



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: MARCH 3, 2025

TIME: 6:00 P.M. PUBLIC HEARING

6:30 P.M. REGULAR MEETING

FRANK DEMAYO, SUPERVISOR

VINCENT MCPHILLIPS, COUNCILMEMBER

LAURIE DUTCHER, TOWN CLERK

JOHN LENNON, COUNCILMEMBER

DEAN FARRAND, COUNCILMEMBER

BRUCE DAVIDSON, COUNCILMEMBER

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

PLEDGE OF ALLEGIANCE

6:00 P.M. PUBLIC HEARING –PLANNED UNIT DEVELOPMENT (PUD)

CORRESPONDENCE

INCOMING:

1. Correspondence from the NYS DEC regarding the Annual Compliance Inspection for Loomis Wastewater Treatment Plant.

OUTGOING:

NEW BUSINESS

1. Motion authorizing Delaware Engineering to apply for a NYSDEC WQIP Grant for water up to 10 million dollars.
2. Motion authorizing a 30¢ per hour increase for Jeremy Knack & Dylan Peters effective 2/21/25 for receiving their Water System Operator licenses.
3. Motion ending the use of Matthew McArthur's Water System Operator license effective 3/3/25.
4. Motion authorizing the Supervisor to execute agreement with Legion Fireworks Co., Inc. in the amount of \$11,000. for the July, 2025 fireworks.
5. Motion approving the following minutes as submitted by the Town Clerk:
 - Monthly Worksession Mtg. 1/6/25
 - Reg. Mtg. 2/3/25
 - Reg. Mtg. 2/19/25



TOWN OF LIBERTY

NEW YORK

6. Motion directing the Town Attorney to draw up Capital Reserve resolution for the mobilization/De-mobilization, removal of pump and motor and replacement of new pump & existing motor at the Sherwood & Roth Wells in the amount of \$19,885.00 from Subsurface Technologies w/ a possible additional cost of \$6,910 if existing motor needs replacement, to be taken out of the Stevensville Water District Capital Reserve Fund.
7. Motion approving the Mobilization/De-Mobilization and Aqua Gard Service for the Sherwood & Roth Wells by Subsurface Technologies in the amount of \$13,550.00 to be expended from the Stevensville Water District.
8. Motion naming the Town of Liberty as lead agency for the purpose of SEQR for the Parksville O&W Rail Trail Connection Project.
9. Motion updating SEQR for the Parksville O&W Rail Trail Connection Project.
10. Motion authorizing the Supervisor to request State Assembly Discretionary Funding in the amount of \$125,000 for the tennis / pickleball courts at Hanofee Park.

DISCUSSION

1. Climate Smart Communities

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. Delaware Town/Village Water Sewer Study
4. Walnut Mt. Pavilion

PUBLIC PARTICIPATION

BOARD DISCUSSION

ADJOURN

TOWN OF LIBERTY
NOTICE OF PUBLIC HEARING ON PROPOSED LOCAL LAW

PLEASE TAKE NOTICE that there has been introduced before the Town Board of the Town of Liberty in the County of Sullivan and State of New York, introductory Local Law No. 1 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.” The proposed 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 new Summary of Procedures section to provide an overview of the entire review process and to accompany the detailed regulations of this section of the zoning law.

The Town Board has designated itself as Lead Agency for purposes of environmental review pursuant to the State Environmental Quality Review Act (SEQRA) and classified the local law as a Type I Action pursuant to the SEQRA for which a full environmental assessment form will be prepared.

A copy of the aforesaid local law is on file with the Town Clerk of the Town of Liberty, New York, where the same may be examined.

PLEASE TAKE FURTHER NOTICE that, pursuant to §20 of the Municipal Home Rule Law, a public hearing will be held on the aforesaid local law before the Town Board of the Town of Liberty, at the Liberty Senior Center, 119 North Main Street, Liberty, New York, at 6:00 p.m. prevailing time, on March 3, 2025, at which time all interested persons will be heard.

Dated: February 4, 2025

HON. LAURIE DUTCHER, Town Clerk

No to the PUD!!!!

From Stacey Rodkin <staceyzrodkin@gmail.com>
Date Mon 2/24/2025 6:25 PM
To l.dutcher@townofliberty.org <l.dutcher@townofliberty.org>

I cannot attend the hearing on March 4th. I am a lifelong three season resident of Swan Lake and come from a Swan Lake/Liberty family of hoteliers since the 1930's. Please vote No to PUD!!!!!! You know all the reasons why this will hurt our community.

Thank you,

--

Stacey Z. Rodkin, JD, CMC
4845 State Route 55
Swan Lake, NY 12783



**Department of
Environmental
Conservation**

KATHY HOCHUL
Governor
SEAN MAHAR
Interim Commissioner

SENT VIA EMAIL ONLY
supervisordemayo@townofliberty.org

February 14, 2025

Attn.: Supervisor Frank DeMayo
Town of Liberty
120 North Main Street
Liberty, NY 12574

Re: Annual Compliance Inspection
Loomis Wastewater Treatment Plant
Town of Liberty, Sullivan County
SPDES Permit No.: NY0030261

Dear Supervisor DeMayo:

On February 12, 2025, a comprehensive compliance inspection of the above referenced facility was performed to evaluate compliance with the State Pollutant Discharge Elimination System (SPDES) Permit and Article 17 of the Environmental Conservation Law (ECL). Please refer to the attached Wastewater Treatment Facility Inspection Form and note the satisfactory rating.

Your cooperation in operating and maintaining this facility, complying with the SPDES Permit, and the protection of New York's waters is appreciated. Should you have any questions, please contact me at 845-256-3162 or Stephen.Monteverde2@dec.ny.gov.

Sincerely,

Stephen Monteverde
Stephen Monteverde
Environmental Program Specialist 1

cc: Manju Cherian, P.E., Regional Water Engineer, NYS DEC
Wayne Banks, Chief Operator, Town of Liberty Water and Sewer

Division of Water

21 South Putt Corners Road, New Paltz, NY 12561 | dec.ny.gov |
stephen.monteverde2@dec.ny.gov | (845) 256-3162

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
DIVISION OF WATER
MUNICIPAL WASTEWATER TREATMENT FACILITY INSPECTION



Department of
Environmental
Conservation

Violations of 6 NYCRR Part 750 are subject to applicable civil, administrative, and criminal sanctions set forth in ECL Article 17 and as appropriate, the Clean Water Act.
 This form is a record of conditions which are observed in the field at the time of inspection and documentation of compliance with Part 750.

Facility Name, Address, Phone Number(s): Loomis Wastewater Treatment Plant, Route 52 (between Loomis Road and Lake Marie Road) Liberty, NY 12754						
Permittee Name, Address, Phone Number(s): Town of Liberty, 120 North Main Street, Liberty, NY 12754, (845) 292-5620						
Permittee/LRP E-mail: supervisordemayo@townofliberty.org		Municipality (C/T/V): Liberty (T)		County: Sullivan	SPDES Number: NY 0030261	DEC Region: 03
Inspector's Name and Title: Stephen Monteverde, Environmental Program Specialist 1 Date: 2/12/2025						
Facility Representative(s) and Company(ies): Wayne Banks, Plant Operator, w.s.dept@townofliberty.org Time: 10:05 AM						
Name and Class of Receiving Water: Tribs to Swan Lake (Loomis Creek), Class B(T) Weather: Cloudy						
Inspection Type: COMPREHENSIVE		ANNOUNCED		Overall Inspection Rating: SATISFACTORY		
CODES: S = Satisfactory M = Marginal U = Unsatisfactory F = Follow-up NR: Not Rated NA: Not Applicable NI = Not Inspected						

A. Facility Description / General:

Rating	Item:	Comments	Citation/ Reference	F
1. S	A copy of SPDES permit available on-site?		Part 750-2.1	<input type="checkbox"/>
S	(a) Permit valid or expired (Date if expired)?	Expires 11/30/2026.	Part 750-2.1	<input type="checkbox"/>
2. S	Are all outfall discharge points permitted?		Part 750-1.12	<input type="checkbox"/>
3. NA	Notified DEC of new/modified discharges?		Part 750-1.12	<input type="checkbox"/>
4. S	Housekeeping (Office/grounds/lab)?		Part 750-2.8	<input type="checkbox"/>
5. S	Flow metering (Types/location/calibration)?		Part 750-2.5	<input type="checkbox"/>
6. S	Odor complaints/issue? (If any odor issues, dates/corrective actions)		Part 750-2.8	<input type="checkbox"/>
7. S	Noise complaints/issue? (If any noise issues, dates/corrective actions)		Part 750-2.8	<input type="checkbox"/>
8. S	WTCs used/records properly maintained?		Part 750-2.5	<input type="checkbox"/>
9. NA	Nearby water supply(concerns)?		Part 750-2.8	<input type="checkbox"/>
10. NR	Other (Specify)?	Plant saw approx. 20,000 gallons of flow over the last 24 hours from the inspection.		<input type="checkbox"/>

Click Left Button to Clear the Form

B. Collection System / Pump Station:			<input type="checkbox"/> NI <input type="checkbox"/> NA	
100	% Separate,	0	% Combined.	Population of collection system: 30 accounts: 3 trailer parks Miles of Pipe:
Number of pump stations in system:			Number pump stations inspected:	
Rating	Item:			F
1. S	Sewer overflows upstream of the plant? If any CSO/SSO (List reason/location)	None.		Part 750-2.8
2. S	Unpermitted overflows/bypasses inside the plant since last inspection? (If any, list date/corrective action)	None.		Part 750-2.8
3. S	Date when overflow/bypass channel used?	None. No bypass ability available. Only RBCs can overflow to sand beds - no valve.		Part 750-2.8
4. NA	Any other in plant bypass designed for WWTP? (a) List bypass frequency (Times per year). (b) List average duration of bypass (Hours).	None.		Part 750-2.8
5. S	CSO/SSO reported via NY-Alert/corrective action?	None		Part 750-2.7
6. S	CSO/SSO routinely inspected?	None.		Part 750-2.8
7. S	Infiltration/Inflow (I/I) (Present)?	Flow will spike during heavy rain. Sand beds my experience infiltration; two are valved.		Part 750-2.9
8. NR	I/I corrective actions? (TV/lining/sealing/replacement/inspections)	MHPs and private communities contribute to I/I. I/I not within sewers maintained by Town.		Part 750-2.9
9. M	Collection system inspection program?	Collection system could benefit from inspection.		Part 750-2.8
S	(a) Pump station inspection program?			Part 750-2.8
10. S	BMP/Wet Weather Plan (Date/reviewed)?			Part 750-2.9
11. S	Sewer Use Ordinance (SUO) (Date/copy)?			Part 750-2.9
12. S	Are all pump stations operational? (Backup/SCADA/telemetry/monitoring) (a) No. pumps operational (Dry/wet weather)?	Manual restart. PLC is installed and can automate some functions.		Part 750-2.8
13. S	Backup/spare pumps/parts available?			Part 750-2.8
14. M	Other (Specify)?	TAM to fix and provide electrical upgrade to pump stations in district.		

C. Industrial Waste/Pretreatment:		<input type="checkbox"/> NI	<input type="checkbox"/> NA
Rating	Item:	F	
1.	Mini program required by SPDES permit?	Part 750-2.9	
2.	Industrial waste discharge permits issued?	Part 750-2.9	
3.	Industrial waste accepted (Problems)?	Part 750-2.8	
4.	Outside septage accepted (Problems)?	Part 750-2.8	
5.	Monitoring reqd./available for hauled waste?	Part 750-2.5	
6.	Other (Specify)?		
D. Preliminary/Primary Treatment:		<input type="checkbox"/> NI	<input type="checkbox"/> NA
Rating	Item:	F	
1. S	Influent pumps/wet wells/SCADA?	Collection system influent enters from two locations, by gravity and pump station. Part 750-2.8	
NA	(a) Corrosion observed?	Part 750-2.8	
2. NA	Screens/Comminutor?	Part 750-2.8	
	(a) No./type/cleaning method (Auto/manual)?	Part 750-2.8	
3. NA	Screenings/Grit removal (records)?	Part 750-2.5	
4. NA	Flow equalization present/needed?	Part 750-2.8	
5. U	Settling/Septic tanks?	Automated valve for phase 2 clarifier is currently broken. Manual valve used to drain sludge. Part 750-2.8	
6. S	Sludge depth in primary clarifiers?	Part 750-2.8	
7. NA	Condition of primary clarifier effluent?	Part 750-2.8	
8. U	Other (Specify)?	Phase 1 clarifier also needs repairs. ✓	
E. Secondary Biological Treatment:		<input type="checkbox"/> NI	<input type="checkbox"/> NA
Rating	Item:	F	
1. NA	Fixed film/Suspended growth? (Specify recycle rate)	Part 750-2.8	
2. S	Rotating Biological Contactors? (Specify shaft weight/flow)	Part 750-2.8	
3. NA	Activated sludge/MBR/SBRs?	Part 750-2.8	

4. S	Foaming/filamentous issues?		Part 750-2.8
5. NA	Stabilization Ponds/Lagoons?		Part 750-2.8
6. NA	Sand filter (recycle rate) ?		Part 750-2.8
7. NR	Process control values?	Performed at Swan Lake SD Plant. pH tends to maintain a lower range near the 6.5 lower limit.	Part 750-2.8
8. NA	Other(Specify)?		

