

NYS Consolidated Funding Application # 127668

Organization Name: Village of New Paltz

Project Name: Consent Order Compliance Sewer Remediation Identified by NYS DEC Engineering Planning Grant

City: New Paltz **State:** NY

Created on
July 26, 2023 - 02:40 PM
Application finalized on
July 26, 2023 - 02:36 PM

Region

Mid-Hudson

Questionnaire Questions & Answers

Location

HCR - Community Development Block Grant (CDBG) - Public Infrastructure & Public Facilities

Q_3527 US Congressional District where the project is located. (This question's value will be filled automatically, based on the project address, when the application is finalized.)

18

Q_928 Project Street Address: Please input the project street address (**Street Number and Street Name only**).

If the project has multiple locations, please input the primary street address of the project. If the project does not have a definite street address, please input the approximate street address of the project (Street Number and Street Name only).

25 Plattekill Road

Q_565 Project City

New Paltz

Q_972 Project county or counties.

Ulster

Q_568 Project State

NY

Q_572 Project Latitude (This question's value will be filled automatically, based on the project address, when the application is finalized.)

41.74641142000007

Q_573 Project Longitude (This question's value will be filled automatically, based on the project address, when the application is finalized.)

-74.08399949299996

Q_184 NYS Assembly District where the project is located. (This question's value will be filled automatically, based on the project address, when the application is finalized.)

103

Q_190 NY Senate District where the project is located. (This question's value will be filled automatically, based on the project address, when the application is finalized.)

41

Q_1034 Project ZIP Code. (please use ZIP+4 if known)

12561

Q_616 For more than one project location, please provide full address(es) for each location. If Not Applicable, indicate "NA".

NA

Basic

General Project Information

Q_549 Type of Applicant (select all that apply)

Village

Q_12603 Is the applicant a DBA?

No

Q_556 Select an applicant ID type from the list below that you normally use to identify your organization on application forms.

Duns Number

Q_2655 Based on your selection from the previous question, enter the associated ID number.

037374667

Q_969 If you are a business, have you been certified as a New York State Minority or Women-owned Business Enterprise (MWBE)?

N/A

Applicant

	Answer
Organization Legal Name	Village of New Paltz
Applicant First Name	NA
Applicant Last Name	NA
Street Address	25 Plattekill Avenue
City	New Paltz
State	NY
Zip Code (use ZIP+4 if known)	12561
Telephone Number (include area code)	845-255-0130
Email Address	clerk@villageofnewpaltz.org

Contacts

	Primary Contact	Contact Authorized to Execute Contract if Awarded	Additional Contact
Salutation	Mr.	Mr.	Ms.
First Name	Tim	Tim	Nicole
Last Name	Rogers	Rogers	MacLean
Title	Mayor	Mayor	Deputy Village Clerk
Organization	Village of New Paltz	Village of New Paltz	Village of New Paltz
Street Address	25 Plattekill Avenue	25 Plattekill Avenue	25 Plattekill Avenue
City	New Paltz	New Paltz	New Paltz
State	NY	NY	NY
ZIP Code	12561	12561	12561
Telephone Number	845-292-0130	845-292-0130	845-292-0130
Email Address	mayor@villageofnewpaltz.org	mayor@villageofnewpaltz.org	clerk@villageofnewpaltz.org

Q_4199 Please select the primary sector or characterization that best defines this project.

Q_4198 Please select the secondary sector or characterization that best defines this project.

Community Development

Project Description

Q_575 Project Description. Concisely describe the project, indicating the location, what will be planned, designed, acquired, and/or constructed, the issues/opportunities to be addressed, and expected outcomes and deliverables. Additional details will be collected later in the application process.

New Paltz must comply with a 2003 Consent Order (re-issued 2014) imposed in response raw sewage overflows caused by excessive I & I. Hydraulic overloading causes raw sewage to erupt from manholes onto streets and into the Wallkill River. A new Notice of Violation was issued in January 2022.

The Wallkill, Lower, Main Stem has impaired water quality according to DEC's WI/PWL assessment.

The Village obtained a DEC Engineering Planning Grant in 2016. The EPG project defined continued sources of I&I. New Paltz must continue replacing or rehabilitating aging sewer mains to avoid further DEC fines. As a result of EPG study findings, the Village is required to replace or rehabilitate deteriorated, inaccessible or undersized sewer mains and manholes on Elting Avenue, Lincoln Place, Hasbrouck Place and South Oakwood Terrace. These mains disproportionately contribute to I&I, sewer overflows and exceeding WWTP capacity.

Our proposed CFA 2023 CDBG project will replace 1,485 lineal feet of clay tile pipe, replace 12 sanitary manholes and reconnect 25 sewer house laterals.

This project will reduce I&I, avert further DEC fines, protect public health and improve Wallkill River water quality.

Q_976 Statement of need: Provide a brief summary of the need for the project in the geographic area proposed and the project's financing needs, including funding gaps of the proposed project.

All of New Paltz is served by public sewers. The system is plagued by WWTP overloading and overflowing manholes due to I & I. Aging facilities cause hydraulic overloading upstream of the WWTP; sewage erupts on streets from manholes. Raw sewage is a Village-wide health/safety threat. Sewage has erupted from manholes during storms. DEC Notices of Violation (NOV), the latest in January 2022, cite sewage erupting on Water St, Mulberry St, Broadhead Ave and Huguenot St. A 2003 Consent Order (reissued 2014) requires New Paltz to continue correcting I & I or face further fines. We must undertake DEC mandated sewer replacement or relining. Our project is based on findings of a DEC Engineering Planning Grant completed in 2019. We need to replace or reline sewer mains on Elting Avenue, Lincoln Place, Hasbrouck Place and South Oakwood Terrace.

Q_12626 Does the project align with the Regional Economic Development Council's Strategic Plan?
[Click here for strategic plans](#)

Yes

Q_12627 Explain how the project aligns with the Regional Economic Development Council's Strategic Plan.

(This question is associated with your answer selection in question: [Q_12626](#))

This project directly benefits all Village sewer users, including SUNY New Paltz. Since SUNY New Paltz was approved for the Start-UP NY program, it is imperative that the wastewater facilities serving the SUNY campus remain completely functional. Start-UP NY is transforming communities (including New Paltz via SUNY New Paltz) into tax-free sites for new and expanding businesses. Now businesses from around the world can operate tax free for 10 years.

The goals of Start-UP NY coincide directly with the Governor's Global NY initiative making global trade a new focus by encouraging deals between such startup companies and foreign markets. Our proposed CFA 2023 OCR Public Infrastructure project will foster job creation by making an economic investment in the local community through replacement of aging, problematic infrastructure.

Q_929 Current State of Project Development (i.e. planning, preliminary engineering, final design, etc. You may enter N/A for non-project related applications)

Preliminary Engineering

Q_975 Estimated Project Timeline: include project start/completion dates, estimates for design, permitting and construction or other major steps.

