transite pipe, believed to have been installed over 75 years ago. Transite pipe has been shown to degrade overtime, losing its structural integrity, leading to increased risks of cracks, separations and leaks as well as opportunities for infiltration.
- At the October 5, 2024 meeting the Town Board resolved to agree to set aside \$60,000 to pay for all cost up front, prior to reimbursement

Anticipated Project Schedule

- 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 9, 2024 (A)
○ Publication of the legal notice	May 10, 2024 (A)
○ Deadline to submit RFQ/SOQ	June 6, 2024 (A)
○ Provide Scoring, Award, & Procurement Documents to Town	by June 25, 2024 (A)
○ Town Clerk to distribute and Board to review RFQs/SOQs	June 10 - 14, 2024 (A)
○ Town Board to score RFQ/SOQ and select firm (at Board meeting)	July 1, 2024 (A)
○ Engineering Contract Submitted to Town	July 31, 2024 (A)
○ Execute Agreement with selected firm (at Board meeting)	August 5, 2024 (A)
• Submit EPG Checklist & Supporting Documentation	August 21, 2024 (A)
• Deadline to submit EPG Checklist Supporting Documentation	August 31, 2024 (A)
• Local Funding Needed (\$60,000)	November 2024 (A)
• Complete I/I Engineering Report	November 2024 - April 2025 (T)
• Field Work (CCTV & Investigations)	November 2024 (T)
• Execute PFA	by January 31, 2025 (T)
• Town Review of the I/I Engineering Report	May 2025 (T)
• Submit the I/I Engineering Report to NYSEFC	by May 30, 2025 (T)

DELAWARE ENGINEERING, D.P.C.

- New project listing deadline for the FFY 2026 IUP (PER) & SRF Application May 30, 2025 (A)
- WIIA Application Deadline June – July 2025 (A)
- Deadline to Complete I/I Engineering Report (2-year period) September 2026 (A)

- I&I work and reporting is anticipated to occur between October 2024 – May 2025 (T)

I&I Study Engineering Work Status Update

- Have base system map from 2023 EPA Administrative Compliance Order Sanitary Sewer O&M Procedures
- Plan to subcontractor cleaning and CCTV inspection services; need to figure out traffic control and bypass pumping
- Developing system component inventory (e.g. mains, manholes, and pump station) for the targeted areas
- Continuing to summarize WWTP flows and precipitation
- More work pending
- All checklist items were submitted to NYSEFC on 8/22/24
- Engineering Agreement is under review by NYSEFC
- Based on the 2/16/24 Award Notification Letter, the Village must enter into a Grant Agreement by September 30, 2024. More recent correspondence with NYSEFC indicates that a Grant Agreement will be executed in November 2024 and initial funds (\$12,500) will be available in December 2024
- Town needs a plan to have funds in place to pay for all services (\$60,000), until grant is fully disbursed
- The EPG Grant Program is an expenditures reimbursement program
- Overall, the goal is to develop an I&I report to do a capital project that is funded by State (SRF & WIIA) and Federal (BIL) funds
- SRF & BIL application deadline is May 30, 2024 (Financing applications, and new project listing deadline) and WIIA application deadline is typically June-July
- This next funding application will be the last for the BIL funding
- Note, funding for this project is being provided through NYSEFC and the Town is required to commit matching funds equal to 20% (\$10,000) of the grant award
- Grant Payments to the Town, with invoices and cost documentation, are as follows.
 - 25% of grant amount (\$12,500) upon Execution of Grant Agreement
 - 25% of grant amount (\$12,500) upon Engineering Report Submittal
 - 50% of grant amount (\$25,000) upon Engineering Report Acceptance
- Excerpt from 2023 EFG Grant Summary:
Grant Payments

Grants are disbursed in three or more payments based on the municipality's progress toward completion of an approvable engineering report. The municipality will receive the first disbursement in the amount of 25% of the total grant amount as an advance payment upon execution of the Grant Agreement with EFC. The second disbursement in the amount of 25% of the total grant amount will be made to the municipality when an approvable engineering report has been submitted for review. Note invoices and cost documentation is needed at this time. The third and final disbursement will be made once the engineering report has been accepted as complete by EFC/DEC and the remaining invoices have been submitted.

4. Sherwood-Roth Booster Pump Replacement

Key Items for Board Review and Consideration at this meeting:

- None

Construction Status Update

- Project is complete
- Formal report and O&M manual, and warranty provided by Xylem-Goulds on 12/2/24

5. Devaney Road Development Engineering

Key Items for Board Review and Consideration at this meeting:

- None

DELAWARE ENGINEERING, D.P.C.

Status Update

- At the January 6, 2025 meeting the Town Board resolved to authorize Delaware Engineering to provide engineering services associated with the Devaney Road Development for services provided in 2024 and going forward in 2025 under the 2025 General Services Agreement, and reimbursed to the Town through the escrow account
- **On January 3, 2025 Delaware Engineering participated in a meeting via zoom, with the Town, Developer, and their Engineers to review the latest plans and the technical documents and to discuss the project and plan forward**
- **Revised plan pending**
- In June-July 2024 Delaware had numerous discussions with Developer, Delta Engineers and Town about the planned development and water supply facilities, and conducted a flow review/data summary on the Stevensville water system to determine available system capacity for the development
 - The Town requested \$5,000 in escrow to complete this work
- At the July 1, 2024 meeting the Town agreed to the development with certain restrictions and conditions on water usage
- On 12/16/24 the Town received the final plans from the Developer/Delta Engineering
- Delaware received a request from the Town Supervisor to review the plans and correspond with Delta, under the escrow account
- Delaware estimates that at least \$10,000 will be required to cover 2024 work and complete the review
- Work can be completed under the 2025 General Services Agreement on a time and materials basis with a budget of \$10,000.
- If we believe that work will exceed this budget, Delaware will notify the Town.

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

Key Items for Board Review and Consideration at this meeting:

- **Review status**

Status Update

- **Under review with Damon**
- At the December 16, 2024 meeting the Town agreed to retain Delaware to assist with work on a time and materials basis with a not to exceed budget under the General Services Agreement
- **The Town agreed to the 2025 General Services agreement in place at the January 6, 2025 meeting and will provide the Town with a scope and a not to exceed budget for consideration next month**

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)
- 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?
 - Can temporary service be installed (e.g., hydrant to hydrant) at/near the bridge?
 - 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

7. *Loomis Clarifier Repair*

Key Items for Board Review and Consideration at this meeting:

- **Review status**

Status Update

- The Phase 1 clarifier (Kelly Engineering, installed in 2013-2014) needs some repair work
- One quote received +/- \$15K (e.g., bearing, oil seal, flange bearing, torque tube, steady shaft, fastener, etc.)
- Town procurement requires three (3) quotes (\$5K < \$20K)
- At the December 16, 2024 meeting the Town agreed to retain Delaware to assist with work on a time and materials basis with a not to exceed budget under the General Services Agreement
- **The Town agreed to the 2025 General Services agreement in place at the January 6, 2025 meeting and will provide the Town with a scope and a not to exceed budget for consideration next month**