F. Secondary Clarifier:		
Rating	Item:	<input type="checkbox"/> NI <input checked="" type="checkbox"/> NA
1.	Foam/solids/grease present on surface?	
2.	Tank/weir cleaning date & weir level?	
3.	Denitrification/gas bubbles on surface?	
4.	Sludge blanket depth & RAS/WAS rates?	
5.	Scum arm condition?	
6.	Secondary effluent quality?	
7.	Loss of solids reported/observed? Other	
8.	(Specify)?	

G. Tertiary Treatment:		
Rating	Item:	<input type="checkbox"/> NI <input checked="" type="checkbox"/> NA
1. S	Filtration (Specify type)?	Rehabilitated sand beds (4) surrounded by gravel channel to reduce infiltration.
2. NA	Microfiltration?	
3. NA	Activated carbon adsorption?	
4. NA	Nitrification?	
5. NA	Denitrification?	
6. NA	Post-aeration?	
7. NA	Phosphorus removal?	
8. NA	Other (i.e. Polishing ponds, Ammonia stripping, etc.) (Specify)?	

H. Disinfection:			<input type="checkbox"/> NI	<input type="checkbox"/> NA
Rating	Item:		F	
1. NA	Chlorination/Dechlorination type (Gas/Liquid/Solid)? (Dose/feed pump settings)		Part 750-2.8 <input type="checkbox"/>	
2. NA	Chlorine monitoring (Level)?		Part 750-2.8 <input type="checkbox"/>	
3. S	Ultraviolet (UV) light (Setting)?	UV treatment, upgraded two years ago. Two UV banks.	Part 750-2.8 <input type="checkbox"/>	
4. NA	Other (Specify)?			

I. Final Effluent:			<input type="checkbox"/> NI	<input type="checkbox"/> NA
Rating	Item:		F	
1. NA	Polishing pond (Odor/foam/solids/algae)?		Part 750-2.8 <input type="checkbox"/>	
2. S	Effluent quality (Odor/turbidity/color)?	Good.	Part 750-2.8 <input type="checkbox"/>	
3. S	Receiving water condition(Up/downstream)	Land application to Loomis Creek.	Part 750-2.8 <input type="checkbox"/>	
4. S	Outfall sign at each discharge point?		Part 750-1.12 <input type="checkbox"/>	
5. NA	Other (Specify)?			

J. Sludge Handling:			<input type="checkbox"/> NI	<input type="checkbox"/> NA
Rating	Item:		F	
1. S	Sludge disposal? (List name and loc. of disposal sites/hauler)	TAM Enterprises 3A-813.	Part 750-2.8 <input type="checkbox"/>	
2. S	Digestion (Functioning properly/type)?	Digesters (2), 10,000 gallons each, are pumped down every 6 months to avoid short cycling.	Part 750-2.8 <input type="checkbox"/>	
3. NR	Sludge pumps?		Part 750-2.8 <input type="checkbox"/>	
4. S	Sludge Dewatering (Type)?	Manually pumped.	Part 750-2.8 <input type="checkbox"/>	
5. NR	Maintenance of sludge pumps ?	Every two years.	Part 750-2.8 <input type="checkbox"/>	
6. S	Records available for disposal practices?	Liberty W&S Department waste transport permit. 3A-677.	Part 750-2.5 <input type="checkbox"/>	
7. S	Other (Specify)?	Digester tanks cannot decant but they are aerated.		

K. Sampling Evaluation and Lab Information:			<input type="checkbox"/> NI	<input type="checkbox"/> NA
Rating	Item:		F	
1. S	Written sampling plan? (Plan being followed)?	Yes. Posted in office at Swan Lake SD STP.	Part 750-2.5	
2. NA	Need to modify sampling frequency/types? (Explain)		Part 750-2.5	
3. S	Samples collected at specified locations?	Post UV at outfall and auto sampler at influent.	Part 750-2.5	
4. S	Adequate for representative sample?		Part 750-2.5	
5. S	Automatic sampler used? (Condition)	Auto sampler collection every 2 hours, for 24 hours.	Part 750-2.5	
6. S	Type of samples collected (Grab/composite)?	All day, timed composite.	Part 750-2.5	
7. S	If composite, minimum of 8 grab samples?	Fecal grab samples.	Part 750-2.5	
8. NA	Permittee ELAP certified? (If yes, provide ELAP certificate #)		Part 750-2.5	
9. S	Is the commercial laboratory ELAP certified? (List lab name, address and ELAP cert. #)	Sullivan County Labs. ID No.: 12081	Part 750-2.5	
10. S	EPA-approved testing procedures followed?	Yes.	Part 750-2.5	
	Testing done for all parameters as required?	Yes.	Part 750-2.5	
11. NA	WET (Whole Effluent Toxicity) testing?		Part 750-2.5	
12. S	Instrumentation calibrated & maintained?	Yes.	Part 750-2.5	
13. S	Daily calibration, log books maintained?	Yes.	Part 750-2.5	
14. S	Lab supplies are not expired? (Date if expired)	Yes.	Part 750-2.5	
15. S	Are lab records retained at facility?	Yes.	Part 750-2.5	
16. S	Is process control testing performed? (Discuss target values)	Daily.	Part 750-2.5	
17. NA	MLSS for day/week/month?		Part 750-2.8	
18. NA	SVI for day/week/month?		Part 750-2.5	
19. NA	Microscopic analysis of MLSS?		Part 750-2.5	
20. NA	5/30 minutes settleometer (Day/week/month)?		Part 750-2.5	
21. S	Monitoring records kept minimum 5 years?		Part 750-2.5	
22. S	Flow records maintained (Influent/effluent)?		Part 750-2.5	
23. NA	Other (Specify)			

L. Operation and Maintenance (Additional Info.):			<input type="checkbox"/> NI	<input type="checkbox"/> NA
<u>Rating</u>	<u>Item:</u>		F	
1. S	Preventive maintenance plan (Method)?	Monthly inspections and alarm tests.	Part 750-2.5	
2. S	Records of maintenance/repair cost maintained (Method)?	Maintenance records held at Swan Lake SD Office.	Part 750-2.5	
3. S	Spare parts inventory?	At Swan Lake SD.	Part 750-2.8	
4. S	Current O&M manual?	Three manuals, same as Swan Lake SD STP.	Part 750-2.8	
5. S	O & M manual maintained?		Part 750-2.5	
6. S	Organizational chart for O &M staff?	Jonathan McGibbon and Wayne Banks, specified duties chart on-site.	Part 750-2.5	
7. S	Alarm systems (List)?	Century auto alarm	Part 750-2.8	
8. S	Back-up power (Exercised)?	Generator tests on Mondays and only powers the RBCs. Portable used otherwise.	Part 750-2.8	
9. S	Unapproved bypass during power failure (If any, date/corrective action)		Part 750-2.8	
10. S	Written back-up power emergency plan?		Part 750-2.8	
11. S	All required treatment units in service during back-up power use?		Part 750-2.8	
12. S	Hydraulic/organic overloads?	None. Plant can handle flows and receives only gray water.	Part 750-2.8	
13. S	Schedule for removing critical equipment from service for routine maintenance?	Town staff conduct maintenance as needed. Grease and oil for units.	Part 750-2.8	
14. S	Safety railings/gratings in place/good condition?		Part 750-2.8	
15. S	Lights, ventilation operational (Wet wells)?		Part 750-2.8	
16. S	As-built plans for collection system /WWTP?	Swan Lake SD main office has all plan sets.	Part 750-2.5	
17. S	Other (Specify)?	Generator recently serviced.		
M. Staffing / Personnel Information:			<input type="checkbox"/> NI	<input type="checkbox"/> NA
<u>Rating</u>			F	
1. S	Staffing adequate?		Part 650	
2. S	Certification/grade adequate?		Part 750-2.8 & Part 650	
3. S	Plant score and grade?		Part 750-2.8	

4. <input type="checkbox"/> S	Chief operator name, Grade, Cert. #, Exp?	Wayne Banks, 2A, #13181, exp. 9/01/2026.	<input type="checkbox"/> & Part 650 <input type="checkbox"/> Part 750-2.8 <input type="checkbox"/> & Part 650
5. <input type="checkbox"/> S	Asst. operator Name, Grade, Cert. #, Exp?	Jonathan McGibbon, 2A #14290, exp. 4/1/2026.	<input type="checkbox"/> Part 750-2.8 <input type="checkbox"/> & Part 650
6. <input type="checkbox"/> S	WWTP responsible for collection system?	Yes.	<input type="checkbox"/> Part 650
7. <input type="checkbox"/> S	Operators responsible for water supply?	Yes.	<input type="checkbox"/> Part 650
8. <input type="checkbox"/> S	Is Chief Operator present at the WWTP as per required guideline?	Yes.	<input type="checkbox"/> Part 650
9. <input type="checkbox"/> S	Is certified WWTP operator present at the plant as per required guideline?	Yes.	<input type="checkbox"/> Part 650

N. Fiscal: NI NA

How sewer rates are assessed (Flat vs metering)? Town Board

How is the plant budget developed? Town Maintained

Asset Management Plan (AMP)? Town Maintained AMP Prepared/Date? Plans to update AMP?

Is AMP used to assess/prioritize critical system components?

Compliance Status (Orders, Schedules, etc.):

Comments:

Photographs attached: _____

Attachments (graphs, diagrams, etc.): _____

DMR Issues: _____

SPRTK Issues: _____

NetDMR Issues: _____

Stephen Monteverde

Stephen Monteverde	2/14/2025
Inspector's Signature / Date	

STATE OF NEW YORK
DEPARTMENT OF HEALTH



This is to certify that:

Jeremy R. Knack

possesses the qualifications prescribed by Subpart 5-4 of the State Sanitary Code, for the following grades of Water System Operator; IIB-GW or SW with Filtration Avoidance Plant, D-Distribution System

<i>Certificate Number</i>	<i>Expiration Date</i>	<i>Issuance Date</i>
NY0044084	2/29/2028	2/21/2025

Important: Display this document as proof of your qualifications to operate a water system for the above referenced grade.

Tina Hunt
**Tina Hunt, P.E., Assistant Director
Bureau of Water Supply Protection**

STATE OF NEW YORK
DEPARTMENT OF HEALTH



This is to certify that:

Dylan J. Peters

possesses the qualifications prescribed by Subpart 5-4 of the State Sanitary Code, for the following grades of Water System Operator; IIB-GW or SW with Filtration Avoidance Plant, D-Distribution System

<i>Certificate Number</i>	<i>Expiration Date</i>	<i>Issuance Date</i>
NY0044083	2/29/2028	2/21/2025

Important: Display this document as proof of your qualifications to operate a water system for the above referenced grade.

**Tina Hunt, P.E., Assistant Director
Bureau of Water Supply Protection**



Legion Fireworks Co., Inc.
10 Legion Lane Wappingers Falls, NY 12590
(845)831-8328

THIS CONTRACT AND AGREEMENT for the sale of fireworks made and concluded **2/25/2025**,
by and between **Legion Fireworks Co., Inc.** (*Legion*) and **The Town of Liberty** (*Sponsor*).

WITNESSETH: for and in consideration of the sum of One Dollar, each to the other in hand receipt of which is hereby acknowledged, and of the terms and conditions hereinafter mentioned, Legion and the Sponsor do actually and severally agree to perform their several covenants and to guarantee terms, conditions and payments of this contract.

Legion agrees to sell and furnish unto the Sponsor, a Fireworks Display in accordance with a program proposed and agreed upon at the time of the signing of this agreement, said Fireworks to be furnished for display on the following dates:

7/4/2025 Rain Date: _____

Legion agrees to furnish unto the Sponsor experienced professional display operators to present the said display, said display operators to be agents of Legion and to act under instructions and directions of the Sponsor. Legion shall also provide display liability in the amount of \$5 Million dollars coverage (combined single limit) for protection against claims of bodily injury or property damage arising solely out of the operators of Legion.

The Sponsor agrees to procure and furnish, in accordance with Local or State Law, a suitable place to display the said fireworks. The Sponsor also agrees to secure all police, Fire, Local and State permits, and to arrange for any security bonds if required by Law in their community. In the interest of safety and to prevent: damage to fireworks, claims of alleged negligence, or injury to it's reputation; Legion reserves the right to determine inclement weather conditions which will prevent the giving of said display. The sponsor shall always have the right to postpone to a rain date ONLY ON condition of inclement weather. In the event a rain date is declined by the sponsor at the time of the signing of this agreement, the sponsor agrees to pay Legion a cancellation fee amounting to fifteen (15%) percent of the display price stated below. Said fee shall be for reimbursement to Legion for expenses incurred with display preparation, equipment rentals and display operator labor. The Sponsor agrees to furnish necessary Police and Fire protection, including crowd control and auto parking.

