

TOWN BOARD MEETING AGENDA

PLACE: Senior Citizen Center, 119 North Main Street, Liberty, NY 12754

DATE: July 6, 2026

TIME: 6:30 P.M.

FRANK DEMAYO, SUPERVISOR
DEAN FARRAND, COUNCILMEMBER
VINCENT MCPHILLIPS, COUNCILMEMBER

LAURIE DUTCHER, TOWN CLERK
SHERRI KAVLESKI, COUNCILMEMBER
BRUCE DAVIDSON, COUNCILMEMBER

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

PLEDGE OF ALLEGIANCE

CORRESPONDENCE

INCOMING:

1. Sullivan County 911 Communications Reports.
2. Correspondence from the NYS Department of Transportation regarding Liberty Water and Sewer Upgrade and Expansion Project.
3. Public Notice from the Transportation Committee of the Hudson Valley Regional EMS Council Public Hearing to make a determination of a Public Need to convert a temporary Municipal Certificate to a permanent Operating Certificate.
4. Email from Simone Bloch regarding property located at the intersection of Rt. 52 and East Hill Rd.
5. Copy of the boiler inspection at Town Hall and the Highway Department.
6. Copy of the NYS Association of Towns Bill of Rights

OUTGOING:

NEW BUSINESS

1. Motion for transfer of DOT Property to the Town of Liberty for the parcel of the former railbed land north of the intersection of the railbed with Fox Mountain Road and extending north to the Town of Liberty line with the Town of Rockland.
2. Review of SEQR Full Environmental Assessment Form (FEAF) Parts 2 and 3 and supporting documentation.
3. Motion for a Negative Declaration under the State Environmental Quality Review Act (SEQR).
4. Motion authorizing the Town Supervisor to execute the SEQR FEAF Part 3.
5. Motion authorizing the Town Supervisor to act on its behalf in the submittal of a **Climate Smart Communities (CSC) grant** application through the Consolidated Funding Application for \$2,000,000 to be used for the Swan Lake Wastewater Treatment Plant Upgrade Headworks Relocation Project.

MISSION STATEMENT

We provide effective, transparent and responsible municipal service that promotes the highest standard of life for our community.

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6. Motion authorizing the Town Supervisor to act on its behalf in the submittal of a **NYSDEC Water Quality Improvements (WQIP) grant** application through the Consolidated Funding Application for \$2,000,000 to be used for the Swan Lake Wastewater Treatment Plant Upgrade Headworks Relocation Project.
7. Motion for Town Board to select services and approve the General Services Contract Amendment for the 2026 NYSDEC NOV Compliance Services for the Loomis Wastewater Treatment Plant.
8. Motion approving the 6/15/26 minutes as submitted by the Town Clerk.
9. Motion authorizing the Town Clerk to End the Town's Agreement with the New York State Department of Environmental Conservation (NYSDEC) to Issue Hunting and Fishing Licenses, as Banking Fees Now Exceed the Revenue Received from License Sales.

DISCUSSION

1. Request by Fast Build to waive permit renewal fees for Devany Road Lots.
2. Re-bid Walnut Mt. Pavilion.

OLD BUSINESS

UNDER REVIEW

1. Quotes for tree removal at Town Hall.
2. Regulations for Battery Energy Storage Systems.
3. One Way Street in Parksville.
4. Rd. Abandonment Big Woods Rd.
5. Memorandum of Understanding between Green Hills and the Town.
6. Heat for Town Hall.
7. Fines and Fees.
8. Mountainview Meadows Sewer Agreement.

IN PROGRESS

1. Illegal dumping of garbage.
2. Walnut Mt. Pavilion & Bathroom.
3. Solar Moratorium in the Commercial Industrial Zone.

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4. Basketball court.

PUBLIC PARTICIPATION

BOARD DISCUSSION

EXECUTIVE SESSION

1. Personnel-Board of Assessment Review Board Member.

ADJOURN

Reasonable accommodations for persons with disabilities are available upon request. Requests should be made to the Town Clerk's Office at (845) 292-5110 at least 48 hours prior to the meeting whenever possible.

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Sullivan County 911 Communications Law Enforcement Activity Report May 2026



	Sheriff	NYSP	LPD	MPD	FPD	WPD	EnCon	DEC	NYC DEP	NPS	Totals
Assist EMS	32	50	23	70	17	3	1	0	0	0	196
Assist Fire	9	18	4	16	1	2	1	0	0	1	52
P-101 Abduction	0	0	0	0	0	0	0	0	0	0	0
P-102 Abuse/Abandonment/Neglect	0	0	0	0	0	0	0	0	0	0	0
P-103 Administrative	0	1	0	0	0	0	0	0	0	0	1
P-104 Alarms	2	6	0	2	0	1	1	0	0	0	12
P-105 Animal	5	17	0	5	3	0	0	0	0	0	30
P-106 Assault/Sexual Assault	3	2	0	6	1	0	0	0	0	0	12
P-107 Assist Other Agency	0	0	0	0	0	0	0	0	0	0	0
P-108 Bomb Found/Susp Package	0	0	0	0	0	0	0	0	0	0	0
P-109 Bomb Threat	0	0	0	0	0	0	0	0	0	0	0
P-110 Burglary	5	3	2	5	1	0	0	0	1	0	17
P-111 Damage/Vandalism/Mischief	0	0	0	0	0	0	0	0	0	0	0
P-112 Deceased Person	0	0	0	0	0	0	0	0	0	0	0
P-113 Disturbance	31	57	8	18	8	1	0	0	1	0	124
P-114 Domestic Violence	31	45	16	23	12	0	0	0	0	0	127
P-115 Driving Impaired	0	1	0	0	0	0	0	0	0	0	1
P-116 Drugs	0	0	0	2	0	0	0	0	0	0	2
P-117 Explosion	0	1	0	0	0	0	0	0	0	0	1
P-118 Fraud/Deception	0	0	0	0	0	0	0	0	0	0	0
P-119 Harassment/Stalking/Threat	2	1	1	4	0	0	0	0	0	0	8
P-120 Indecency/Lewdness	0	0	0	0	0	0	0	0	0	0	0
P-121 Mental Disorder	19	21	5	13	11	2	0	0	1	0	72
P-122 Miscellaneous	3	8	0	4	0	1	0	0	0	0	16
P-123 Missing/Found Person	2	8	0	2	4	0	1	0	1	0	18
P-124 Officer Needs Assistance	10	15	2	1	1	0	0	0	0	0	29
P-125 Public Svc	3	26	3	7	4	1	0	0	1	1	46
P-126 Robbery/Carjacking	0	0	0	0	0	0	0	0	0	0	0
P-127 Suicidal Persn/Att Suicide	2	4	0	0	0	0	0	0	0	0	6
P-128 Supplemental	0	29	0	0	0	0	0	0	0	0	29
P-129 Susp/Wanted Pers/Veh	4	9	1	6	5	0	0	0	0	0	25
P-130 Theft (Larceny)	1	1	1	2	0	0	0	0	0	0	5
P-131 MVA	26	81	5	6	7	1	0	0	1	0	127
P-132 Traffic Violation/Hazard	29	88	2	4	5	0	0	0	3	0	131
P-133 Trespassing/Unwanted	9	15	2	7	3	0	0	0	0	0	36
P-134 Unknown Problem	9	22	6	17	5	0	0	0	0	0	59
P-135 Weapons/Firearms	3	8	1	1	0	0	1	0	0	0	14
P-Abandoned Call	48	85	23	48	44	5	1	0	0	0	254
P-Responder Safety	0	0	0	0	0	0	0	0	0	0	0
Transfers	50	99	25	49	29	N/A	N/A	N/A	N/A	N/A	252
Totals	338	721	130	318	161	17	6	0	9	2	1702



Sullivan County 911 Communications EMS Dispatch Report May 2026



Ambulance Agencies	Jeffersonville	Cochecton	Livingston Manor	Lumberland	Mountaintop	Tusten	Neverlink	Rock Hill	Roscoe/Rockland	Bethel	Woodbourne	Mamakating	Highland EMS	Upper Delaware	Grahamsville	Catskill Hatzalah	Empress	County EMS	Total
Abdominal Pain	0	0	2	0	0	0	1	0	0	5	0	3	0	1	1	1	16	13	43
Allergic Reaction	0	1	1	0	0	1	0	0	0	0	0	1	0	0	0	0	5	6	15
Animal Bite	0	0	0	0	0	0	0	0	0	0	0	2	1	0	0	0	1	0	4
Assault/Sexual Assault	2	0	0	0	0	0	0	1	0	3	0	2	0	0	0	0	0	12	24
Back Pain	0	0	0	0	0	0	0	0	0	1	0	2	0	0	0	0	6	4	13
Breathing Problems	3	0	4	1	0	2	2	1	2	4	1	15	1	0	3	3	50	52	144
Burns / Electrical	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2	2	4
Cardiac Arrest	3	0	1	0	2	0	0	0	0	2	0	5	0	0	0	0	0	13	41
Cardiac Problem	0	0	1	0	0	0	0	2	0	2	0	2	0	0	0	0	16	14	37
Chest Pain	5	0	5	2	0	0	0	1	0	11	0	13	1	2	1	4	40	51	136
Choking	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Diabetic	1	0	1	0	0	0	0	1	0	1	1	6	0	0	0	3	6	8	28
Drowning/Water Related	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Eye Problems	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	1
Fall	7	2	7	0	1	5	2	1	5	19	3	18	3	2	3	1	66	46	191
Headache	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	9	1	11
Heat/Cold Emergencies	0	0	1	1	1	0	2	0	0	0	2	0	0	0	1	1	3	6	18
Hemorrhage/Laceration	1	0	2	0	0	0	0	3	0	4	0	4	3	0	0	1	17	15	50
Inaccessible/Entrapment	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Medical Facilities	0	0	7	0	0	0	0	3	1	6	0	2	0	0	0	3	67	26	115
Mental Emergencies	2	0	4	0	1	0	3	5	2	10	3	8	2	1	3	0	47	21	112
MVA	2	1	5	0	1	2	0	2	1	4	0	5	0	1	1	2	29	14	70
Overdose	2	0	2	0	1	0	0	0	0	2	1	1	0	0	2	0	18	12	41
Poisoning/HAZMAT	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Pregnancy	0	0	0	1	0	0	0	0	0	3	0	1	1	0	0	0	2	4	12
Seizures	1	0	2	0	0	0	2	0	1	3	0	4	0	1	1	1	24	23	63
Sick Person (Gen. Ill)	2	3	17	2	4	3	3	8	3	32	3	19	7	4	4	8	133	86	341
Stab/GSW	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	5	4	9
Stroke(CVA)	0	0	3	1	0	0	0	0	0	0	1	4	1	1	0	0	7	9	27
Trauma	0	0	1	1	0	0	0	2	1	1	0	2	1	0	0	1	10	6	26
Unconscious/Fainting	2	1	2	1	0	3	2	0	3	7	1	5	2	0	1	3	36	40	109
Unknown Medical	0	0	1	1	0	6	0	0	3	2	0	3	0	1	0	0	25	13	55
Mutual Aid	2	4	0	6	4	1	1	27	8	0	8	17	0	1	7	0	79	0	165
Standby	3	2	0	3	0	1	0	0	2	2	0	2	3	1	0	0	2	1	22
Agency Totals	38	14	69	20	15	24	18	57	32	124	24	146	26	17	28	32	747	496	1927



June 10, 2026

Robert Chiappisi
Delaware Engineering, D.P.C.
55 South Main Street
Oneonta, New York 13820

Dear Mr. Chiappisi:

**RE: SEQRA Lead Agency Designation
Liberty Water and Sewer Upgrade and Extension Project
Town of Liberty, Sullivan County
SEQR #26-012**

The New York State Department of Transportation (NYSDOT) has no objection to the Town of Liberty Town Board serving as Lead Agency for this action. Please consider NYSDOT as an Involved Agency regarding notifications and review of environmental determinations, site plans and project documents, especially activities that pertain to, or impact State Route 17.

NYSDOT reviewed the Environmental Assessment Form and site plan. Our comments are outlined below for the town's consideration:

- Submit detailed plans upon availability to be reviewed by the Regional Site Plan Committee.
- The applicant will require a Highway Work Permit from NYSDOT prior to the commencement of any work within the State right-of-way. Please direct applicant to visit the NYSDOT Permitrack Highway Work Permit System website at <http://permitrack.dot.ny.gov/HighwayWorkPermits> to apply for this permit. The applicant shall submit detailed plans in Permitrack when available.
- Per NYSDOT standards, trenchless drilling should be applied for utility installation in State right-of-way where feasible, and justification in areas not considered feasible.
- No items, including signage, shall be placed in State right-of-way. Please note, State right-of-way may vary, and the location of the highway boundary should not be assumed by the applicant based on roadway characteristics or other features. Unpermitted items that are placed within State right-of-way are in violation of NYS Highway Law Section 52 and will require removal by the applicant or property owner, who may also be subject to fines.

Additional comments may be provided as environmental determinations, site plans, and other project documents are made available to NYSDOT in the future. If you have any questions regarding this SEQR response, please do not hesitate to contact me by email at Kathryn.Mangan@dot.ny.gov or by phone at 607-721-8254.

Sincerely,



Kathryn Mangan
Regional Planning and Program Manager

KAM/jro

PUBLIC NOTICE
For
Determination of Public Need
Sullivan County EMS



To: All Interested Parties

From: Hudson Valley Regional EMS Council Transportation Committee

Date: July 14, 2026

Re: Sullivan County EMS Muni Con to Permanent CON

PLEASE TAKE NOTICE:

The Transportation Committee of the Hudson Valley Regional EMS Council, in accordance with Public Health Law, Article 30 of the State of New York, is conducting a Public Hearing with respect to the determination of a Public Need to convert a temporary Municipal Certificate to a permanent Operating Certificate.

Public Need as defined by the NYS EMS Council and the NYS Department of Health is:

The demonstrated absence, reduced availability or an inadequate level of care in ambulance or emergency medical service available to a geographical area which is not readily correctable through the relocation or improvement of existing resources.

This service is located in Sullivan County NY, with a primary operating territory in Sullivan County

The Public Hearing will be held on July 14, 2026, from 1pm-3pm at the Hudson Valley Regional EMS office located at 33 Airport Center Drive, Suite 204, New Windsor NY 12553. All speakers must sign in no later than 12:45. The hearing will continue until 3pm or until all speakers are heard, whichever is earlier.

A copy of the application is available for review at the Hudson Valley Regional EMS Council office. If you wish to review it, please contact the Hudson Valley Regional EMS office at (845) 245-4292 to schedule an appointment.

If you cannot attend or wish to make a written comment on this application, please do so in writing on or before 12pm on July 14th

Mail or Email comments to:

Transportation Committee
Hudson Valley Regional EMS Council
33 Airport Center Drive, Suite 204
New Windsor, NY 12553
Phone: (845) 245-4292
admin@hvremSCO.org

From: Simone Bloch <simonebloch@gmail.com>

Sent: Sunday, 21 June 2026 07:40:23

To: supervisorordemayo townofliberty.org <supervisordemayo@townofliberty.org>; Laurie Dutcher, Town Clerk, CMC, RMC <l.dutcher@townofliberty.org>

Subject: derelict property on intersection of Rt. 52/East Hill Road

To Whom It May Concern,

My husband John Wehba and I have lived part-time on Menderis Road for eleven years now. We appreciate the complexities and nuances it takes to run the town of Liberty, and how much work this must encompass. Thank you. I'm writing now, though, to complain about the fact that in the past several years the structure at the intersection of 52/East Hill Road has decayed to such a point that it has become a hazard, eyesore, and liability. I recently became aware that Michael Huber--who is building a home on Menderis --had brought it to the town's attention and learned that a state of emergency must be declared in order for it to be cleared. I am writing to support that initiative.

While I absolutely understand that it is not the role of the town to fix every derelict property in town, due to its location and ongoing process of decay, it does not require much imagination to envision a liability suit that would affect us all.

I do hope there is some plan under way to address this issue, and wanted to add my voice to support its swift enactment.

Thanks so much for your attention in this matter.

Simone Bloch

151 Menderis Road

Swan Lake, NY 12783

Chubb
Clinton Square
75 Clinton Ave South
Rochester, NY 14604

O 518-903-4260
cam.horan@chubb.com

CHUBB®

June 18, 2026

MIR/Town of Liberty/Town of Liberty
120 N Main St
Liberty, NY 12754-1861

Subject: Jurisdictional Inspection conducted on June 18, 2026

Insured: New York Municipal Insurance Reciprocal Inc.
Policy: Atd Mono / 000076447122 / Federal Insurance Company

Dear Laurie,

Thank you for choosing Federal Insurance Company, a subsidiary of Chubb Limited, as your insurance carrier. The purpose of this visit was to inspect the object listed below to determine compliance with applicable jurisdictional requirements and best engineering practices.

Manufacturer	Type	Jurisdictional #	Location	Inspection Result	Expiration Date
Burnham	CI	NY015091L	Boiler Room	Violation: Not Certificate Blocking	6/18/28

The object listed above was found to have deficiencies that do not meet the requirements of the jurisdictional authority or best engineering practices as indicated. Refer to the attached violation and recommendations document that details the code violations and recommendations discovered and corrective measures that are required to fully comply with the jurisdiction or best engineering practices.

An inspection report has been forwarded to the jurisdictional authority detailing the conditions observed for each object listed above. Certificates of operation will be issued or renewed for objects listed above that do not have pending "certificate blocking" violations.