8. *Indian Lake Sanitary Sewer Main Repair (Swan Lake Sanitary Collection System)*

Key Items for Board Review and Consideration at this meeting:

- **Review status**

Status Update

- A sanitary sewer main (+/- 150) is failing and causing raw sewage surface
- Sewer main slopes and depths in this area are known to be shallow
- W&D Dept. believe that the main is comprised from shallow depth and freeze thaw cycles
- There is an existing easement, however there are trees, fences and porches over top of the main
- A contractor provided a quote to replace the sanitary sewer main that exceeded \$35K, and didn't include dealing with the obstruction, and depending on the final scope, it is very likely that This work likely will need to be publicly bid
- Delaware made a preliminary site visit, and plans come up with options for Town consideration
- At the December 16, 2024 meeting the Town agreed to retain Delaware to assist with work on a time and materials basis with a not to exceed budget under the General Services Agreement
- **The Town agreed to the 2025 General Services agreement in place at the January 6, 2025 meeting and will provide the Town with a scope and a not to exceed budget for consideration next month**

9. *Liberty Business Park (Old Rte 17 Corridor Development Project)*

Key Items for Board Review and Consideration at this meeting:

- **RFQ Process underway**

Funding

- Total Project Cost: \$24,028,000
 - Scope: Upgrades to the existing water and sewer infrastructure along the old Route 17 corridor
- Funding Secured
 - **\$20M Fast NY Grant (state)** – Approved for design, construction, and utility infrastructure work
 - A conference call was held with ESD on 11/13/24
 - After board approval, all FAST NY projects must go through ESD's public hearing process and subsequently be approved by the Public Authorities Control Board (estimated time frame of 60 days)

DELAWARE ENGINEERING, D.P.C.

- Payments will be made as frequently as quarterly, pro-rata according to ESD's share of the project, on a cost-incurred basis
- Need to complete SEQR, SHPO, SGIS
- There is a one percent (1%) non-reimbursable commitment fee assessed to all awardees based on the grant amount awarded (\$200,280). The commitment fee will be due when the applicant executes documents required for processing the award, following approval by ESD Directors
- This award shall terminate two calendar years from the date of this letter if the project has not commenced
- The federal funding can be used for the match requirement
- **\$1 USEPA STAG CWSRF/Congressionally Directed Spending (CDS) Grant (federal)**
 - A conference call was held with EPA on 10/3/24
 - The cost share requirement will be 20% of the total cost of the project plus the additional 80% from the Community Grant (\$1,000,000 (80%) + \$250,000 community match (20%) to total \$1,250,000 million)
 - The match can be any other source of funds except other federal dollars
 - Require National Environmental Policy Act (NEPA) review

Engineering

- Responses to the RFQ/Statement of Qualifications (SOQs) submitted to the Town on 1/22/25
- The Town Clerk plans to distribute all responses to the Supervisor and all Board members at the February 3, 2025 meeting
- The Supervisor and Town Board member should review all responses individually in advance of the February 19, 2025 meeting
- Responses will be scored, and summarized, a resolution for contract award will be provided for the February 19, 2025 meeting
- RFQ is required
- Delaware developed a draft RFQ and sent to the Town Supervisor for review on 12/5/24
- At the December 2, 2024 meeting the Town Board authorized the Town Clerk to advertise for Professional Services Request for Qualifications for engineering services work associated with the Liberty Business Park (Old Route 17 Corridor) Infrastructure Upgrades, contingent upon approval from USEPA and Town choosing the dates for publication and for responses
- The Town Supervisor sent the draft RFQ to the USEPA to confirm that all requirements are present on 12/6/24
- USEPA conducted their review of the RFQ and confirmed that all of their requirements had been met on 12/9/24
- Delaware finalized the RFQ and legal notice and sent to the Town for advertisement in the NYS Contract Reporter, and Sullivan County Democrat with a due date of 1/22/25
 - The RFQ was advertised the Contract Reporter on 12/23/24
 - The RFQ will be advertised on in the Sullivan County Democrat on 1/3/25

10. Attachments

- Resolution and Order After Public Hearing and Bond Resolution (January 29, 2025 Hawkins Email Package)

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

- None

Liberty (T) TBM Handout 02-03-25.docx
Enclosures

At a regular meeting of the Town Board of the Town of Liberty, in the County of Sullivan, New York, held at the Town Hall, on the 3rd day of February, 2025.

PRESENT:

Hon. Frank DeMayo, Supervisor
Dean Ferrand, Councilman
Vincent McPhillips, Councilman
John Lennon, Councilman
Bruce Davidson, Councilman

In the Matter
of the

Increase and Improvement of Facilities of the Swan Lake/Briscoe Road Consolidated Sewer District, in the Town of Liberty, in the County of Sullivan, New York, pursuant to Section 202-b of the Town Law

Offered by: _____

Seconded by: _____

RESOLUTION AND
ORDER AFTER PUBLIC
HEARING

WHEREAS, the Town Board of the Town of Liberty (herein called the "Town"), in the County of Sullivan, New York, on behalf of the Swan Lake/Briscoe Road Consolidated Sewer District, in the Town (herein called the "District"), has reviewed the revised map, plan and report dated December 11, 2024, prepared for the Town by Delaware Engineering, engineers duly licensed by the State of New York (the "Engineer"), for the increase and improvement of facilities of the District, consisting of the construction of improvements to the Wastewater Treatment Plant

facilities, including related and ancillary work and engineering, legal and other costs, as further described in said map, plan and report, and said map, plan and report have been filed with the Town Board and the cost of the proposed improvements has been estimated to be \$40,000,000; and

WHEREAS, the Town Board adopted an Order describing in general terms the proposed increase and improvement of such facilities, specifying the estimated cost thereof, and stating the Town Board would meet to hear all persons interested in said increase and improvement of facilities on January 22, 2025 at 6:45 o'clock P.M. (Prevailing Time) at the Town of Liberty Senior Citizens Center, Liberty, New York; and

WHEREAS, a Notice of such public hearing was duly published and posted pursuant to the provisions of Article 12 of the Town Law and said public hearing was duly held on January 22, 2025; and

WHEREAS, pursuant to the State Environmental Quality Review Act (SEQRA), constituting Article 8 of the Environmental Conservation Law, and 6 N.Y.C.R.R., Regulations Part 617.5, the Town Board, as lead agency, has given due consideration to the impact that the project described herein may have on the environment, and has adopted a Declaration of Significance;

Now, therefore, be it

DETERMINED, that it is in the public interest to increase and improve the facilities of the District as hereinabove described, at the estimated maximum cost of \$40,000,000; and it is hereby

ORDERED, that the facilities of the District shall be so increased and improved and that the Engineer shall prepare plans and specifications and make a careful estimate of the

expense of said increase and improvement of such facilities and, with the assistance of the Town Attorney, shall prepare a proposed contract for such increase and improvement of facilities of the District, which plans and specifications, estimate and proposed contract shall be presented to the Town Board as soon as possible; and it is hereby

FURTHER ORDERED, that the Town Clerk record, or cause to be recorded, a certified copy of this Resolution and Order After Public Hearing in the office of the Clerk of Sullivan County within ten (10) days after adoption thereof; and it is hereby

FURTHER ORDERED, that the expense of said increase and improvement of facilities shall be financed by the issuance of bonds of the Town in the principal amount not to exceed \$40,000,000 to finance said appropriation, provided that it is expected that grant funds shall be received by the Town to pay a portion of the cost of the project, and the amount of bonds issued shall be reduced by the amount of grant funds received; and the costs of said increase and improvement of facilities, including payment of principal of and interest on said bonds, shall be paid by the assessment, levy and collection of assessments upon the several lots and parcels of land within the District which the Town Board shall deem especially benefited by said facilities, so much upon and from each as shall be in just proportion to the amount of benefit which the improvement shall confer upon the same.