It is further agreed the Sponsor will provide a continuous barricade, rope line or snow fence to establish an ash fallout zone between spectators, parked automobiles or dwellings; and the place of discharge of fireworks. The only authorized persons in the fallout zone during the display shall be the professional display operators furnished by Legion. The Sponsor agrees to keep the fallout zone free of all persons during and immediately after the display to facilitate inspection for any dud fireworks by the display operators. Until the display site has been thoroughly inspected and cleaned, the Sponsor agrees to take all necessary precautions to guard and prevent persons from entering the display site area. The Sponsor hereby agrees to indemnify and hold harmless Legion from any personal injuries or property damage which result from the Sponsors failure to perform the obligations set forth in this paragraph.

The Sponsor agrees to pay Legion or it's duly authorized agent for collection, the sum of **\$11,000.00** dollars said fireworks display. Payments to be made as follows: **\$11,000.00 Due immediately following the display.**

In the event of late payment, the Sponsor agrees to pay Legion a finance charge of Two (2%) percent per month on the unpaid balance. All payments shall be made by draft or certified check payable to the order of Legion Fireworks Co., Inc. unless otherwise specified and authorized in writing. Should Sponsor fail to pay to Legion the agreed upon contract price as specified above, as and for Legion's services, the Sponsor hereby agrees to pay any and all reasonable attorney's fees incurred as a result of collecting any and all sums due and owing pursuant to this agreement and further agrees to pay all disbursements, including but not limited to filing fees, process serving fees, investigative fees, and any other reasonably incurred disbursements and/or expense made in connection with the collection of monies due and owing Legion pursuant to this agreement. It is further agreed by the Sponsor that in the event of a lawsuit initiated for the purpose of collecting the agreed upon contract price as set forth in this agreement, the sponsor hereby waives any and all counter-claims and/or defenses thereto.

This contract shall not be construed to create a partnership between the parties or persons mentioned herein.

In the event of fire, accident, strikes, delay, flood, act of God or government or other causes beyond the control of Legion which prevent the delivery of said materials, the parties hereto release each other from any and all performances of the covenants herein contained and from damages resulting from breach thereof.

IN WITNESS WHEREOF, WE SET OUR HANDS AND SEALS TO THIS AGREEMENT IN DUPLICATE THE DAY AND YEAR FIRST ABOVE WRITTEN.

ATTEST: LEGION FIREWORKS CO., INC.

SPONSOR:

Roberta A. Theiss

Roberta L. Theiss, President

Signature

Print Name / Title

TOWN OF LIBERTY MONTHLY WORKSESSION MEETING
119 NORTH MAIN STREET, LIBERTY, NY 12754
DATE: 1/6/25
TIME: 10:00 A.M.

At the Monthly Worksession Meeting between the Town Board and Dept. Heads of the Town of Liberty held on 1/6/25 at 10:00 a.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:

Denise Curry Court Manager
Matt DeWitt Highway Superintendent
Cheryl Gerow Finance Director
Joanne Gerow Dog Control Officer
James Guara Park & Recreation Director
Damon Knack Water & Sewer Foreman
Tammy Wilson Building Dept.
Sunsoree Young Assessor

PLEDGE OF ALLEGIANCE

ASSESSOR-No Report

CEO/BUILDING DEPARTMENT –No Report

COURT

2024	Dec					
V&T Appearances	0					
Criminal Appearances	266					
Ordinance Appearances	18					

TOWN OF LIBERTY MONTHLY WORKSESSION MEETING
 119 NORTH MAIN STREET, LIBERTY, NY 12754
 DATE: 1/6/25
 TIME: 10:00 A.M.

Civil Appearances	9					
Total Fines Collected	\$44,989.50					
Total Fines to Town	Not available					
Total Fines to Village	Not available					

DCO- No report

FINANCE

1. Notified Employees of Health Insurance deductions for 2024
2. Processed Health Insurance Buyout, Longevity and three regular payrolls
3. Met with Cooper and Arias and supplied various information to begin 2024 audit
4. Began year-end preparation
5. Prepped for beginning of year procedures
6. Submitted final payment request to EFC for Stevensville Water in the amount of \$2,163.45. Total requested and received to date is \$1,872,186.09
7. Submitted payment request to EFC for Swan Lake Sewer in the amount of \$28,009.13. Total requested and received to date is \$605,080.32.
8. Began compiling information for form 1095C
9. Submitted Occupational Employment and Wage Statistics Report to New York State
10. Provided Employers Statement of Wage Earnings for Workers Compensation Claim that has been settled
11. Began compiling and converting data for OpenGov
12. All other daily duties and responsibilities

HIGHWAY—No Report

PARK & RECREATION

TOWN CLERK

Highway Fees	Road Access Permit		
Conservation	Conservation		
Marriage Licenses	Marriage Licenses	2	35.00
Permits	Refuse Collection	17	1650.00
	Sewer Permit		
	Towing Licenses		
	Firework Permit		
	Peddler's Permit		
Small Sales	EZ Pass	12	300.00
	Notary Fees	35	70.00

TOWN OF LIBERTY MONTHLY WORKSESSION MEETING

119 NORTH MAIN STREET, LIBERTY, NY 12754

DATE: 1/6/25

TIME: 10:00 A.M.

	Marriage Certificate	3	30.00
	Photocopies	208	52.00
	Misc (Returned Check Fee)		
Building	Certified Mailings		
Dog Licensing	Female, Spayed	2	18.00
	Female, Unspayed	1	12.50
	Male, Neutered	2	18.00
	Male, Unneutered	2	25.00
	Purebred		
	Senior	1	-5.00
	Exempt Dogs		
	Replacement Tags		
	Boarding Fees		
	Redeemed Dog (1)	2	150.00
	Redeemed Dog (2)		
	Redeemed Dog (3)		
	Reimbursement of Expenses	2	50.00
Building	Variance		
	Lot Improvement		
	Special Use	3	900.00
	Junk Yard		
	Subdivision	1	300.00
	Building Inspections Public Assembly	1	75.00
	Building Inspections Multi-family	2	290.00
	Building Permit	24	30826.00
	Commercial Establishment Inspection	2	150.00
	Fire inspectors	4	410.00
	Municipal search	20	2000.00
	Reimbursement of Expenses		
	Firework Permit		

TOWN CLERK

1. Processed 56 Death & Birth Certificates
2. Entered the Dental & Vision additions & deletions from retired employees.
3. Completed the 239 Review for LL #1 of 2025 and sent to the Planning Department at the County & sent to the Village.

TOWN OF LIBERTY MONTHLY WORKSESSION MEETING
119 NORTH MAIN STREET, LIBERTY, NY 12754
DATE: 1/6/25
TIME: 10:00 A.M.

4. Advertised in the Sullivan County Democrat for Professional Services Request for Qualifications for engineering services work associated with the Liberty Business Park (Old Rt.17 Corridor) with a due date of 1/22/25.
5. Advertised in the Contract Reporter for the RFQ's for engineering services work associated with the Liberty Business Park (Old Rt. 17 Corridor) with a due date of 1/22/25.
6. Updated the Elected & Appointed Officials for 2025
7. (4) Agendas
8. (3) Sets of Minutes
 - Preparation for Tax Collection
 - Working with M&T Lockbox
 - Working with ATC
 - Picked up & reviewed Tax Warrant
 - Waiting for bills to become available
9. Processed Life Ins. Claim for Luther Hasbrouck
10. Sent Litigation Claim to Marshall & Sterling.
11. Performed several Oaths of Offices
12. Along with all other work that is listed on the Town Clerk's BAS report.
13. The Town Clerk's Office also brought in a new revenue stream-Notary Public
 - 535 Notarizations
 - \$1,216.00
14. The Town Clerk's Office took in **\$289,874.35** in 2024
15. The Tax Collector's Office took in **\$12,442,436.88** in 2024

GRANT UPDATE

TOWN OF LIBERTY MONTHLY WORKSESSION MEETING

119 NORTH MAIN STREET, LIBERTY, NY 12754

DATE: 1/6/25

TIME: 10:00 A.M.

Project Description	Award	Disbursed	Balance	Notes
FAST NY - ESD - W&S Infrastructure Old 17 Molinaro Federal	\$20,028,000.00 \$1,000,000.00	\$0 \$0.00	\$20,028,000.00 \$1,000,000.00	Awarded 10/29/24 - Water and Sewer infrastructure to IC Zone Federal for engineering
Total Project Funds:	\$21,028,000.00		\$21,028,000.00	
Restore NY V - ESD - Parksville Revitalization 857 Parksville Rd 32 Main St.	\$121,466.00 \$157,000.00	\$121,466.00 \$75,520.50	\$0.00 \$81,479.50	Project # 131788 - Inherited grant 1/1/2020. Removed 19 Main issued new GDA for 857 and 32 857 Parksville Rd - Finsihed Rehab - Final Payout approves 1/26/23 Final Payment Request Submitted 8/24 - Under review by OCSD as of 1/2/24
Total Project Funds:	\$278,466.00	\$196,986.50	\$81,479.50	
Restore NY VI - ESD - Parksville Revitalization 29 Main St 30 Main St 39 Main St	\$320,000.00 \$128,000.00 \$352,000.00	\$0.00 \$0.00 \$0.00	\$320,000.00 \$128,000.00 \$352,000.00	Project # 135611 awarded 1/30/23 - GDA signed Secured loan to begin Rehab work Secured loan to begin rehab work
Total Project Funds:	\$800,000.00		\$800,000.00	
Restore NY VII - ESD- Green Building VOL	\$1,150,000.00	\$0.00	\$1,150,000.00	Project # 135959 - Awarded 6/5/23 - Work has commenced - Draft Materials and ESD Board Approval 11/24. Waiting to sign GDA
Restore NY VIII - ESD - Parksville Main Rev 2 29 Main 2 Main	\$350,000.00 \$300,000.00	\$0.00 \$0.00	\$350,000.00 \$300,000.00	Project # - Awarded 8/16/24 Final budgets submitted waiting for Draft Materials and ESD's Public Hearing and Board App
Total Project Funds:	\$650,000.00		\$600,000.00	
SAM - Project 11661 - Walnut Mtn Bathrooms	\$50,000.00	\$0.00	\$50,000.00	Extension granted until 1/10/25 - will need another ext
SAM - Project 15645 - Town Hall Roof	\$100,000.00	\$0.00	\$100,000.00	Scope change appoved 8/24 - SAM paperwork sumbited 10/25/24 waiting on feedback DASNY would like new estimate of scope of roof repairs
SAM - Project 17040 - Pavilion	\$250,000.00	\$25,089.66	\$224,910.34	Project # 17040 - Inherited 1/1/2020 - Extension requested 9/18/24, granted until 7/1/25 Two Sites picked - need board approval on location to move forward
Sullivan 180 - Creekside Park Extension	\$50,000.00	\$0.00	\$50,000.00	Funds Available - Extension granted by Sullivan 180 until 7/1/25
Sullivan 180 - Public Basketball Court Sullivan 180 Funds Liberty Properties	\$100,000.00 \$90,000.00	\$0.00 \$0.00	\$100,000.00 \$90,000.00	Awarded 11/23 Funds Available - Meet Dan Ratner / Boces had contract through sport court possible piggyback on that contract/
Total Project Funds:	\$190,000.00		\$190,000.00	
Parksville Rail Trail Extension DASNY Funds Stoddard Fund Municipal Match RTP Funds EPF Funds	\$250,000.00 \$100,000.00 \$50,000.00 \$250,000.00 \$500,000.00	\$0.00 \$0.00 \$0.00 \$0.00 \$0.00	\$250,000.00 \$100,000.00 \$50,000.00 \$250,000.00 \$500,000.00	Extension granted until 12/31/26
Total Project Funds:	\$1,150,000.00		\$1,150,000.00	
Sullivan County Signs Grant - Welcome signs	\$2,000.00	\$0.00	\$2,000.00	Modified agreement 4/24/23 to include 5 new welcome signs in hamlets Signs installed - Waiting on County to release funds
Total Grants Awarded	\$25,698,466.00			

The Town Board held a Work Session meeting to discuss various operational improvements and updates. The meeting will be held on the first Monday of every month at 10 a.m. The primary focus was on enhancing communication and efficiency within the town departments. Key topics included the introduction of building liaisons, the implementation of Microsoft 365 for better collaboration, and the adoption of OpenGov software to streamline processes and improve transparency. The board emphasized the importance of regular communication between department heads and their liaisons, suggesting weekly check-ins. They also discussed the need for training on new systems and the development of a comprehensive policy handbook. The meeting concluded with a commitment to ongoing improvements and open communication to better serve the public.

EXECUTIVE SESSION

The Town Board does hereby go into Executive Session at 11:03 a.m. to discuss personnel.