It was a pleasure to meet you and I appreciate the time that you took to meet with me. Please contact me when corrective actions related to the code violations and recommendations detailed in this letter have been completed or are scheduled for completion so that we can inform the jurisdictional authority of your progress. A follow up inspection may be necessary to clear violations that were certificate blocking subject to our discretion. If you have any questions, please feel free to contact me at 518-903-4260 or cam.horan@chubb.com.

The material presented herein is advisory in nature and is offered as a resource to be used together with your professional insurance advisors in maintaining a loss prevention program. Evaluations, reports, and recommendations are made solely to assist the insurer in underwriting and loss control. Evaluation for any hazard or condition does not imply that it is covered under any policy. Coverage is subject to the language of the policies as actually issued. No liabilities or warranties are assumed or provided by the information contained in this document. Any reports or certificates we provide in connection with any provincially required pressure vessel inspection do not mean that all hazards or conditions were under control at the time of the inspection. Neither we nor the insurer shall be liable to you or any other person for the use of any information provided or statements made by any of our employees or agents during the performance of an evaluation.

New York Municipal Insurance Reciprocal Inc.
120 N Main St
Liberty, NY 12754-1861
Policy: Atd Mono / 000076447122 / Federal Insurance Company
Subject: Jurisdictional Inspection conducted on June 18, 2026

Sincerely,

Cameron Horan

Cameron Horan
Chubb Risk Consulting

cc: MIR/Town of Liberty/Town of Liberty
Laurie Dutcher, Town of Liberty, Town Clerk,
l.dutcher@townofliberty.org
Rob Rowe, Wright Insurance, rrowe@wrightinsurance.com
Roger Cuva, Wright Risk Management, VP Team Leader, Risk
Management, NYMIR, rcuva@wrightinsurance.com
Carpenter Marsh Fac Re Llc
Pam Sobczak, Chicago, IL
Gina Santana, Central Processing Center

The material presented herein is advisory in nature and is offered as a resource to be used together with your professional insurance advisors in maintaining a loss prevention program. Evaluations, reports, and recommendations are made solely to assist the insurer in underwriting and loss control. Evaluation for any hazard or condition does not imply that it is covered under any policy. Coverage is subject to the language of the policies as actually issued. No liabilities or warranties are assumed or provided by the information contained in this document. Any reports or certificates we provide in connection with any provincially required pressure vessel inspection do not mean that all hazards or conditions were under control at the time of the inspection. Neither we nor the insurer shall be liable to you or any other person for the use of any information provided or statements made by any of our employees or agents during the performance of an evaluation.

New York Municipal Insurance Reciprocal Inc.
MIR/Town of Liberty/Town of Liberty
 120 N Main St
 Liberty, NY 12754-1861
 VISIT DATE: June 18, 2026
 RISK ENGINEERING CONTACT: Cameron Horan cam.horan@chubb.com

Not Certificate Blocking Code Violation

A “not certificate blocking” code violation identifies a deficiency relative to a jurisdictional code requirement that must be complied with but does not prevent the issuance or renewal of a certificate of operation. This violation is a requirement of law and must be completed in a timeframe dictated by the jurisdictional authority even though the operating permit has been issued or renewed.

CV-2026-06-001: Not Certificate Blocking

June 18, 2026

Burnham CI NY015091L

Sight Glass - Dirty

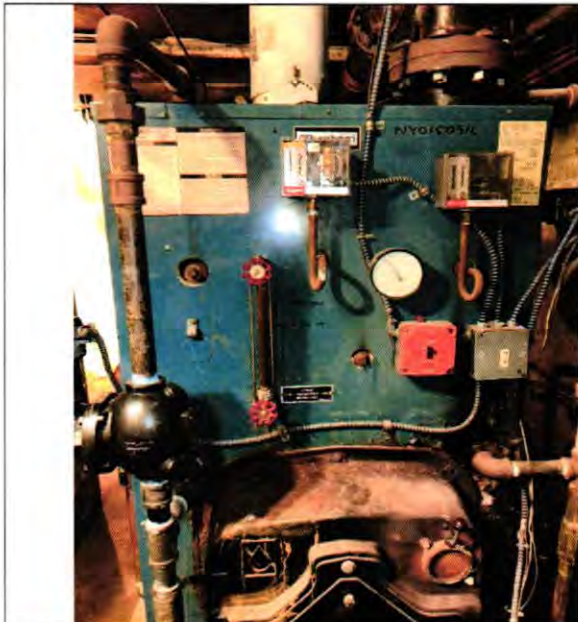
The boiler sight glass is dirty and water level cannot be determined during operation. Water level is monitored in the boiler during operation and can provide early detection of abnormal conditions.

Clean or replace the boiler sight glass. Any repairs should be carried out by qualified individuals or organizations.

Industry Reference: NBIC Part 2 Sect 2.2.10.4(a)

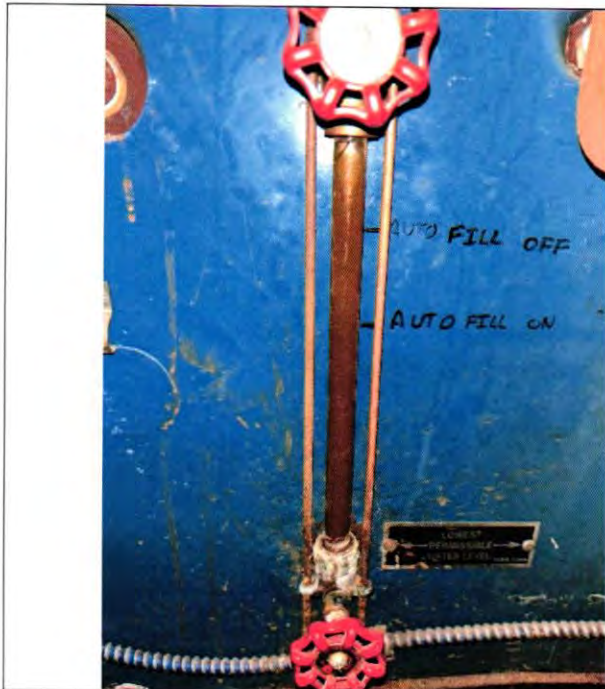
Photo

Comment



Boiler Front and Identification

This document is advisory in nature. It is offered as a resource to be used together with your professional insurance advisors in maintaining a loss prevention program. Evaluations, reports, and recommendations are made solely to assist the insurer in underwriting and loss control. Evaluation for any hazard or condition does not imply that it is covered under any policy. No liabilities or warranties are assumed or provided by the information contained in this document. Any reports or certificates we provide in connection with any provincially required pressure vessel inspection do not mean that all hazards or conditions were under control at the time of the inspection. Neither we nor the insurer shall be liable to you or any other person for the use of any information provided or statements made by any of our employees or agents during the performance of an evaluation.



Sight glass dirty; water level not easily identifiable

New York Association of Towns

Bill of Rights

Whereas, town government provides services essential to the vitality and success of New York State, like maintaining and repairing roads; protecting neighborhoods and businesses; guiding and supporting growth and economic development and acting as the first line of defense, communication and safety to residents every day of the calendar year.

Whereas, towns in New York State are phenomenally diverse, ranging in population, geography, demographics and other factors, and decisions are best made at the local level, by the government that best understands their town's attributes, challenges and character.

Whereas, 933 total towns in New York State are claimed as HOME by more than 9.1 million New Yorkers, New York's towns should not be considered subsidiaries of the state, but rather as *partners* in shaping New York's future.

BILL OF RIGHTS

1. Protect and Defend Municipal Home Rule

As the level of government closest to the people, towns are best positioned to understand local needs, balance competing interests, and make decisions that shape daily life in meaningful ways. Preserving that authority matters not just for towns, but for the health of local democracy itself.

2. Protect Our Lands, Guide Our Development

Land use and zoning decisions belong in local hands - not in statewide zoning schemes or arbitrary shot clock deadlines that ignore the voice of residents and elected officials that live there.

3. Freedom from Unfunded Mandates

Local taxpayers should not be expected to bear the brunt of orders placed by bureaucrats in Albany and Washington, D.C. Taxpayers deserve fairness, and local budgets need relief.

4. Modernize Transparency, Accessibility and Engagement

Outdated public notice requirements soak up very essential dollars in municipal budgets by forcing them to pay money for print public notices that can be often missed and are counterproductive to civic awareness.

5. A Voice in Decisions Impacting our Hometowns

A true partnership between the State of New York and its local governments will propel the Empire State forward and bear dividends to benefit all New Yorkers. As the governing body closest to more than 9.1 million New Yorkers, town government should be treated by the state as true partners -- not as an afterthought or a hurdle to clear.

Offerer Disclosure of Prior Non-Responsibility Determinations

SURPLUS INQUIRY NO. # 2024-013
SURPLUS PROPERTY CASE NO. 09-III-863

Name of individual or entity
seeking to enter into the
Procurement Contract: Town of Liberty

Address: 120 North Main St
Liberty, NY 12754

Name & Title of
Person Submitting this Form: _____

Contract Procurement Number: _____

Date: _____

1. *Has any Governmental Entity made a finding of non-responsibility regarding the individual or entity seeking to enter into the Procurement Contract in the previous four years?*

NO YES

If yes, please answer the next questions:

2. *Was the basis for the finding of non-responsibility due to a violation of State Finance Law §139-j?*

NO YES

3. *Was the basis for the finding of non-responsibility due the intentional provision of false or incomplete information to a Governmental Entity*

NO YES

4. *If you answered yes to any of the above questions, please provide details regarding the finding of non-responsibility below.*

Governmental Entity: _____

Date of Finding of Non-responsibility: _____

Basis of Finding of Non-responsibility: _____

(Add additional pages as necessary)

Offerer Disclosure of Prior Non-Responsibility Determinations - continued

SURPLUS INQUIRY NO. # 2024-013

SURPLUS PROPERTY CASE NO. 09-III-863

5. *Has any Governmental Entity or other Governmental Agency terminated or withheld a Procurement Contract with the above-named individual or entity due to the intentional provision of false or incomplete information?*

NO

YES

6. *If yes, please provide details below.*

Governmental Entity: _____

Date of Termination or Withholding of Contract: _____

Basis of Termination or Withholding: _____

(Add additional pages as necessary)

Offerer certifies that all information provided to the New York State Department of Transportation with respect to State Finance Law §139-k is complete, true and accurate.

By: _____ Date: _____
(Signature)

Name: _____ Title: _____
(Printed or Typed) (Printed or Typed)

PURCHASER DISCLOSURE OF DESIGNATED CONTACTS

SURPLUS INQUIRY NO. # 2024-013
SURPLUS PROPERTY CASE NO. 09-III-863

As a potential Purchaser or Purchaser entering into a real property contract with the State of New York, you are required to disclose any person(s) or organization(s) retained or designated to act on your behalf or influence in any way the outcome of this transaction. This includes attorneys or, if the Purchaser is a corporation or partnership, any designated employee. You are also required to update this information, should it change, during the negotiation or evaluation process of this procurement.

This form should be completed for each person or organization retained or designated to act on behalf of the Purchaser. Copies of this form may be made and submitted as necessary.

Purchaser Name: Town of Liberty
Address: 120 North Main St
Liberty, NY 12754

Is this an initial filing or an updated filing?

Initial Filing

Updated Filing

Has a person or organization been retained, employed or designated to act on your behalf?

NO

YES: *In addition to the purchaser named above, the following person or organization has been retained, employed or designated to act in my behalf:*

Name: _____

Address: _____

Telephone No. _____

Does the above named person or organization have a financial interest in the procurement?

YES

NO

Person submitting this form – if Purchaser is a corporation or partnership, this form must be signed by an officer or partner:

Name: _____ Title: _____
Printed or Typed Printed or Typed

Signature: _____ Date: _____

Offerer Certification of Compliance with State Finance Law §139-k(5)

SURPLUS INQUIRY NO. # 2024-013
SURPLUS PROPERTY CASE NO. 09-III-863

Offerer Certification:

I certify that all information provided to the New York State Department of Transportation with respect to State Finance Law §139-k is complete, true and accurate.

By: _____ Date: _____
(Signature)

Name: _____ Title: _____
(Printed or Typed) (Printed or Typed)

Purchaser/Contractor Name: _____

Purchaser/Contractor Address: _____

**Offerer's Affirmation of Understanding and Agreement pursuant to
State Finance Law §139-j(3) and §139-j(6)(b)**

SURPLUS INQUIRY NO. # 2024-013
SURPLUS PROPERTY CASE NO. : 09-III-863

Offerer affirms that it understands and agrees to comply with the procedures of the Government Entity relative to permissible contacts as required by State Finance Law §139-j(3) and §139-j(6)(b).

By: _____ Date: _____
(Signature)

Name: _____ Title: _____
(Printed or Typed) (Printed or Typed)

Purchaser/Contractor Name: Town of Liberty

Purchaser/Contractor Address: 120 North Main St

Liberty, NY 12754



**Town of Liberty, NY
July 6, 2026 Town Board Meeting
Update on Projects**

1. *Water & Sewer Infrastructure Upgrade Project (Old Rte 17 Corridor)*

USEPA Grant

- Contract work and subcontracting related to Engineering Services (up to 50% design) are underway.
- A No-Cost Time Extension Request was submitted to USEPA on 6/26/26.

SEQR

- The Town Board resolved to act as Lead Agency for an Unlisted Action – Coordinated SEQR review at the March 2, 2026 meeting
- The Town reviewed and resolved to accept the SEQR Full Environmental Assessment Form (FEAF) Part 1 (with changes) and authorized the Town Supervisor to sign the document at the May 18, 2026 meeting
- SEQR coordinated review mailing was sent out to potentially involved agencies on May 2; comments were due back by June 23, 2026.
- Comments were received from NYSDOT and NYSDOH (no significant comments).
- Attached Board review:
 - DRAFT SEQR FEAF Part 2 – Identification of Potential Project Impacts: No potential moderate to large impacts identified.
 - DRAFT SEQR FEAF Part 3 – Evaluation of the Magnitude and Importance of Potential Impacts and Determination of Significance with Narrative: The project will result in no significant adverse impacts on the environment.
- **Read through SEQR Part 2 and Part 3**
 - **Any comments, questions or desired revisions?**
 - **Consider determination of significance.**
- **If the Town agrees with the SEQR materials – as submitted or with noted changes – and concurs that that *Water and Sewer Upgrade and Expansion Extension Project* will result in no significant adverse impacts on the environment, then we recommend that the Board:**
 - **Conclude, as Lead Agency for the SEQR review, based on the materials reviewed at the July 6, 2026 meeting including SEQR FEAF Part 2, and potentially involved agency comments from NYSDOH and NYSDOT, SEQR FEAF Part 3 with Narrative, and supporting documentation, that the *Water and Sewer Upgrade and Expansion Extension Project* will result in no significant adverse impacts on the environment, and therefore, an environmental impact statement need not be prepared.**
 - **Issue a Negative Declaration and authorize the Town Supervisor to endorse the SEQR FEAF Part 3 indicating this negative determination.**

2. *Swan Lake WWTP Upgrade*

- Continuing preparation of responses to NYSDEC SPDES permit/PER comment letter and design work
- FY27 Congressionally Directed Spending (CDS) Request Form submitted by March 22, 2026
- **USDA RD Application submitted by Town via the RD-Apply portal in June 2026.**
- On going discussions with USDA-RD, and Other State and Federal representatives on additional grant funding

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- **2026 CFA Application (due by July 31, 2026).**
 - Review and consider adopting the Swan Lake WWTP Upgrade WQIP and CSC Grant Application Municipal Authorizing Resolutions (attached)
 - **NYSDEC Water Quality Improvements (WQIP)**
 - Updated from last year.
 - Grant application will be for up to \$10M with a required local match of \$2.5M (25% of the requested grant amount).
 - Match funds cannot come from other New York State funding sources
 - Federal funding sourced may be used as match.
 - At this time this match is planned to be covered by the current NYSEFC PFA with BIL/IIJA , or could be the following pending Federal grant applications:
 - **USDA RD – Application submitted in June 2026**
 - **Congressionally Directed Spending (CDS) Request for up to for up to \$4M.**
 - Request submitted in March 2026
 - Project has been included in Senator Gillibrand’s list of requests for Congressionally Directed Spending (CDS) in the Fiscal Year 2027.
 - This does not yet guarantee that the project will be funded.
 - **If the Town agrees to submit the WQIP application, we recommend that the Board**
 - **Authorize Town Supervisor Frank DeMayo, to act on its behalf in submittal of a NYSDEC Water Quality Improvements (WQIP) grant application through the Consolidated Funding Application for \$10,000,000 for the to be used for the Swan Lake WWTP Upgrade Project.**
 - **Climate Smart Communities (CSC)**
 - Revised/updated from last year.
 - Grant application will be for up to \$2M with a required local match of \$500K (20% of total project costs).
 - Other state grants and federal funds are NOT eligible as match for a CSC grant award.
 - **At this time this match would need to be covered by local/Town funds.**
 - **If the Town agrees to submit the CSC application, we recommend that the Board**
 - **Authorize Town Supervisor Frank DeMayo, to act on its behalf in submittal of a Climate Smart Communities (CSC) grant application through the Consolidated Funding Application for \$2,000,000 to be used for the Swan Lake WWTP Upgrade Headworks Relocation Project.**

3. *Swan Lake WWTP 2024 NYSDEC Notice of Violation (NOV)*

- **Interim Reports**
 - Delaware updated and submitted the April 2026 Interim Report to NYSDEC on 4/29/26
 - Next Interim Report due in July 2026
- **Temporary Sludge Dewatering Services Bid Award**
 - Temporary Belt Press is onsite and operating.
- **Other NOV items**
 - Town to move forward with Sewer Use Ordinance (SUO) for rag control (SOC includes refining the draft law addition by June 30, 2026) and continuing enforcement of flow metering (>3,000 gpd)
 - Delaware to provide cost proposal for Board consideration to develop specifications for specific rag control and flow metering for sewer connections above 3,000 gpd.
 - Town continued with program to hire additional staff for rag raking. Staff onsite July 1.
 - Town W&S Dept. to confirm usability of remaining sludge polymer and order more if needed for/during the temporary dewatering.