DATED: February 3, 2025

(SEAL)

TOWN BOARD OF THE TOWN OF LIBERTY

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

Supervisor Frank DeMayo	voting_____
Councilman Dean Farrand	voting_____
Councilman Vincent McPhillips	voting_____
Councilman John Lennon	voting_____
Councilman Bruce Davidson	voting_____

The Resolution and Order were declared adopted.

BOND RESOLUTION OF THE TOWN OF LIBERTY, NEW
YORK, ADOPTED FEBRUARY 3, 2025, APPROPRIATING
\$40,000,000 FOR THE INCREASE AND IMPROVEMENT OF
FACILITIES OF THE SWAN LAKE/BRISCOE ROAD
CONSOLIDATED SEWER DISTRICT, AND AUTHORIZING
THE ISSUANCE OF BONDS OF SAID TOWN IN THE
PRINCIPAL AMOUNT OF \$40,000,000 TO FINANCE SAID
APPROPRIATION

Offered by: _____

Seconded By: _____

Recital

WHEREAS, after a public hearing duly called and held for the increase and improvement of facilities of the Swan Lake/Briscoe Road Consolidated Sewer District (herein called the "District"), in the Town of Liberty (herein called the "Town"), in the County of Sullivan, New York, the Town Board of the Town determined that it is in the public interest to increase and improve the facilities of the District, and ordered that such facilities be so increased and improved;

Now, therefore, be it

RESOLVED BY THE TOWN BOARD OF THE TOWN OF LIBERTY, IN THE COUNTY OF SULLIVAN, NEW YORK (by the favorable vote of not less than two-thirds of all the members of said Board) AS FOLLOWS:

Section 1. The Town of Liberty hereby appropriates the amount of \$40,000,000 for the increase and improvement of facilities of the Swan Lake/Briscoe Road Consolidated Sewer District, consisting of the construction of improvements to the Wastewater Treatment Plant

facilities, including related and ancillary work and engineering, legal and other costs, as described in a revised map, plan and report dated December 11, 2024 prepared for the Town by Delaware Engineering, engineers duly licensed by the State of New York. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$40,000,000. The plan of financing includes the issuance of bonds in the amount of \$40,000,000 to finance the cost of said appropriation, and the assessment, levy and collection of assessments upon the several lots and parcels of land within the District which the Town Board shall deem especially benefited by said facilities, so much upon and from each as shall be in just proportion to the amount of benefit which the improvement shall confer upon the same. It is expected that grant funds shall be received by the Town to pay a portion of the cost of the project, and the amount of bonds issued shall be reduced by the amount of grant funds received.

Section 2. Bonds of the Town are hereby authorized to be issued in the principal amount of \$40,000,000 pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law"), to finance said appropriation.

Section 3. The following additional matters are hereby determined and stated:

(a) The period of probable usefulness of the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 4 of the Law, is forty (40) years.

(b) The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the Town for expenditures incurred after the effective date of this resolution. The foregoing statement of intent with respect

to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

(c) The proposed maturity of the serial bonds authorized by this resolution will exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of said bonds shall contain the recital of validity prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation said bonds shall be general obligations of the Town, payable as to both principal and interest by a general tax upon all the taxable real property within the Town. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and any notes issued in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 of the Law relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and the renewals of said bond anticipation notes, and relative to executing contracts for credit enhancements and providing for substantially level or declining annual debt service, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with, and

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

- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This resolution shall take effect immediately and the Town Clerk is hereby authorized and directed to publish the foregoing bond resolution, in summary, in "*The Sullivan County Democrat*," a newspaper having general circulation in said Town, which newspaper is hereby designated as the official newspaper of the Town for such publication, together with the Town Clerk's statutory notice in the form prescribed by Section 81.00 of the Local Finance Law of the State of New York.

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

Supervisor Frank DeMayo	voting_____
Councilman Dean Farrand	voting_____
Councilman Vincent McPhillips	voting_____
Councilman John Lennon	voting_____
Councilman Bruce Davidson	voting_____

The Resolution was declared adopted.

Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

☐ County ☐ City ☒ Town ☐ Village

(Select one.)

of Liberty

Local Law No. 2 of the year 2025

A local law amending Chapter 147, entitled "Zoning," of the Code of the Town of Liberty,

(Insert Title)

Sullivan County, New York, with regard to Planned Unit Developments.

Be it enacted by the Town Board of the
(Name of Legislative Body)

☐ County ☐ City ☒ Town ☐ Village

(Select one.)

of Liberty as follows:

(If additional space is needed, attach pages the same size as this sheet, and number each.)

Section 1. Legislative Intent.

The Town of Liberty enacts this local law pursuant to Section 10 of the Municipal Home Rule Law and Article 16 of the Town Law to provide for the orderly development of the Town and to protect the health safety and welfare of its residents. In achieving these purposes, the Town of Liberty Town Board has determined that §147-23, Planned unit development districts, will benefit from several amendments. These amendments cover clarification of procedural language, including the steps in the review process and how an application advances from one step to the next; the roles and responsibilities of reviewing boards, code enforcement personnel, and applicants; the addition of text to facilitate understanding of the requirements under the State Environmental Quality Review regulations; and the inclusion of a Process Flowchart to provide an overview of the entire review process and to accompany the detailed regulations of this section of the zoning law.

Section 2. The following new definitions are added to Article II, §147-4.

AFFORDABLE HOUSING Housing or dwelling units on which the occupant is paying no more than 30 percent of gross income for housing costs, including utilities.

AGE-RESTRICTED HOUSING Also known as senior citizen housing, means housing for individuals 62 years of age or older that is subsidized in whole or in part under any local, state, or federal program.

Section 3. Amendment of Article VII, §147-23. Planned unit development districts.