	Motion	Second	Aye	Abstain	No	Absent
			5			

TOWN OF LIBERTY MONTHLY WORKSESSION MEETING
119 NORTH MAIN STREET, LIBERTY, NY 12754
DATE: 1/6/25
TIME: 10:00 A.M.

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

OUT OF EXECUTIVE SESSION

The Town Board does hereby come out of Executive Session at 12:44 a.m.

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

ADJOURN

The Town Board does hereby adjourn the meeting at 12:44 a.m.

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

Respectfully submitted,

Laurie Dutcher, Town Clerk

TOWN OF LIBERTY BOARD MEETING
119 NORTH MAIN STREET, LIBERTY, NY 12754
DATE: 2/3/25
TIME: 6:30 P.M.

At the Regular Meeting of the Town Board of the Town of Liberty held on 2/3/25 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
Highway Superintendent Matt DeWitt
Finance Director Cheryl Gerow
Confidential Secretary Nick Rusin

PLEDGE OF ALLEGIANCE

CORRESPONDENCE

INCOMING:

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

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 Vincent McPhillips			X			
Councilmember John Lennon		X	X			

TOWN OF LIBERTY BOARD MEETING
 119 NORTH MAIN STREET, LIBERTY, NY 12754
 DATE: 2/3/25
 TIME: 6:30 P.M.

Councilmember Bruce Davidson			X			
------------------------------	--	--	---	--	--	--

NEW BUSINESS

PUBLIC HEARING CLOSED FOR THE PROPOSED INCREASE & IMPROVEMENT OF FACILITIES OF THE SWAN LAKE/BRISCOE RD. CONSOLIDATED SEWER DISTRICT

The Town Board of the Town of Liberty does hereby close the public hearing for the proposed Increased & Improvement of the Facilities of the Swan Lake/Briscoe Rd. Consolidated Sewer District.

	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 (2) TOWING LICENSES FOR WHITE SULPHUR GARAGE, INC.

The Town Board does hereby approve of (2) towing licenses for White Sulphur Garage, Inc.

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

APPROVAL OF THE 1/6/25 MINUTES AS SUBMITTED BY THE TOWN CLERK

The Town Board does hereby approve the 1/6/25 minutes as submitted by the Town Clerk.

	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			

RESOLUTION RESTRICTING THE MAXIMUM AMOUNT TO BE FINANCED BY LOAN FOR THE SWAN LAKE LAKE UPGRADE AND EXPANSION PROJECT TO \$15M.

TOWN OF LIBERTY BOARD MEETING
119 NORTH MAIN STREET, LIBERTY, NY 12754
DATE: 2/3/25
TIME: 6:30 P.M.

MOTION: Supervisor Frank DeMayo **SECOND:** Councilmember Dean Farrand

WHEREAS, the Town of Liberty owns and operates a sanitary sewer collection and treatment system on behalf of the Swan Lake Sewer District; and

WHEREAS, the Swan Lake treatment plant can no longer reliably maintain permit compliance, is unable to meet projected district needs, and has generally reached the end of its useful life; and

WHEREAS, the Town has identified a \$40M project that would upgrade the existing plant and expand its capacity from 0.425 MGD to 0.96 MGD; and

WHEREAS, in accordance with NYS Town Law 202b, the Town Board accepted the Map, Plan & Report (dated December 11, 2024) describing the project, the associated costs, and the cost to the typical property owner for payment on the debt service; and

WHEREAS, the Town Board is considering approval of a bond resolution for the project with an estimated maximum project cost of \$40M; and

WHEREAS, the Town has been notified that the project is currently eligible for up to \$11.4M in direct principal forgiveness, zero-interest on the first \$25M loan, and subsidized interest on the remaining \$3.6M; and

WHEREAS, the Town Board, after hearing from constituents and deliberation, has determined that annual debt payments on \$28M in financing is unaffordable to Sewer District users and expressed their intent to proceed with the full project if, and only if, total loan financing can be limited/reduced to \$15M or less; and

WHEREAS, the Town Board is pursuing several additional grant opportunities, and other means, to further lessen the financial impact to sewer district residents; and

WHEREAS, the Town is continuing to proceed with design, SPDES permitting, regulatory review and approval, and other necessary work with the intent to solicit for and receive construction bids in late 2025/early 2026; and

TOWN OF LIBERTY BOARD MEETING
119 NORTH MAIN STREET, LIBERTY, NY 12754
DATE: 2/3/25
TIME: 6:30 P.M.

WHEREAS, once bids are in hand, an updated budget has been prepared, and funding has been reviewed, the Board will consider moving forward with the project.

NOW, THEREFORE, BE IT:

RESOLVED, that on this 3RD day of February in the year 2025, the Town Board of the Town of Liberty hereby determines that:

- 1) The Town will, at a future date, decide to/not to proceed with the award of construction bids, project construction, and other necessary work with the understanding that the total loan financing be limited to a maximum of \$15M.

MOTION: Supervisor Frank DeMayo

SECOND: Councilmember Dean Farrand

Councilmember Bruce Davidson: AYE

Councilmember John Lennon: AYE

Councilmember Dean Farrand: AYE

Councilmember Vincent McPhillips: NO

Supervisor Frank DeMayo: AYE

The Motion is Adopted.

PRESENT:

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

In the

Matter of

the

TOWN OF LIBERTY BOARD MEETING
119 NORTH MAIN STREET, LIBERTY, NY 12754
DATE: 2/3/25
TIME: 6:30 P.M.

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 Dean Farrand
Seconded by: Supervisor Frank DeMayo

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

TOWN OF LIBERTY BOARD MEETING
119 NORTH MAIN STREET, LIBERTY, NY 12754
DATE: 2/3/25
TIME: 6:30 P.M.

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

TOWN OF LIBERTY BOARD MEETING
119 NORTH MAIN STREET, LIBERTY, NY 12754
DATE: 2/3/25
TIME: 6:30 P.M.

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

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 AYE

Councilman Dean Farrand voting AYE

Councilman Vincent McPhillips voting **NO**

Councilman John Lennon voting AYE

Councilman Bruce Davidson 7 voting AYE

TOWN OF LIBERTY BOARD MEETING
119 NORTH MAIN STREET, LIBERTY, NY 12754
DATE: 2/3/25
TIME: 6:30 P.M.

The Resolution and Order were declared adopted.

INTRODUCTION OF LOCAL LAW NO. 1 OF 2025 ENTITLED "PLANNED UNIT DEVELOPMENT"

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

ABSENT:

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

TOWN OF LIBERTY BOARD MEETING
119 NORTH MAIN STREET, LIBERTY, NY 12754
DATE: 2/3/25
TIME: 6:30 P.M.

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

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

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

BE IT FURTHER RESOLVED, that the Town Board hold a public hearing on the aforesaid local law at the Town of Liberty Senior Center, 119 North Main Street, Liberty, New York, at 6:00 p.m., prevailing time, on February 3, 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	AYE
Councilperson Dean Farrand	voting	AYE
Councilperson Vincent McPhillips	voting	<u>NO</u>
Councilperson John Lennon	voting	AYE
Councilperson Bruce Davidson	voting	AYE

The resolution was thereupon declared duly adopted.

TOWN OF LIBERTY BOARD MEETING
 119 NORTH MAIN STREET, LIBERTY, NY 12754
 DATE: 2/3/25
 TIME: 6:30 P.M.

**AUTHORIZATION FOR PAYMENT UP TO \$100 TO FILE SWAN LAKE/BRISCOE BOND
 RESOLUTION W/ COUNTY CLERK**

The Town Board of the Town of Liberty does hereby authorize the payment of up to \$100 to file the Swan Lake/Briscoe Rd. Sewer Bond Resolution.

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

**HIGHWAY AUTHORIZED TO HIRE LOGAN DANZILLO AS HMEO FOR THE HIGHWAY DEPT.
 PENDING PRE-EMPLOYMENT TESTING**

The Town Board of the Town of Liberty does hereby authorize the Highway Department to hire Logan Danzillo as HMEO for the Highway Department pending pre-employment testing.

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

DISCUSSION

1. Swan Lake Sewer-Answer to DEC Violations. The Town needs to have a letter with a schedule of compliance by 2/14/25

**TOWN ATTORNEY DIRECTED TO DRAW UP LOCAL LAW FOR PLANNING & ZONING BOARD
 ATTENDANCE AND TRAINING POLICIES**

The Town Board of the Town of Liberty does hereby direct the Town Attorney to draw up a local law for Planning & Zoning Board Attendance and Training Policies.

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

TOWN OF LIBERTY BOARD MEETING
 119 NORTH MAIN STREET, LIBERTY, NY 12754
 DATE: 2/3/25
 TIME: 6:30 P.M.

2. Converting and moving the Building Department and the Assessor's Office to the Park & Recreation Building.

TOWN ATTORNEY DIRECTED TO DRAW UP LOCAL LAW SETTING A MORATORIUM ON SOLAR FARMS IN THE COMMERCIAL INDUSTRIAL ZONE

The Town Board of the Town of Liberty does hereby direct the Town Attorney to draw up a local law setting a moratorium on solar farms in the Commercial Industrial Zone.

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

3. Converting and moving the Building Department and the Assessor's Office to the Park & Recreation Building.

COUNCILMEMBER BRUCE DAVIDSON TAKING THE LEAD ON THE CONVERTING THE PARK & REC BUILDING MAKING IT SUITABLE FOR PARK & REC., THE BUILDING & ASSESSOR'S OFFICE

The Town Board of the Town of Liberty does acknowledge that Councilmember Bruce Davidson is taking the lead to make the Park & Recreation Building suitable for Park & Recreation along with the Building and Assessor's Office.

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

OLD BUSINESS

UNDER REVIEW

1. Shipping Containers
2. Fence In/Fence Out
3. AIRBNB
4. Update of Comprehensive Plan

TOWN OF LIBERTY BOARD MEETING
119 NORTH MAIN STREET, LIBERTY, NY 12754
DATE: 2/3/25
TIME: 6:30 P.M.

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. Delaware Town/Village Water Sewer Study
5. Walnut Mt. Pavilion.
6. Training & Recommendations policy- Planning & Zoning

PUBLIC PARTICIPATION

Michael Edwards

Thank you to the board for recognizing the concerns of the residents in relation to the cost of the Swan Lake Sewer.

The \$15 million restriction on, how much we will bear the cost in our taxes. I understand that, that translates into a 35% tax increase that needs to be explained and qualified because presumably it depends on lots of other factors. So if I suddenly say to people, your taxes are going to go up 35%, they'll hit the roof. Presumably what you're saying is that the sewer part of the tax, depending on certain other variables, may go up the maximum of 35% but that's to be determined because you hope it will come down with all the variables. The worst message to give on taxes is, is the wrong message, an inaccurate message because it freaks people out.

I think a lot of that's going be contingent on what RCAP might have to say.

Second is the relationship between the two resolutions because that's going cost a lot of head scratching. The first resolution is clear on the 15 million. The second resolution the \$40 million bond obviously raises the question which Vince was raising. Why do we need a \$40 million bond when by virtue of the first resolution, \$25 million is not going to be accessible. Right, because there's no one to repay it because you placed a \$15 million restriction on the taxpayers. People will be asking what happens to that money? Does it never called into question or is it used for something else or, so there's, there's going to be a lot of questions about that. \$50 million is being promised as the maximum exposure, but they've gone ahead and bonded us for \$40 million. So something is missing in that picture, which needs to be explained. And if it's because there's a legal requirement that the DEC requires, the maximum potential cost to be fully bonded. Okay. Then that's what we need to hear, otherwise, it probably doesn't make sense to those people.

TOWN OF LIBERTY BOARD MEETING
119 NORTH MAIN STREET, LIBERTY, NY 12754
DATE: 2/3/25
TIME: 6:30 P.M.

I think to more clearly explain that this shows that people will not accept an additional bonding on their taxes beyond the \$15 million. So you've got to explain where the other 25 million of the bond is either is going, or not going to be utilized or it is being utilized and paid for in some other way, which would be impossible because of the wording of the resolution. So, I think there's some work to be done to clarify what exactly that means.

I look forward to further clarification. Thanks. Thank you Michael. Frank,

BOARD DISCUSSION

Councilmember Vincent McPhillips

It was a lot of work, a lot of residents from Swan Lake stressed to the whole board, their concerns about the sewer plant and even though we knew the sewer plant had to get some type of fix, I'm still very disappointed with the \$40 million bond resolution. And that's all I have to say about that.

Councilmember John Lennon

- Could we do something with the court ceiling? There is a section in the back corner by Dawn's desk.

The Supervisor advised that Cheryl had found some tiles a while back that appear to be the same.

Supervisor Frank DeMayo

- Nothing to report

Councilmember Dean Farrand

- Nothing to report

Councilmember Bruce Davidson

- Nothing to report

EXECUTIVE SESSION

The Town Board does hereby go into Executive Session at 7:19 p.m. to discuss Planning & Zoning Board Attorney and Personnel.

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

TOWN OF LIBERTY BOARD MEETING
119 NORTH MAIN STREET, LIBERTY, NY 12754
DATE: 2/3/25
TIME: 6:30 P.M.