Select Administrative Consultant - Completed April 2023
Engineer Selection via RFQ - Completed June 2023
Complete NEPA and SEQRA Reviews - Completed July 2023
Application Submission - July 28, 2023
Grant Award - December 14, 2023
Approval of Grant Agreement, Program Schedule, Project Team, Depository Form & Authorized Signature Form - January 10, 2024
Publish NOI-RROF - January 16, 2024
Execute Engineering Contract - January 17, 2024
Submit RROF to OCR - February 8, 2024
Release of Funds - March 4, 2024
Engineering Design - Jan 18 to Mar 12, 2024
Submit Bid Package to OCR - March 13, 2024
Bidding - Apr 18 to May 9, 2024
Construction Award - May 15, 2024
Construction Contract Signing - June 5, 2024
Construction - June 2024 to Nov 2024
2nd Public Hearing - December 11, 2024
Project Completion - December 18, 2024
Closeout - January 15, 2025

Q_580 Provide a list of all federal, state, and local reviews, approvals, or permits needed or completed, including the dates when they are expected to be completed or were completed. If Not Applicable, indicate "NA".

National Environment Policy Act Release of Funds - A completed Environmental Review

Record (ERR) is uploaded to this application. A NOI-RROF notice can be published on January 16, 2024 with an assumed Request for Release of Funds request submission on February 8, 2024

Q_12606 Does this project require State and/or Federal Environmental Review?

Yes

Q_2364 What is the status of State and/or Federal Environmental Review?

(This question is associated with your answer selection in question: [Q_12606](#))

Our ERR is completed including requests for agency comments. A Notice of Intent to Request Release of Funds (NOI-RROF) will be published on January 16, 2024. The Village Board declared this project to be a Type II activity for SEQRA purposes via a May 24, 2023 resolution.

Q_12607 Please indicate the lead agency (if applicable).

(This question is associated with your answer selection in question: [Q_12606](#))

Village of New Paltz

Q_12604 Has a National Environmental Policy Act (NEPA) Record of Decision been issued?

Yes

Q_1054 Please explain decision and include date of Record of Decision.

(This question is associated with your answer selection in question: [Q_12604](#))

The Village of New Paltz completed its draft Environmental Review Record (ERR) in July 2023 and uploaded it to this application at Question_13905. The Village solicited comments from various agencies including four THPOs, NYS DEC SHPO, NYS Ag & Markets, NYS DEC Natural Heritage Program and US DOI Fish & Wildlife. Any comments received through July 26, 2023 are included within our July 2023 Environmental Review Record.

The Village determined that this project will have no adverse environmental effects and that a Notice of Intent to Request Release of Funds (NOI-RROF) can be published. Our timeline calls for publishing a NOI-RROF notice on January 16, 2024 with a RROF to follow on February 8, 2024. We project a Release of Funds from NYS OCR with an effective date of March 4, 2024.

Prior CFA Funding

Q_12625 Has the applicant or project been awarded funding in prior CFA rounds?

Yes

Q_2362 What were the CFA numbers for which funding was awarded? (separate multiple CFA numbers with commas)

(This question is associated with your answer selection in question: [Q_12625](#))

15043, 27154, 50882, 63414, 63415, 80525, 109958, 117755

Q_4160 For each program to which you are applying under the CFA, explain your strategy for proceeding if the full amount of requested funding, required matching funds, and temporary financing are not secured as expected, or committed sources become unavailable. This explanation must address any proposed project phases, and both CFA and non-CFA sources of funds.

New Paltz is requesting \$857,550 in CDBG funds to use in conjunction with \$47,000 of firmly committed Village funds to continue addressing a NYS DEC Consent Order. No other funds will be required to complete this project.

Our \$904,550 project budget represents the entire project. It is not an activity dependent on any other activity to provide benefit to the public. This project is a stand alone project although it is part of a long term plan to comply with the NYSDEC Consent Order by replacing and/or rehabilitating aging sewer mains.

If this CFA OCR Small Cities request is not funded the Village of New Paltz will have no choice but to proceed through local bonding. The penalty for non-compliance will be steep, if the Village does not complete the proposed project during 2024/2025 as evidence of continued Consent Order compliance it can be fined by NYSDEC up to \$37,500 per day.

The Median Household Income (MHI) of New Paltz Village is \$51,912 as per the US Census MHI in 2021 inflation adjusted dollars. The New Paltz Village sanitary sewer user base has been calculated at 2,880 EDU's, of those 2,192 are residential.

The typical cost of sanitary service per EDU is now \$515.18 per year, composed of the following:

- Existing O&M cost of sewer utility = \$1,483,707 is budgeted for 2023/2024 as shown page 13 and 14 of the current Village budget (see budgeted uploaded with Public Infrastructure Activity Detail). Per EDU cost of O & M is \$515.18; and

- Current Debt Service of sewer utility - no debt service budgeted in 2023/2024 Village budget.

Current sewer user costs are the sum of O&M and debt service charges ($\$515.18 + \$0.00 = \$515.18$). \$ 515.18 presently 0.99% of MHI.

We considered two alternatives to CDBG, described below:

USDA Water & Waste - USDA RD approved our \$5,531,500 water filtration plant upgrade. Since the offer was "loan only" the Village proceeded using local bonding to save on administrative costs. The project was bid in 2017 and was completed in 2021. This \$5,531,500 water filtration plant upgrade was in addition to \$1 million the Village borrowed to replace one of its water tanks in 2012 (partially funded by OCR project #793PR72-11). Since our USDA RD water system request of \$5,531,500 received a "loan only" offer at RD's intermediate rate, it is very unlikely that USDA would offer anything other than another loan offer for this more modest \$904,550 sewer project. Again traditional bonding would be less expensive without USDA RD compliance related administrative costs.

NYS EFC CWSRF - In 2021 the Village submitted this proposed project for the IUP Multi-Year List via the EFC's PLUS system. During the latter part of 2021 EFC scored this

project at 106 points. The Village has since submitted IUP updates in June 2022 and June 2023. Attached excerpts from the Final 2023 CWSRF IUP uploaded at Question_13720 show that our project #C3-7299-03-00 is still scored at 106 points.

In 2022 EFC reduced the scoring line for hardship status (0% loan) to 41 points. The scoring line for a subsidized loan interest rate was reduced to 34 points. Our proposed thus qualifies for the hardship 0% interest rate.

A 28 year CWSRF loan for \$857,550 at the 0% rate would result in an additional \$30,326.78 in debt service per year or \$10.63 more per EDU.

Without CDBG the new cost per EDU per year would be the sum of the existing \$515.18 plus \$10.63 in new debt service. The resulting \$525.81 typical charge per EDU would be 1.01% of MHI.

With CDBG funds Village sewer users would see no additional debt service. The \$47,000 in costs beyond our \$857,550 CDBG request will be funded through Sanitary Sewer Account G8120. This \$47,000 amount is firmly committed by a Village Board motion dated May 14, 2023 and confirming letter to OCR dated June 6, 2023.

Due to completed essential utility upgrades, water and sewer utility rates have already increased by 50% since 2012. The Village has spent \$1.1 million of its own funds to comply with the NYSDEC Consent Order in addition to the previous completed OCR CDBG projects the Village received.