§ 147-23. Planned unit development districts is hereby removed in its entirety and replaced with the following:

- A. Purpose
- B. Type of PUD
- C. Authorized uses within PUD
- D. Development density, open space and common recreation facilities
- E. Age-restricted housing density bonus
- F. Procedure and Sketch Plan Purposes
- G. Development Standards and Guidelines
- H. Plan Submission Requirements
- I. Action on Preliminary Plans; Rezoning; and Final Plan Review
- J. Periodic review
- K. Performance guarantee, inspection fees, maintenance bond

- A. Purpose. The purpose of a planned unit development (PUD) district is to foster excellence in neighborhood design and further the goals and objectives of the Town of Liberty Comprehensive Plan. These "floating districts" promote creative site layout and architectural design and secure the advantages of large-scale site planning for residential, commercial or professional office developments, or certain combinations thereof. The flexibility granted to projects in a PUD District comes with a commitment to include

features beneficial to the local community, such as but not limited to open space and parkland, public recreation, and public infrastructure. Achieving such objectives requires in-depth scrutiny by both the Town Board and Town Planning Board during the development of the PUD proposal. Therefore, more information is required about the project than would be required if development were being pursued under conventional zoning. The creation of each PUD district is unique unto itself, so the specific requirements of each PUD will likely be different depending upon the application. The discretion of the Town Board regarding density of use, or even as to whether to approve or deny a PUD application, shall be absolute. This is consistent with the Town Board's inherent power to rezone. The Town Board can exercise this power prior to the Sketch Plan Process or at the completion of the Sketch Plan Process. The Town Board must make a decision on the rezoning following the Planning Board's recommendation on the Preliminary Plan.

A PUD District created by a floating zone brings inherent differences with the requirements of the underlying zoning district. PUDs provide the town with an opportunity to utilize the unique characteristics of a parcel of land in ways that benefit the community, make efficient use of land, and provide an alternative to sprawl development. Because land is used more efficiently in a PUD, improved environmental quality can often be produced with a greater land use intensity and/or number of dwelling units per gross building area than typically permitted in the underlying zoning district. The PUD enabling statute (NYS Town Law § 261-c.) affords great flexibility and creativity in land development and therefore is an important land-use tool for many towns.

B. Type of PUD. Applicants applying for PUD shall apply under one of the two following alternatives:

(1) Large-scale PUD (LSPUD).

- (a) Minimum size: 150 contiguous acres.
- (b) Maximum size: no maximum size.
- (c) Requires phasing plan. All phases shall be illustrated in a phasing development map and numbered in the expected order of development.
- (d) Rezoning granted under the large-scale PUD process has a twenty-three-year duration. The Town Board may revoke undeveloped sections of a LSPUD after 23 years. Periodic reviews shall be completed as provided herein.

(2) Small-scale PUD (SSPUD).

- (a) Minimum size: 30 contiguous acres.
- (b) Maximum size: 149.9 contiguous acres.

- (c) Rezoning granted under the small-scale PUD process has a thirteen-year duration. The Town Board may revoke undeveloped sections of a SSPUD after 13 years.

C. Authorized uses within PUD.

- (1) No use shall be established, and no development shall be permitted in the PUD District, unless specifically approved pursuant to the procedures and standards set forth in this section. The specific uses to be allowed in the PUD shall be approved by the Planning Board. The general categories of allowable uses that may be permitted in any PUD are as follows:
 - (a) Commercial (including retail products and services, excluding wholesale).
 - (b) Offices (business or professional, excluding large-scale medical clinics).
 - (c) Single-family dwellings.
 - (d) Multifamily dwellings (including apartments and townhouses).
 - (e) Age-restricted, assisted living and skilled care facilities.
 - (f) Public and/or private recreational facilities (outdoor or indoor).
 - (g) Destination resorts.
 - (h) Mixed uses (including any combination of above uses).
 - (i) Affordable Housing
- (2) The proposed PUD shall have an appropriate combination of mixed uses from those uses listed in (1) above that are sustainable for its location, Town needs and market considerations. No single use can account for 100% of the proposed PUD. The actual ratio of mixed uses shall be specified by the applicant as part of the PUD application and approved by the Planning Board and Town Board as part of the approval process.

D. Development density, open space and common recreation facilities.

- (1) The density of a proposed PUD development shall be set forth initially by the applicant as part of the PUD plan and application process and determined by the Planning Board and Town Board as part of the final approval process. Maximum density shall be based upon the degree to which the planned unit development preserves significant natural features and open space (i.e., wetlands, waterways and steep slopes); provides recreational amenities (i.e., active and passive recreational facilities, including nature trails, bicycle paths, sitting areas, parks and playgrounds); and reflects the Development Standards and Guidelines (in G. below). Based on gross acreage, without offset for environmental limitations, the following specifies the maximum allowed increased density over underlying zoning:

**Percentage of PUD Preserved as Open Space and/ or
Community Recreation Amenities**

Density Multiplier
(multiplied by
underlying district
density)

15% to 25%	1.10
25% to 39%	1.25
40% to 49%	1.35
50% +	1.50
50% + with offsite open space, community amenities, public infrastructure	1.75

- (2) A minimum of 15% open space or parkland, or a combination thereof, must be provided, and creative integration of open space and recreational amenities into the PUD design is required. Connections to surrounding parks and open space through a coordinated trail system shall be made to the maximum extent practicable. Open space shall be usable for recreation purposes or provide visual, aesthetic, or environmental amenities, and may not be occupied by streets, drives, dependent parking areas or structures other than recreational dependent structures.
- (3) Cash in lieu of parkland If it is determined due to site constraints that the required open space or parkland cannot be provided within the proposed development site; and if the Planning Board and the Town Board have each made a written finding that a proper case exists for requiring that a park or parks or open space be suitably located for playgrounds or other recreational or open space purposes within the town, the Planning Board may require a sum of money in lieu thereof, in an amount to be established by the Town Board. Proceeds will be deposited into a recreation fund for community park and recreation facility improvements.
- (4) Increased density for offsite preserved open space, ~~or~~ community recreation amenities, or public infrastructure. If the required Preserved Open Space and/ or Community Recreation Amenities exceeds 50% in the proposed PUD development, and the applicant proposes to dedicate additional offsite Preserved Open Space, ~~and/or~~ Community Recreation Amenities, or public infrastructure, the Town Board may approve an increase in density in the PUD development not to exceed a density multiplier of 1.75. Any such approval

shall be accompanied by a written findings statement, and with input from the Planning Board.

- E. Housing density bonuses for Age-restricted and Affordable Housing. A density bonus of 5% (for either age-restricted and affordable housing) above that which is provided for open space and of community recreation has been established to offer land-use-based options to facilitate the economic feasibility of providing diversity of housing in the town. The density bonus shall be held specific to the parcel(s) for which the age-restricted or affordable housing is being proposed.