Councilmember Vincent McPhillips			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 7:48 p.m.

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

ADJOURN

The Town Board does hereby adjourn the meeting at 9:04 p.m.

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

Respectfully submitted,

Laurie Dutcher, Town Clerk

TOWN OF LIBERTY BOARD MEETING
119 NORTH MAIN STREET, LIBERTY, NY 12754
DATE: 02/19/25
TIME: 6:30 P.M.

At the Regular Meeting of the Town Board of the Town of Liberty held on 02/19/2025 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
Highway Superintendent Matt DeWitt
Water & Sewer Foreman Damon Knack
Finance Director Cheryl Gerow
Confidential Secretary Nick Rusin

PLEDGE OF ALLEGIANCE

The Board observed a moment of silence in honor of Richard (Dick) Martinkovic.

CORRESPONDENCE

INCOMING:

1. Correspondence from the NYS Dept. of Transportation notifying the Town of the decision to lower the speed limit on White Sulphur Springs Rd. to 45 mph with the County being responsible for the signage.
2. Correspondence from the NYS Dept. of Environmental Conservation regarding the Paramount Pond Dam.
3. Correspondence from the NYS Dept. of Environmental Conservation regarding the Tanzman Lake Dam.
4. Correspondence from Dan Fagnani of Delaware Engineering regarding the Swan Lake/Briscoe Rd. Sewer Plant Upgrade.
5. Correspondence from NYOAT New York Association of Towns 2024 Laws Digest.

TOWN OF LIBERTY BOARD MEETING
119 NORTH MAIN STREET, LIBERTY, NY 12754
DATE: 02/19/25
TIME: 6:30 P.M.

6. Correspondence from the Liberty Joint Fire District Activated Fire Alarms.
7. Correspondence from Nancy Levine regarding a question about the sewer repair costs.

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 Vincent McPhillips			X			
Councilmember John Lennon			X			
Councilmember Bruce Davidson		X	X			

NEW BUSINESS

APPROVAL OF THE MONTHLY REPORTS

The Town Board does hereby approve the following monthly reports:

- Town Clerk's Report 1/25
- Revenue & Expense Report 1/25
- Supervisor's Report 1/25

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

APPROVAL OF AUDITS

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

- February, 2025 Abstract Claims #146- 289 and #292-300 totaling \$657,545.62.
- January, 2025 General Ledger Abstract Claims #1 to #39 totaling \$1,489,118.38.
- January, 2025 Post Audit Claims #118 to #145 totaling \$458,022.15

TOWN OF LIBERTY BOARD MEETING
 119 NORTH MAIN STREET, LIBERTY, NY 12754
 DATE: 02/19/25
 TIME: 6:30 P.M.

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

APPROVAL OF REFUSE COLLECTION LICENSES FOR WASTE MANAGEMENT OF BEACH LAKE

The Town Board does hereby approve (12) Refuse Collection licenses for Waste Management of Beach Lake.

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

APPROVAL OF THE 1/22/25 MINUTES AS SUBMITTED BY THE TOWN CLERK

The Town Board does hereby approve the 1/22/25 minutes as submitted by the Town Clerk.

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

SUPERVISOR AUTHORIZED TO EXECUTE AGREEMENT WITH RCAP SOLUTIONS AT NO COST TO THE TOWN

The Town Board does hereby authorize the Supervisor to execute agreement with RCAP Solutions at no cost to the Town

	Motion	Second	Aye	Abstain	No	Absent
Supervisor Frank DeMayo			X			
Councilmember Dean Farrand	X		X			
Councilmember Vincent McPhillips			X			

TOWN OF LIBERTY BOARD MEETING
 119 NORTH MAIN STREET, LIBERTY, NY 12754
 DATE: 02/19/25
 TIME: 6:30 P.M.

Councilmember John Lennon		X	X			
Councilmember Bruce Davidson			X			

AUTHORIZATION FOR THE SUPERVISOR TO SUBMIT A SULLIVAN 180 PARTNERSHIP GRANT FOR UP TO \$20,000.

The Town Board does hereby authorize the Supervisor to submit a Sullivan 180 Partnership Grant up to \$20,000.

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

SCORING THE REQUESTS FOR QUALIFICATIONS FOR ENGINEERING SERVICES FOR THE LIBERTY BUSINESS PARK (OLD RT. 17) CORRIDOR INFRASTRUCTURE UPGRADES

The Town Clerk tallied the scoring results as follows:

Firm Name	Frank DeMayo	Bruce Davidson	Dean Farrand	Vincent McPhillips	John Lennon	Total score
Delaware Engineering	95	80	95	50	94	414
Fagan Engineering	60	80	60	100	83	383
C&S Co.	60	60	60	70	87	337
Pitingaro & Doetsch	55	70	50	60	50	285
Fellinzer	55	60	65	85	70	335

**Town of Liberty, Sullivan County, NY
 Request for Qualifications (RFQ) for Engineering Services
 RFQ#1-25 – Liberty Business Park (Old Route 17) Corridor
 Infrastructure Upgrades
 Resolution for A/E Services Award**

TOWN OF LIBERTY BOARD MEETING
119 NORTH MAIN STREET, LIBERTY, NY 12754
DATE: 02/19/25
TIME: 6:30 P.M.

WHEREAS on or about March 13, 2024, the Town of Liberty was awarded \$1 million in Congressionally-directed federal funding by former US Rep. Marc Molinaro to extend infrastructure to the Old Route 17 Industrial Commercial Corridor; and

WHEREAS said funding is administered through the US Environmental Protection Agency's State and Tribal Assistance Grants (STAG) which requires a qualifications-based procurement process for architectural and engineering (A/E) services as identified in 40 U.S.C. 1101, or an equivalent State requirement; and

WHEREAS on or about October 1, 2024, the Town of Liberty secured \$20 million in state funding through the FAST NY grant program to develop shovel-ready sites along the Old Route 17 Industrial Commercial Corridor; and

WHEREAS said funding is administered through Empire State Development (ESD) and it is the policy of New York State to negotiate contracts for architectural and/or engineering services on the basis of demonstrated competence and qualifications as identified in State Finance Law § 136-A; and

WHEREAS the Town of Liberty issued a Request for Qualifications (RFQ) on January 3, 2025 for engineering/professional services for design through construction services in connection with the **RFQ #1-25 - Liberty Business Park (Old Route 17) Corridor Infrastructure Upgrades**, and said RFQ was publicly noticed and advertised; and

WHEREAS all responses received were evaluated and ranked based on established, publicly available criteria identified in the RFQ; and

NOW THEREFORE BE IT RESOLVED that the Town of Liberty, NY has determined through the required RFQ process that Delaware Engineering is the most highly qualified firm to provide the required A/E services, and that Supervisor, Frank DeMayo is hereby authorized to enter into contract negotiations and execute a Professional Services Agreement with said firm.

Motion offered by: Councilmember Dean Farrand
Motion seconded by: Supervisor Frank DeMayo

Roll Call Vote:

Frank DeMayo - Supervisor: Yes

Dean Farrand Councilmember: Yes

Bruce Davidson- Councilmember: Yes

TOWN OF LIBERTY BOARD MEETING
119 NORTH MAIN STREET, LIBERTY, NY 12754
DATE: 02/19/25
TIME: 6:30 P.M.

John Lennon - Councilmember: Yes

Vincent McPhillips - Councilmember: No

The motion **was** adopted.

MOTION DIRECTING THE TOWN ATTORNEY TO DRAW UP AN EMPLOYEE NOTIFICATION SYSTEM REGARDING EMPLOYEE DISCIPLINARY RECORDS IN RESPONSE TO FOIL REQUESTS

The Town Board does hereby direct the Town Attorney to draw up an employee notification system regarding employee disciplinary records in response to FOIL (Freedom of Information) requests.

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

A RESOLUTION AUTHORIZING THE REPAIR OF AN ACTUATOR FOR THE LOOMIS SEWER DISTRICT, AT MAXIMUM ESTIMATED COST OF \$7,800.00, AND PAYMENT THEREFOR BY THE EXPENDITURE OF THE SUM OF \$7,800.00 FROM THE LOOMIS SEWER DISTRICT CAPITAL RESERVE FUND.

At a regular meeting of the Town Board of the Town of Liberty, Sullivan County, New York, held at the Town of Liberty Senior Citizen's Center, 119 North Main Street, Liberty, New York, in said Town, on the 19th day of February, 2025 at 6:30 p.m. prevailing time.

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

PRESENT: Supervisor Frank DeMayo

Councilmember Dean Farrand

TOWN OF LIBERTY BOARD MEETING
119 NORTH MAIN STREET, LIBERTY, NY 12754
DATE: 02/19/25
TIME: 6:30 P.M.

Councilmember Vincent McPhillips

Councilmember John Lennon

Councilmember Bruce Davidson

ABSENT:

The following resolution was introduced by Councilmember Dean Farrand, who moved its adoption, and seconded by Councilmember Bruce Davidson, to wit:

A RESOLUTION AUTHORIZING THE REPAIR OF AN ACTUATOR FOR THE LOOMIS SEWER DISTRICT, AT MAXIMUM ESTIMATED COST OF \$7,800.00, AND PAYMENT THEREFOR BY THE EXPENDITURE OF THE SUM OF \$7,800.00 FROM THE LOOMIS SEWER DISTRICT CAPITAL RESERVE FUND.

BE IT RESOLVED, by the Town Board of the Town of Liberty, Sullivan County, New York, as follows:

Section 1. The repair of an Actuator for the Loomis Sewer District, at a maximum estimated cost of \$7,800.00, and the expenditure of the sum of \$7,800.00 from the Loomis Sewer District Capital Reserve Fund to pay such maximum estimated cost is hereby authorized and approved.

Section 2. The action authorized has been determined to constitute a Type II Action as defined in 6 NYCRR §617.5(c)(1) and (31) of the regulations promulgated pursuant to the State Environmental Quality Review Act, for which environmental review is not required.

Section 3. The plan for financing of such maximum estimated cost of \$7,800.00 is by the appropriation and expenditure of the sum of \$7,800.00 from the Swan Lake Sewer District Capital Reserve Fund.

TOWN OF LIBERTY BOARD MEETING
119 NORTH MAIN STREET, LIBERTY, NY 12754
DATE: 02/19/25
TIME: 6:30 P.M.

Section 4. Within ten (10) days after the adoption of this resolution, the Town Clerk shall post on the Town sign board and publish in the Sullivan County Democrat, the official newspaper of the Town, a notice in conformance with the requirements of Section 90 of the Town Law of the State of New York.

Section 5. This resolution is adopted subject to permissive referendum.

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

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

The resolution was thereupon declared duly adopted.

AUTHORIZATION FOR DELAWARE ENGINEERING TO PROCEED WITH PLAN REGARDING VIOLATIONS AT THE SWAN LAKE/BRISCOE RD. SEWER TREATMENT FACILITY.

The Town Board does hereby authorize Delaware Engineering to proceed with the plan discussed at the 2/19/25 meeting regarding the proposal for dealing with screenings and rag removal and a commitment to a schedule of corrective actions so the facility can meet its permitted effluent limits during the summer of 2025.

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

TOWN OF LIBERTY BOARD MEETING
119 NORTH MAIN STREET, LIBERTY, NY 12754
DATE: 02/19/25
TIME: 6:30 P.M.

DELAWARE ENGINEERING DIRECTED TO PUT TOGETHER A BID PACKAGE

The Town Board of the Town of Liberty does hereby direct Delaware Engineering to put together a bid package for

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

DISCUSSION

NYSEG support letter-Councilmember Dean Farrand will follow-up with NYSEG w/ additional questions. Several businesses do not have power.

OLD BUSINESS

UNDER REVIEW

1. Training & Recommendations policy- Planning & Zoning –Councilmember Dean Farrand has written an attendance policy but has not heard back from anyone. The training policy will need to be changed in the CODE.
2. Shipping Containers
3. Fence In/Fence Out
4. AIRBNB
5. Update of Comprehensive Plan
6. Indian Lake

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. Delaware Town/Village Water Sewer Study
5. Walnut Mt. Pavilion.

PUBLIC PARTICIPATION

Mike Edwards

TOWN OF LIBERTY BOARD MEETING
119 NORTH MAIN STREET, LIBERTY, NY 12754
DATE: 02/19/25
TIME: 6:30 P.M.

Has two questions:

Why do we need a \$40 million bond if we have a maximum fiscal exposure to taxpayers of only 15 million? I think you have to be clear with people why you voted for a \$40 million bond and at the same time you're restricting taxpayer exposure to a fraction of that.

Second question, which is obviously related is, does the \$15 million cap on taxpayer exposure include the principle and interest payments that will be due to bond holders when you sell the bonds, whenever that happens to be that you've authorized under the bond resolution, the text of that resolution makes it clear that it's the taxpayers of the sewer district who will be responsible for repaying both principle and interest to those bondholders. So is that in addition to the \$15 million that is going to be capped in relation to the loan repayments, or is it all part of the \$15 million?