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- NYSDEC advisement pending on Water Treatment Chemical (WTC) items related to sludge polymer for temporary dewatering. Town W&S has set up for and conducted WET testing for compliance in July 2026.
4. **Swan Lake WWTP 2026 NYSDEC Notice of Violation (NOV)**
 - On June 11, 2026 the Town received a Notice of Violation
 - A technical meeting was held on Tuesday, June 30, 2026.
 5. **Swan Lake Sewer System Evaluation/II EPG Study**
 - Field work completed March 24 thru March 27, 2026
 - Inspection documentation received on 4/15/26, and provided to the Town
 - The Engineering Report needs to be done by February 2027 (18 months from execution of the Grant Agreement)
 6. **Loomis WWTP Clarifier Repair**
 - Notice to Proceed issued to Poolbrook Contracting on April 1, 2026.
 - Poolbrook has been onsite to disassemble the clarifier and transport the drive shop for assembly, and installed new anchor bolts.
 - Reassembly resumed July 1, 2026. Manufacturer site visit pending. Anticipated completion in July 2026.
 7. **Loomis WWTP 2026 NYSDEC Notice of Violation (NOV)**
 - On June 15, 2026 the Town received a Notice of Violation
 - A technical meeting was held on Tuesday, June 30, 2026.
 - Initial reply due by July 15, 2026.
 - Review and consider execution of the Delaware Engineering's contract proposal for the initial response to the June 15, 2026 NOV
 8. **Swan Lake WWTP Recirculation Pump Repair**
 - Notice of Award issued to Koester on April 1, 2026.
 - Notice to Proceed issued on April 27, 2026.
 - Town staff removed Recirculation Pump #1, and Koester picked it up for repair on 5/11/26.
 - Estimated delivery of the repaired pump is approximately 8 weeks from pickup.
 9. **Basketball Court by Skate Park**
 - Revised grading plan submitted on June 15.
 - Reviewing revised conceptual plan and details with the Town based on recent meeting with contactors.
 10. **Ferndale Water District Pump/Tank Communication and Mixer**
 - Discussions with Damon to confirm the scope are under way.
 - Proposed replacement of telephone-line communication between Ferndale Water Tank and Stevensville Booster Station with wireless, due to wet weather communication failure.
 - Delaware will prepare a contract for our work for Board consideration.
 11. **Delaware River Basin Commission (DRBC) Groundwater Withdrawal Docket/Permit**
 - The Town's DRBC Groundwater Withdrawal Docket expired on March 16, 2026 (10-year term).
 - A complete renewal application, was due last year (March 2025), 12 months in advance of expiration.
 - In 2014 Delaware worked with the Town to prepare and submit the application. This was a \$15,000 - \$20,000 effort.
-

DELAWARE ENGINEERING, D.P.C.

- Some application may remain valid, but a substantial portion will require updating.
- Does the Town want Delaware to work with the W&S Dept. to update and submit the application? If so, Delaware can provide a cost proposal to do so.

12. Green Hills 3

- Continuing to work with the Town to respond to revised design for flow meter and rag control (temporary septic tank).
- Septic Tank (for temporary rag control) approved and returned to Owners' Engineer (Keystone) and the Town on 5/20/26
- Flow meter vendor needs to respond to a few more questions on system applicability.

13. Attachments

- Water & Sewer Infrastructure Upgrade Project (Old Rte 17 Corridor)
 - SEQR FEAF Part 2
 - SEQR FEAF Part 3 with Narrative
- Swan Lake WWTP 2026 CFA Applications
 - WQIP Application Municipal Authorizing Resolution
 - CSC application Municipal Authorizing Resolution
- Loomis WWTP 2026 Contract Proposal

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

- None

Liberty TBMtg Report 07-06-26f.docx
Enclosures

Full Environmental Assessment Form
Part 2 - Identification of Potential Project Impacts

Project:	Liberty Water and Sewer Extension Project
Date:	July 6, 2026

Part 2 is to be completed by the lead agency. Part 2 is designed to help the lead agency inventory all potential resources that could be affected by a proposed project or action. We recognize that the lead agency's reviewer(s) will not necessarily be environmental professionals. So, the questions are designed to walk a reviewer through the assessment process by providing a series of questions that can be answered using the information found in Part 1. To further assist the lead agency in completing Part 2, the form identifies the most relevant questions in Part 1 that will provide the information needed to answer the Part 2 question. When Part 2 is completed, the lead agency will have identified the relevant environmental areas that may be impacted by the proposed activity.

If the lead agency is a state agency **and** the action is in any Coastal Area, complete the Coastal Assessment Form before proceeding with this assessment.

Tips for completing Part 2:

- Review all of the information provided in Part 1.
- Review any application, maps, supporting materials and the Full EAF Workbook.
- Answer each of the 18 questions in Part 2.
- If you answer "Yes" to a numbered question, please complete all the questions that follow in that section.
- If you answer "No" to a numbered question, move on to the next numbered question.
- Check appropriate column to indicate the anticipated size of the impact.
- Proposed projects that would exceed a numeric threshold contained in a question should result in the reviewing agency checking the box "Moderate to large impact may occur."
- The reviewer is not expected to be an expert in environmental analysis.
- If you are not sure or undecided about the size of an impact, it may help to review the sub-questions for the general question and consult the workbook.
- When answering a question consider all components of the proposed activity, that is, the whole action.
- Consider the possibility for long-term and cumulative impacts as well as direct impacts.
- Answer the question in a reasonable manner considering the scale and context of the project.

1. Impact on Land		<input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES
Proposed action may involve construction on, or physical alteration of, the land surface of the proposed site. (See Part 1. D.1)			
<i>If "Yes", answer questions a - j. If "No", move on to Section 2.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may involve construction on land where depth to water table is less than 3 feet.	E2d	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may involve construction on slopes of 15% or greater.	E2f	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may involve construction on land where bedrock is exposed, or generally within 5 feet of existing ground surface.	E2a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve the excavation and removal of more than 1,000 tons of natural material.	D2a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may involve construction that continues for more than one year or in multiple phases.	D1e	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result in increased erosion, whether from physical disturbance or vegetation removal (including from treatment by herbicides).	D2e, D2q	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed action is, or may be, located within a Coastal Erosion hazard area.	B1i	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. Other impacts:		<input type="checkbox"/>	<input type="checkbox"/>

2. Impact on Geological Features

The proposed action may result in the modification or destruction of, or inhibit access to, any unique or unusual land forms on the site (e.g., cliffs, dunes, minerals, fossils, caves). (See Part 1. E.2.g)

NO

YES

If "Yes", answer questions a - c. If "No", move on to Section 3.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Identify the specific land form(s) attached:	E2g	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may affect or is adjacent to a geological feature listed as a registered National Natural Landmark. Specific feature:	E3c	<input type="checkbox"/>	<input type="checkbox"/>
c. Other impacts:		<input type="checkbox"/>	<input type="checkbox"/>

3. Impacts on Surface Water

The proposed action may affect one or more wetlands or other surface water bodies (e.g., streams, rivers, ponds or lakes). (See Part 1. D.2, E.2.h)

NO

YES

If "Yes", answer questions a - l. If "No", move on to Section 4.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may create a new water body.	D2b, D1h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in an increase or decrease of over 10% or more than a 10 acre increase or decrease in the surface area of any body of water.	D2b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may involve dredging more than 100 cubic yards of material from a wetland or water body.	D2a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve construction within or adjoining a freshwater or tidal wetland, or in the bed or banks of any other water body.	E2h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may create turbidity in a waterbody, either from upland erosion, runoff or by disturbing bottom sediments.	D2a, D2h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may include construction of one or more intake(s) for withdrawal of water from surface water.	D2c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may include construction of one or more outfall(s) for discharge of wastewater to surface water(s).	D2d	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. The proposed action may cause soil erosion, or otherwise create a source of stormwater discharge that may lead to siltation or other degradation of receiving water bodies.	D2e	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i. The proposed action may affect the water quality of any water bodies within or downstream of the site of the proposed action.	E2h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j. The proposed action may involve the application of pesticides or herbicides in or around any water body.	D2q, E2h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
k. The proposed action may require the construction of new, or expansion of existing, wastewater treatment facilities.	D1a, D2d	<input checked="" type="checkbox"/>	<input type="checkbox"/>

I. Other impacts:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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4. Impact on groundwater
 The proposed action may result in new or additional use of ground water, or may have the potential to introduce contaminants to ground water or an aquifer. NO YES
 (See Part 1. D.2.a, D.2.c, D.2.d, D.2.p, D.2.q, D.2.t)
If "Yes", answer questions a - h. If "No", move on to Section 5.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may require new water supply wells, or create additional demand on supplies from existing water supply wells.	D2c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Water supply demand from the proposed action may exceed safe and sustainable withdrawal capacity rate of the local supply or aquifer. Cite Source:	D2c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may allow or result in residential uses in areas without water and sewer services.	D1a, D2c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may include or require wastewater discharged to groundwater.	D2d, E2l	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in the construction of water supply wells in locations where groundwater is, or is suspected to be, contaminated.	D2c, E1f, E1g, E1h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may require the bulk storage of petroleum or chemical products over ground water or an aquifer.	D2p, E2l	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may involve the commercial application of pesticides within 100 feet of potable drinking water or irrigation sources.	E2h, D2q, E2l, D2c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. Other impacts:		<input type="checkbox"/>	<input type="checkbox"/>

5. Impact on Flooding
 The proposed action may result in development on lands subject to flooding. NO YES
 (See Part 1. E.2)
If "Yes", answer questions a - g. If "No", move on to Section 6.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in development in a designated floodway.	E2i	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in development within a 100-year or a 500-year floodplain.	E2j, E5a, E5b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in development in an area potentially affected by sea level rise.	E2k, E5c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in, or require, modification of existing drainage patterns.	D2b, D2e	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may change flood water flows that contribute to flooding.	D2b, E2i, E2j, E2k	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. If there is a dam located on the site of the proposed action, is the dam in need of repair, or upgrade?	E1e	<input checked="" type="checkbox"/>	<input type="checkbox"/>

g. Other impacts:		<input type="checkbox"/>	<input type="checkbox"/>
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6. Impacts on Air and Climate

The proposed action may include a state regulated air emission source. (See Part 1. D.2.f., D.2.h, D.2.g) or generate greenhouse gas emissions over 10,000 metric tons of carbon dioxide equivalents (See Part 1. D.2.h)

NO YES

If "Yes", answer questions a - i. If "No", move on to Section 7.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. If the proposed action requires federal or state air emission permits, the action may also have the potential to emit one or more regulated air contaminants at or above the following levels: i. More than 100 short tons/year of carbon monoxide (CO) ii. More than 100 short tons/year of oxides of nitrogen (NO _x) outside the NYC Metropolitan Area or Long Island OR 25 short tons/year within the NYC Metropolitan Area or Long Island iii. More than 100 short tons/year of particulate matter (PM-10, PM-2.5) iv. More than 50 short tons/year of volatile organic compounds (VOC) outside the NYC Metropolitan Area or Long Island OR 25 short tons/year within the NYC Metropolitan Area or Long Island v. More than 100 short tons/year of sulfur dioxide (SO ₂)	D2g D2g D2g D2g D2g	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
b. The proposed action has the potential to emit 10 short tons/year or more of any one designated hazardous air pollutant, or 25 short tons/year or more of any combination of such hazardous air pollutants.	D2g	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may include a heat source capable of producing more than 20 million BTUs per hour.	D2f, D2g	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may exceed 50% of any of the thresholds in "a" or "b", _____ above.	D2g	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in the combustion or thermal treatment of solid, hazardous, or hospital/medical/infectious waste.	D2f, D2s	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action is subject to the Nonattainment New Source Review or Prevention of Significant Deterioration requirements discussed in 6 NYCRR Part 231.	D2g	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action will emit more than 10,000 metric tons of CO ₂ equivalents per year.	D2h	<input type="checkbox"/>	<input type="checkbox"/>
h. A municipality adopted comprehensive or individual plan addressing climate change applies to the proposed action and the proposed action would materially conflict with the achievement of one or more goals of the plan related to climate change.	C2d	<input type="checkbox"/>	<input type="checkbox"/>
i. Other impacts:		<input type="checkbox"/>	<input type="checkbox"/>

7. Impact on Plants and Animals

The proposed action may result in a loss of flora or fauna. (See Part 1. E.2. m.-q.)

 NO

 YES

If "Yes", answer questions a - j. If "No", move on to Section 8.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may cause reduction in population or loss of individuals of any threatened or endangered species, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2o	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in a reduction or degradation of any habitat used by any rare, threatened or endangered species, as listed by New York State or the federal government.	E2o	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may cause reduction in population, or loss of individuals, of any species of special concern or conservation need, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2p	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in a reduction or degradation of any habitat used by any species of special concern and conservation need, as listed by New York State or the Federal government.	E2p	<input type="checkbox"/>	<input type="checkbox"/>

e. The proposed action may diminish the capacity of a registered National Natural Landmark to support the biological community it was established to protect.	E3c	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result in the removal of, or ground disturbance in, any portion of a designated significant natural community. Source:	E2n	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may substantially interfere with nesting/breeding, foraging, or over-wintering habitat for the predominant species that occupy or use the project site.	E2m	<input type="checkbox"/>	<input type="checkbox"/>
h. The proposed action requires the conversion of more than 10 acres of forest, grassland or any other regionally or locally important habitat. Habitat type & information source: _____	E1b	<input type="checkbox"/>	<input type="checkbox"/>
i. Proposed action (commercial, industrial or recreational projects, only) involves use of herbicides or pesticides.	D2q	<input type="checkbox"/>	<input type="checkbox"/>
j. Other impacts:		<input type="checkbox"/>	<input type="checkbox"/>

8. Impact on Agricultural Resources			
The proposed action may impact agricultural resources. (See Part 1. E.3.a. and b.) <i>If "Yes", answer questions a - h. If "No", move on to Section 9.</i>		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may impact soil classified within soil group 1 through 4 of the NYS Land Classification System.	E2c, E3b	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may sever, cross or otherwise limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc).	E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in the excavation or compaction of the soil profile of active agricultural land.	E3b	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may irreversibly convert agricultural land to non-agricultural uses, either more than 2.5 acres if located in an Agricultural District, or more than 10 acres if not within an Agricultural District.	E1b, E3a	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may disrupt or prevent installation of an agricultural land management system.	E1 a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result, directly or indirectly, in increased development potential or pressure on farmland.	C2c, C3, D2c, D2d	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed project is not consistent with the adopted municipal Farmland Protection Plan.	C2c	<input type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: <u>See Part 3 Narrative</u>		<input checked="" type="checkbox"/>	<input type="checkbox"/>

9. Impact on Aesthetic Resources
 The land use of the proposed action is obviously different from, or are in sharp contrast to, current land use patterns between the proposed project and a scenic or aesthetic resource. (Part 1. E.1.a, E.1.b, E.3.h.)
If "Yes", answer questions a - g. If "No", go to Section 10.

NO YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Proposed action may be visible from any officially designated federal, state, or local scenic or aesthetic resource.	E3h	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the obstruction, elimination or significant screening of one or more officially designated scenic views.	E3h, C2b	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may be visible from publicly accessible vantage points: i. Seasonally (e.g., screened by summer foliage, but visible during other seasons) ii. Year round	E3h	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
d. The situation or activity in which viewers are engaged while viewing the proposed action is: i. Routine travel by residents, including travel to and from work ii. Recreational or tourism-based activities	E3h E2q, E1c	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
e. The proposed action may cause a diminishment of the public enjoyment and appreciation of the designated aesthetic resource.	E3h	<input type="checkbox"/>	<input type="checkbox"/>
f. There are similar projects visible within the following distance of the proposed project: 0-1/2 mile 1/2 -3 mile 3-5 mile 5+ mile	D1a, E1a, D1f, D1g	<input type="checkbox"/>	<input type="checkbox"/>
g. Other impacts:		<input type="checkbox"/>	<input type="checkbox"/>

10. Impact on Historic and Archeological Resources
 The proposed action may occur in or adjacent to a historic or archaeological resource. (Part 1. E.3.e, f. and g.)
If "Yes", answer questions a - e. If "No", go to Section 11.