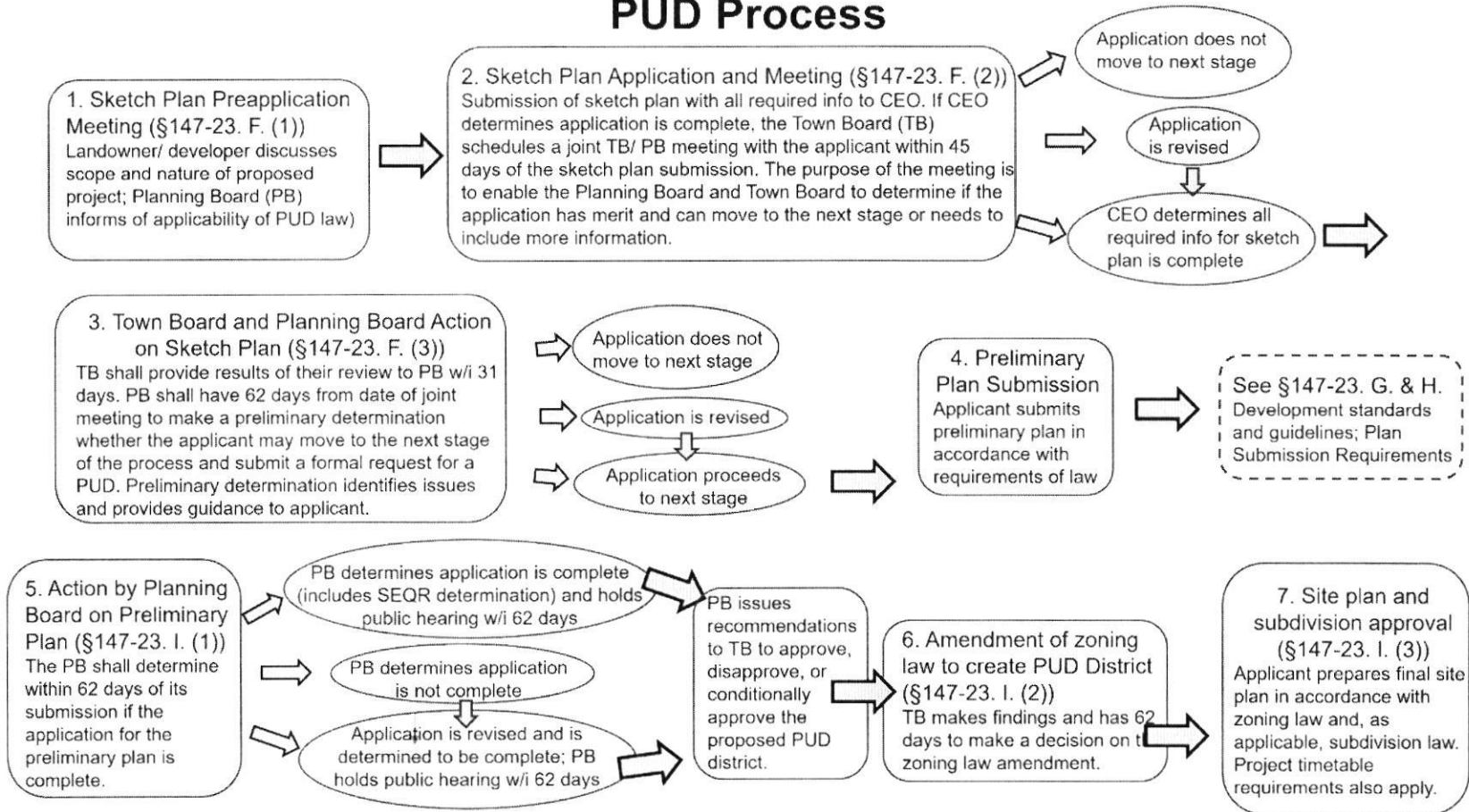
The applicant shall fully demonstrate how the age-restricted or affordable housing will be integrated within the proposed development. Information shall be provided to the town, beginning with the pre-application meeting and continuing throughout the procedural stages. In addition to reviewing site design for, age-restricted housing, the Planning Board and Town Board shall, in recognition of the different needs of seniors, consider the provision of support services, including central food service, social services, referral consultation, medical services, housekeeping assistance, and central laundry.

For both affordable and age-restricted housing, the applicant shall provide information for any subsidies and related support programs, as well as a long-term plan to sustain the housing.

- F. Procedure and Sketch Plan Purposes. The process flowchart below provides an overview of the PUD application process and corresponds with the complete requirements, which follow the chart in detail. Following § 147-23. F. (4) Preliminary site plan submission and major subdivision review are the Development Guidelines and Standards and the Plan Submission Requirements. The extent and sufficiency of this required information will determine if the application can proceed to the remaining steps in I. Action on Preliminary Plans; Rezoning; and Final Plan Review.

The purposes of the Sketch Plan Process are to require a discussion between the Town Board, Planning Board and Applicant so that rules, boundaries, requirements, and regulations are defined and agreed upon during the Sketch Plan Process. The intent is to provide both the Town Board and the Planning Board with sufficient information on the proposal for each board to decide whether the proposal has merit as a PUD and whether to allow the applicant to proceed to the next stage of review. The intent is also to provide the applicant with a clear understanding of the potential costs and timeline for the project so that the Applicant can determine whether to proceed with the application PRIOR to expending time and dollars. A Public Hearing must be held at the completion of the Sketch Plan Process prior to the Town Board and Planning Board vote.

PUD Process



- (1) Sketch Plan Preapplication meeting. Prior to the official submission of the application for a Planned Unit Development District, the landowner, or the landowner's agent, shall meet with the Planning Board, the Town Board, and the Code Enforcement Officer to discuss the proposed scope and nature of the contemplated development. The intentions of this Preapplication conference are to ensure that the application meets the minimums for the following PUD criteria (147-23. B.-E.); confirm a basic understanding of the requirements; and answer any questions, prior to detailed design investment. Additionally, the intent of this Preapplication meeting is to ensure that the application meets the minimums for the following PUD criteria. The Planning Board shall inform the landowner, or landowner's agent, of the applicability of §147-23 of the Zoning Law (Planned Unit Development Districts). If the Town Board determines the proposed project meets the objectives of this chapter, the application can proceed. The Town Board may require the applicant to meet with staff or consultants to facilitate the submission of a complete and suitable application. If the Town Board determines in its sole and absolute discretion the proposal does not merit further review because it does not meet the objectives of this chapter, then no further action on the application shall be taken.
- (2) Sketch plan application and meeting. An application for a PUD review starts with the submission of a sketch plan to the Code Enforcement Officer as set forth below. If the Code Enforcement Officer determines all the required information for the sketch plan is complete, the Town Board shall schedule a joint Town Board/ Planning Board meeting with the applicant within 45 days of the sketch plan submission. The applicant shall make a presentation at this joint Town Board/Planning Board meeting describing the PUD proposal and answering questions regarding the proposal. The result of this meeting shall be to provide both the Town Board and the Planning Board with sufficient information on the proposal for each Board to decide whether the proposed PUD has merit and can proceed to the next stage of review.
 - (a) A conceptual plan showing the parcel or parcels to be included in the PUD.
 - (b) The location of the various uses and their areas.
 - (c) Approximate location of significant natural and man-made features of land, such as waterways, wetlands, streets, easements and buildings.
 - (d) Proposed layout of structures, roads, utilities and other features, such as water, sewer, electric utilities.
 - (e) Current owners of parcel(s) to be included in PUD.
 - (f) A written narrative or statement of what is proposed and the merits of such proposal. Said statement to be of sufficient detail and scope to provide a well-developed concept of the PUD and must include, at a minimum, the following:

- [1] Total number of acres proposed for the PUD.
 - [2] Type of uses proposed and ratio of mixed uses.
 - [3] Number of residential and commercial units.
 - [4] Preliminary density calculations (dwelling units per acre).
 - [5] An explanation of how the developer's particular mix of land uses meets existing community needs and goals.
 - [6] A summary of the operation and ownership arrangements during development and post-development phases.
 - [7] A summary of the infrastructure needed and/or available with respect to transportation, roads, water, and sewer, electric and telecommunications.
 - [8] A general description of the provisions of other community facilities, such as schools, fire protection services and cultural facilities, if any, and some indication of how these needs are proposed to be accommodated.
 - [9] Recreational facilities and/or amenities that will be included in the PUD plan.
 - [10] General description of architectural, planning, and environmental design standards to be proposed as part of the PUD plan.
 - [11] A pre-evaluation of SEQRA to identify potential areas of concern and most importantly the extent of SEQRA review eg. EIS.
 - [12] Identify potential proposals for amenities outside the PUD for increased density development.
- (3) Town Board and Planning Board action on sketch plan. The Town Board shall provide the results of their review to the Planning Board, in writing, within 31 days of the joint meeting. Such results shall include supportive reasoning and may include reference to the purpose of PUDs, the proposed development site, infrastructure, or other relationships between the proposed PUD and town matters. The Planning Board shall have 62 days from the date of the joint meeting in which to make the preliminary determination as to whether the applicant may move to the next stage of the application process and submit a formal request for a PUD. The Planning Board may provide the applicant with direction (in cooperation with professional assistance as needed) regarding the content, design, allowed uses, ratio of mixed uses, project size and scope that the Board deems appropriate for the formal application stage. Although said preliminary determination will not commit the Town Board to any specific course of action on the PUD to be requested, the sketch plan process is intended to advise the applicant as to what may be generally acceptable, or not acceptable to the Board so that the applicant understands what is expected in the next stage of review. Such preliminary determination should establish

issues that must be addressed in PUD design, define acceptable uses, specify the supporting documentation required for submission, and specification of all involved agencies. If it is determined the sketch plan proposal does not have merit for further review as a PUD, the applicant may submit a revised proposal for another sketch plan meeting but may not submit a formal PUD application.

(4) Preliminary site plan submission and major subdivision review.

(a) The Preliminary Plan and Major Subdivision Review are significant stages in the process and include discussion between the Planning Board and the Applicant. This is the stage of the PUD process where all information is submitted so that application completeness can be determined (including SEQR) in order for site plan and subdivision review to begin. Necessary studies and analyses – in all probability an Environmental Impact Statement -- are performed and provided, all applicable regulations are applied, and all requirements are addressed. The Town's engineering consultants and other technical assistance experts review all materials submitted by the applicant on the Town's behalf.

G. Development Standards and Guidelines.

- (1) Unified control. No application for a PUD shall be accepted or approved unless all of the property included in the application is under unified ownership and/or control by the applicant, or if the applicant has a legally binding contract with the property owner to transfer ownership upon approval of the PUD.
- (2) Preservation of natural features. Significant natural features of any PUD shall be preserved whenever possible for purposes of buffering new development, preserving the character of neighborhoods, protecting critical environmental resources and providing for stormwater management.
- (3) Preservation of historic resources. Whenever a proposed site for a PUD has existing historic buildings, structures or sites of significance located thereon, such resources shall be preserved and incorporated into the design.
- (4) Integrated architectural design. The PUD plan of development shall integrate the design of buildings, structures, landscaping, infrastructure facilities and common areas into cohesive units of development.
- (5) Pedestrian system. The PUD shall provide for an internal system of pedestrian circulation using sidewalks and trails, with connections to adjoining properties or systems where feasible.
- (6) Streets. The PUD shall provide for a vehicular circulation plan that can safely accommodate current traffic volumes, as well as those generated by the PUD. Access points shall be designed to provide for smooth flow, controlled turning movements and vehicular traffic safety.
- (7) Off-street parking and loading. The proposed development shall comply with the off-street parking and loading standards set forth herein, unless it is

demonstrated that a deviation from those standards is warranted, and is specifically approved during the PUD approval process.

- (8) Utilities. Underground on-site utilities are required, including telephone, electric, cable, water distribution mains and sewer collection reaches.
- (9) Lighting. All lighting shall include full cut-off fixtures and be arranged so as to prevent direct glare or hazardous interference to adjoining streets, properties, or the night sky.
- (10) Ownership and maintenance. Subject to Town Board approval, the open space resulting from PUD design shall be permanently protected through a conservation easement and generally titled to a homeowners' association (HOA) if the PUD contains residential lots or units, or other form of ownership (such as municipal) prior to final approval of the PUD. If an HOA option is selected, then membership shall be mandatory for each property owner within the subdivision, and successive owners, with voting of one vote per lot or units and the developer's control of common amenities, therefore, assign to the individual lot/unit owners on sale of the majority of the lots or units. All restrictions on the ownership, use and maintenance of common open space shall be permanent and the HOA shall be responsible for liability insurance, local taxes, and maintenance of all open space, recreational facilities and other commonly-held amenities. Each property owner must be required to pay their proportionate share of the HOA's costs and the HOA must be able to file liens on the lot/unit owner's property if levied assessments are not paid. The HOA must have the ability to adjust the assessment to meet changing needs.
- (11) Development phasing. The development of a PUD may be proposed and approved in phases. A phasing plan shall be submitted to the Planning Board as part of the large-scale PUD application documents. The Planning Board shall have the authority to approve, with or without modifications and/or conditions, or deny the phasing plan based on the following standards:
 - (a) Each phase, when completed, must be able to fully function on its own, or in conjunction with prior phases, without dependence on subsequent phases.
 - (b) The infrastructure, as installed, shall be sufficient to accommodate each planned phase of development.
 - (c) Each phase shall have an appropriate ratio of the various uses proposed for the development.
- (12) Construction schedule. The applicant shall propose, and the Planning Board shall review and approve, a construction schedule for the development of an approved PUD. Generally, commencement of development of the large-scale PUD, or the first phase if a phased large-scale PUD approved, shall commence within three years of the date that the final site plan of the PUD is approved. However, it is recognized that depending on the scale and complexity of the

development, consideration may be made with respect to the reasonable time necessary for the applicant to obtain construction financing, insurance and bonds, executing construction contracts, and other such aspects involved in a development project. Thus, the Planning Board may modify the time-period allowed for commencement of construction depending on the circumstances of each PUD.