I would like answers to both those questions, please.

BOARD DISCUSSION

Councilmember Vincent McPhillips

- Bad news for the Town & Village with Ideal Snacks closing. This is going to have a real trickle-down effect on all of us. Doesn't know how our Town is going to survive losing 300 people. It's a bad situation. It's very sad.

Councilmember John Lennon

- Nothing to report.

Supervisor Frank DeMayo

- Agreed with Vince that this is going to be devastating. Put out a joint statement with the Village and County today. Advised they were going to gather all the agencies and see what can be done.

Councilmember Dean Farrand

- Nothing to report

Councilmember Bruce Davidson

- Nothing to report

EXECUTIVE SESSION

The Town Board does hereby go into Executive Session at 7:59 p.m. to discuss:

TOWN OF LIBERTY BOARD MEETING
119 NORTH MAIN STREET, LIBERTY, NY 12754
DATE: 02/19/25
TIME: 6:30 P.M.

• Personnel

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

OUT OF EXECUTIVE SESSION

The Town Board does hereby come out of Executive Session at 8:39 p.m.

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

OUT OF EXECUTIVE SESSION

The Town Board does hereby come out of Executive Session at 8:39 p.m.

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

Respectfully submitted,

Laurie Dutcher, Town Clerk

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

DATE: March 3, 2025
TO: Supervisor DeMayo and Town Board Members
FROM: Cheryl Gerow
RE: Sherwood and Roth Wells Pump and Motor Replacement

Please approve the attached purchase from Subsurface Technologies in the amount of \$19,885 to be expended out of the Stevensville Water District Capital Reserve Fund with an additional \$6,910.00 if the existing motor needs replacement. Please also authorize the Town Attorney to prepare the Capital Reserve Resolutions for the March 17, 2025 meeting.

The Water and Sewer Department contacted three other vendors whom all said they were not interested in giving a quote.

The attached price was also given in consideration of the pump/motor replacement being done at the same time as the AquaGuard Cleaning.

Thank you.

Capital



Well Rehabilitation Technology
40 Stone Castle Road, Rock Tavern, NY 12575
www.subsurfacetech.com

Phone: 845-567-0695
Fax: 845-567-1035
E-mail: scatania@subsurfacetech.com

PROPOSAL

Company Name: Town of Liberty
Address: 120 Main St.
City, State, Zip: Liberty, NY 12754
Attn: Damon Knack

Date: February 21, 2025
Phone: 845-292-1061
Cell: 845-796-6395
Fax:
E-mail: w.s.dept@townofliberty.org
Site: Sherwood & Roth Wells

	<u>UNIT</u>	<u>QTY</u>	<u>TOTAL</u>
Mobilization/De-Mobilization (both wells under one mob/demob)	\$ 1,645.00	LS	\$ 1,645.00
Labor & Equipment to remove pump and motor and reinstall with new pump and <u>existing</u> motor	\$ 4,800.00	2	\$ 9,600.00
Simflo SK7M 2-stage Pump 490 gpm @ 91 ft TDH	\$ 4,270.00	2	\$ 8,540.00
Fuel Surcharge (one charge for both wells under same mobilization)	\$ 100.00	LS	\$ 100.00
		TOTAL: \$	19,885.00

**PLUS FREIGHT

Notes:

- Mobilization cost assumes pump replacements of both wells will be performed under one mobilization.
- Pump cost includes NSF61 approved epoxy coating.
- Labor rates are Prevailing Wage.

Optional:

	<u>UNIT</u>	<u>QTY</u>	<u>TOTAL</u>
20HP 230V 3ph Submersible Motor	\$ 3,145.00	2	\$ 6,290.00
#8 Submersible Pump Cable w/ Splice Kit	\$ 310.00	2	\$ 620.00

**PLUS FREIGHT

NOTE: Site access for rubber tire vehicles to be provided and maintained by owner or owners representative. All towing/dragging will be at owners expense. Standby rates will apply.

We propose to furnish material and labor -- in complete accordance with the above estimates, for the sum of
\$ **19,885.00** AS OUTLINED ABOVE, plus tax unless a current tax exempt certificate is provided. Payment to be made as follows: **1.5% 10 days Net 30**. Partial billing may apply. Any unpaid balance over 30 days from the date of completion will have a finance charge added to the unpaid balance of 1.5% per month.

All material is guaranteed to be specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specification involving extra costs will be executed only upon consulting with client and approval and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. We will maintain commercial general liability, business automobile and workers compensation insurance for the duration of this work. The owner should purchase any additional insurance he deems necessary for the protection of his interests.

STI Authorized: _____

Customer Accepted: _____

Printed Name/Title: _____

Printed Name/Title: _____

Date: _____

Date: _____

WE ARE PLEASED TO SUBMIT THE ABOVE QUOTATION FOR YOUR CONSIDERATION, SHOULD YOU PLACE AN ORDER, BE ASSURED IT WILL RECEIVE OUR PROMPT ATTENTION. THIS QUOTATION IS SUBJECT TO THE CONDITIONS PRINTED ON REVERSE SIDE, AND IS VALID FOR 10 DAYS. THEREAFTER IT IS SUBJECT TO CHANGE WITHOUT NOTICE.

STANDARD TERMS AND CONDITIONS

STI agrees to provide the services set forth on the front of this Agreement pursuant to the terms of this Agreement, including, but not limited to, the following Standard Terms and Conditions which constitute a part of this Agreement.

ARTICLE 1. RIGHT OF ENTRY: The Customer grants a right of periodic entry to STI, its agents, staff, consultants and contractors or subcontractors, for the purpose of performing all acts, studies, and research (including, without limitation, the obtaining of samples and the performance of tests and evaluations) pursuant to the Stimulation.

ARTICLE 2. SAMPLING AND TESTING LOCATION: Test described in STI's report or shown on sketches are based on specific information furnished by others or estimates made in the field by STI's personnel. Such dimensions, depths or elevations are approximations and are not warranted to be exact.

ARTICLE 3. DOCUMENTS: Customer will furnish or cause to be furnished such reports, data, studies, plans, specifications, documents and other information deemed necessary by STI for the proper performance of STI's services pursuant to this Agreement. STI may rely upon documents provided by the Customer in performing the services required under this Agreement.

ARTICLE 4. LIABILITY: Customer agrees to limit STI's liability to customer arising from negligent or other acts, errors, or omissions, such that STI's total aggregate liability for any cause and based upon any legal theory, including strict liability, shall not exceed the Total Charges received by STI pursuant to this Agreement.

ARTICLE 5. UNFORESEEN OCCURRENCE: If, during the performance of services, any unforeseen conditions or occurrences are encountered which, in STI's sole judgment significantly affect or may affect the services to be performed under this Agreement by STI or the risk involved in providing the stimulation, STI will have the right to terminate this Agreement and the services effective on the date specified by STI in writing.

ARTICLE 6. FORCE MAJEURE: STI is not responsible for damages or delay in performance caused by acts of God, strikes, lockouts, accidents, or other events beyond the control of STI

ARTICLE 7. NO THIRD PARTY BENEFICIARIES: This Agreement gives no rights or benefits to anyone other than the Customer and STI and this Agreement has no third-party beneficiaries.

ARTICLE 8. LEGAL ACTION: All legal actions by either party against the other arising from this Agreement, or for the failure to perform in accordance with the applicable standard of care, or any other cause of action, will be barred 1 years from the date the claimant knew or should have known of its claim, but in any event no later than 2 years from the date of substantial completion of STI's services.

ARTICLE 9. SURVIVAL: All obligations arising prior to the termination of this Agreement and all provisions of this Agreement allocating the responsibility or liability between Customer and STI shall survive the completion of the services and the termination of this Agreement.

ARTICLE 10. INTEGRATION: This Agreement and the documents attached hereto and which are incorporated herein constitute the entire Agreement between the parties and cannot be changed except by a written instrument signed by all parties hereto.

ARTICLE 11. GOVERNING LAW: This Agreement shall be governed in all aspects by the laws of the State of New York

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

DATE: March 3, 2025

TO: Supervisor DeMayo and Town Board Members

FROM: Cheryl Gerow

RE: Sherwood and Roth Wells AquaGuard Cleaning

Please approve the attached purchase from Subsurface Technologies in the amount of \$13,550 to be expended out of the Stevensville Water District Operational Fund.

The Water and Sewer Department contacted three other vendors whom all said they were not interested in giving a quote.

Thank you.



Well Rehabilitation Technology
40 Stone Castle Road, Rock Tavern, NY 12575
www.subsurfacetech.com

U4111
Phone: 845-567-0695
Fax: 845-567-1035
E-mail: scatania@subsurfacetech.com

PROPOSAL

Company Name: Town of Liberty
Address: 120 North Main St.
City, State, Zip: Liberty, NY 12754
Attn: Damon Knack

Date: February 10, 2025
Phone: 845-292-1061
Cell: 845-796-6395
Fax:
E-mail: w.s.dept@townofliberty.org
Site: Sherwood & Roth Wells

	<u>Sherwood</u>	<u>Roth</u>	<u>TOTAL</u>
Mobilization/De-Mobilization	LS	LS	\$ 2,000.00
Aqua Gard Service	\$ 5,775.00	\$ 5,775.00	\$ 11,550.00
TOTAL: \$			13,550.00

NOTE: Above cost assumes conducting both services at the same time.

NOTE: Site access for rubber tire vehicles to be provided and maintained by owner or owners representative. All towing/dragging will be at owners expense. Standby rates will apply.

We propose to furnish material and labor -- in complete accordance with the above estimates, for the sum of
\$ 13,550.00 AS OUTLINED ABOVE, plus tax unless a current tax exempt certificate is provided. Payment to be made as follows: **1.5% 10 days Net 30**. Partial billing may apply. Any unpaid balance over 30 days from the date of completion will have a finance charge added to the unpaid balance of 1.5% per month.

All material is guaranteed to be specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specification involving extra costs will be executed only upon consulting with client and approval and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. We will maintain commercial general liability, business automobile and workers compensation insurance for the duration of this work. The owner should purchase any additional insurance he deems necessary for the protection of his interests.

STI Authorized: _____

Customer Accepted: _____

Printed Name/Title: _____

Printed Name/Title: _____

Date: _____

Date: _____

WE ARE PLEASED TO SUBMIT THE ABOVE QUOTATION FOR YOUR CONSIDERATION, SHOULD YOU PLACE AN ORDER, BE ASSURED IT WILL RECEIVE OUR PROMPT ATTENTION. THIS QUOTATION IS SUBJECT TO THE CONDITIONS PRINTED ON REVERSE SIDE, AND IS VALID FOR 10 DAYS. THEREAFTER IT IS SUBJECT TO CHANGE WITHOUT NOTICE

STANDARD TERMS AND CONDITIONS

STI agrees to provide the services set forth on the front of this Agreement pursuant to the terms of this Agreement, including, but not limited to, the following Standard Terms and Conditions which constitute a part of this Agreement.

ARTICLE 1. RIGHT OF ENTRY: The Customer grants a right of periodic entry to STI, its agents, staff, consultants and contractors or subcontractors, for the purpose of performing all acts, studies, and research (including, without limitation, the obtaining of samples and the performance of tests and evaluations) pursuant to the Stimulation.

ARTICLE 2. SAMPLING AND TESTING LOCATION: Test described in STI's report or shown on sketches are based on specific information furnished by others or estimates made in the field by STI's personnel. Such dimensions, depths or elevations are approximations and are not warranted to be exact.

ARTICLE 3. DOCUMENTS: Customer will furnish or cause to be furnished such reports, data, studies, plans, specifications, documents and other information deemed necessary by STI for the proper performance of STI's services pursuant to this Agreement. STI may rely upon documents provided by the Customer in performing the services required under this Agreement.

ARTICLE 4. LIABILITY: Customer agrees to limit STI's liability to customer arising from negligent or other acts, errors, or omissions, such that STI's total aggregate liability for any cause and based upon any legal theory, including strict liability, shall not exceed the Total Charges received by STI pursuant to this Agreement.

ARTICLE 5. UNFORESEEN OCCURRENCE: If, during the performance of services, any unforeseen conditions or occurrences are encountered which, in STI's sole judgment significantly affect or may affect the services to be performed under this Agreement by STI or the risk involved in providing the stimulation, STI will have the right to terminate this Agreement and the services effective on the date specified by STI in writing.

ARTICLE 6. FORCE MAJEURE: STI is not responsible for damages or delay in performance caused by acts of God, strikes, lockouts, accidents, or other events beyond the control of STI

ARTICLE 7. NO THIRD PARTY BENEFICIARIES: This Agreement gives no rights or benefits to anyone other than the Customer and STI and this Agreement has no third-party beneficiaries.

ARTICLE 8. LEGAL ACTION: All legal actions by either party against the other arising from this Agreement, or for the failure to perform in accordance with the applicable standard of care, or any other cause of action, will be barred 1 years from the date the claimant knew or should have known of its claim, but in any event no later than 2 years from the date of substantial completion of STI's services.