NO YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may occur wholly or partially within, or substantially contiguous to, any buildings, archaeological site or district which is listed on the National or State Register of Historical 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.	E3e	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may occur wholly or partially within, or substantially contiguous to, an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory.	E3f	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may occur wholly or partially within, or substantially contiguous to, an archaeological site not included on the NY SHPO inventory. Source:	E3g	<input checked="" type="checkbox"/>	<input type="checkbox"/>

d. Other impacts:		<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. If any of the above (a-d) are answered “Moderate to large impact may occur”, continue with the following questions to help support conclusions in Part 3:			
i. The proposed action may result in the destruction or alteration of all or part of the site or property.	E3e, E3g, E3f	<input type="checkbox"/>	<input type="checkbox"/>
ii. The proposed action may result in the alteration of the property’s setting or integrity.	E3e, E3f, E3g, E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
iii. The proposed action may result in the introduction of visual elements which are out of character with the site or property, or that may alter its setting.	E3e, E3f, E3g, E3h, C2, C3	<input type="checkbox"/>	<input type="checkbox"/>

11. Impact on Open Space and Recreation			
The proposed action may result in a loss of recreational opportunities or a reduction of an open space resource as designated in any adopted municipal open space plan. (See Part 1. C.2.c, E.1.c., E.2.q.) <i>If “Yes”, answer questions a - e. If “No”, go to Section 12.</i>		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in an impairment of natural functions, or “ecosystem services”, provided by an undeveloped area, including but not limited to stormwater storage, nutrient cycling, wildlife habitat.	D2e, E1b E2h, E2m, E2o, E2n, E2p	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the loss of a current or future recreational resource.	C2a, E1c, C2c, E2q	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may eliminate open space or recreational resource in an area with few such resources.	C2a, C2c E1c, E2q	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in loss of an area now used informally by the community as an open space resource.	C2c, E1c	<input type="checkbox"/>	<input type="checkbox"/>
e. Other impacts:		<input type="checkbox"/>	<input type="checkbox"/>

12. Impact on Critical Environmental Areas			
The proposed action may be located within or adjacent to a critical environmental area (CEA). (See Part 1. E.3.d) <i>If “Yes”, answer questions a - c. If “No”, go to Section 13.</i>		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in a reduction in the quantity of the resource or characteristic which was the basis for designation of the CEA.	E3d	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in a reduction in the quality of the resource or characteristic which was the basis for designation of the CEA.	E3d	<input type="checkbox"/>	<input type="checkbox"/>
c. Other impacts:		<input type="checkbox"/>	<input type="checkbox"/>

13. Impact on Transportation

The proposed action may result in a change to existing transportation systems.

NO

YES

(See Part 1. D.2.j)

If "Yes", answer questions a - f. If "No", go to Section 14.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Projected traffic increase may exceed capacity of existing road network.	D2j	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the construction of paved parking area for 500 or more vehicles.	D2j	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action will degrade existing transit access.	D2j	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action will degrade existing pedestrian or bicycle accommodations.	D2j	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may alter the present pattern of movement of people or goods.	D2j	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: See Part 3 narrative.		<input checked="" type="checkbox"/>	<input type="checkbox"/>

14. Impact on Energy

The proposed action may cause an increase in the use of any form of energy.

NO

YES

(See Part 1. D.2.k)

If "Yes", answer questions a - e. If "No", go to Section 15.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action will require a new, or an upgrade to an existing, substation.	D2k	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two-family residences or to serve a commercial or industrial use.	D1f, D1q, D2k	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may utilize more than 2,500 MWhrs per year of electricity.	D2k	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve heating and/or cooling of more than 100,000 square feet of building area when completed.	D1g	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Other Impacts: See Part 3 Narrative		<input checked="" type="checkbox"/>	<input type="checkbox"/>

15. Impact on Noise, Odor, and Light

The proposed action may result in an increase in noise, odors, or outdoor lighting.

NO

YES

(See Part 1. D.2.m., n., and o.)

If "Yes", answer questions a - f. If "No", go to Section 16.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may produce sound above noise levels established by local regulation.	D2m	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in blasting within 1,500 feet of any residence, hospital, school, licensed day care center, or nursing home.	D2m, E1d	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in routine odors for more than one hour per day.	D2o	<input checked="" type="checkbox"/>	<input type="checkbox"/>

d. The proposed action may result in light shining onto adjoining properties.	D2n	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in lighting creating sky-glow brighter than existing area conditions.	D2n, E1a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: See Part 3 narrative.		<input checked="" type="checkbox"/>	<input type="checkbox"/>

16. Impact on Human Health

The proposed action may have an impact on human health from exposure to new or existing sources of contaminants. (See Part 1.D.2.q., E.1. d. f. g. and h.)

NO

YES

If "Yes", answer questions a - m. If "No", go to Section 17.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action is located within 1500 feet of a school, hospital, licensed day care center, group home, nursing home or retirement community.	E1d	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The site of the proposed action is currently undergoing remediation.	E1g, E1h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. There is a completed emergency spill remediation, or a completed environmental site remediation on, or adjacent to, the site of the proposed action.	E1g, E1h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The site of the action is subject to an institutional control limiting the use of the property (e.g., easement or deed restriction).	E1g, E1h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may affect institutional control measures that were put in place to ensure that the site remains protective of the environment and human health.	E1g, E1h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action has adequate control measures in place to ensure that future generation, treatment and/or disposal of hazardous wastes will be protective of the environment and human health.	D2t	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed action involves construction or modification of a solid waste management facility.	D2q, E1f	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. The proposed action may result in the unearthing of solid or hazardous waste.	D2q, E1f	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i. The proposed action may result in an increase in the rate of disposal, or processing, of solid waste.	D2r, D2s	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j. The proposed action may result in excavation or other disturbance within 2000 feet of a site used for the disposal of solid or hazardous waste.	E1f, E1g E1h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
k. The proposed action may result in the migration of explosive gases from a landfill site to adjacent off-site structures.	E1f, E1g	<input checked="" type="checkbox"/>	<input type="checkbox"/>
l. The proposed action may result in the release of contaminated leachate from the project site.	D2s, E1f, D2r	<input checked="" type="checkbox"/>	<input type="checkbox"/>
m. Other impacts:		<input type="checkbox"/>	<input type="checkbox"/>

17. Consistency with Community Plans

The proposed action is not consistent with adopted land use plans.
(See Part 1. C.1, C.2. and C.3.)

NO

YES

If "Yes", answer questions a - h. If "No", go to Section 18.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action's land use components may be different from, or in sharp contrast to, current surrounding land use pattern(s).	C2, C3, D1a E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action will cause the permanent population of the city, town or village in which the project is located to grow by more than 5%.	C2	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action is inconsistent with local land use plans or zoning regulations.	C2, C2, C3	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action is inconsistent with any County plans, or other regional land use plans.	C2, C2	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may cause a change in the density of development that is not supported by existing infrastructure or is distant from existing infrastructure.	C3, D1c, D1d, D1f, D1d, E1b	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action is in an area characterized by low density development that will require new or expanded public infrastructure.	C4, D2c, D2d D2j	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may induce secondary development impacts (e.g., residential or commercial development not included in the proposed action)	C2a	<input type="checkbox"/>	<input type="checkbox"/>
h. Other:		<input type="checkbox"/>	<input type="checkbox"/>

18. Consistency with Community Character

The proposed project is inconsistent with the existing community character.
(See Part 1. C.2, C.3, D.2, E.3)

NO

YES

If "Yes", answer questions a - g. If "No", proceed to Part 3.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may replace or eliminate existing facilities, structures, or areas of historic importance to the community.	E3e, E3f, E3g	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may create a demand for additional community services (e.g. schools, police and fire)	C4	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may displace affordable or low-income housing in an area where there is a shortage of such housing.	C2, C3, D1f D1g, E1a	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may interfere with the use or enjoyment of officially recognized or designated public resources.	C2, E3	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action is inconsistent with the predominant architectural scale and character.	C2, C3	<input type="checkbox"/>	<input type="checkbox"/>
f. Proposed action is inconsistent with the character of the existing natural landscape.	C2, C3 E1a, E1b E2g, E2h	<input type="checkbox"/>	<input type="checkbox"/>
g. Other impacts:		<input type="checkbox"/>	<input type="checkbox"/>

19. Impact on Disadvantaged Communities

The proposed project may impact a disadvantaged community.
(See Part I. E.4)

NO YES

If "Yes", answer questions a - g. If "No", proceed to Part 3.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Is the potentially affected disadvantaged community identified as having comparatively higher burdens or vulnerabilities by the <i>Disadvantaged Community Assessment Tool</i> ?	E.4.c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may create new air emissions or increase existing air emissions within a disadvantaged community.	D.2.f-i, E.4	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may create new wastewater treatment or discharges, or expand existing wastewater treatment or discharges, within a disadvantaged community.	D.2.d	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action creates or expands a solid or hazardous waste management facility, or involves the generation of solid or hazardous waste, within or near a disadvantaged community.	D.2.r, D.2.s, D.2.t, E.1.f, E.1.g	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may increase traffic within a disadvantaged community.	D.2.j	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action affects or involves one or more of the following facility types: i. landfill; ii. other industrial, manufacturing, or mining land uses; iii. major oil or chemical bulk storage facility; iv. municipal waste combustor; v. power generation facility; vi. risk management plan site; vii. remediation site; or viii. scrap metal processor.	C.3.c, D.1.a, D.1.g, D.2.a, D.2.d, D.2.f, E.1.a, E.1.b, E.1.h, E.1.v, E.4	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
g. Other impacts: See Part 3 narrative.		<input checked="" type="checkbox"/>	<input type="checkbox"/>

20. Future Physical Climate Risks

The proposed project may be vulnerable to future physical climate risks or increase the vulnerability of human or ecological communities to future physical climate risks.

NO YES

(See Part 1. E.5)

If “Yes”, answer questions a - e. If “No”, proceed to Part 3.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action is vulnerable to damage from a projected 100-year flood.	E2j, E5a	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action is vulnerable to damage from a 500-year flood.	E2k, E5b	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action is in an area potentially affected by sea level rise.	E5c	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may increase the vulnerability of human or ecological communities to the following: i. drought ii. temperature extremes (hot or cold) iii. extreme storms, including high winds iv. landslides v. coastal erosion vi. stormwater flooding vii. other climate or weather hazards? If yes, describe: _____	E5d	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
e. Other impacts:		<input type="checkbox"/>	<input type="checkbox"/>

State Environmental Quality Review

Part 3 Narrative

Project Name: Water and Sewer Upgrade and Extension Project
SEQR Lead Agency: Town of Liberty Town Board

Full Environmental Assessment Form

Part 3 – Evaluation of the Magnitude and Importance of Project Impacts and Determination of Significance

The Water and Sewer Extension Project has been reviewed and evaluated for environmental impacts as an Unlisted action in accordance with SEQR regulations. This includes the completion of a Full Environmental Assessment Form (FEAF), written notification of the Action to 10 potentially involved agencies, as well as notifications to NYSHPO, NYSDEC Natural Heritage Program and the US Department of Interior through their online portals.

In completing the FEAF Part 2, it was determined that this project will not have a moderate to large impact on any of the items under consideration. The following narrative addresses the specific highlighted items in Part 2 that may have small impact. Part 2 items not addressed herein were determined to have no impact relative to this project.

The Town of Liberty, Sullivan County, is proposing to extend municipal water & sewer infrastructure from the Village of Liberty south along Harris Road (old Rte 17) approx. 1.5 miles to serve properties in the Town's Service Commercial (SC) and Industrial Commercial (IC) zoning districts. By providing water/sewer infrastructure, the Town will create shovel ready sites that will be more attractive to potential developers and help to bring jobs and housing to the Liberty Community. Water for the project will be supplied by the Town's Ferndale Water District and wastewater will be treated at the Village of Liberty wastewater treatment plant. Work will include the installation of +/- 8,850 lineal feet (lf) of watermain, +/- 4,200 lf of sewer main & +/- 8,000 lf of forcemain, upgrades to an existing pump station and the installation of 2 new sanitary pump stations.

All utility/pipeline work is planned to occur within Village, Town, Sullivan County and/or NYSDOT right-of-ways. New pump stations will be located adjacent to public roads and may occur on currently non-public properties.

State Environmental Quality Review

Part 3 Narrative

1. Impact on the Land:

a. The proposed action may involve construction on land where depth to water table is less than 3 feet.

According to the USGS, certain soils found in the project area may have a water table that's less than 3 feet. However, this is a utility installation project wherein excavation pits and trenches will be dewatered as necessary, and Erosion and Sediment Control measures will be implemented.

d. The proposed action may involve the excavation and removal of more than 1,000 tons of natural material.

The final amount of material that will be removed from the site is dependent upon the method of installation. The Town intends to use direction bore drilling whenever and wherever possible since it requires far less ground disturbance and material removal than open trench installation. This method is particularly useful for crossing highways, streams and wetlands as it minimizes ground disturbance and greatly reduces potential environmental risks. In areas of open trench installation, those materials that are not suitable for reuse as bedding, backfill, or pavement will be removed from the site and disposed of in accordance with applicable regulations.

f. The proposed action may result in increased erosion, whether from physical disturbance or vegetation removal (including from treatment by herbicides).

While the proposed project could potentially increase erosion, it is highly unlikely to occur since only short sections of the project will be installed at any one time. In addition, since the Project will be conducted in accordance with NYSDEC General Stormwater Permit and requires the use of Stormwater Best Management Practices (SBMP), any erosion will be mitigated.

3. Impact on Surface Water:

d. The proposed action may involve construction within or adjoining a freshwater or tidal wetland, or in the bed or banks of any other water body.

State Environmental Quality Review Part 3 Narrative

This project will involve two stream crossings and may come in close proximity to a designated wetland. However, directional bore drilling is anticipated to be used which will greatly reduce the risk of damage caused by the installation. In addition, work in these areas requires compliance with NYSDEC/USACOE permits.

e. The proposed action may create turbidity in a waterbody, either from upland erosion, runoff or by disturbing bottom sediments.

Impacts to the Mongaup will be mitigated using directional bore drilling for the stream crossing and Stormwater Best Management Practices (SBMP) to prevent turbidity and erosion. A NYSDEC/USACOE Joint Permit for the stream crossing will also be required.

h. The proposed action may cause soil erosion, or otherwise create a source of stormwater discharge that may lead to siltation or other degradation of receiving water bodies.

To protect the area waterbodies, work will be conducted in accordance with NYSDEC General Stormwater Permit and use SBMP to mitigate any potential impacts caused from stormwater created by the project. A NYSDEC/USACOE Joint Permit for the stream crossing will also be required.

4. Impacts on Ground Water:

a. The proposed action may require new water supply wells, or create additional demand on supplies from existing water supply wells.

b. Water supply demand from the proposed action may exceed safe and sustainable withdrawal capacity rate of the local supply or aquifer.

The Town intends to utilize water from their Fernwood Water District (supplied by the existing Stevensville and Sherwood Roth Wellfields) to provide the initial supply for the planned Liberty Business Park #1 with an estimated initial demand of up to 24,000 gpd.

The NYS Department of Health did express concerns about the ability of the Town system to continue to meet demand as more locations tap into the system. However, the Town continues to pursue additional sources to satisfy future potential demands.

State Environmental Quality Review Part 3 Narrative

c. The proposed action may allow or result in residential uses in areas without water and sewer services.

The Project is planned to provide initial services to Liberty Business Park #1 and could, in the future, allow for or result in residential uses.

5. Impacts on Flooding:

b. The proposed action may result in development within a 100-year or a 500-year floodplain.

Though parts of this project occur within both the 100- and 500-year floodplain, water and sewer lines in these locations will be installed below grade. No new above-ground buildings or structures are planned to be constructed in any floodplain area.

8. Impact on Agricultural Resources:

h. Other impacts:

Sullivan County participates in the NYS Agricultural District Program. However, while there are certain properties along Harris Road that are participating in the Ag District Program, this project will occur outside of those areas and will not impact either the Ag District or participating Ag District properties. The NYS Department Ag & Markets was included with the SEQR involved agencies notification. They have not provided a response.

10. Impact on Historic and Archeological Resources:

a. The proposed action may occur wholly or partially within, or substantially contiguous to, any buildings, archaeological site or district which is listed on the National or State Register of Historical 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.

State Environmental Quality Review Part 3 Narrative

The historic properties identified in Part 1 of the FEAF were auto-filled based on NYS resources identified in the project area. The Mapper identifies resources within the radius of the given project area and are not necessarily on the project route. The Town consulted with NYSHPO and received confirmation that *“no historic properties including archaeological and/or historic resources will be affected by the undertaking.”*

13. Impact on Transportation:

f. Other impacts:

The proposed Project will impact traffic patterns temporarily while under construction. Pipes will be laid in increments, making corridor impacts minimal and temporary. A Highway Work permit from NYSDOT and/or Sullivan County will be secured, as appropriate, prior to commencing work. All applicable standards for utility installation and traffic control will be followed.

14. Impact on Energy:

e. Other Impacts:

While energy demand will increase from this project, the increased demand will come from the new and upgraded pump stations with combined demands estimated to be no more than 125,000 kWh per year. At this time, this demand is anticipated to be within the capacity of the current energy provider. Therefore, no to small impact is expected on energy demand as a result of this project.

15. Impact on Noise, Odor and light

f. Other impacts:

Any new lighting will be associated with minimal safety at the pump station locations.

16. Impact on Human Health:

**State Environmental Quality Review
Part 3 Narrative**

j. The proposed action may result in excavation or other disturbance within 2000 feet of a site used for the disposal of solid or hazardous waste.

Portions of this project site may fall within 2000 ft of a NYSDEC environmental remediation site; the former Grossingers Resort (C353015). Although some monitoring controls remain in place, a certificate of completion has been issued for the project site.