The Village cannot pay for this project out of its Sewer Reserve Fund. The "Sewer Reserve Fund" had contained \$137,000 in 2011 but \$89,000 had to be spent that year to pay for emergency repairs. As late as December 2020 the Sewer Reserve Fund contained \$40,372. The Village had to spend \$39,969 from the Sewer Reserve Fund for emergency repairs. Until 2020 the Village Board had annually deposited \$10,000 to the "Sewer Reserve Fund". Our sewer revenue was vastly reduced during the 2020/2021 COVID pandemic. It was impossible to add \$10,000 per year during 2020 and 2021. Since 2022 we have been able to rebuild our Sewer Utility Capital Reserve Fund. The Village deposited \$75,689.88 to the Sewer Utility Capital Reserve Fund during the just completed 6-1-22 to 5-31-23 fiscal year.

With CDBG funds New Paltz would see no additional debt service; the cost per EDU would remain at \$515.18 per year.

Standard Question

HCR - Community Development Block Grant (CDBG) - Public Infrastructure & Public Facilities

Q_13727 Please provide the Federal Tax ID and the Unique Entity ID (UEI) for the Unit of Government serving as the Applicant.

Federal Tax ID = 14-6002335

Unique Entity ID = ER5ALYRK9BY8

Q_12063 Application Preparer First Name

Mark

Q_12064 Application Preparer Last Name

Blauer

Q_12065 Application Preparer Email

mblauer@ evenlink.com

Q_13742 Is the proposed project a Public Facility (PF) or Public Infrastructure (PI) activity? Please read Scoring Tips for guidance.

Public Infrastructure

Q_13743 Provide a brief abstract of the proposed project. The abstract must include formal applicant name, location of project, amount of request, general purpose of the project, and project beneficiaries. Sample text: [City, Town, Village, County Name] will use \$1,000,000 in NYS CDBG funds to replace [Type of Public Infrastructure/Public Facility]. The total project cost will be \$2,000,000 with \$1,000,000 from other grant sources (specify). The project proposes to benefit 50 low-and moderate-income persons.

New Paltz Village will use \$857,550 in CDBG funds and \$47,000 of firmly committed Village funds to replace sewer mains and manholes identified as deficient by a completed NYSDEC Engineering Planning Grant study. Replacement will occur on Elting Avenue, Lincoln Place, Hasbrouck Place and South Oakwood Terrace. 2,300 low-and-moderate income persons will benefit.

Q_12667 Provide a brief description of the proposed project including quantifiable information and any unique aspects of the proposal, the impact of the project on identified priorities including the health, welfare or safety of the beneficiaries of the project. Examples of quantifiable information could include the number, size and type of buildings, etc. If the project is part of a larger effort, describe the complete project and identify the portion proposed for current grant funding.

New Paltz has completed various projects addressing the ongoing Consent Order by replacing or relining aging sewer mains to reduce I & I. The Village has used Village funds and nine (9) CDBG projects. Seven (7) CDBG projects are completed. The completed projects kept us current on NYS DEC's stipulations and averted further fines.

The seventh project (#793PW115-20) completed in July 2023 addressed Orchard Lane, South Chestnut Street (portion), Overlook Road and Mohonk Avenue. The eighth project (#793PR80-21) is addressing Huguenot Street, Tricor Avenue, Colonial Drive and North Chestnut Street and will be awarded in July 2022 with completion by December 2023. The ninth project (#793PR168-21) addressing South Chestnut Street, Prospect Street and Harrington Street is underway with completion by December 2023.

Despite concerted efforts the Consent Order will remain in effect until DEC is satisfied that hydraulic overloading resulting from I & I is sufficiently reduced to ensure public health and safety. New incidents of sewer overflow violations in 2013 precipitated a re-written consent order in 2014, a \$5,000 fine, a directive to investigate suspect areas of the sewer system and a mandate to continue sewer replacement/relining projects annually or face daily fines up to \$37,500.

On January 18, 2022, the NYSDEC issued a Notice of Violation (NOV) to the Village for

the 22 sanitary sewage overflows in the collection system between October 2019 and November 23, 2021. It was stipulated in the NOV that violations of the ECL carry penalties of up to \$37,500 per day per violation.

As part of its ongoing efforts to satisfy the Consent Order, New Paltz obtained a \$99,888 DEC Engineering Planning Grant (EPG) in 2016 for a "Consent Order Compliance DEC Engineering Grant Project". The purpose of the EPG project was to investigate and identify remaining deficient sewers and manholes contributing to I & I.

The resulting 2019 final EPG report is included as part of our Engineering Report uploaded at Question_12674. It identified the streets exhibiting the most severely deteriorated sewer mains and manholes. New Paltz has been using DEC EPG final report recommendations to successively address portions of the sanitary sewer collection system most in need of replacement or relining. EPG findings were the basis for the work scopes of our two (2) ongoing CDBG projects, OCR #793PW80-21 and OCR #793PR168-22.

Our CFA 2023 project work scope is again guided by the EPG Final Report. We will address deteriorated sewer mains that disproportionately contribute to I & I on Elting Avenue, Lincoln Place, Hasbrouck Place and South Oakwood Terrace, as follows:

Elting Avenue

Direct Replacement of 320 LF Clay Tile Pipe with 8" Ø SDR 35 Sanitary Sewer
Installation of 3 Manholes
Reconnection of 2 Sewer House Laterals

Lincoln Place

Direct Replacement of 440 LF Clay Tile Pipe with 8" Ø SDR 35 Sanitary Sewer
Installation of 2 Manholes
Reconnection of 3 Sewer House Laterals

Hasbrouck Place

Direct Replacement of 320 LF Clay Tile Pipe with 8" Ø SDR 35 Sanitary Sewer
Installation of 2 Manholes
Reconnection of 6 Sewer House Laterals

South Oakwood Terrace

Direct Replacement of 750 LF Clay Pipe with 8" Ø SDR 35 Sanitary Sewer
Installation of 4 Manholes
Reconnection of 18 Sewer House Laterals

The budget for this project is based on an April 2023 Brinnier & Larios cost estimate. Total costs are \$904,550. \$762,550 will replace aging sewer mains by installing 1,485 LF of new 8 inch sewer mains, replace 12 manholes, make 25 lateral re-connections, provide site preparation, traffic control and road restoration. Other costs are Engineering (\$95,000) and Administration (\$47,000). The Village has committed \$47,000 to pay for administrative costs.

Replacement of aging sewer mains and manholes identified as deficient by the EPG report removes contributing factors to the I & I situation and moves us closer to lifting the 2003 Consent Order.

Q_12687 Provide a brief description of how the project design is appropriate in capacity for the demand demonstrated including any potential future demand.

We are asked to explain how the project design is appropriate in capacity for the demand demonstrated including any potential future demand.

All of New Paltz is served by public sewers. The system is plagued by WWTP overloading and overflowing manholes due to I & I. Aging facilities cause hydraulic overloading upstream of the WWTP; sewage erupts on streets from manholes. Raw sewage is a Village-wide health/safety threat. Sewage has erupted from 4 manholes during storms.