ARTICLE 9. SURVIVAL: All obligations arising prior to the termination of this Agreement and all provisions of this Agreement allocating the responsibility or liability between Customer and STI shall survive the completion of the services and the termination of this Agreement.

ARTICLE 10. INTEGRATION: This Agreement and the documents attached hereto and which are incorporated herein constitute the entire Agreement between the parties and cannot be changed except by a written instrument signed by all parties hereto.

ARTICLE 11. GOVERNING LAW: This Agreement shall be governed in all aspects by the laws of the State of New York



Model Resolution

Any city, town, village, or county government in New York State can take a stand by adopting the Climate Smart Communities pledge. Local governments may amend the preamble of the pledge below, but all ten points of the pledge must be adopted verbatim by the highest body of elected officials (e.g., town board or city council). The final resolution document must include a signature from the municipal clerk verifying the authenticity of the resolution and indicating the date of passage. Local governments should then designate a primary contact person to complete the online registration form and upload the resolution by following the steps at <https://climatesmart.ny.gov/actions-certification/getting-started/>. After the registration is reviewed, the community will be designated a Registered Climate Smart Community and be added to the online list. Join us!

Councilmember _____ moved and Councilmember _____ seconded that

WHEREAS, the Town/Village/City/County of _____ (hereinafter "local government") believes that climate change poses a real and increasing threat to our local and global environments and is primarily due to the burning of fossil fuels; and

WHEREAS, the effects of climate change will endanger our infrastructure, economy and livelihoods; harm our farms, orchards, and ecological communities, including native fish and wildlife populations; spread invasive species and exotic diseases; reduce drinking water supplies and recreational opportunities; and pose health threats to our citizens; and

WHEREAS, we believe that our response to climate change provides us with an unprecedented opportunity to save money, and to build livable, energy-independent and secure communities, vibrant innovation economies, healthy and safe schools, and resilient infrastructures; and

WHEREAS, we believe the scale of greenhouse gas (GHG) emissions reductions required for climate stabilization will require sustained and substantial efforts; and

WHEREAS, we believe that even if emissions were dramatically reduced today, communities would still be required to adapt to the effects of climate change for decades to come,

IT IS HEREBY RESOLVED that Town/Village/City/County of _____, in order to reduce greenhouse gas emissions and adapt to a changing climate, adopts the New York State Climate Smart Communities pledge, which comprises the following ten elements:

- 1) Build a climate-smart community.**
- 2) Inventory emissions, set goals, and plan for climate action.**
- 3) Decrease energy use.**
- 4) Shift to clean, renewable energy.**
- 5) Use climate-smart materials management.**
- 6) Implement climate-smart land use.**
- 7) Enhance community resilience to climate change.**
- 8) Support a green innovation economy.**
- 9) Inform and inspire the public.**
- 10) Engage in an evolving process of climate action.**

An official website of New York State.
[Here's how you know](#) ▾



Climate Smart Communities



[SIGN IN](#)

› **About**

▼ **Actions & Certification**

Why Become Certified?

▼ **Getting Started**

Register

Priority Actions

Actions

› **Certification Overview**

Participating
Communities

› **Support**

Getting Started

The Climate Smart Communities (CSC) Certification program supports your local government in building a sustainable, balanced climate action program, one step at a time.

Step 1: Pass a Resolution: Pass the CSC pledge as a municipal resolution to join the program and become a Registered Climate Smart Community. Use the [model CSC resolution](#) as a template for drafting your local resolution. Municipalities may amend the “whereas” statements in the preamble, but all ten points of the CSC Pledge must be adopted verbatim. The final resolution document must include a signature from the municipal clerk verifying the authenticity of the resolution and indicating the date of passage.

Step 2: Register: After the resolution is adopted, designate a primary contact person to [sign up for a portal account](#), complete the online registration form, and upload the adopted municipal resolution. Please refer to the [Certification Application User Guide](#) for more guidance on registering your community and preparing an application for CSC certification. Additionally, the Hudson Valley Regional Council developed the [Climate Smart Tutorial Videos](#) to help you navigate the certification portal.

After your registration is reviewed, your primary contact will receive an email with next steps. Once your resolution is approved, your community will be designated a Registered CSC by New York State and your community will be added to the

map on this website.

Step 3: Review and Select Actions: Log in to your account to review and select [actions](#). Each action has a description that includes guidance about who should be involved, costs, resources, tools, and documentation requirements. After becoming a Registered CSC, communities can implement certification actions at their own pace. There is no time limit between adoption of the pledge and commencement of the certification process. The [mandatory and priority actions](#) are a good place to start because they are fundamental to a successful municipal climate change program. If you have questions, you can email a NYSERDA Clean Energy Communities Coordinator at cec@nyserda.ny.gov for assistance navigating the program.

Step 4: Collect Documentation: Once you identify your selected actions, review the requirements for each action and begin organizing and uploading your documentation. In the municipal dashboard, the "Action Totals" calculator on the right-hand side of your community's application will help keep track of progress toward becoming a Certified CSC. As you assess your progress, start to develop a timeline for when you expect to meet the requirements of your chosen certification level and select an [application deadline](#) that you plan to meet.

Step 5: Submit Application: Using the web portal, upload the required documents associated with each CSC certification action. Upon submittal of your application for certification, you will be locked out of editing those actions while staff review your application. After review, staff will contact you with further information. If your local government did not earn full points for an action, staff will provide details on what was missing and coach you on next steps.

Climate Smart Communities

[Accessibility](#)

[Disclaimer](#)

[Privacy Policy](#)



PE1 Action: CSC Task Force

20 Points



BRONZE MANDATORY



SILVER MANDATORY

A. Why is this action important?

Success at the local level relies on a team of local officials, professionals, and stakeholders that are knowledgeable about the local decision-making process, and can promote and support the plans, policies, and programs that are part of the Climate Smart Communities (CSC) Certification program.

B. How to implement this action

The CSC task force serves as a central body of leadership that promotes and supports climate mitigation and adaption in the community. The CSC task force often acts as an advisory board or steering committee that advises and collaborates with the local government to accomplish plans, programs, and activities that are part of the CSC Certification program. The task force should consist of, at minimum, community members and municipal representatives (staff and/or elected officials). Some communities may want to invite representatives from relevant local boards, organizations, and businesses to join the task force. In addition to the overarching community task force, local governments can consider forming subcommittees to focus on specific plans or programs.

Questions regarding requirements under the Open Meetings Law may be referred to the New York State [Department of State Committee on Open Government](#).

C. Time frame, project costs, and resources needs

Establishing a task force should take no more than a couple of months. Any project costs are related to staff time. The task force could be a newly formed group of relevant stakeholders, or it could be an existing group, such as a conservation advisory council, that has climate mitigation and adaptation as part of its mission. The local CSC coordinator (as per the "CSC Coordinator" action under PE1) is typically responsible for convening and managing the task force. The individual coordinating the task force should have a good understanding of stakeholder groups in the community, and who from those stakeholder groups will be best suited to provide the technical expertise to help develop and implement climate action strategies; e.g., a small business owner that sits on the task force can engage other small businesses in energy reduction measures.

D. Which local governments implement this action? Which departments within the local government are most likely to have responsibility for this?

This action is applicable to all types of local governments. The chief elected official or legislative body can appoint key individuals from the local government to serve on the task force, as well as any other individuals or representatives from local organizations that are well suited to provide the technical expertise to help promote, develop, and implement CSC actions.

E. How to obtain points for this action

To receive points for this action, local governments must demonstrate that the task force includes representatives from the community and from the local government (i.e., staff and/or elected officials), and that it has met at least twice during the year prior to the certification application date.

F. What to submit

Submit the following documentation:

1. A copy of the resolution, executive memorandum, or executive order that established the CSC task force. (If another local committee, e.g., an energy task force or conservation advisory council, is serving as the CSC task force, the local government should submit a copy of the resolution, executive memorandum, or executive order indicating this responsibility.)
2. A list of the task force members and the organizations/groups they represent. (This member list must show that the task force includes representatives from the local government and from the community. The affiliation of each member must be listed. These affiliations could include resident, city planner, town board member, and/or the name of a local organization that the member is representing.)
3. Meeting minutes, including sign-in sheets or other records of attendance, from two task force meetings held within the past year.

All action documentation is available for public viewing after an action is approved. Action submittals should not include any information or documents that are not intended to be viewed by the public.

G. Links to additional resources or best practices

- [Sustainable Maryland, Growing Your Green Team Guidebook](#): This in-depth guide is from Sustainable Maryland, a certification program for municipalities in the state of Maryland. It provides guidance on both forming a local team and making it more effective over time. While there are some differences in municipal structures between Maryland and New York, and between the two programs, much of this handbook's content is relevant for CSC task forces.
- [The Wild Center, Youth Catalyze Community Climate Action](#): Municipalities considering inviting youth to be members of their CSC task forces should watch this seven-minute video. It highlights work inspired by [The Wild Center's Youth Climate Summits](#) and features youth leaders in the villages of Saranac Lake and Homer.

H. Recertification requirements

The recertification requirements are the same as the initial certification requirements. Applicants are not required to issue a new resolution, executive memorandum, or executive order, or amend the existing directive. In other words, it is acceptable to submit a copy of the original documentation that established the CSC task force.



PE1 Action: CSC Coordinator

10 Points



BRONZE MANDATORY



SILVER MANDATORY

A. Why is this action important?

To support steady progress on local climate mitigation and adaptation, it is helpful to have a coordinator to serve as a point of contact for the Climate Smart Communities (CSC) program and facilitate project implementation.

B. How to implement this action

Select and appoint an individual to be responsible for coordinating the activities of the CSC task force and associated climate mitigation and adaptation activities. The CSC coordinator can be a local government representative (staff or elected official), a contractor hired by the local government, or a volunteer from the community. The coordinator would generally be the chair (or, at minimum, be a member) of the CSC task force, and serve as a liaison between the CSC task force and the chief executive officer and other officials.

C. Time frame, project costs, and resources needs

Determine the individual best suited to serve as the CSC coordinator by considering his or her capacity to execute the tasks associated with this role. Depending on the responsibilities for the position, determine if it is most appropriate to create a new position or assign the responsibilities to an existing staff member, contractor, or volunteer. Consider the person's availability for additional responsibilities, knowledge of climate and sustainability topics, experience with project management and coordination, and experience with facilitating task forces and working groups. Neighboring small local governments may consider collectively hiring one dedicated coordinator to share.

D. Which local governments implement this action? Which departments within the local government are most likely to have responsibility for this?

This action is applicable to all types of local governments. The chief executive officer typically has the responsibility of assigning someone to this role, although the governing body may take on this responsibility.

E. How to obtain points for this action

In order to earn points, a local government must define the responsibilities of the CSC coordinator and appoint a staff member, contractor, or volunteer to act in this role. The coordinator may be appointed by the governing body or by the chief executive officer (or by the chief executive's designee).

F. What to submit

Local governments should submit documentation demonstrating that a staff member, contractor, or volunteer has been appointed to serve as the local government's CSC coordinator and is actively functioning in this role. At minimum, documentation should include an executive memorandum or resolution appointing the coordinator and describing their responsibilities. Submitted documents should be dated and name the specific individual assigned as CSC coordinator. The position must be currently filled to earn points for this action.

All action documentation is available for public viewing after an action is approved. Action submittals should not include any information or documents that are not intended to be viewed by the public.

G. Links to additional resources or best practices

- To see examples of the documentation submitted for this action, go to the [Participating Communities webpage](#), use the filters on the left hand side to show certified communities, click on their pins on the map, and look at their certification reports.

H. Recertification requirements

At recertification, applicants should provide evidence that the CSC coordinator has been active in implementing CSC projects and participating in CSC task force meetings.