17. Consistency with Community Plans:

The proposed action to install/extend water and sewer services is consistent with community plans.

c. The proposed action is inconsistent with local land use plans or zoning regulations.

This project is consistent with the Town's Zoning Code. The project is located in the SC – Commercial and IC Industrial Commercial districts.

g. The proposed action may induce secondary development impacts (e.g., residential or commercial development not included in the proposed action)

The action has the potential to induce secondary development impacts. However, these can not be identified or predicted at this time.

19. Impact on Disadvantaged Communities:

g. Other impacts:

The project is located in Disadvantaged Community identified as “having comparatively higher burdens and vulnerabilities”. This project is improving water and wastewater infrastructure, ensuring clean water and a healthy environment for the community. In addition, the extension of these services is part of a larger effort to bring more economy to the area to improve conditions.

State Environmental Quality Review Part 3 Narrative

Determination

Based on the information and analysis above and supporting documentation including, but not limited to, the FEAF dated May 18, 2026, the written comments received from interested and involved agencies, the Liberty Town Board concludes that the proposed Action will **not** result in any significant adverse environmental impacts and the preparation of an environmental impact statement will not be required.

Full Environmental Assessment Form
Part 3 - Evaluation of the Magnitude and Importance of Project Impacts
and
Determination of Significance

Part 3 provides the reasons in support of the determination of significance. The lead agency must complete Part 3 for every question in Part 2 where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.

Based on the analysis in Part 3, the lead agency must decide whether to require an environmental impact statement to further assess the proposed action or whether available information is sufficient for the lead agency to conclude the proposed action will not have a significant adverse environmental impact. By completing the certification on the next page, the lead agency can complete its determination of significance.

Reasons Supporting This Determination:

To complete this section:

- Identify the impact based on the Part 2 responses and describe its magnitude. Magnitude considers factors such as severity, size, or extent of an impact.
- Assess the importance of the impact. Importance relates to the geographic scope, duration, probability of the impact occurring, number of people affected by the impact, and any additional environmental consequences if the impact were to occur.
- The assessment should take into consideration any design element or project changes.
- Repeat this process for each Part 2 question where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.
- Provide the reason(s) why the impact may, or will not, result in a significant adverse environmental impact.
- For Conditional Negative Declarations identify the specific condition(s) imposed that will modify the proposed action so that no significant adverse environmental impacts will result.
- Attach additional sheets, as needed.

See attached narrative.

Determination of Significance - Type 1 and Unlisted Actions

SEQR Status: Type 1 Unlisted

Identify portions of EAF completed for this Project: Part 1 Part 2 Part 3

Upon review of the information recorded on this EAF, as noted, plus this additional support information: NYSHPO No Impact Letter, comments from NYSDOH

and considering both the magnitude and importance of each identified potential impact, it is the conclusion of the
Liberty Town Board, acting as lead agency that:

- A. This project will result in no significant adverse impacts on the environment, and, therefore, an environmental impact statement need not be prepared. Accordingly, this negative declaration is issued.
- B. Although this project could have a significant adverse impact on the environment, that impact will be avoided or substantially mitigated because of the following conditions that will be required by the lead agency:

There will, therefore, be no significant adverse impacts from the project as conditioned, and, therefore, this conditioned negative declaration is issued. A conditioned negative declaration may be used only for UNLISTED actions (see 6 NYCRR 617.7(d)).

- C. This Project may result in one or more significant adverse impacts on the environment and an environmental impact statement must be prepared to further assess the impact(s) and possible mitigation and to explore alternatives to avoid or reduce those impacts. Accordingly, this positive declaration is issued.

Name of Action: **Liberty Water and Sewer Extension Project**

Name of Lead Agency: **Liberty Town Board**

Name of Responsible Officer in Lead Agency: **Frank DeMayo**

Title of Responsible Officer: **Supervisor**

Signature of Responsible Officer in Lead Agency:

Date: **7/6/2026**

Signature of Preparer (if different from Responsible Officer)

Date:

For Further Information:

Contact Person: **Delaware Engineering, D.P.C. Dave Ohman, P.E.**

Address: **55 South Main Street, Oneonta, NY 13820**

Telephone Number: **607.432.8073**

E-mail: **dohman@delawareengineering.com**

For Type 1 Actions and Conditioned Negative Declarations, a copy of this Notice is sent to:

Chief Executive Officer of the political subdivision in which the action will be principally located (e.g., Town / City / Village of)

Other involved agencies (if any)

Applicant (if any)

Environmental Notice Bulletin: <http://www.dec.ny.gov/enb/enb.html>



Municipal Resolution Authorizing Application for a
New York State Climate Smart Communities (CSC) Grant
for the Swan Lake WWTP Upgrade Project

Resolution # _____ of 2026

WHEREAS the Town of Liberty hereby requests financial assistance from the New York State Climate Smart Communities Grant Program pursuant to Environmental Conservation Law Article 54, Title 15, and

WHEREAS, the CSC funding would be applied to the planned construction of the New Headworks to mitigate climate impacts to the WWTP, and

WHEREAS, the Town of Liberty certifies that it has at least \$500,000 in local matching funds from the Town's General Fund pursuant to the requirements of Environmental Conservation Law Article 54 Title 15, and

NOW, THEREFORE be it resolved, that the Town of Liberty hereby authorizes Town Supervisor Frank DeMayo, to act on its behalf in submittal of an application through the Consolidated Funding Application for \$2,000,000 to be used for the Swan Lake WWTP Upgrade Headworks Relocation Project.

Adopted this 6th day of July, 2026.

I hereby certify that the foregoing resolution was duly adopted by Town of Liberty at a legal meeting on the 6th day of July, 2026.

Municipal Resolution Authorizing Application for a
Water Quality Improvement (WQIP) Grant
for the Swan Lake WWTP Upgrade Project

Resolution # _____ of 2026

WHEREAS the Town of Liberty hereby requests financial assistance from the New York State Water Quality Improvement Program (WQIP) to be used for necessary upgrades to the Swan Lake Wastewater Treatment Plant (WWTP), and

WHEREAS, the Town of Liberty certifies that it has access to at least \$2,500,000 in local or Federal funding for the required 25% matching funds, and

WHEREAS, the Town of Liberty has an existing Project Finance Agreement (PFA) with NYSEFC CWSRF Project No.: C3-5370-01-01 which contains federal grant funds (BIL-GS) in the amount of \$6.9M, and has federal grant funding applications currently being submitted which could be used to provide the local match, and

NOW, THEREFORE be it resolved, that the Town of Liberty hereby authorizes Town Supervisor Frank DeMayo, to act on its behalf in submittal of an application through the Consolidated Funding Application for \$10,000,000 to be used for the Swan Lake WWTP Upgrade Project.

Adopted this 6th day of July, 2026.

I hereby certify that the foregoing resolution was duly adopted by Town of Liberty at a legal meeting on the 6th day of July, 2026.



July 1, 2026

Frank DeMayo
Town Supervisor
Town of Liberty
120 North Main Street
Liberty, NY 12754

Re: Town of Liberty, NY
Loomis WWTP

Sub: General Services Contract Amendment
2026 NYSDEC NOV Compliance Services

Dear Frank:

In response to the Town's request at the June 15, 2026 Town Board meeting, the following is our GSA contract amendment to provide engineering services associated with responding to the Loomis WWTP NYSDEC June 15, 2026 Notice of Violation (NOV).

A copy of the NOV and the NYSDEC June 30, 2026 Technical Call follow-up email are attached.

This proposal covers the initial virtual meeting with NYSDEC and the initial response due by July 15, 2026. Subsequent required tasks have been listed herein but will be covered under an amendment to this contract following refinement of the scope.

The following text and tables summarize the work and fees and comprise the contract for this work.

A. NYSDEC Virtual Meetings - \$1,500/meeting (# of meetings ?)

Prepare for and participate in NYSDEC virtual meetings, including the June 30, 2026 and subsequent meetings, as needed.

B. Formal NOV Response

Work with the Town staff to prepare a formal response package to accompany the certificate of compliance and submit to NYSDEC by July 15, 2026. This package will outline the work needed to comply with NOV.

- Develop a table that identifies SPDES permit exceedances – as listed on Table 1 of the NOV - and provide an explanation of perceived causes as well as planned measures to mitigate/address noted violations. Attach table to NOV response.
- Develop a letter responding to the various items listed in the June 15, 2026 NOV letter on

DELAWARE ENGINEERING, D.P.C.

Town letterhead for signature by the Town Supervisor.

- Review letter and associated materials with Town Supervisor and W&S Department staff.
- Obtain NYSDEC Certificate of Compliance – as executed by the Town Supervisor.
- Finalize and email to NYSDEC designated entities.

Other Work

Scope and fee for subsequent required work will be provided in an amendment.

SERVICES SELECTED

This matrix indicates the services proposed. Town to check Yes/No boxes identify what has been agreed to by the Town at the July 6, 2026 meeting.

Item	Fee	Town to Select (check box)	
		Yes	No
This Contract:			
A. NYSDEC Virtual Meetings - \$1,500/meeting (# of meetings?)	\$1,500/meeting	<input type="checkbox"/>	<input type="checkbox"/>
B. Formal NOV Response	\$6,500	<input type="checkbox"/>	<input type="checkbox"/>
Scope and Fee Pending – Amendment Forthcoming:			
C. Collection System Inspection Program	\$ tbd		
D. Preventative Maintenance Plan	tbd		
E. Backup Power Emergency Plan	tbd		
F. Interim Progress Reports	tbd		
G. Other	tbd		
Total Fee =	-		

COMPENSATION

Compensation for tasks performed by Delaware Engineering under this contract shall be on a lump sum basis, with bills based on the approximate percentage of the task completed at the time of invoicing. Compensation shall commence for services provided from June 15, 2026 until completion of the work.

Compensation for Other Subcontract Services will be for amounts actually invoiced by subcontractors plus the markup. Compensation to subcontracts will be based on the specific terms for each subcontract.

Contract budgets for individual tasks can be adjusted as needed to cover actual costs without any contract amendment, as long as the overall professional services total is maintained.

Invoices will be submitted to the Client on a monthly basis. Payment shall be made to the Engineer within 30 calendar days of the date of invoice. Checks shall be forwarded to Delaware Engineering, D.P.C., 28 Madison Avenue Extension, Albany, NY 12203 Attention: Susan Olivares.

DELAWARE ENGINEERING, D.P.C.

ADDITIONAL SERVICES

Additional services can be provided if deemed necessary and approved by the Town. Compensation for additional services can be negotiated as needed. Additional work will be approved by the Town prior to the execution of the additional tasks.

Services not indicated or included in the above-listed scope of services or which are subsequently requested, either verbally or in writing, will be considered additional services. The fee will be based upon either a mutually agreed fixed fee or an hourly basis at rates in effect at the time the services are performed, plus subcontracts and reimbursable expenses as outlined in the Rate Schedule for the year in which the work is being performed.

STANDARD CONTRACT TERMS AND CONDITIONS

Standard terms and conditions included with the General Services Agreement.

RATE SCHEDULE

Delaware's rate schedule for 2026 is included with the General Services Agreement. For work beyond 2026, hourly rates will be subject to increase in accordance with subsequent annual rate schedules; however, overall task budgets will not be altered due to rate adjustments.

ATTACHMENTS

- Attachment A – NYSDEC June 15, 2026 Notice of Violation Email and Attachment
- Attachment B – NYSDEC June 30, 3036 Technical Call Follow-Up


ENDORSEMENTS

The following endorsement signifies that both parties accept the terms of this proposal and authorizes Delaware Engineering, D.P.C. to conduct the work set forth above.

TOWN OF LIBERTY, NY
(OWNER/CLIENT)

DELAWARE ENGINEERING, D.P.C.
(ENGINEER)

By: _____

By: 

(Signature)

Print Name: Frank DeMayo

Print Name: Dave Ohman, P.E.

Title: Supervisor

Title: Principal

Date: _____

Date: July 1, 2026

From: supervisordemayo@townofliberty.org
To: [Dave Ohman](#); [Dan Fagnani](#)
Subject: FW: Loomis Sewer District WWTP Inspection Report (NY0030261)
Date: Monday, June 15, 2026 4:43:13 PM
Attachments: [NOV.IndSPDES.NY0030261.2026-06-15.Comprehensive.pdf](#)

FYI

Frank DeMayo
Town of Liberty Supervisor
120 N Main Street
Liberty NY 12754
(845) 292-5111

Confidentiality Notice: This e-mail message, including attachments is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized use, disclosure or distribution is prohibited. If you are not the intended recipient, please contact the sender by reply e-mail and destroy all copies of the original message and attachments. Do NOT forward it to a third party without the written consent of the sender. The Town of Liberty is a public entity; consequently, this email may be subject to disclosure under the Freedom of Information Law. Thank you.

From: Jaffee, Alyssa (DEC) <alyssa.jaffee@dec.ny.gov>
Sent: Monday, June 15, 2026 10:39 AM
To: supervisordemayo@townofliberty.org
Cc: [Cherian, Manju \(DEC\)](mailto:cherian.manju@dec.ny.gov); w.banks@townofliberty.org
Subject: Loomis Sewer District WWTP Inspection Report (NY0030261)

Good morning,

On May 20, 2026, the NYS DEC Division of Water conducted a comprehensive compliance inspection at Loomis Sewer District WWTP. Attached is the Notice of Violation, Inspection Report, and a certificate of compliance, please note the unsatisfactory rating. A required technical meeting to discuss the findings is currently scheduled for **11:00AM on Friday June 26, 2026**, and a formal invitation will follow.

Please contact me if you have any questions regarding the attached document.

Alyssa Jaffee
Environmental Engineer Technician 1

New York State Department of Environmental Conservation
Region 3 | Division of Water
21 South Putt Corners Road, New Paltz, NY, 12561
o: (845) 633-5452 | alyssa.jaffee@dec.ny.gov
dec.ny.gov | @NYSDEC on Social Media | [Podcast](#)



June 15, 2026

SENT VIA EMAIL ONLY: supervisordemayo@townofliberty.org

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

RE: Notice of Violation
Comprehensive Compliance Inspection
Loomis Sewer District WWTP
Town of Liberty, Sullivan County
SPDES Permit #NY0030261

Dear Permittee:

On May 20, 2026, 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 unsatisfactory rating.

A review of the facility's Discharge Monitoring Reports (DMR) for the period of July 2025, to May 2026, shows that this facility violated its SPDES permit effluent limits 5 times: 2 times for total suspended solids (TSS), 1 time for percent removal of TSS, 1 time for BOD₅, and 1 time for ammonia. Please see the attached **Table 1** for more information. Failure to maintain all disposal facilities installed to achieve compliance with the conditions of the SPDES permit and effluent limit exceedances are violations of the SPDES permit and Article 17 of the ECL.

Additionally, a review of the facility's Monthly Operating Reports for September 2025, January 2026, and April 2026, shows that this facility failed to sample 86 times: 30 times for settleable solids, 28 times for pH, and 28 times for temperature. Failure to comply with all recording, reporting, monitoring and sampling requirements specified in the permit violate Title 6 of New York Codes, Rules, and Regulations (6 NYCRR)750-2.5 and Article 17 of the ECL.

The following violations were also noted during the inspection:

- I. Violation of Title 6 of New York Codes, Rules, and Regulations (6 NYCRR) 750-2.5 and Article 17 of the ECL for:

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1. Sampling and testing are not being conducted on any weekends or holidays, resulting in inadequate sampling as per the facilities SPDES permit. The SPDES permit outlines 3 parameters that require daily testing.
- II. Violation of Title 6 of New York Codes, Rules, and Regulations (6 NYCRR) 650 and Article 17 of the ECL for:
 2. A certified operator is not present at the plant as per the required guidelines. Staffing is inadequate.
 - i. A certified operator is required to be at the facility for a minimum of two hours per day, every day.
- III. Violation of Title 6 of New York Codes, Rules, and Regulations (6 NYCRR) 750-2.8 and Article 17 of the ECL for:
 3. There is no collection system inspection program besides regularly scheduled septic tank maintenance.
 4. Absent preventative maintenance plan.
 5. The facilities maintenance log is outdated and not kept on site. The maintenance log should be kept on-site and regularly updated.
 6. Absent back up power emergency plan.
 7. Phase 1 secondary clarifier is broken. The Department acknowledges that the Town is preparing to re-bid the work for the treatment unit.
- IV. Violation of Title 6 of New York Codes, Rules, and Regulations (6 NYCRR) 750-1.12 and Article 17 of the ECL for:
 8. The incorrect address and phone number for the DEC are listed on the outfall sign. Need to update the sign to 21 S Putt Corners Rd, New Paltz, NY 12561 and (845) 256-3000.

The following deficiencies were also noted during the inspection:

- I. Observed excessive scum and debris build up on the weirs of the phase 2 secondary clarifier. The weirs should be regularly cleaned to properly maintain the treatment unit.
- II. Observed excessive amounts of deceased midge flies piled up on the windowsills, wooden framework, and equipment in the phase 2 secondary clarifier building. The building poses a ventilation problem.

PLEASE TAKE FURTHER NOTICE THAT failure to comply with the SPDES permit and/or 6 NYCRR Part 750 constitutes a violation of the ECL and subjects the violator to penalties up to \$37,500 per day per violation.

Immediate action must be taken to fix the above-mentioned violations. Attached is a certificate of compliance report addressing all items mentioned in this letter. Please complete and return the certificate of compliance by **July 15, 2026**.