DEC Notices of Violation (NOV), latest dated January 2022, cite sewage erupting on Water St, Mulberry St, Broadhead Ave and Huguenot St. A 2003 Consent Order (reissued 2014) requires New Paltz to continue correcting I & I or face further fines. The Village has been fined by NYSDEC before for Notice of Violation that occurred after imposition of the Consent Order and further fines of up to \$37,500 per day can be imposed for failure to diligently take steps to reduce Infiltration and Inflow (I & I) now plaguing the Village's sanitary sewer collection system.

We must undertake more DEC mandated sewer replacement and/or relining. Our project is based on findings of a DEC Engineering Planning Grant completed in Spring 2019. We need to replace or reline sewer mains on Elting Avenue, Lincoln Place, Hasbrouck Place and South Oakwood Terrace.

We are proposing to undertake the following sanitary sewer replacement activities through our proposed CFA 2023 CDBG Public Infrastructure project:

Elting Avenue

Direct Replacement of 320 LF Clay Tile Pipe with 8" Ø SDR 35 Sanitary Sewer
Installation of 3 Manholes
Reconnection of 2 Sewer House Laterals

Lincoln Place

Direct Replacement of 440 LF Clay Tile Pipe with 8" Ø SDR 35 Sanitary Sewer
Installation of 2 Manholes
Reconnection of 3 Sewer House Laterals

Hasbrouck Place

Direct Replacement of 320 LF Clay Tile Pipe with 8" Ø SDR 35 Sanitary Sewer
Installation of 2 Manholes
Reconnection of 6 Sewer House Laterals

South Oakwood Terrace

Direct Replacement of 750 LF Clay Pipe with 8" Ø SDR 35 Sanitary Sewer
Installation of 4 Manholes
Reconnection of 18 Sewer House Laterals

Breakdown:

\$643,550 Construction Estimate
\$69,000 Construction Contingency
\$50,000 Construction Inspection

These costs are defined by our Third Party Cost Estimate uploaded as part of our Engineering Report at Question_12674.

Our proposed project is appropriate in scale in consideration of the consequences of failing to continue making progress to satisfy the ongoing 2003 Consent Order. Moreover,

these specific stretches of aging sewer main were chosen as they were identified as priority areas by our 2019 NYS DEC/EFC Engineering Planning Grant Final Report.

Our April 2023 Engineering Report considered various alternatives. The following two alternatives were considered but were not chosen:

- Null Alternative: Not taking any action to correct the situation. Under this alternative, sanitary sewers would continue to overflow throughout the Village and the sewer plant would continue to be in violation of its SPDES Permit and the Village will continue to be subject to fines and penalties; and

- Install New Sanitary Sewers and Manholes in Alternative Locations - This alternative would not be feasible as the existing sewer lateral connections would need to be relocated at significant additional cost. This alternative would eliminate the cured in place pipe lining option which saves the owner significant cost and reduces disturbance to the existing infrastructure (roadway pavement, curbing, sidewalks etc.)

The alternative entitled "installation of new gravity sanitary sewer lines and manholes and reconnecting existing users to the new and rehabilitated construction" instead was chosen.

Our engineer's conclusion about alternatives considered is quoted below:

"The installation of new gravity sanitary sewer lines and manholes and reconnecting existing users to the new and rehabilitated construction is the only available option."

A factor in choosing the selected alternative was the potential for future development. The areas that are being considered for sanitary sewer replacement will unlikely be experiencing any population growth in the foreseeable future. This is since existing properties currently utilize the sanitary sewer mains we will replace and no new construction or population increase is anticipated along Elting Avenue, Lincoln Place, Hasbrouck Place and South Oakwood Terrace.

More significantly, removing infiltration and inflow (I & I) from the sanitary sewer system effectively frees up sewer treatment plant capacity by no longer burdening the treatment plant with the need to process surface water and groundwater in addition to legitimate sewage effluent. Removing I & I before it gets to the wastewater treatment plant has the same effect as a project to expand the sewage treatment plant. Since New Paltz Village is already an area of concentrated development, our proposed CFA 2023 project will effectively accommodate any future developments that create a net effect is wastewater effluent.

Projected costs are based on an April 2023 Cost Estimate produced by Brinnier & Larios, PC. This cost estimate is included within the report titled "Consent Order Compliance Sewer Remediation Identified by NYS DEC Engineering Planning Grant" uploaded to this CFA application at Question_12674. Project costs include Construction (\$643,550), Construction Inspection (\$50,000), Construction Contingency (\$69,000), Engineering (\$95,000) and Administration (\$47,000). An amount of \$857,550 is requested thru CDBG; New Paltz Village committed \$47,000 in May 2023 for all administrative costs.

Our April 2023 Cost Estimate specifically factors in the requirements of "Ten States Standards" and "Build American-Buy American" as follows:

"All project components are being designed and constructed in strict accordance with "Ten State Standards" (GLUMBR Recommended Standards for Wastewater Facilities-latest edition)."

and

"It is noted that the Project Cost Estimate has been prepared after reviewing and is

compliant with the BABA legislation "Build American-Buy American". It is specifically noted that all elements of the project (Pipe, Lining Systems, Manholes, backfill materials) are both readily available and manufactured in the United States."

We have completed our ERR uploaded at Question_13905. This is a SEQRA Type II activity. This project is Categorically Excluded for NEPA purposes. The Village is prepared to publish its NOI-RROF legal ad on January 16, 2024.

Our proposed project is an appropriate means of addressing the need because the chosen alternative can be under contract within 6 months of CFA approval. Design can be completed within 90 days since we already selected an engineering firm via a RFQ process. Design can be completed by March 12, 2024. Additionally, no time consuming permitting is required. No permitting is required. Our schedule allocates 60 days to this activity, March 1, 2023 through April 30, 2023.

New Paltz' capacity to honor its commitment to execute a construction contract within 6 months of CFA grant announcements is evidenced by the Village's performance under OCR #793PR168-22. That project was bid in May 2023 and an award was made to Amity Construction Corp in June 2023. In July 2023 the Village conducted a contract signing and conducted a pre-construction meeting. That project will be completed by December 31, 2023 - or just 13 months after CFA announcements for the FY 2022 projects in November 2022.

Q_13744 Describe the method used to determine the best approach and cost-effective method to address the need. Identify the location within the preliminary or full engineering report that lists the sources and dates of third-party cost estimates including any special features that will result in an unusual or a costly design. Cost estimates should not be no more than 12 months old and must be specific to the project being proposed. Does the engineering report address whether the project is in compliance with "10 States Standards" for (select one) Water or Wastewater? Note that any infrastructure activity that is awarded NYS CDBG funds on or after November 14, 2022 is subject to compliance with BABA. The Build America, Buy America Act ("BABA" or "the Act") was enacted on November 15, 2021, as part of the Infrastructure Investment and Jobs Act ("IIJA"). The Act further defines a project to include "the construction, alteration, maintenance, or repair of infrastructure in the United States" and includes within the definition of infrastructure those items traditionally included along with buildings and real property.

The Village of New Paltz sanitary sewer system is wholly contained within the corporate limits of the Village of New Paltz. The district serves all residents within the Village corporate bounds in addition to the State University at New Paltz which lies within the Village.