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information			
Name of Action or Project: Parksville O&W Rail Trail Connection Project			
Project Location (describe, and attach a location map): Parksville Rail Trail Trailhead near intersection of Fox Mountain Road and Old Rt. 17 in the Town of Liberty, Sullivan County, NY			
Brief Description of Proposed Action: <p>The project proposes to construct an extension of the Parksville Rail Trail which includes a stone dust trail, asphalt trail, a pedestrian bridge over a tributary to the Little Beaver Kill. The project also involves the transfer of land ownership from the NYS Dept. of Transportation to the Town of Liberty. The project work will include:</p> <ul style="list-style-type: none">- Installation of a new crosswalk and pedestrian signing/striping- installation of a pedestrian bridge over a tributary to the Little Beaver Kill- construction of an asphalt shared use trail from Fox Mountain Road to the original O&W Railroad Bed- construction of a stone dust trail adjacent to Fox Mountain Road- modification to the parking lot of the Parksville Rail Trail trailhead <p>The railroad bed beyond the project limits extending to the Town of Rockland/Liberty boundary has no work proposed, but the land ownership will be transferred from State to Town.</p>			
Name of Applicant or Sponsor: Frank DeMayo, Town of Liberty		Telephone: 845-292-5110 E-Mail: supervisordemayo@townofliberty.org	
Address: 120 North Main St.			
City/PO: Liberty		State: NY	Zip Code: 12754
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?			
If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			
2. Does the proposed action require a permit, approval or funding from any other government Agency?			
If Yes, list agency(s) name and permit or approval: NYSDOT Highway Work Permit, NYSDOT Use & Occupancy Permit, NYSDEC SPDES Permit			
3. a. Total acreage of the site of the proposed action? 14.76 acres b. Total acreage to be physically disturbed? 1.3 acres c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 0 acres			
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban) <input checked="" type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input checked="" type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify): <input type="checkbox"/> Parkland			

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES	
If Yes, identify: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
b. Are public transportation services available at or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: _____ N/A _____	<input type="checkbox"/>	<input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	NO	YES	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	<input type="checkbox"/>	<input type="checkbox"/>	

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:	
<input type="checkbox"/> Shoreline <input checked="" type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input checked="" type="checkbox"/> Early mid-successional <input checked="" type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban	
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	
Automatically answered - Northern Long-Eared Bat and Monarch Butterfly	
16. Is the project site located in the 100-year flood plan?	
<input type="checkbox"/> <input checked="" type="checkbox"/>	
17. Will the proposed action create storm water discharge, either from point or non-point sources?	
If Yes,	
a. Will storm water discharges flow to adjacent properties? <input type="checkbox"/> <input checked="" type="checkbox"/> b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: <p>The current drainage system consists of surface runoff which is conveyed to roadside swales and a stormwater detention basin that includes an existing culvert to convey water to the tributary of the Little Beaver Kill. This culvert will be extended for new grading limits. All other drainage will be handled through surface runoff or collection of trailside swales that follow existing outfall drainage patterns.</p>	
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)?	
If Yes, explain the purpose and size of the impoundment: <hr/> <hr/>	
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?	
If Yes, describe: <hr/> <hr/>	
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?	
If Yes, describe: <hr/> <hr/>	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE	
Applicant/sponsor/name: _____ Date: _____	
Signature: _____ Title: _____	

Amanda VanEtten

From: Dan Fagnani
Sent: Wednesday, February 26, 2025 1:56 PM
To: Frank DeMayo (supervisordemayo@townofliberty.org)
Cc: c.gerow@townofliberty.org; l.dutcher@townofliberty.org; vince.mcphillips@townofliberty.org; dean.farrand@townofliberty.org; j.lennon@townofliberty.org; Bruce Davidson; Helen Budrock; John Peterson; Jeff Francisco; Nick Rusin (n.rusin@townofliberty.org); Water and Sewer Department - Town of Liberty (w.s.dept@townofliberty.org); Damon Knack (d.knack@townofliberty.org); Joe Gollin; Dennis Bacon; Matthew R. Smith - Municipal Solutions, Inc. (mrsmith@municipalsolution.com); Cheryl DeCarr; Cory Dame; Kaitlyn Stephany; w.banks townofliberty.org; Dave Ohman; Amanda VanEtten; Robert Smith (rsmith@hawkins.com)
Subject: Town Board Meeting March 3, 2025 Handout
Attachments: Liberty (T) TBMtg handout 03-03-25.pdf

Hi Frank and all,

I am sending our project update handout for the March 3 meeting and associated items are attached for board information and review. Dave plans to be there on Monday for the meeting.

Swan Lake WWTP:

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

- None

Key Items for Board Review and Consideration at the next meeting (March 17, 2025):

- Review and consider approval of PER Amendment No. 1

Preliminary Engineering Report Amendment No. 1:

- PER Amendment No. 1 will be finalized to address minor Town Board comments/clarifications, and will be resubmitted to the Town (on or before 3/12/25) for final approval at the March 17, 2025 Town Board meeting
- PER Amendment is critical for SPDES permit and for NYSEFC funding discussions

SPDES Permit/ NY-2A Application for Flow Expansion:

- NY-2A Application for flow expansion will be sent to NYSDEC following Town acceptance of PER Amendment No. 1 (at the March 17, 2025 meeting)

Swan Lake WWTP SPDES Permit Notice of Violation (NOV):

- Delaware plans to submit the Town's final NOV Response package – including Draft Schedule of Compliance – on or before the February 28, 2025 deadline, and request a call with NYSDEC and the Town to discuss
- The cost to move forward with the recommended plan is estimated to be between \$700-800K

Attachments:

- Meeting Handout

If anyone has any questions before the meeting, please contact Dave on his cell at 607-643-1356.

Frank/Nick:

We will forward 8X via Fed Ex tonight for distribution to Town staff as needed.

Best to you all,



DANIEL FAGNANI, P.E.

PROJECT ENGINEER

55 South Main Street | Oneonta, NY 13820

607.432.8073 x309 (office)

607.316.3977 (mobile)

dfagnani@delawareengineering.com



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

I. Swan Lake WWTP Upgrade

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

- **None**

Key Items for Board Review and Consideration at the next meeting (March 17, 2025):

- **Review and consider approval of PER Amendment No. 1**

Preliminary Engineering Report Amendment No. 1:

- Delaware 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
- The Town reviewed **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)
- The Town Board had minor comments/clarifications to PER Amendment No. 1
- **PER Amendment No. 1 will be finalized to address minor Town Board comments/clarifications, and will be resubmitted to the Town (on or before 3/12/25) for final approval at the March 17, 2025 Town Board meeting**
- **PER Amendment is critical for SPDES permit and for NYSEFC funding discussions**

Critical Items Planned for the to Keep Moving the Project Forward

- **On or before March 21, 2025**
 - **Delaware to submit complete NY-2A Application Form for a flow expansion and PER Amendment No. 1 to the regulatory agencies for review and to allow NYSDEC to proceed with the SPDES 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)

- **Additional Funding Request – NYSDEC WQIP**
 - **The Town plans to reapply in 2025**
 - 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 considering working through process to be a Climate Smart Community
 - 2025 scoring criteria not determined yet
- **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)**
- 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
 - **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/FFY 2026 IUP**
 - 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)
 - Need to confirm if Project Listing Update System (PLUS) update is needed with EFC

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)
 - **PER Amendment No. 1 and NY-2A Application Form for a flow expansion will be submitted to NYSDEC and NYSEFC pending Town acceptance of PER Amendment No. 1 (at the March 17, 2025 meeting)**
 - Design for a plant flow capacity capable of 960,000 gpd to resume following submittal of the PER Amendment No. 1 and NY-2A for flow expansion submittal to NYSDEC and NYSEFC
 - **See Key Items for Board Review and Consideration at this meeting and Critical Items to Keep Moving the Project Forward above**
- **SPDES Permit/NY-2A Application for Flow Expansion**
 - **NY-2A Application Form for a flow expansion will be submitted to NYSDEC following Town acceptance of PER Amendment No. 1 (at the March 17, 2025 meeting)**
 - 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

DELAWARE ENGINEERING, D.P.C.

- 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 No. 1, following Town acceptance of PER Amendment No. 1 (at the March 17, 2025 meeting)
 - NYSDEC will do the Water Quality review based on actual/current outfall location to provide draft limits to Delaware/Town
- **Project Schedule (updated February 26, 2024)**
 - The Anticipated Project Schedule based on completion of design prior to draft effluent limits which are anticipated to be provided by NYSDEC in October 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 – March 2025 (T)
Submit Preliminary Engineering Report	1-3 months	December 2024 – March 2025 (T)
Review & consider revising Schedule of Rates	12-months	January 2025 – December 2025 (T)
NYSDEC SPDES Permit Technical Review	6-months*	April – September 2025 (T)
WQIP CFA 2025 Application	3-months	June – August 2025 (T)
Complete Design	1-month	October 2025 (T)
NYSDEC SPDES Permit Draft Limits	1-month*	October 2025 (T)
NYSDEC SPDES Public Notice	1-2 months*	October – November 2025 (T)
NYSDEC & NYSEFC PER and Design Rev.	2-4 months*	October 2025 – January 2026 (T)
NYSDEC SPDES Permit Finalized	1-2 months*	December 2025 – January 2026 (T)
Anticipated WQIP Award Announcement	3-months	January – March 2026 (T)
NYSDEC & NYSEFC PER Approval	1-month*	February 2026 (T)
NYSDEC & NYSEFC Design Approval	1-months*	March 2026 (T)
NYSEFC Revised PFA Approval Memo	1-2 months*	March – April 2026 (T)
Authorization to go to Bid from Town	1-month	May 2026 (T)
Close on Revised SRF Financing	1-2 months*	May – June 2026 (T)
Bidding	1-months	May 2026 (T)
Review Bids, Funding, and Revised Budget	1-month	June 2026 (T)
Town GO/NO GO	1-month	June 2026 (T)
Award	1-month	June 2026 (T)
Notice to Proceed	1-2 months*	July – August 2026 (T)
Construction	18-months	September 2026 – February 2028 (T)
Substantial Completion	1-month	January 2028 (T)

DELAWARE ENGINEERING, D.P.C.

Construction Completion	1-month	February 2028 (T)
NYSEFC Long Term Loan Closing	1-month*	June 2028 (T)
Revised Schedule of Rates is effective	1-month	August 2028 (T)

* 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. *Swan Lake WWTP SPDES Permit Notice of Violation (NOV)*

Key Items for Board Review and Consideration at this meeting:

- **None**

Status Update

- **Delaware plans to submit the Town's final NOV Response package – including Draft Schedule of Compliance – on or before the February 28, 2025 deadline, and request a call with NYSDEC and the Town to discuss**
- **The cost to move forward with the recommended plan is estimated to be between \$700-800K**
- 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 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
- On February 10, 2025 Delaware Engineering requested that the Department consider granting the

DELAWARE ENGINEERING, D.P.C.

Town a two-week extension for the response to the NOV from 2/14 to 2/28

- NYSDEC approved this request and an extension to 2/28
- Delaware met with the Town on January 30, 2025 and February 19, 2025 to review NOV Items and Discuss the Plan forward
- At the February 19, 2025 meeting, the Town agreed to move forward with the following options:

NOV Item / Options	
1.) Screenings and Rags	
1-1	Hire Additional Staff and Install New Bar Rack
1-3	New Mechanical Screen in Influent Channel (Auger)
1-6	Update Sewer Use Ordinance, Update by Town Attorney
2.) Effluent Parameter Exceedances	
2-1	Flow
2-1-a	Confirm Accuracy of Flow Meters
2-1-b	Sewer Use Ordinance Monitoring and Enforcement
2-2	Organic Removal Performance
2-2-d	Run All Three (3) Blowers
2-3	Waste and Remove More Sludge
2-3-a	Haul More Liquid Sludge, When Needed
2-3-b	Temporary Sludge Dewatering
3.) Plant Coverage	
3-1	Hire more Operators at WWTP
4. Sewer Use Law Update	
4-1	Update Sewer Use Law (source rag control only) (See Item 1-6 Above)

- On February 24, 2025 Delaware met with NYSDEC to go over the proposed plan
- Delaware submitted the draft NOV Response package for Town review on 2/26/25

3. Stevensville Water Project

Key Items for Board Review and Consideration at this meeting:

- None

Funding

- All invoices paid
- On January 3, 2025 NYSEFC submitted an Unspent Proceeds letter to the Town explain how the unspent proceeds will be applied to debt service. The Town signed and returned the letter to confirm agreement with these terms.

Engineering Services

- As-builts (Record Drawings) have been completed
- Construction certification submitted to NYSDOH with Record Drawings on 1/30/25
- Record drawings were delivered to the Town on 2/10/25
- Copies of other deliverables (e.g., inspection reports, O&Ms) will be submitted to the Town in March

4. Swan Lake Sewer System Evaluation/I/I 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

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)

DELAWARE ENGINEERING, D.P.C.

• 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)
• 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.

5. Devaney Road Development Engineering

Key Items for Board Review and Consideration at this meeting:

- **None**

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

DELAWARE ENGINEERING, D.P.C.

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**
- **Delaware 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).

DELAWARE ENGINEERING, D.P.C.

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**
- **Delaware 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:

- **None**

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)
 - 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

DELAWARE ENGINEERING, D.P.C.

- 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

- At the February 3, 2025 meeting the Town Board determined through the required RFQ process that Delaware Engineering is the most highly qualified firm to provide the required A/E services, and that Supervisor, Frank DeMayo is hereby authorized to enter into contract negotiations and execute a Professional Services Agreement with said firm.
- A professional services Agreement for Professional Services Agreement for the engineering/professional services associated with the Liberty Business Park (Old Route 17) Corridor Infrastructure Upgrades will be submitted to the Town for consideration at the April 7, 2025 Town Board 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 in the Contract Reporter on 12/23/24
 - The RFQ will be advertised in the Sullivan County Democrat on 1/3/25
- Responses to the RFQ/Statement of Qualifications (SOQs) submitted to the Town on 1/22/25
- The Town Clerk distributed all responses to the Supervisor and all Board members at the February 3, 2025 meeting

10. Attachments

- None

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

- None

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