The Department requires your virtual attendance at a technical meeting, currently scheduled for **11:00AM on Friday June 26, 2026**. A separate meeting invitation will follow. Your cooperation in complying with your SPDES permit and Article 17 of the ECL is anticipated.

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Should you have any questions please contact me at (845) 633-5452 or
Alyssa.jaffee@dec.ny.gov

Best Regards,



Alyssa Jaffee
Environmental Engineer Technician 1

Ecc: Wayne Banks, Chief Operator, Town of Liberty, w.banks@townofliberty.org
Manju Cherian, PE, RWE, NYSDEC

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Table 1: Effluent Limit Parameter Exceedances on DMR's for SPDES #NY0030261

Parameter	Unit	Statistical Base	Monitoring Period End Date	Limit	DMR Value
00310 - BOD, 5-day, 20 deg. C	mg/L	Daily Maximum	08/31/2025	5.	10.3
00530 - Solids, total suspended	lb/d	Daily Maximum	08/31/2025	6.7	11
00530 - Solids, total suspended	mg/L	Daily Maximum	08/31/2025	10.	102
00610 - Nitrogen, ammonia total [as N]	mg/L	Monthly Average	08/31/2025	.9	6.63
81011 - Solids, suspended percent removal	%	Monthly Average Minimum	08/31/2025	85.	60

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.

A. Facility Location and Inspection Information

Facility Name: Loomis Sewer District WWTP Facility Phone number:	Inspection Date: May 20, 2026
	Weather: Cloudy Temperature: 80
Municipality: Town of Liberty County: SULLIVAN Region: 3	Time: 11:40AM
SPDES Permit Number: NY0030261 Permit Class: 07 Name of SPDES Permittee: Town of Liberty Permittee Address: 120 Main Street, Liberty, NY 12754 Permittee Contact info: supervisordemayo@townofliberty.org (845) 292-5111 Contacted: <input checked="" type="checkbox"/> Announced <input type="checkbox"/> Unannounced	Inspection Type: <input type="checkbox"/> Complaint <input checked="" type="checkbox"/> Comprehensive <input type="checkbox"/> Reconnaissance <input type="checkbox"/> Sampling <input type="checkbox"/> Site Visit <input type="checkbox"/> Other Other:
On-site Representative(s) and Company(s) & Contact Info: Wayne Banks, Chief Operator, Town of Liberty Damon Kanack, Town of Liberty Water & Sewer Dept.	
Name and Class of Receiving Water: Tributary of Swan Lake (Loomis Creek), Class B(T)	Overall Inspection Rating: Unsatisfactory





B. Facility Description/General Information

B1. Facility description/general inspected? Yes No Not Applicable

Yes	No	N/A	Question	Citation
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Is a copy of the SPDES permit available on-site?	750-2.1
<input checked="" type="checkbox"/>	<input type="checkbox"/>	x	Is the permit valid? If no, permit expiration date:	750-2.1
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Are all outfall discharge points permitted? Comments:	750-1.12
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Has the facility notified the DEC of any new or modified discharges?	750-1.12
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Are WTCs used and are their records properly maintained?	750-2.5
Comments: Sodium bicarbonate.				
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Are there any nearby water supply concerns?	750-2.8
Comments:				

Satisfactory	Marginal	Unsatisfactory	N/R	N/A	N/I	Question	Citation
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Housekeeping (office, grounds, lab)?	750-2.8
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Flow metering?	750-2.5
If yes, list the types, locations, and calibration: Influent- ultrasonic flow meter and weir Effluent- turbine flow sensor (read daily and calculated) Both calibrated 8/14/2025 by TAM							
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Odor complaints/ issues?	750-2.8
If yes, list the dates and corrective actions taken: None.							
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Noise complaints/ issues?	750-2.8
If yes, list the dates and corrective actions taken: None.							

Photos:

Comments:



C. Collection System/Pump Station

Were the collection systems and pump stations inspected? Yes No Not Applicable

% Separate: 100				% Combined: 0		Population of the collection system: 30 accounts; 3 trailer parks	
Miles of pipe:				Number of pump stations in the system: 2		Number of pump stations inspected: 1	
Yes	No	N/A	N/I	Question			Citation
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Sewer overflows upstream of the plant?			750-2.8
If any CSOs/SSOs, list the reasons and locations:							
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Unpermitted overflows/bypasses inside the plant or the pump station since last inspection?			750-2.8
If yes, list the dates and corrective actions taken:							
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Any other in plant bypass designed for WWTP?			750-2.8
Bypass frequency (times per year): Bypass from RBCs to sand filters, skipping the primary clarifiers and dosing tank. Bypass channel not used.							
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	CSO/SSO reported via NY-Alert/corrective actions?			750-2.7
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	CSO/SSO routinely inspected?			
Comments:							

Satisfactory	Marginal	Unsatisfactory	N/R	N/A	N/I	Question	Citation
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Infiltration/Inflow (I/I) present?	750-2.9
I/I corrective actions: Some issues, sand beds collect lots of rain.							
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Collection system inspection program?	750-2.8
Comments: No routine collection system inspections, report there are not many issues. Conduct routine maintenance on septic tanks.							
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Pump station inspection program?	750-2.8
Comments: Monthly inspections.							
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	BMP/wet weather plan? Date/reviewed:	750-2.8
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Sewer Use Ordinate (SUO)? Date/copy: Updated SUO 3/2026	750-2.9



<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Are all pump stations operational? Number of operational pumps:	750-2.8
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Are backups/spare pumps/parts available?	750-2.8

Comments:
Extra pumps available.

Photos:

Additional Comments:

D. Industrial Waste/Pretreatment

Was industrial waste/pretreatment inspected? Yes No Not Applicable

E. Preliminary/Primary Treatment

Was the preliminary/primary treatment inspected? Yes No Not Applicable

Yes	No	Question	Citation
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Corrosion observed?	750-2.8

Comments:

Satisfactory	Marginal	Unsatisfactory	N/R	N/A	N/I	Question	Citation
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Influent pumps/wet wells/SCADA	750-2.8

Comments:
Each connection has a septic tank. The gray water from the septic tank enters the facility from 2 locations, by gravity or the pump station. Influent splitter box divides into 2 trains. PLC system.

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Screens/comminutor	750-2.8
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Number, type, and cleaning method

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Screenings/grit removal records	750-2.5
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Comments:
Each connection has own septic tank and only passes gray water to plant. Regularly scheduled septic tank pump outs.

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Is flow equalization present/needed?	750-2.8
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Comments:

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Settling/septic tanks	750-2.8
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Comments: Each connection has own septic tank.							
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Condition of primary clarifier effluent	750-2.8
Sludge depth in primary clarifiers:							
Other:							

Photos:

Additional Comments:

F. Secondary Biological Treatment

Was secondary biological treatment inspected? Yes No Not Applicable

Satisfactory	Marginal	Unsatisfactory	N/R	N/A	N/I	Question	Citation
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Fixed film/suspended growth	750-2.8
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Rotating Biological Contactors	750-2.8
Recycle rate: Good change of growth from front to back of RBCs.					Shaft weight/flow: 2 RBCs. Phase 2 train in use. 50,000-gallon capacity.		
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Activated sludge/MBR/SBRs	750-2.8
Comments:							
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Foaming/filamentous issues?	750-2.8
Comments: Minimal film.							
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Stabilization ponds/lagoons	750-2.8
Comments:							
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Sand filter	750-2.8
Comments:							
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Process control valves	750-2.8
Other:							

Photos:

Recycle rate:

Additional Comments:

Run phase 1 RBC monthly to keep controls active.

G. Secondary Clarifier

Was/were the secondary clarifier(s) inspected? Yes No Not Applicable

Satisfactory	Marginal	Unsatisfactory	N/R	N/A	N/I	Question	Citation
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Foams/solids/grease present on surface?	750-2.8
Comments: 2 secondary clarifiers. Only using phase 2 clarifier, phase 1 is out of service and drained.							
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Tanks/weir cleaning date and weir level?	750-2.8
Comments: Weirs needs to be cleaned, multiple are backed up with debris.							
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Denitrification/gas bubbles on the surface?	750-2.8
Comments: None.							
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Sludge blanket depth & RAS/WAS rates?	750-2.8
Comments: Recently replaced automatic valve on P2 clarifier to drain sludge. Looking to adjust valve on PLC settings to keep open extra time.							
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Scum arm condition?	750-2.8
Comments:							
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Secondary effluent quality?	750-2.8
Comments:							

Yes	No	Question	Citation
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Loss of solids reported/observed?	750-2.8
Other (specify):			

Photos:

Comments:

Midge fly problem in the P2 building. Phase 1 clarifier is getting re-bids to fix system, starting in 2 weeks.

H. Tertiary Treatment

Was tertiary treatment inspected? Yes No Not Applicable



Satisfactory	Marginal	Unsatisfactory	N/R	N/A	N/I	Question	Citation
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Filtration?	750-2.8
Comments: 4 sand beds all generally free of vegetation. 1 dosing tank to sand beds. 2 big sand beds used in the summer. 2 small sand beds used in winter to prevent freezing pipes.							
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Microinflation?	750-2.8
Comments:							
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Activated carbon absorption?	750-2.8
Comments:							
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Nitrification?	750-2.8
Comments:							
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Denitrification?	750-2.8
Comments:							
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Post-aeration?	750-2.8
Comments:							
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Phosphorus removal?	750-2.8
Comments:							
Other (polishing ponds, ammonia stripping, etc.): Sodium bicarbonate enters the onsite pump station and is pumped to the influent. Helps control pH. Added daily, amount per day varies due to rain events.							

Photos:

Comments:

I. Disinfection

Was disinfection inspected? Yes No Not Applicable

Gas	Liquid	Solid	N/A	Other	Question	Citation
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Chlorination/dichlorination type? Other:	750-2.8

Dose/feed pump settings:

Satisfactory	Marginal	Unsatisfactory	N/R	N/A	N/I	Question	Citation
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Chlorine monitoring Level:	750-2.8
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Ultraviolet (UV) light	750-2.8

Settings:
2 UV banks and alternate between monthly.

Other (specify):

Photos:

Comments:

J. Final Effluent

Was the final effluent inspected? Yes No Not Applicable

Satisfactory	Marginal	Unsatisfactory	N/R	N/A	N/I	Question	Citation
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Polishing pond?	750-2.8

Odor/foam/solids/algae?
Old out of service lagoon still onsite.

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Effluent quality	750-2.8
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Comments:

Odor/turbidity/color? No color or odor noted. Receiving water condition (up/downstream): Clear stream into Loomis Creek.

<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Outfall sign at each discharge point	750-1.12
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Comments:
Incorrect DEC phone number and address listed.

Other (specify):
Scrubber brush available near outfall pipe to clean in and outside from algae.

Photos:

Comments:

K. Sludge Handling

Was sludge handling inspected? Yes No Not Applicable

Satisfactory	Marginal	Unsatisfactory	N/R	N/A	N/I	Question	Citation
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Sludge disposal	750-2.8
Name(s) and location(s) of disposal site(s)/hauler(s): TAM Enterprises 3A-813							
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Is the digestion functioning properly? Type: 2 aerated digestors, 10,000 gallons each. Pumped down every 6 months. Used to be septic tanks.	750-2.8
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Sludge pumps	750-2.8
Comments:							
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Sludge dewatering Type: Supernatant goes to 2,000 gallon settling tank. Supernatant from here goes back to headworks.	750-2.8
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Maintenance of sludge pumps?	750-2.5
Comments:							
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Records available for disposal practices?	750-2.5
Other (specify): Liberty Water & Sewer Department waste transport permit. 3A-677. Self-hauls sludge to Swan Lake WWTP and pumps out individual septic tanks.							

Photos:

Comments:

Pumps sludge back to head of plant to cycle through.

L. Sampling Evaluation and Lab Information

Was the sampling evaluation and lab information inspected? Yes No Not Applicable

Yes	No	N/A	N/I	Question	Citation
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Is there a written sampling plan?	750-2.5
Comments: Recently updated the sampling plan.					
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Is the plan being followed?	750-2.5



Comments: Operators do not take daily samples every day, weekend sampling is not occurring.					
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Is there a need to modify sampling frequency/types?	750-2.5
If yes, explain:					
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Are samples collected at specified locations?	750-2.5
Comments:					
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Adequate for representative samples?	750-2.5
Comments:					
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Automatic sampler used?	750-2.5
Condition:					

Grab <input checked="" type="checkbox"/>	Composite <input checked="" type="checkbox"/>	Other <input type="checkbox"/>	Types of samples collected?	750-2.5
Comments:				

Yes	No	N/A	N/I	Question	Citation
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	If composite, minimum of 8 grab samples?	750-2.5
Comments:					
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Is the permittee ELAP certified? ELAP certification number:	750-2.8
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Is the commercial lab ELAP certified?	750-2.8
Lab name, address, and ELAP certification number: AG Environmental RSC LLC DBA Sullivan County Labs, ELAP #12081 86 Queen Mountain Rd. Ferndale, NY12734					

Satisfactory	Marginal	Unsatisfactory	N/R	N/A	N/I	Question	Citation
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	EPA-approved testing procedures followed?	750-2.8
Comments:							
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Testing done for all parameters as required?	750-2.8
Comments: Not conducting all daily tests as outlined in SPDES permit. Not sampling on any weekends or holidays.							
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	WET (Whole Effluent Testing) testing?	750-2.8
Comments:							

**DIVISION OF WATER
MUNICIPAL WASTEWATER
FACILITY INSPECTION**

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Instrumentation calibrated and maintained?	750-2.8
Comments: Calibration meters and testing at Swan Lake WWTP. All samples brought here for testing.							
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Daily calibration, logbooks maintained?	750-2.8
Comments: Calibration logbooks maintained at Swan Lake WWTP							
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Lab supplies are not expired?	750-2.8
Comments:							
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Are lab records retained at the facility?	750-2.5
Comments: All records are stored by paper and on the computer drive at Swan Lake WWTP.							
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Is the process control testing performed?	750-2.5
Comments:							

Yes	No	N/A	N/I	Question	Citation
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	MLSS for day/week/month?	750-2.5
Comments:					
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	SVI for day/week/month?	750-2.5
Comments:					
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Microscopic analysis of MLSS?	750-2.5
Comments:					
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	5/30 minute settleometer (day/week/month)?	750-2.5
Comments:					
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Monitoring records kept a minimum of 5 years?	750-2.5
Comments: All at Swan Lake WWTP					



<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Flow cards maintained (influent/effluent)?	750-2.5
Other (specify):					
Comments:					

Photos:

Comments:

M. Operation and Maintenance

Was operation and maintenance inspected? Yes No Not Applicable

Yes	No	N/A	N/I	Question	Citation
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Preventative maintenance plan?	720-2.8
Method: None available.					
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Spare parts inventory?	720-2.8
Comments: Have shelf of extra bulbs, parts, and sludge pumps.					
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	O&M manual inspected?	720-2.5
Comments: At Swan Lake WWTP					
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Organizational chart for O&M staff?	720-2.5
Comments:					

Satisfactory	Marginal	Unsatisfactory	N/R	N/A	N/I	Question	Citation
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Records of maintenance/repair cost?	750-2.8
Comments: Have maintenance logbook kept at Swan Lake, but it is not up to date. Need updated maintenance log on site. Sewer clerk keeps records of purchase items, dates & costs.							
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Alarm systems?	720-2.5
List the systems: Dial out PLC alarm system.							
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Backup power (exercised)?	720-2.8
Comments: Exercised weekly (Mondays) and serviced every 6 months.							

Yes	No	N/A	N/I	Question	Citation
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Unapproved bypass during power failure?	720-2.8
If yes, list the date(s) and corrective action(s):					
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Written back-up power emergency plan?	720-2.8
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	All required treatment units in service during back-up power use?	720-2.8
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Hydraulic/organic overloads?	720-2.8
Comments: The generator runs the primary clarifiers, RBCs, and sand beds. Does not run UV or the on-site pump station.					
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	As-built plans for collection system/WWTP?	720-2.5
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Schedule for removing critical equipment from service for routine maintenance?	720-2.8
Comments: Monthly greasing of RBCs. Regular oil and greasing of secondary clarifiers.					

Satisfactory	Marginal	Unsatisfactory	N/R	N/A	N/I	Question	Citation
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Safety railings/gratings in place/good condition?	720-2.8
Comments:							
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Lights, ventilation operational (wet wells)?	720-2.8
Comments: Huge midge fly infestation in the phase 2 secondary clarifier building. Dead flies piled up on windowsills, wooden framework, and equipment.							
Other (specify):							

Photos:

Comments:

N. Staffing/Personnel Information

Was staffing personnel information inspected? Yes No Not Applicable

Satisfactory	Marginal	Unsatisfactory	N/R	N/A	N/I	Question	Citation
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Staffing adequate?	650
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Certification/grade adequate?	650, 750-2.8

Comments:							
Plant score and grade? (750-2.8) Score 19. Grade 1.							
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Chief operator name, Grade, certification #, exp.?	650, 750-2.8
Comments: Wayne Banks, 2A, #13181, exp. 9/1/2026							
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Assistant operator name, Grade, Certification #, Exp.?	650, 750-2.8
Comments: Johnathan McGibbon, 3A, #18168, exp. 10/01/2030							

Yes	No	N/A	N/I	Question	Citation
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	WWTP responsible for collection system?	650
Comments:					
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Operators responsible for water supply?	650
Comments:					
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Is Chief Operator present at WWTP as per required guideline?	650
Comments:					
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Is certified WWTP operator present at the WWTP as per required guideline?	650
Comments: The chief operator is at the facility almost every day. The assistant operator is rarely at the facility. After reviewing the MORs, it shows that no operators are at the facility on the weekends or holidays. A certified operator is required to be at the facility for a minimum of two hours per day, every day.					