H. Plan Submission Requirements

- (1) The applicant shall submit 10 copies of the preliminary plan and application to the Planning Board at least four weeks prior to the meeting of the Board at which the application is to be heard. Each preliminary plan shall be drawn by a professional engineer and/or land surveyor licensed to practice in the State of New York and shall bear the signature, seal, license number and telephone number of the said professional engineer and/or land surveyor; provided, however, that all engineering data shall be signed and sealed by a professional engineer and all surveying data shall be signed and sealed by a professional land surveyor. Each submission shall include a preliminary plan drawn at a scale of not less than one-inch equals 100 feet and the additional information detailed in (a) – (w) below.
 - (a) Certification that the applicant is the owner of the land or an authorized agent, or that the owner has given consent under an option agreement.
 - (b) Certificate from the Town Tax Collector that all taxes and assessment have been paid to date.
 - (c) A key map showing the entire tract and its relation to the surrounding areas.
 - (d) Title block including the name of development, applicant contact information, identity of a landowner, written and graphic scales and the dates of preparation and revisions.
 - (e) North arrow.
 - (f) Approval signature block for Planning Board and Town Board.
 - (g) Land area to the nearest tenth of an acre and computation of disturbed area.
 - (h) The names and lot and block numbers of all property owners within 200 feet of the extreme limits of the tract as shown on the most recent tax roll.
 - (i) Existing section, block and lot numbers of the lots to be subdivided or developed.
 - (j) Zoning district affecting the tract and within 200 feet thereof, including district names and requirements, and a comparison to the application.
 - (k) Land use plan specifying residential land areas and indicating the acreage, density and the type of dwelling units proposed; nonresidential land areas indicating

the acreage, square footage, and specific type of uses proposed; conceptual footprints of all proposed buildings with typical dimensions; approximate and maximum height of all proposed buildings; locations of parking areas and the estimated number of parking spaces; and general calculations of impervious surface coverings.

(l) Housing plan indicating the number and type of housing units, as well as the form of ownership and any deed restrictions, as necessary, to be provided.

(m) Open space and recreation plan indicating the general location of land areas to be devoted to open space, conservation, and recreational purposes, including a general description of the improvements proposed to be made thereon and a plan for the operation and maintenance of said land areas.

(n) Environmental inventory including a general description of the waterways, wetlands, wildlife habitat, upland vegetation, soils, topography, geology, surface hydrology, climate and cultural resources of the site, existing man-made structures or features and the probable impact of the development on the environmental resources of the site, both during construction and thereafter.

(o) Traffic circulation plan showing the general location and types of transportation facilities, indicating all existing and proposed collector and local streets, and all proposed improvements to existing roads. The traffic circulation plan shall include daily and peak hour traffic volume projections, an assessment of the traffic impacts of the proposed development on the highway network and estimated levels of services before and after development, with or without traffic improvements.

(p) Pedestrian circulation plan showing the general location and types of facilities for pedestrian access throughout the PUD, including both sidewalks and trails.

(q) Utility plan indicating the general location of existing and proposed sewer and water lines, pump stations, water supply wells, sewage treatment plants and proposed methods for handling solid waste disposal. Additionally, tract connections to electric, gas, cable, and telephone facilities shall be generally indicated and a plan for the operations and maintenance of the proposed utilities shall be submitted.

(r) Stormwater management plan indicating the proposed method of controlling surface water runoff, including design calculations for drainage improvements and proposed soil erosion and sediment control measures, both during construction and thereafter.

(s) Community facilities plan indicating the scope and type of supporting community facilities to be provided.

(t) Proposed phasing plan indicating areas to be developed in each phase and the priority of each. The eventual development of each phase should be related to the land use plan, the traffic circulation plan, the stormwater management plan and the utility plan to ensure the phasing plan is workable. It should also demonstrate a

reasonable balance of the different components of the PUD exists at each phase of the project.

(u) Inclusion of all Major Subdivision requirements identified in Town of Liberty Code 130-13, as applicable.

(v) SEQR, Part I of the New York State Environmental Assessment Form (Long Form), or a draft environmental impact statement.

(w) Draft PUD District amendment to the Town of Liberty Zoning Law to accommodate the proposed PUD project.

- (2) Escrow required. The applicant shall also deposit an initial sum of money into an escrow account in advance of the review of an application for a planned unit development. Fees to be deposited are based on Large- or Small-scale PUDs and are included in Chapter A152 Fees of the Town of Liberty Code.

I. Action on Preliminary Plans; Rezoning; and Final Plan Review

- (1) Action by the Town of Liberty Planning Board on the preliminary plan. The Planning Board shall review the application for the preliminary plan for the purpose of determining, within 62 days of its submission, whether said application is complete.

(a) If said application is found to contain all of the information required, the Planning Board shall certify said application is complete and direct the application to the Town of Liberty Town Board with recommendations to approve, disapprove or conditionally approve the proposed PUD District. Prior to directing the application to the Town Board, the Planning Board, if it is lead agency under the SEQR review, shall determine completeness of the application for SEQR purposes. Pursuant to NYCRR Part 617.3 (c) an application is not complete until a negative declaration has been issued; or until a draft EIS has been accepted by the lead agency as satisfactory with respect to scope, content, and adequacy. If the Town Board is lead agency it shall determine completeness for SEQR purposes. (Note, the lead agency has forty-five (45) days to determine completeness and adequacy of a draft EIS for public review, or to specify the reasons for its unacceptability. However, for an unusually complex or extensive EIS, a lead agency may negotiate with the project sponsor to establish a longer review period.)

(b) If said application is found to lack some of the information required above, the Planning Board shall cause the applicant to be notified, in writing, that said application is incomplete, specifying the deficiencies in the application. Should the Planning Board conclude the missing information is not applicable to the subject application and/or are not necessary to make an informed decision on the application, it may waive such requirements as a prerequisite for completeness only, and certify the application is complete, notwithstanding the missing items.

(c) If waivers of checklist items have been specifically requested by the applicant in the application, the Planning Board shall act on the request for waivers within 62 days of application submission or requested extension from the applicant. If the waivers are granted, the application is complete as long as all other requirements for submission have been satisfied. If the waivers are denied, the application is incomplete until missing information is submitted. An applicant who has been notified that his application is incomplete may request waiver of one or more of the submission requirements. Said request shall be the subject of a resubmitted application and will be treated as a new submission.

(d) Should the Planning Board fail to act within 62 days of the date of the submission of the application, said application shall be deemed complete.

(e) The Planning Board may subsequently require correction of any information found to be in error, may require submission of additional information not specified in this chapter, and/or may direct revisions to be made in the application documents. The modifications shall be considered as reasonably necessary in order for the Planning Board to make an informed decision as to whether the requirements of approval of the application have been met. This is provided that the application shall not be deemed incomplete for lack of any additional information or revisions. Promptly after certification of completeness, the application documents shall be distributed by the Planning Board to the Town Board for its consideration of PUD district formation.

(f) The Planning Board shall hold a public hearing within 62 days of determining the preliminary application is complete.

(2) Decision on formation of PUD District.

The Town Board must decide whether to approve or deny the PUD district within 62 days of receiving the recommendation from the Planning Board.