The Village's sewer collection system and wastewater treatment facility handles 100% of the sanitary sewer generated by State University of New York College at New Paltz. Since SUNY New Paltz is a participant in the New York State for the START-UP NY program, it is imperative that the wastewater treatment and collection facilities serving the SUNY Campus remain completely functional and free from inflow and infiltration to effectively provide this institution with the wastewater service it requires as an economic development initiative developed by The State of New York.

The Village sewer collection system is subject to the New York State Environmental Conservation Law and the Federal Clean Water Act. New Paltz must comply with a 2003 Consent Order (re-issued 2014) imposed in response raw sewage overflows caused by excessive Infiltration and Inflow (hereafter I & I). Hydraulic overloading causes raw sewage to erupt from manholes onto streets and into the Walkkill River. The Walkkill, Lower, Main Stem has impaired water quality according to DEC's WI/PWL assessment.

The Village has had a long history of overflowing manholes during high flow and storm events. In the winter and spring of 2003, the Hudson Valley experienced unusually high frequency of severe storm events exhibiting excessive precipitation amounts and high

groundwater elevations during this period. The unusually high precipitation amounts in conjunction with aging sewers, undersized sewage conveyance pipes and siphons, sanitary sewage from the entire Village sewer collection system was unable to discharge into the sewer treatment facility located off of Huguenot Street and overflowed onto the ground surface at various locations in the Village's sewer collection system. As a result, the entire Village was impacted by this public health threat.

In response to these incidents, Riverkeeper issued a Notice of Intent to Sue the Village of New Paltz for Clean Water Act Violations and the NYSDEC (NYSDEC) issued an Order on Consent to the Village of New Paltz which was executed by the Village of New Paltz on September 7, 2003. The Order cited overflowing sewer manholes in violation of Sections 17-0501, 17-0505 and 17-0803 of the New York State Environmental Conservation Law. The Order outlined a Remediation & Restoration Schedule which the Village has been diligently adhering to the best of its capabilities to reduce inflow and infiltration throughout its sanitary sewer collection system.

Sanitary sewage backs up as a result of hydraulic overloading from I & I during storm events causing raw sanitary sewage to flow on the ground surface through private properties and public right of ways. Overflowing raw sewage causes significant public health hazard as well as property damage.

While the 2003 consent order was still in effect when the Village Department of Public Works reported sewage erupting from 4 subject manholes cited in the original Consent Order on June 30, 2013 and August 9, 2013.

The NYSDEC responded by issuing a Notice of Violation on September 30, 2013 citing that on two separate occasions, raw sewage overflowed from manholes on Water Street, Mulberry Street, Broadhead Avenue and Huguenot Street. This again was a violation of Article 17 of the Environmental Conservation Law making the Village of New Paltz subject to fines and penalties. The Notice of Violation also indicated that Village Officials including the Mayor and Superintendent of Public Works were required to attend a technical compliance meeting on November 12, 2014 at the NYSDEC Offices in New Paltz New York.

The NYSDEC issued a new Order on Consent Case No. R3-20140430-71. The Order was executed by the Village of New Paltz on October 17th 2014 and by the NYSDEC on October 20, 2014. The newly issued Order on Consent outlined a new schedule of compliance which stipulates requirements for avoiding fines and penalties amounting to \$37,000 for each of the two (2) violations mentioned previously.

The Village "Respondent" was also ordered to pay \$30,000 to the NYSDEC, \$5,000.00 of which was payable upon the Respondents return of the executed copy of the Order to the Department with the remaining \$25,000.00 to be suspended provided that the Respondent strictly adheres to the terms and conditions of the newly issued Order.

Attorneys for the Village negotiated a fine of \$5,000 but the requirements of the Order still remain standing and consist of a Schedule of Compliance that outlines remedial activities and milestones. In summary, requirements of this Schedule are as follows:

- Cease and Desist- The Village shall cease and desist any future violation of the NYS Environmental Conservation Law e.g.-overflowing manholes.
- Self-Certification- All items required by the Schedule of Compliance shall be certified that the work was completed by the date indicated in the Consent Order and that it was completed in a manner as required by the Order.
- Remedial Activities and Milestones-This requirement is divided into three parts. A report of Non Compliance, A Corrective Action Plan and a Capacity Management, Operation and Maintenance Plan.

On May 24, 2021, the Village experienced an incident of sanitary sewage overflowing from a manhole at the entrance to the sewer plant. Approximately 50 gallons of sewage was discharged out of the manhole and directly into a catch basin which discharges directly into a tributary of the Walkkill River. This latest sanitary sewer overflow was immediately reported to the NYSDEC Regional Office and a formal Report of Non Compliance was submitted to the NYSDEC Regional Water Engineer.

Additional sanitary sewer overflows over the two past years have been the result of untreated sewage overflowing into tributary sources of the Walkkill River. A total of 22 overflows were identified from April 2019 through October 2021. These incidents are documented in the uploaded to this CFA 2023 application at Question_13740.

On January 18, 2022 the NYSDEC issued a Notice of Violation (NOV) to the Village of New Paltz for the 27 sanitary sewage overflows in the collection system between October 2019 and November 23, 2021. It was stipulated in this NOV that violations of the ECL are subject to penalties of up to \$37,500 per day per violation.

Following a Compliance Conference with the NYSDEC Region 3 Division of Water Engineers, the Village provided the NYSDEC with a Compliance Schedule for two proposed sewer projects as well as a NYSDEC Certificate of Compliance and a Wastewater Treatment Plant Rating Worksheet. All of these items were required by the NYSDEC as part of the Notice of Violation and were submitted prior to the required submission date.

On April 7 & 8, 2022, 4.32 inches of rain was recorded at the wastewater facility. This event led to the overflow of the facility's primary clarifiers, into the facility's stormwater system and into the Walkkill River at a rate of approximately 350 GPM for a duration of approximately 8 hours. The total estimated discharge of untreated sanitary wastewater into the Walkkill River was approximately 168,000 gallons.

During this same rainfall event, sanitary manholes on Mulberry Street, Mohonk Avenue, Henry W. Dubois Drive and Broadhead Avenue also experienced sanitary sewage overflows. These non-compliance events at the wastewater facility and in the collection system were reported to the NYSDEC.

As recently as March 22, 2023 and April 30, 2023 new instances of sewer overflows were reported at three separate manholes on Broadhead Avenue, Water Street and Mulberry Street.

New Paltz must continue to make progress to reduce hydraulic overloading from I & I to protect public health and to comply with NYS Environmental Conservation Law.

We have uploaded as one pdf document at Question_13740 the following Consent Orders, Notices of Violations and/or SPDES Compliance Schedules that are referenced above:

Item 1 - Original October 2003 NYS DEC Consent Order and January 8, 2009 Letter of NYS DEC Assistant Regional Attorney to Village Attorney;

Item 2 - September 30, 2013 Notice of Violation;

Item 3- Reissued NYS DEC Consent Order (October 2014), Copy of \$5,000 Check to NYS DEC for Civil Penalty and SPDES Compliance Schedule (March 2015);

Item 4 - January 18, 2022 Notice of Violation and February 3, 2022 Compliance Schedule;

Item 5- Reports form Village of New Paltz Department of Public Works to NYS DEC Related to Non Compliance Events, i.e. Sanitary Sewer Overflows, on April 18, 2019, October 21, 2019, October 31, 2019, November 25, 2019, February 24, 2020, May 7, 2020, August 24, 2021, September 3, 2021, October 27, 2021, April 11, 2022, March 22,

2023 and April 30, 2023; and

Item 6- Documents Related to Direct Sewage Overflow into the Wallkill River on April 11, 2022.