Comments: Chief and assistant are only reported certified operators along with trainees. A schedule needs to be made for a certified operator to cover the sampling every single day, including the weekends.
--

O. Fiscal

Fiscal inspected? Yes No Not Applicable

How sewer rates are assessed (flat vs. metering)? Flat

How is the plant budget developed? Town Board
Asset management Plant (AMP)? Town Maintained
AMP prepared date?
Plans to update AMP?
Is AMP used to assess/prioritize critical system components?

Comments:

P. Compliance Status

Yes	No	N/A	N/I	Question	Citation
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Does facility have order or permit compliance schedule?	x
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Complying with schedule?	x
Comments: -Submitted the Mercury Conditional Exclusion Cert 5/22/26					
<input checked="" type="checkbox"/>	<input type="checkbox"/>	x	x	Were Single Event Violations observed?	x

Single Event Violations:

- EE0013: Reporting Violations - Improper/ Incorrect Reporting
- F016C: Other noncompliance with permit requirements or applicable enforcement order
- F017C: Evidence of discharges to waters of the U.S. without an NPDES permit
- F024C: Failure to allow an inspector entry to conduct an inspection pursuant to CWA Section 308(a)(B)(i)
- F034S: Discharge from a sanitary sewer system to waters of the U.S. without NPDES permit coverage
- F012C: Failure to ensure that chemicals and other contaminants are not improperly disposed
- F026S: Failure to properly operate and maintain the sanitary sewer system [40 CFR 122.41(e)]
- B0012: management Practice Violations – Failure to Conduct Inspections

Single Event Violations Comments: -Effluent violations: 5 total effluent violations from July 2025-May 2026 all in August 2025. -Failure to sample a total of 86 times during the months of September 2025, January 2026, and April 2026.
DMR issues:
SPRTK issues:

NetDMR issues:

Q. Closeout

Comments:

- Sampling and testing are not being conducted on any weekends or holidays, resulting in inadequate sampling. The facility has 3 parameters that require daily tests as outlined in the SPDES permit.
- A certified operator is not present at the plant as per the required guidelines. A certified operator is required to be at the facility for a minimum of two hours per day, every day.
- Written sampling plan is outdated.
- No collection system inspection program besides the septic tank maintenance.
- Phase 2 secondary clarifier weirs had excessive scum and debris build up.
- Ventilation problem in phase 2 clarifier building. Midge flies are piled up on windowsills, wooden framework, and equipment.
- No preventative maintenance plan.
- Need to keep on site updated maintenance log.
- No back up power emergency plan.
- Incorrect phone number and address listed for the DEC on the outfall sign.
- Phase 1 clarifier broken. Preparing to re-bid to begin work on phase 1 secondary clarifier.

Inspector's Name and Title: Alyssa Jaffee Environmental Engineer Technician 1	Inspector's Signature: 
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Certification of Compliance

For DEC Use:

Facility Name SPDES ID

Regional Inspector Date

Complete and return this Certification of Compliance by

Send to Regional Water Engineer:

1. Facility has corrected the violations specified in the inspection report cited or attached Notice of Violation; or certifying that permit or order schedule items are completed.
2. I am authorized as the permit holder to file this certification on behalf of the facility.
3. Submission of this certification does not limit enforcement or re-inspection by the department.

Please Submit Items Checked		Description of Compliance/Corrective Actions	Received Date
Photos	<input type="checkbox"/>		
Engineer's Certification	<input type="checkbox"/>		
Letter Describing Corrections Made	<input checked="" type="checkbox"/>	Document and list actions taken to address the items from the June 15, 2026, letter that have been corrected or addressed. The supporting letter and inspection report are attached.	
As-Built Plans	<input type="checkbox"/>		
Other			

For Permittee Use:

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Permittee (Per CFR 122.22)
(Print or Type)

Title

Date Signed

Signature

From: [Jaffee, Alyssa \(DEC\)](#)
To: supervisordemayo@townofliberty.org; w.banks@townofliberty.org; [Dave Ohman](#); [Dan Fagnani](#); [John Peterson](#)
Cc: [Cherian, Manju \(DEC\)](#)
Subject: Loomis WWTP Technical Call Follow-up
Date: Tuesday, June 30, 2026 3:11:48 PM

Good afternoon,

Thank you all for participating in our technical call today. This email summarizes the necessary follow-up actions associated with the Notice of Violation discussed during our meeting. Please provide a formal letter to accompany the certificate of compliance by **July 15, 2026**. This letter should detail the following information, along with the necessary documentation verifying that all specified actions have been addressed:

- Ensure that the daily sampling as outlined in the SPDES permit is being conducted every day including the weekends and holidays.
 - These include settleable solids, pH, and temperature. Flow is a continuous reading as well.
- Create and implement a collection system inspection program with a reference guide.
- Create a preventive maintenance plan.
- Keep an updated maintenance log for the facility that all staff can utilize and reference.
- Create a backup power emergency plan.
- Keep us updated on the progress to fix the phase 1 secondary clarifier. Provide photos as the tank is back in operation.
- Provide photos of the updated outfall sign.
- Upkeep proper maintenance on the secondary clarifier weirs.
- Explore options to reduce or mitigate the midge fly issue.

Please ensure all items are addressed with the certificate of compliance and returned by July 15, 2026. Feel free to reach out if you have any questions or concerns, thank you!

Alyssa Jaffee

Environmental Engineer Technician 1

New York State Department of Environmental Conservation

Region 3 | Division of Water

21 South Putt Corners Road, New Paltz, NY, 12561

o: (845) 633-5452 | alyssa.jaffee@dec.ny.gov

dec.ny.gov | @NYSDEC on Social Media | [Podcast](#)

TOWN OF LIBERTY - TOWN BOARD MEETING MINUTES

Date: June 15, 2026

Time: 6:30 p.m.

Location: Senior Citizens' Center, Liberty, NY

CALL TO ORDER

Supervisor Frank DeMayo opened the meeting at 6:30 p.m. with the Pledge to the Flag.

PRESENT:

Supervisor Frank DeMayo, Councilmember Dean Farrand, Councilmember Sherri Kavleski, Councilmember Vincent McPhillips, Councilmember Bruce Davidson, Town Clerk Laurie Dutcher, Town Attorney Kenneth Klein, Finance Director Cheryl Gerow, and Confidential Secretary Nick Rusin.

161-26 CORRESPONDENCE

Motion to accept correspondence.

Motion by: Councilmember Dean Farrand
Second by: Councilmember Bruce Davidson
5 AYES CARRIED

162-26 APPROVING AUDITS

Motion approving the following audits:

- | | | |
|--------------------------------------|-----------------|--------------|
| • May 2026 Abstract | Claims #850-991 | \$450,819.28 |
| • April 2026 Post Audit | Claims #825-849 | \$121,278.64 |
| • April 2026 General Ledger Abstract | Claims #121-149 | \$260,913.65 |

Motion by: Councilmember Dean Farrand
Second by: Councilmember Bruce Davidson
5 AYES CARRIED

163-26 APPROVING MONTHLY REPORTS

Motion approving the following monthly reports:

- | | |
|-------------------------------|--------|
| • Town Clerk's Report | 5/2026 |
| • Revenue and Expense Summary | 5/2026 |
| • Supervisor's Report | 5/2026 |

TOWN OF LIBERTY - TOWN BOARD MEETING MINUTES

Date: June 15, 2026

Time: 6:30 p.m.

Location: Senior Citizens' Center, Liberty, NY

Motion by: Councilmember Bruce Davidson
Second by: Councilmember Sherri Kavleski
5 AYES CARRIED

164-26 APPROVING MEETING MINUTES

Motion approving the following minutes as submitted by the Town Clerk:

- Regular Meeting 5/18/26
- Work Session 6/1/26
- Regular Meeting 6/1/26
- IT Bid Opening 5/28/26

Motion by: Councilmember Dean Farrand
Second by: Supervisor Frank DeMayo
5 AYES CARRIED

165-26 AUTHORIZING SUPERVISOR TO SIGN DELAWARE ENGINEERING PROPOSAL FOR FINAL REVIEW OF GROSSINGER'S RESORT PROJECT

Motion authorizing the Supervisor to sign a Delaware Engineering proposal for final review of the Grossinger's Resort Project.

Motion by: Councilmember Vincent McPhillips
Second by: Councilmember Bruce Davidson
5 AYES CARRIED

166-26 APPROVING PAYMENT FOR WALNUT MOUNTAIN RESTROOM UNIT

Motion approving payment in the amount of \$47,621.52 for the Walnut Mountain restroom unit upon receipt of the unit.

It was noted that the Board previously approved the purchase of the unit, and this action authorizes payment upon delivery and receipt of the unit.

Motion by: Supervisor Frank DeMayo
Second by: Councilmember Sherri Kavleski
5 AYES CARRIED

TOWN OF LIBERTY - TOWN BOARD MEETING MINUTES

Date: June 15, 2026

Time: 6:30 p.m.

Location: Senior Citizens' Center, Liberty, NY

167-26 APPROVING PROPOSAL FROM PHOENIX ENTERPRISES FOR CREEKSIDE PARK IMPROVEMENTS

Motion approving the proposal from Phoenix Enterprises in the amount of \$34,395 for paving and retaining wall construction at Creekside Park.

It was noted that the project was funded by a Sullivan 180 grant and that Phoenix Enterprises was the lowest bidder.

Motion by: Councilmember Dean Farrand
Second by: Councilmember Bruce Davidson
5 AYES CARRIED

168-26 APPROVING FISCH SOLUTIONS, INC. FOR INFORMATION TECHNOLOGY SERVICES

Motion approving Fisch Solutions, Inc. as the lowest hourly bidder for Information Technology Services.

Motion by: Councilmember Bruce Davidson
Second by: Councilmember Dean Farrand
5 AYES CARRIED

169-26 AUTHORIZING HIRING OF PERSONNEL PENDING PRE-EMPLOYMENT TESTING

Motion authorizing the hiring of the following individuals pending successful completion of pre-employment testing:

- Jackie Lopez, Full-Time Clerk, Assessor's Office, starting salary of \$45,953
- Isaiah McNeil, Temporary Laborer, Water and Sewer Department, hourly rate of \$23.40
- Nathan Davis, Temporary Laborer, Water and Sewer Department, hourly rate of \$23.40

It was noted that an additional temporary laborer position may be filled upon acceptance of an offer, but no name was available at this time.

Motion by: Councilmember Dean Farrand
Second by: Councilmember Bruce Davidson
5 AYES CARRIED

TOWN OF LIBERTY - TOWN BOARD MEETING MINUTES

Date: June 15, 2026

Time: 6:30 p.m.

Location: Senior Citizens' Center, Liberty, NY

170-26 APPROVING STANDARD WORKDAY RESOLUTION FOR KASPER SANDELEWSKI

Motion approving the Standard Workday Resolution for Kasper Sandelewski.

Discussion ensued regarding the purpose of the resolution. It was explained that Mr. Sandelewski is a member of the Planning Board and has joined the New York State Retirement System. The resolution is required because his paperwork was not included with the previously approved Standard Workday Resolution.

Motion by: Supervisor Frank DeMayo
Second by: Councilmember Dean Farrand
NO: Councilmember Vincent McPhillips
1 NO
4 AYES CARRIED

171-26 AUTHORIZING SUBMISSION OF GRANT APPLICATION FOR O&W RAIL TRAIL PROPERTY ACQUISITION

Motion authorizing the submission of a grant application to New York State Parks for the purchase of land for the O&W Rail Trail.

Supervisor DeMayo reported that the grant application is for seventy-five percent (75%) of the purchase price of \$450,000. The Town is also exploring possible funding from the Open Space Institute to cover the balance. The property is located on Sheehan Road toward Parksville.

Discussion ensued regarding whether the Town would be obligated to proceed with the purchase if grant funding was awarded and whether the Town would be responsible for the remaining balance. It was clarified that the motion is only to authorize the submission of the grant application. The Board further discussed that the Town would not sign a purchase contract unless the balance of funding is secured.

Motion by: Councilmember Dean Farrand
Second by: Councilmember Sherri Kavleski
5 AYES CARRIED

172-26 APPROVING WAIVER OF NOISE ORDINANCE FOR ARROWHEAD RANCH

Motion approving the request from Arrowhead Ranch for a waiver of the noise ordinance until 10:30 p.m. for events to be held on June 26, June 27, July 25, and August 1, 2026.

Motion by: Councilmember Bruce Davidson
Second by: Supervisor Frank DeMayo

TOWN OF LIBERTY - TOWN BOARD MEETING MINUTES

Date: June 15, 2026

Time: 6:30 p.m.

Location: Senior Citizens' Center, Liberty, NY

5 AYES CARRIED

173-26 AUTHORIZING TOWN CLERK/TAX COLLECTOR TO OPEN ACCOUNTS WITH WAYNE BANK

Motion authorizing the Town Clerk/Tax Collector to open three accounts with Wayne Bank for the Town Clerk Account, DEC Account, and Tax Collection Account.

The authorized signers shall be Laurie Dutcher and Sara Alvarez.

Motion by: Supervisor Frank DeMayo

Second by: Councilmember Bruce Davidson

5 AYES CARRIED

174-26 DENYING REQUEST FOR WATER BILL ADJUSTMENT – 37 POST ROAD

Motion denying the request from Karen Heidemann of 37 Post Road for an adjustment to her water bill.

Supervisor DeMayo stated that he had included the request in the Board packet and that the applicant had previously been advised by email that water bill adjustments are not common practice for the Town.

Motion by: Supervisor Frank DeMayo

Second by: Councilmember Dean Farrand

5 AYES CARRIED

DISCUSSION – ROUTE 52 PROPERTY / UNSAFE BUILDING

The Board discussed the deteriorated structures located on Route 52, SBL 31-1-38.

Councilmember Farrand noted that Sullivan County had previously made the property tax exempt and that the Town would likely not be reimbursed for any expenses incurred in addressing the unsafe conditions. He further stated that the matter had not been addressed for several years and that prior discussions with Town officials had indicated that proceeding under the Town's Unsafe Building Law would likely result in the Town bearing the costs.

Town Attorney Kenneth Klein advised that, while the Town could pursue recovery from the property owner or estate, any recovery was unlikely due to the apparent lack of assets. Attorney Klein further explained that the Town would be required to advance any remediation costs and that recovery would remain uncertain.

TOWN OF LIBERTY - TOWN BOARD MEETING MINUTES

Date: June 15, 2026

Time: 6:30 p.m.

Location: Senior Citizens' Center, Liberty, NY

Councilmember Davidson expressed concern regarding the significant safety hazards posed by the deteriorating structures and stated that the matter could no longer be delayed.

Supervisor DeMayo questioned whether the situation could be declared an emergency due to public safety concerns. Attorney Klein advised against using the emergency procedure, noting that such action could be viewed as circumventing due process requirements and exposing the Town to potential litigation. Attorney Klein recommended proceeding through the Town's established unsafe building procedures.

The Board discussed alternatives to immediately demolishing the structures, including securing the property to prevent access and prevent debris from entering the roadway. Discussion also included the potential need for asbestos testing and assessment prior to any demolition activities.

Councilmember Farrand suggested that the Town secure the site to address immediate safety concerns while proceeding with the unsafe building process.

175-26 AUTHORIZING SECURING OF PROPERTY LOCATED AT SBL 31-1-38

Motion authorizing the Town to secure the loose debris and structures located at SBL 31-1-38 on State Route 52 and to obtain pricing and evaluate options for securing the property in the interest of public safety.

Motion by: Supervisor Frank DeMayo
Second by: Councilmember Dean Farrand
5 AYES CARRIED

176-26 DIRECTING COUNSEL TO COMMENCE UNSAFE BUILDING PROCEEDINGS

Motion directing Town Counsel and the Building Department to prepare and commence the necessary documentation and proceedings under the Town's Unsafe Building Law regarding the property located at SBL 31-1-38.

Motion by: Supervisor Frank DeMayo
Second by: Councilmember Dean Farrand
5 AYES CARRIED

DISCUSSION – YESHIVA B’NOS ISRAEL, OLD MONTICELLO ROAD

TOWN OF LIBERTY - TOWN BOARD MEETING MINUTES

Date: June 15, 2026

Time: 6:30 p.m.

Location: Senior Citizens' Center, Liberty, NY

Attorney John Furst, representing Yeshiva B'nos Israel, appeared before the Board regarding proposed improvements to the camp property located on Old Monticello Road.

Attorney Furst explained that the camp has existed for many decades and predates zoning regulations. The camp has undergone several upgrades and improvements over the years, with the most recent Planning Board approvals occurring in 2023. He noted that the Town had previously indicated no objection to prior improvements because they did not increase occupancy.

Attorney Furst outlined the proposed improvements, which include:

- Replacement of an existing dormitory building in kind.
- Construction of a new mikvah addition and porch.
- Construction of a new swimming pool.
- Construction of a new two-story classroom and study hall building.
- Expansion of an existing study hall.
- Construction of nine new bungalow buildings containing eighteen dwelling units and approximately fifty-four bedrooms.