If the Town Board approves the creation of the the PUD district, it shall amend the zoning law in accordance with the requirements of the New York State Town Law, provided that it has first issued a finding of the following facts and conclusions:

(a) That departures by the proposed development from zoning regulations, otherwise applicable to the subject property, conform to the zoning provisions outlined in this section;

(b) That the proposals for maintenance and conservation of the common space are reliable, and the amount, location and purpose of the common open space are adequate;

(c) That provisions through the physical design of the proposed development for public services, control over vehicular and pedestrian traffic, and the amenities of light and air, recreation and visual gratification and are adequate;

(d) That the proposed PUD will not have an unreasonably adverse impact upon the area in which it is proposed to be established; and

(e) In the case of a proposed PUD, which contemplated construction over a period of years, that the terms and conditions intended to protect the interests of the public and of the residents, occupants and owners of the proposed development in the total completion of the development are adequate.

If the Town Board disapproves the creation of the PUD District, it shall issue written findings that support the decision.

- (3) Site plan and subdivision approval. Following Town Board enactment of the proposed PUD District, the applicant shall prepare a final site plan in accordance with Article VIII of this zoning law and, if applicable, a subdivision plat including all the information required under § 130-13 of Chapter 130, Subdivision of land, of the Code of the Town of Liberty, and submit it to the Planning Board for final review. The submission shall include a final timetable, with specific dates for completion of different aspects of the projects to be used as a guide for the Code Enforcement Officer to administer periodic review. When more than 12 months have elapsed between the creation of the PUD and the date of the submission of the site plan and where the Planning Board finds conditions affecting the plan have changed significantly in the interim, the Planning Board may recommend to the Town Board the PUD District designation be rescinded. The Planning Board may disapprove a site/subdivision plan if it varies substantially from the preliminary project plan upon which the creation of the PUD District was based.

J. Periodic review.

- (1) The Town Code Enforcement Officer shall review the progress of the project and compare it to the timetable approved by the Planning Board as part of the site approval process according to the following timetable:
- (a) Large-scale PUD (LSPUD): every four years.
 - (b) Small-scale PUD (SSPUD): every two years.
- (2) If the Code Enforcement Officer finds the project has met the development timetable, a letter shall be sent to the Planning Board stating such. If the Code Enforcement Officer finds the project has not met the development timetable, then he must notify the Planning Board, in writing, within 30 days. Upon receiving the notification from the Code Enforcement Officer, the Planning Board must schedule, within 62 days, a hearing to review the timetable and project progress with the developer. The Planning Board may:
- (a) Do nothing and require another review in one year;
 - (b) Find compelling reasons why the project has fallen behind schedule and vote to approve a revised site/subdivision plan with an amended timetable; or

(c) Find the project is behind schedule because conditions have sufficiently changed since the creation of the PUD and recommend the Town Board revoke or modify the PUD classification. The recommendation must be made in writing and describe, in detail, the reasons for such a recommendation.

(3) Upon receiving notification from the Planning Board about a PUD project that has fallen behind schedule, the Town Board may amend the Zoning Law to revoke or extend the PUD District, as provided by Town Law.

K. Performance guarantee, inspection fees, maintenance bond. The developer shall provide for all performance guarantees, inspection fees and maintenance bonds as described in § 130-13 of Chapter 130, Subdivision of Land, of the Code of the Town of Liberty.

Section 4. Severability.

If any part or provision of this Local Law or the application thereof to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgement shall be confined in its operation to the part of provision or application directly involved in the controversy in which judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Local Law or the application thereof to other persons or circumstances, and the Town hereby declares that it would have passed this Local Law or the remained thereof had such invalid application or invalid provision been apparent.

Section 5. Supersession.

This Local Law is adopted pursuant to the provisions of the Municipal Home Rule Law of the State of New York and is intended to supersede any provisions of the New York State Town Law, the Town of Liberty Zoning Law and the General Municipal Law which are inconsistent with the provisions of this Local Law.

Section 6. Effective Date

This Local Law shall take effect immediately upon filing in the office of the Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 20____, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 20____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the ~~qualified electors of the towns of said county considered as a unit voting at said general election, became operative.~~

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph _____¹ above.

Clerk of the county legislative body, City, Town or Village Clerk or
officer designated by local legislative body

(Seal)

Date: _____

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. 2 of 2025 of the ~~(County)(City)~~ (Town)(Village) of Liberty was duly passed by the Town Board on 20²⁵, in accordance with the applicable provisions of law.
(Name of Legislative Body)

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) (Name of Legislative Body) (repassed after disapproval) by the _____ and was deemed duly adopted (Elective Chief Executive Officer*) on _____ 2025, in accordance with the applicable provisions of law.

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) (Name of Legislative Body) (repassed after disapproval) by the _____ on _____ 20____. (Elective Chief Executive Officer*)

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____ 20____, in accordance with the applicable provisions of law.

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) (Name of Legislative Body) (repassed after disapproval) by the _____ on _____ 20____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20____, in accordance with the applicable provisions of law.

* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

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 3rd day of February, 2025, at 7:00 p.m., prevailing time.

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

PRESENT:

ABSENT:

The following resolution was introduced by Councilperson _____, who moved its adoption, and seconded by Councilperson _____, to wit:

BE IT RESOLVED, that introductory Local Law No. 2 of the Year 2025 entitled "A local law amending Chapter 147 entitled "Zoning" of the Code of the Town of Liberty, Sullivan County, New York, with regard to Planned Unit Developments" 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 _____ p.m., prevailing time, on _____, 2025; 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	_____
Councilperson Dean Farrand	voting	_____
Councilperson Vincent McPhillips	voting	_____
Councilperson John Lennon	voting	_____
Councilperson Bruce Davidson	voting	_____

The resolution was thereupon declared duly adopted.

*Town of Liberty, NY
Friday, December 13, 2024*

Chapter 31. Planning Board

§ 31-4. Training requirements.

[Added 8-7-2006 by L.L. No. 7-2006]

- A. Within six months from the effective date of this section with respect to existing Planning Board members, and within six months of appointment of any new Planning Board members, each such member of the Planning Board shall be required to successfully complete the Land Use Training and Certification School established by the Land Use Law Center of Pace University School of Law in cooperation with the New York Municipal Insurance Reciprocal and the New York State Planning Federation.
- B. During each calendar year following the year in which Planning Board members have satisfied the training requirements set forth in Subsection A above, each such member shall be required to complete training in accordance with the requirements of Subdivision 7-a of § 271 of the Town Law of the State of New York.
[Amended 2-20-2007 by L.L. No. 3-2007]
- C. The costs of training pursuant to this section shall be a Town charge for which members of the Planning Board shall be reimbursed for the cost thereof, provided that such costs have been approved in advance by the Town Board.
- D. Noncompliance by a member of the Planning Board with the training requirements of this section shall constitute proper and sufficient cause for removal of such member from office pursuant to Subdivision 9 of § 271 of the Town Law. However, the failure of a member of the Planning Board to obtain the required training shall not, in the absence of Town Board action, affect such member's appointment to serve on the Planning Board, or his or her authority to entertain and vote on applications, or the validity of his or her acts as a Planning Board member.