In addition to the incidents indicated in the Notice of Violation and Order on Consent, the wastewater treatment plant routinely exceeds its permitted discharge limit of 1.5 million gallons per day (MGD) during severe storm events. It was noted by the wastewater facility operator that the 1.5 MGD limit was exceeded 33 times from October 2019 through February 2022. This is a clear indication that inflow and infiltration continue to plague the sewage collection system in the Village of New Paltz which leaves the Village vulnerable to fines and penalties from regulatory agencies since untreated sewage is discharged into the Wallkill River every time the permit is exceeded. As all Village residents are connected to the sanitary sewer system, the need for and benefits of this proposed project are Village wide which includes the State University College at New Paltz.

New Paltz was successful in obtaining \$99,888 from the NYSDEC/EFC Engineering Planning Grant (EPG) Program in 2016 for a "Consent Order Compliance DEC Engineering Grant Project" for the purpose of investigating and identifying all remaining deficient sewers and manholes that contribute to the sources of inflow and infiltration.

The resulting 2019 final EPG report outlined findings from the investigation of sanitary sewers located in the following streets that exhibited the most severe conditions reflecting the aforementioned conditions in the greatest frequency. Of the remaining streets investigated, sewers exhibiting the greatest degree of deterioration resulting in inflow and infiltration into the sewer system causing overflows and exceeding the treatment capacity at the wastewater treatment facility were prioritized based on the severity of deterioration the greatest number of deficiencies.

The resulting 2019 final EPG report is uploaded as part of our Engineering Report uploaded at Question_12674. It identified the streets that exhibited the most severely deteriorated sewer mains and manholes. New Paltz Village has been using the recommendations of the NYS DEC EPG final report to successively address portions of the sanitary sewer collection system most in need of replacement or relining.

New Paltz has completed multiple projects to address the Consent Order by replacing or relining aging sewer mains to reduce I & I. The Village has undertaken replacement and relining using Village funds and nine (9) CDBG projects. The first seven (7) CDBG projects are completed with the #793PRPR115-20 just being completed in July 2023. Two other projects (#793PR80-21 and #793PR168-22) are starting in July 2023 and will be completed by December 2023. Cumulatively these completed and ongoing projects have kept the Village current with NYSDEC's stipulations for continued progress.

Sewer main and manhole replacement and/or relining activities identified in the NYS DEC Engineering Planning Grant Final Report that was underway in July 2023 is described below:

- OCR #793PR80-21 is addressing sewer main and manhole replacement and/or relining on Huguenot Street, Tricor Avenue, Colonial Drive and North Chestnut Street. A contract has been awarded to Amity Construction Corp in the amount of \$898,898. Construction will begin in August 2023 and all construction will be completed by December 2023; and

- OCR #793PR168-22 is addressing sewer main and manhole replacement and/or relining on South Chestnut Street, Prospect Street and Harrington Street. A contract has been awarded to Amity Construction Corp in the amount of \$1,111,111. Construction will begin in August 2023 and all construction will be completed by December 2023.

In determining the work scope for this CFA 2023 request, Brinnier & Larios, PC considered and described within their Preliminary Engineering Report two alternatives to address the continued need to further reduce I & I. For this project Brinnier & Larios again

considered the various stretches of old sewer main identified by the Engineering Planning Grant Final Report. Our engineer identified the sewer mains and manholes on Elting Avenue, Lincoln Place, Hasbrouck Place and South Oakwood Terrace as the areas most in need of replacement or rehabilitation. Each alternative considered is summarized below:

Alternative #1 - The null alternative - not taking any action to correct the situation.

Under this alternative, sanitary sewers would continue to overflow throughout the Village and the sewer plant would continue to be in violation of its SPDES Permit and the Village will continue to be subject to fines and penalties. This alternative was not chosen.

Alternative #2 - Install new sanitary sewers and manholes in alternative locations.

This alternative would not be feasible as the existing sewer lateral connections would need to be relocated at significant additional cost. This alternative would eliminate the cured in place pipe lining option which saves the owner significant cost and reduces disturbance to the existing infrastructure (roadway pavement, curbing, sidewalks etc.). This alternative was not chosen.

Alternative #3 - Replace sewer mains and manholes in the same location

The installation of new gravity sanitary sewer lines and manholes and reconnecting existing users to the new and rehabilitated construction in the same location as the existing system is the only available option. This alternative was chosen.

A factor in choosing the selected alternative was the potential for future development. The areas that are being considered for sanitary sewer replacement will unlikely be experiencing any population growth in the foreseeable future. This is since there are existing properties that currently are utilizing the sanitary sewer that is proposed to be replaced and no new construction or population increase is anticipated in this area. Removing infiltration and inflow (I & I) from the sanitary sewer system effectively frees up sewer treatment plant capacity by no longer burdening the treatment plant with the need to process surface water and groundwater in addition to legitimate sewage effluent. Removing I & I before it gets to the waste plant has the same effect as a project to expand the sewage treatment plant. Since New Paltz Village is already an area of concentrated development, our proposed CFA 2023 project will effectively accommodate any future developments that create a net effect is wastewater effluent.

As our CFA 2023 project work scope we will replace the following sections of sewer that were also identified by the EPG Final Report, based on our choice of the "installation of new gravity sewer lines and manholes and reconnecting existing users to the new and rehabilitated construction in the same location as the existing system":

Elting Avenue

Direct Replacement of 320 LF Clay Tile Pipe with 8" Ø SDR 35 Sanitary Sewer
Installation of 3 Manholes
Reconnection of 2 Sewer House Laterals

Lincoln Place

Direct Replacement of 440 LF Clay Tile Pipe with 8" Ø SDR 35 Sanitary Sewer
Installation of 2 Manholes
Reconnection of 3 Sewer House Laterals

Hasbrouck Place

Direct Replacement of 320 LF Clay Tile Pipe with 8" Ø SDR 35 Sanitary Sewer
Installation of 2 Manholes

Reconnection of 6 Sewer House Laterals

South Oakwood Terrace

Direct Replacement of 750 LF Clay Pipe with 8" Ø SDR 35 Sanitary Sewer
Installation of 4 Manholes
Reconnection of 18 Sewer House Laterals

The budget for this CFA 2023 project is based on an April 2023 Brinnier & Larios cost estimate. Total costs are \$904,550. \$762,550 will replace aging sewer mains by installing 1,485 LF of new 8 inch sewer mains, replace 12 manholes, make 25 lateral re-connections, provide site preparation, traffic control and road restoration. Other costs are Engineering (\$95,000) and Administration (\$47,000). The Village has made a firm commitment to contribute \$47,000, specifically to pay for administrative costs.