Discussion focused primarily on the proposed bungalow expansion and its potential impact on the water system.

Councilmember Farrand inquired as to the anticipated increase in water usage associated with the additional bedrooms. It was estimated that the proposed expansion could require approximately 6,000 gallons of water per day.

Attorney Furst clarified that the remaining proposed improvements would not increase occupancy and therefore would not substantially increase water demand.

Councilmember Farrand stated that the Town continues to face water capacity issues and explained that any proposal that would increase water demand would require review by the Water and Sewer Department. He further stated that there is a strong likelihood that the Department would determine that sufficient capacity is not currently available.

Discussion ensued regarding the status of the Town and Village water system, ongoing efforts to increase water capacity, and future testing of the Elm Street wells. Supervisor DeMayo explained that the Town and Village are working jointly on water supply issues and that testing of the Elm Street wells is anticipated to begin in the fall. The testing process will include operating the wells at full capacity and submitting results to the appropriate regulatory agencies for review.

TOWN OF LIBERTY - TOWN BOARD MEETING MINUTES

Date: June 15, 2026

Time: 6:30 p.m.

Location: Senior Citizens' Center, Liberty, NY

Attorney Furst inquired whether the Town was currently subject to any restrictions by the Department of Environmental Conservation or the Department of Health regarding water use. Supervisor DeMayo advised that no formal moratorium exists at this time, but additional capacity has not yet been approved.

The Board recommended that the applicant first seek determination from the Water and Sewer Department regarding available capacity before any further consideration of the proposed expansion.

Supervisor DeMayo explained that after the anticipated testing of the Elm Street wells, an evaluation would be needed to determine whether the test results support distributing additional water. He advised that even if all testing and evaluations are favorable, the process would likely take at least one year.

Attorney Furst acknowledged that the matter is a process and asked what alternatives would be available if the testing did not support additional water capacity. Supervisor DeMayo stated that the Town would then need to explore other alternatives.

The Board discussed the history of the Town's water capacity issues. It was noted that the water concerns have existed for approximately eight to ten years. Councilmember Farrand stated that water is not an infinite resource and that the Town's water system is stressed during peak summer periods.

Supervisor DeMayo stated that the Town had previously attempted to locate additional water sources through a hydrologist's review and drilling, but the first drilling location did not yield a viable well. He further noted that Sullivan County is conducting a water study, although the Board discussed that the study largely evaluates existing information and available resources.

Attorney Furst asked about the Town's current water capacity. Councilmember Farrand stated that, to his recollection, the Department of Health's capacity for the Stevensville system is approximately 800,000 gallons per day, and that during peak summer days, particularly Fridays and Saturdays, usage can approach or exceed that amount and at times push toward one million gallons per day. He stated that the Stevensville system supplies Liberty and is under significant stress during peak demand.

Councilmember McPhillips stated that the water issue does not necessarily prevent the applicant from proceeding before the Planning Board with the portions of the project that do not increase occupancy or water usage. He stated that the applicant could proceed

TOWN OF LIBERTY - TOWN BOARD MEETING MINUTES

Date: June 15, 2026

Time: 6:30 p.m.

Location: Senior Citizens' Center, Liberty, NY

with the pool, mikvah, dormitory replacement, and other improvements that do not involve additional bungalow units, while continuing to address the water issue separately.

Attorney Furst asked whether the bungalow portion of the project could proceed before the Planning Board, conditioned upon obtaining the necessary water approval.

Councilmember McPhillips stated that, in his opinion, that would be putting the cart before the horse and suggested that the applicant first proceed with the portions of the project that are not dependent upon additional water capacity.

Supervisor DeMayo noted that the applicant will also appear before the Village Planning Board, which could determine whether any approvals would be conditioned on water availability.

Councilmember Kavleski asked about the existing dormitory building proposed to be replaced. Attorney Furst confirmed that the proposal involved replacing the existing dormitory building. Councilmember Kavleski noted that she was familiar with the existing building from prior years.

No formal action was taken by the Board.

DISCUSSION – FARMERS MARKET PORTA-POTTIES

Supervisor DeMayo advised that Eugene Gelman had obtained grant funding for portable restroom facilities to be utilized at the Farmers Market and requested permission to keep two portable toilets on-site throughout the market season.

Board members discussed concerns regarding maintenance, security, potential vandalism, and servicing requirements. It was suggested that the units remain locked when the Farmers Market is not in operation and that they be serviced on a regular schedule.

177-26 AUTHORIZING PORTABLE RESTROOMS FOR FARMERS MARKET

Motion authorizing placement of two portable restroom units at the Farmers Market for the duration of the market season, subject to the following conditions:

- The units shall be locked when the Farmers Market is not operating.
- The units shall be secured no later than the Monday following each market.
- The units shall be serviced and pumped out at least once per month.

TOWN OF LIBERTY - TOWN BOARD MEETING MINUTES

Date: June 15, 2026

Time: 6:30 p.m.

Location: Senior Citizens' Center, Liberty, NY

Motion by: Supervisor Frank DeMayo
Second by: Councilmember Sherri Kavleski
5 AYES CARRIED

178-26 EXTENDING DELAWARE ENGINEERING GENERAL SERVICES AGREEMENT

Supervisor DeMayo advised that Delaware Engineering's General Services Agreement expired at the end of 2025 and presented a proposed extension through December 31, 2027.

It was noted that the agreement is substantially similar to prior agreements with updated rate schedules and will allow Delaware Engineering to continue providing engineering services as needed. The Board discussed ongoing engineering needs related to the Loomis Sewer District, the Swan Lake Wastewater Treatment Plant, and other infrastructure projects.

Motion authorizing extension of the Delaware Engineering General Services Agreement through December 31, 2027.

Motion by: Supervisor Frank DeMayo
Second by: Councilmember Dean Farrand
5 AYES CARRIED

DISCUSSION – DEVELOPMENT ESCROW ACCOUNTS

Councilmember McPhillips raised concerns regarding engineering, inspection, and professional costs associated with development projects and suggested that escrow accounts be required to ensure such costs are borne by developers rather than taxpayers.

Attorney Klein explained that escrow accounts should be established at the beginning of a project based upon anticipated engineering and review costs and replenished as necessary throughout the review process. Any unused funds would be returned to the applicant upon completion of the project.

Board members generally agreed that escrow requirements should continue to be enforced and clearly memorialized in future agreements.

179-26 AUTHORIZING DELAWARE ENGINEERING TO CONTINUE SERVICES FOR DEVANY ROAD WATER MAIN EXTENSION

TOWN OF LIBERTY - TOWN BOARD MEETING MINUTES

Date: June 15, 2026

Time: 6:30 p.m.

Location: Senior Citizens' Center, Liberty, NY

Motion authorizing Delaware Engineering, under the General Services Agreement, to continue providing engineering, inspection, and related services for the Devany Road Water Main Extension Project.

It was noted that engineering and inspection expenses associated with the project are subject to reimbursement through the developer's escrow account.

Motion by: Supervisor Frank DeMayo
Second by: Councilmember Bruce Davidson
5 AYES CARRIED

180-26 REQUESTING ESTIMATE FOR RESPONSE TO DEC NOTICE OF VIOLATION – LOOMIS SEWER DISTRICT

Motion authorizing Delaware Engineering to provide an estimate for professional services necessary to prepare a response to the New York State Department of Environmental Conservation Notice of Violation dated June 15, 2026, regarding the Loomis Sewer District Wastewater Treatment Plant.

Motion by: Supervisor Frank DeMayo
Second by: Councilmember Bruce Davidson
5 AYES CARRIED

DISCUSSION – DEVANY ROAD WATER MAIN EXTENSION ESCROW ACCOUNT

The Board continued discussion regarding engineering costs and escrow requirements associated with the Devany Road Water Main Extension Project.

Attorney Klein advised that before the water service agreement is finalized, the Town should ensure that all engineering expenses incurred to date are reimbursed and that adequate escrow funds are established to cover anticipated future costs.

Supervisor DeMayo noted that Delaware Engineering has incurred approximately \$11,400 in professional services expenses in 2026, in addition to previously established escrow deposits. Delaware Engineering further estimated that additional work remains to be completed and recommended increasing the escrow account by \$20,000.

Councilmember McPhillips questioned how the escrow account became depleted without additional funds being requested sooner and suggested establishing a process to ensure escrow balances are monitored and replenished before they are exhausted.

TOWN OF LIBERTY - TOWN BOARD MEETING MINUTES

Date: June 15, 2026

Time: 6:30 p.m.

Location: Senior Citizens' Center, Liberty, NY

Supervisor DeMayo stated that future agreements should include provisions establishing minimum escrow thresholds that would trigger replenishment requests before funds are depleted.

Attorney Klein explained that escrow agreements should be established at the outset of a project and should clearly define procedures for maintaining sufficient escrow balances. He further stated that future applications requiring engineering, planning, legal, or professional review should include consultation with the appropriate professionals to determine the required escrow amount before review begins.

Councilmember Davidson noted that the Building Department serves as the initial point of review for development applications and that coordination between the Building Department, Finance Department, Planning Board professionals, and Town consultants is necessary to ensure escrowing requirements are properly administered.

Attorney Klein agreed, stating that the Building Department serves as the gatekeeper for development applications and that escrow procedures should be incorporated into the review process before applications proceed.

Following the discussion, the Board agreed that revisions to the proposed water service agreement should include updated escrow provisions, clarification of the applicable water district designation, clarification of the billing language, and completion of an incomplete provision in the draft agreement.

181-26 CONDITIONAL APPROVAL OF DEVANY ROAD WATER SERVICE AGREEMENT

Motion granting conditional approval of the proposed Devany Road Water Service Agreement, subject to the following:

- Addition of escrow provisions addressing reimbursement of engineering and professional review costs;
- Verification of the applicable water district;
- Completion and clarification of billing and payment language contained in Item No. 8 of the agreement;
- Clarification of applicable water usage rates;
- Review and approval of the revised agreement by Town Counsel; and
- Distribution of the revised agreement to the Town Board for review prior to execution.

TOWN OF LIBERTY - TOWN BOARD MEETING MINUTES

Date: June 15, 2026

Time: 6:30 p.m.

Location: Senior Citizens' Center, Liberty, NY

Upon completion of the required revisions, the Supervisor is authorized to execute the agreement.

Motion by: Councilmember Vincent McPhillips

Second by: Councilmember Sherri Kavleski

5 AYES CARRIED

182-26 REQUESTING DELAWARE ENGINEERING PROPOSAL FOR SWAN LAKE NOTICE OF VIOLATION

Motion authorizing Delaware Engineering to prepare and submit a proposal under the General Services Agreement for professional services necessary to respond to the Notice of Violation issued regarding the Swan Lake Wastewater Treatment Plant.

Motion by: Supervisor Frank DeMayo

Second by: Councilmember Bruce Davidson

5 AYES CARRIED

OLD BUSINESS

Councilmember Davidson reported that he had contacted CR Wolf regarding the HVAC project and was referred to a manufacturer willing to perform a heat-loss analysis. He noted that the project would still be subject to the Town's bidding requirements and that additional information was anticipated in the coming weeks.

Councilmember Davidson also reported that he intends to provide draft language regarding fines and fees for review by Town Counsel prior to a future meeting.

Councilmember Farrand reported that no additional information had been received regarding Mountain View Meadows.

The Board discussed the Green Hills Memorandum of Understanding and agreed to keep the item on the agenda until all obligations and reimbursements associated with the agreement have been completed.

PUBLIC PARTICIPATION

Abraham Mizrahi thanked the Board for its efforts to advance the water service agreement and complimented Delaware Engineering on its assistance and professionalism during recent site visits.

TOWN OF LIBERTY - TOWN BOARD MEETING MINUTES

Date: June 15, 2026

Time: 6:30 p.m.

Location: Senior Citizens' Center, Liberty, NY

The representative further advised the Board that the requested escrow funds would be delivered the following morning to avoid any delays in the project review process.

BOARD DISCUSSION

Councilmember McPhillips reported that local volunteers are restoring and repainting the "Welcome to Liberty" signs. He specifically recognized Deana Schulte for volunteering her time and efforts to complete the work.

The Board discussed publicly recognizing the volunteers upon completion of the project and possibly sharing photographs and acknowledgments through Town communications.

Supervisor DeMayo reported that he attended the final Helix Intel training session and intends to begin utilizing the program for Town building and equipment management. He advised that recordings of the training sessions would be distributed to Board members and department heads for review.

Supervisor DeMayo further reported:

- Senator Oberacker recognized Joanne Gerow with a Woman of Distinction Award.
- A ribbon cutting ceremony was held for the Walnut Mountain Interpretive Trail and was well attended.
- Recent Comprehensive Plan meetings have been productive, with committee presentations continuing as scheduled.
- The next Comprehensive Plan meeting will focus on housing.
- Tom Coyne recently held a successful book signing event at the golf course, and discussions regarding future golf course improvements continue.
- Sullivan County will hold a public informational meeting regarding the replacement of the Swan Lake Bridge.

183-26 EXECUTIVE SESSION

Motion to enter Executive Session to discuss contract negotiations regarding Code Enforcement and pending litigation.

Motion by: Supervisor Frank DeMayo

Second by: Councilmember Sherri Kavleski

5 AYES CARRIED

The Town Board entered Executive Session at 7:37 p.m.

TOWN OF LIBERTY - TOWN BOARD MEETING MINUTES

Date: June 15, 2026

Time: 6:30 p.m.

Location: Senior Citizens' Center, Liberty, NY

184-26 OUT OF EXECUTIVE SESSION

Motion to come out of Executive Session.

Motion by: Councilmember Vincent McPhillips

Second by: Supervisor Frank DeMayo

5 AYES CARRIED

185-26 STIPULATION OF SETTLEMENT- FOR MNA HOSPITALITY LLC.

The following motion was offered by Supervisor Frank DeMayo, who moved its adoption, and seconded by Councilperson Dean Farrand, to wit:

WHEREAS, MNA Hospitality LLC (“Petitioner”) has served and filed notices of protest and notices of petition and petitions for review and reduction of real property assessments for the years 2024 and 2025 with respect to a parcel owned by it located in the Town of Liberty; and

WHEREAS, the Town of Liberty has appeared in the aforesaid proceedings by Kenneth C. Klein, Esq., attorney for the Town, and Petitioner has appeared in the aforesaid proceedings by Barclay Damon LLP, Debra C. Sullivan, Esq., of counsel; and

WHEREAS, following negotiations among the parties and their counsel, a settlement of all matters in dispute has been reached; and

WHEREAS, it appears that the proposed settlement of all matters in dispute will result in a fair and equitable resolution of Petitioner’s complaint with respect to the subject assessments;

NOW, THEREFORE, be it resolved, that Kenneth C. Klein, Esq., attorney for the Town, be, and he hereby is authorized, directed and allowed to enter into a formal stipulation of settlement and order with the attorneys of record for the Petitioner, which stipulation of settlement and order has been provided to the Town Board for complete reading and filing this date; and be it further

RESOLVED, that Kenneth C. Klein, Esq., attorney for the Town, be, and he hereby is authorized, empowered and directed to execute the proposed stipulation of settlement and order, and to thereby bind the Town of Liberty thereto; and be it further

TOWN OF LIBERTY - TOWN BOARD MEETING MINUTES

Date: June 15, 2026

Time: 6:30 p.m.

Location: Senior Citizens' Center, Liberty, NY

RESOLVED, that Kenneth C. Klein, Esq., attorney for the Town, be, and he hereby is authorized, empowered and directed to do all other things, and to execute any and all other documents, which are reasonably necessary and incidental to the effectuation and finalization of the aforesaid stipulation of settlement and order.

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

- Supervisor Frank DeMayo voting AYE
- Councilperson Dean Farrand voting AYE
- Councilperson Vincent McPhillips voting NO
- Councilperson Bruce Davidson voting AYE
- Councilperson Sherri Kavleski voting AYE

The resolution was thereupon declared duly adopted.

ADJOURNMENT

The meeting was adjourned at 8:22 p.m.

Motion by: Supervisor Frank DeMayo
Second by: Councilmember Sherri Kavleski
5 Ayes CARRIED

Respectfully submitted,

Laurie Dutcher

Laurie Dutcher, Town Clerk

supervisordemayo townofliberty.org

From: Avi Samuel - Fast Build Planning <planning@fastbuildinc.com>
Sent: Tuesday, June 30, 2026 12:51 PM
To: supervisordemayo townofliberty.org; Dean Farrand; VMcPhillips@labellapc.com; Sherri Kavleski; Bruce Davidson; t.wilson townofliberty.org; breslev42@gmail.com
Cc: Abraham C Mizrahi
Subject: Devany Road lots - CO - Permit renewal

Dear Members of the Town,

I hope this message finds you well.

I am writing to formally request a waiver of the renewal fees for my open building permits in the Town of Liberty.

These delays arose because the town either should not have issued the permits when they did, or should not have subsequently held up my project.

Over the past three years, I have followed every legal step, yet the project was delayed due to these actions. As a result, I have incurred significant financial and time losses.
In light of these circumstances,

I respectfully request that the board renew my permits at no additional cost, so we can finally close off the permits. I would be happy to provide further documentation or meet to discuss this matter.

Thank you for your attention, and I look forward to your response.

Sincerely,
Abraham C. Mizrahi

--
Sincerely



Avi (Avigdor) Samuel
Planning and Expediting
Fast Build Inc
T: (845) 774-5616 Ext 103
E: Planning@fastbuildinc.com