Despite Village's concerted efforts, the Consent Order will remain in effect until DEC is satisfied that hydraulic overloading as a result of I & I is sufficiently reduced to ensure public health and safety. New incidents of sewer overflow violations in 2013 precipitated a re-written Consent Order in 2014, a \$5,000 fine, a directive to investigate suspect areas of the sewer system and a mandate to continue sewer replacement/relining projects annually or face daily fines up to \$37,500. As noted, incidents of non-compliance have continued into 2023. Under the terms of the re-written 2014 Consent Order, New Paltz must continue to replace the oldest portions of its sewer collection system with the greatest impact on hydraulic overloading and sewer spills.

The improvements proposed in this CFA 2023 application are critical to the health and safety of the all Village residents by eliminating overflowing sewer manholes and by preventing raw sewage from reaching the Walkill River.

This proposed CFA 2023 project will: (1) eliminate potential public health threats related to manholes overflowing with sanitary sewage; (2) minimize property damage by eliminating sanitary overflows onto private property and into residences, (3) bring the Village into compliance with the Federal Clean Water Act and NYS Environmental Conservation Law, (4) avert further NYS DEC fines and (5) improve Walkill River water quality.

The project's benefit area is the entire Village and the majority of the Village's population is a low to moderate income group with Census Tract classifications 9534 block groups 1, 2 & 3 and 9535 block groups 1 & 2.

Project costs are based upon an April 2023 Opinion of Probable Costs prepared by Brinnier & Larios, P.C. Their cost estimate is current and is specific to the proposed activities proposed by this 2023 CFA OCR Public Infrastructure application. A copy of the Preliminary Engineering Report which includes the April 2023 Opinion of Probable Costs is a CFA upload at Question_12674.

The specific objectives of our proposed CFA 2023 application are listed below:

- Eliminate the public health and safety issues stemming from overflowing sewer manholes that effect the entire Village of New Paltz.
- Reduce stormwater inflow into the sewer plant from an inadequate sewage collection system routinely causes the plant to be overloaded rendering it not capable of adequately treating sanitary sewage causing raw sewage to be discharged into the Walkill River.
- Meet the Goals indicated in the March 2014 NY Rising Community Reconstruction Program (Ulster NY Rising Community Reconstruction Plan).
- Reflect the objectives outlined in the New York State START-UP NY program,

- Comply with the NYSDEC Order on Consent that was executed as recently by the Village of New Paltz on October 17th 2014 and by the NYSDEC on October 20, 2014.

- Comply with the goals and objectives associated with the NYSDEC Engineering Planning Grant recently awarded to the Village of New Paltz to identify the remaining deficient sewers and manholes and eliminate remaining sources of inflow and infiltration.

No special features will result in an unusual or costly design.

Since the project involves replacement existing sanitary sewer infrastructure, the only regulatory approval is from NYS OCR for bid package approval.

Long term operation and maintenance of these improvements will be undertaken by the Village of New Paltz Department of Public Works as part of the Village's overall sewer system operation. We have uploaded a copy of our sanitary sewer collection system Facilities Maintenance Plan at Question_13733.

We will not encounter site control issues. Sewer main installation will occur within existing publicly owned rights-of-way on Elting Avenue, Lincoln Place, Hasbrouck Place and South Oakwood Terrace. A letter signed by Mayor Rogers confirming site control is uploaded as an attachment at Question_13739.

A construction contract will be awarded through public bidding in accordance with all Federal, State and Local procurement requirements utilizing Federal and State prevailing wage rates.

Within our uploaded Engineering Report we confirm that this application will comply with "Ten States Standards" and "Build American-Buy American" as follows:

"All project components are being designed and constructed in strict accordance with "Ten State Standards" (GLUMBR Recommended Standards for Wastewater Facilities-latest edition)" - see page 15 .

and

"It is noted that the Project Cost Estimate has been prepared after reviewing and is compliant with the BABA legislation "Build American-Buy American". It is specifically noted that all elements of the project (Pipe, Lining Systems, Manholes, backfill materials) are both readily available and manufactured in the United States." - see page 15.

Q_12686 Explain the positive impact of the NYS CDBG funds on the total cost of the project and to the beneficiaries of the project and why NYS CDBG funds are required to carry out the proposed activity. Explain the need for public investment.

The requested \$857,550 in CDBG funds plus a \$47,000 firmly committed Village contribution will fund all of our proposed "Consent Order Compliance Sewer Remediation Identified by NYS DEC Engineering Planning Grant" project.

The Median Household Income (MHI) of New Paltz Village is \$51,912 as per the US Census MHI in 2021 inflation adjusted dollars. The New Paltz Village sanitary sewer user base has been calculated at 2,880 EDU's, of those 2,192 are residential.

The typical cost of sanitary service per EDU is now \$394.05 per year, composed of the following:

- Existing O&M cost of sewer utility = \$1,483,707 is budgeted for 2023/2024 as shown pages 13 and 14 of the current Village budget. Per EDU cost of O & M is \$515.18; and

- Current Debt Service of sewer utility - no debt service budgeted in 2023/2024 Village budget.

Current sewer user costs are the sum of O&M and debt service charges (\$515.18 + \$0.00 = \$515.18). \$ 515.18 presently 0.99% of MHI.

The typical sewer user also pays on average \$660 per year for water service. Water charges rose substantially in 2021 as the Village completed a project to make required upgrades at its water filtration plant. That locally funded project totaled \$5,531,500 and was "all loan" without any grant assistance.

In 2021 the Village submitted this proposed project for the IUP Multi-Year List via the EFC's PLUS system. During the latter part of 2021 EFC scored this project at 106 points. The Village has since submitted IUP updates in June 2022 and June 2023. Attached excerpts from the Final 2023 CWSRF IUP show that our project #C3-7299-03-00 is still scored at 106 points. In 2022 EFC reduced the scoring line for hardship status (0% loan) to 41 points. The scoring line for a subsidized loan interest rate was reduced to 34 points. Our proposed thus qualifies for the hardship 0% interest rate.

A 28 year CWSRF loan for \$857,550 at the 0% rate would result in an additional \$30,326.78 in debt service per year or \$10.63 more per EDU.

Without CDBG the new cost per EDU per year would be the sum of the existing \$515.18 plus \$10.63 in new debt service.

With CDBG funds Village sewer users would see no additional debt service. The \$47,000 in costs beyond our \$857,550 CDBG request will be funded through Sanitary Sewer Account G8120. This \$47,000 amount is firmly committed by a Village Board motion dated May 24, 2023 and June 6, 2023 confirming letter to OCR.

Due to the completed and ongoing essential utility upgrades, water and sewer utility rates have already increased by 50% since 2012. The Village has spent \$1.1 million of its own funds to comply with the NYSDEC Consent Order in addition to the previous completed OCR CDBG projects the Village received.

Unfortunately the Village cannot pay for our proposed project out of its Sewer Reserve Fund. The "Sewer Reserve Fund" had contained \$137,000 in 2011 but \$89,000 had to be spent that year to pay for emergency repairs at the wastewater treatment facility after it suffered flooding damage from a tropical storm. As late as December 2020 the Sewer Reserve Fund contained \$40,372. On December 15, 2020 the Village had to spend \$39,969 from the Sewer Reserve Fund for emergency repairs.

Until 2020 the Village Board had annually deposited \$10,000 to the "Sewer Reserve Fund". However, our sewer revenue was vastly reduced during the 2020/2021 COVID pandemic; much of that loss stemmed from the closure of SUNY New Paltz. It was impossible to add \$10,000 per year to the Sewer Reserve Fund during 2020 and 2021.

By the end of the Covid-19 pandemic the Village's sewer utility Capital Reserve Fund was down to \$403.72.

Since 2022 we have been able to rebuild our Sewer Utility Capital Reserve Fund. The Village deposited \$75,689.88 to the Sewer Utility Capital Reserve Fund during the just completed 6-1-22 to 5-31-23 fiscal year. As of July 28, 2023 the account balance of the Village's Sewer Utility Capital Reserve Fund is \$76,093.60.

The Village's adopted 2023/2024 budget includes a further deposit of \$100,000 into the Sewer Utility Capital Reserve Fund.

Despite our efforts to rebuild our Sewer Capital Reserve Fund, the current \$76,093.60 balance falls far short of what we need to undertake this necessary project to continue

addressing the NYS DEC Consent Order that demands that we continue reducing sanitary sewer infiltration and inflow.

With CDBG funds New Paltz Village would see no additional debt service; the cost per EDU would remain an affordable \$515.18 per year.

Q_13728 Briefly describe what other sources of funds have been pursued for this project. Include if alternative funding has been obtained or applied for. Supporting documentation that funding is available and committed at the time of application must be attached. Upload supporting documentation in the non-CDBG funding sources attachment. Statements that describe a self-analysis of other funding sources do not constitute an effort to pursue other funding.

Refer to Scoring Tips for additional guidance.

We considered two funding alternatives:

USDA Water & Waste - USDA RD approved our \$5,531,500 water filtration plant upgrade. Since the offer was "loan only" the Village proceeded using local bonding to save on administrative costs. It is unlikely that USDA would make anything other than another loan offer for this \$857,550 sewer project.

NYS EFC CWSRF - In 2021 the Village submitted this project for the IUP Multi-Year List. EFC scored this project at 106 points. The Village submitted IUP updates in 2022 and 2023. The Final 2023 CWSRF IUP shows that our project #C3-7299-03-00 is still scores 106 points.

In 2022 EFC reduced the scoring line for hardship status (0% loan) to 41 points. Our project qualifies for the hardship 0% loan rate.

A 28 year CWSRF loan for \$857,550 at 0% would result in \$30,326.78 in debt service per year or \$10.63 more per EDU.

Without CDBG the new cost per EDU per year would be the sum of the existing \$515.18 plus \$10.63 in debt service. The resulting \$525.81 typical charge per EDU would be 1.01% of MHI.

The Village cannot pay for our proposed project out of its Sewer Reserve Fund. Until 2020 the Village had annually deposited \$10,000 to the "Sewer Reserve Fund". Our sewer revenue was vastly reduced during the 2020/2021 COVID pandemic due to the closure of SUNY New Paltz. By early 2022 our Capital Reserve Fund was down to \$403.72.

Since 2022 we have rebuilt our Sewer Utility Capital Reserve Fund. The Village deposited \$75,689.88 to the Sewer Utility Capital Reserve Fund during the just completed 2022/2023 fiscal year. The Village's adopted 2023/2024 budget includes a further \$100,000 deposit into the Sewer Utility Capital Reserve Fund. Despite our efforts, the current \$76,093.60 (soon to be \$176,093.60) balance falls far short of what we need to undertake this project to continue addressing the NYS DEC Consent Order.

With CDBG funds New Paltz Village would see no additional debt service; the cost per EDU would remain an affordable \$515.18 per year.

Q_13904 Describe the plan of finance for the proposed project by providing a clear narrative that defines all sources and uses for public funds. All projects must include the Preliminary Budget Form. Not clearly identifying all sources and uses will have a negative impact on the application review.

Our plan of finance is detailed in our uploaded Preliminary Budget Form. The information found on that uploaded form is summarized here.

The Village of New Paltz does not claim the co-funding ceiling of \$1,250,000. Instead we have submitted a CDBG request for less than the \$1,000,000 ceiling for single jurisdiction Public Infrastructure projects.

Our total project budget is \$904,550. Of that amount \$47,000 is firmly committed to this project through Village of New Paltz local funds (Sanitary Sewer G8120 account). That local commitment is firmly committed via (1) a June 6, 2023 letter addressed to OCR's Program Director Charles Phillion signed by Mayor Rogers and (2) a May 24, 2023 Village Board resolution. These documents are uploaded in the Documents section at Question_13720.

Our plan of finance is summarized below:

\$904,550 = Total Project Cost

\$857,550 = CDBG Request for Construction and Engineering

\$47,000 = New Paltz Village Sanitary Sewer G8120 account funds firmly committed by Village for Administrative Services to be provided by an experienced CDBG administrative consultant

Q_12771 Provide the amount of program administration and/or program delivery funds allocated to the project from the State CDBG funds requested. Provide a description of how the funds will be allocated to cover the costs of program administration and program delivery, as well an explanation of overall program administration and program delivery tasks to be undertaken and how these activities will be funded. Include a description of how these costs were determined, regardless of the source of funds. Description must be included of the roles of any consultant, subrecipient or individual involved in program administration and program delivery. For proposed projects requesting CDBG funds these costs, please note that the budget for Program Administration cannot exceed 5% of the total CDBG request and the total for Program Delivery and Engineering combined cannot exceed 13% of the total CDBG request. For further guidance, see scoring tips.

This description of the program administration and program delivery services covers the entire scope of this project, not only the CDBG funded portion. This analysis demonstrates that the Village of New Paltz understands the process of administering a Small Cities CDBG project, especially differentiating between Program Administration vs Program Delivery and between Engineering-Program Delivery and Engineering-Contract Administration. Although segregated for analysis and demonstrative purposes, to avoid confusion our budget lists activities to be conducted by the administrative consultant entirely under "Administration" while activities to be conducted by the engineering consultant are listed entirely under "Engineering".

New Paltz Village has relevant experience with overseeing the work of Administrative and Engineering consultants as a consequence of successfully completing CDBG projects #793PW67-10, #793PW72-11, #793PR9-12, #793PR55-13, #793PR104-15, #793PR177-16, #793PR104-18 and #793PR115-20. Two other CDBG projects (#793PR80-21 and #793PR168-22) underway in Summer 2023 will be completed by December 2023 The Village's experience with these completed and ongoing projects is incorporated into this explanation of anticipated Administrative and Program Delivery Services.

The entire scope of the project is funded by \$857,550 of CDBG funds and \$47,000 in firmly committed Village of New Paltz funds.

The entirety of Program Administration services will be provided using non-CDBG

sources. The \$47,000 in firmly committed Village of New Paltz funds are earmarked for the \$47,000 in Program Administrative costs identified on our Preliminary Budget Table (Question_13732).

Program Administration and Program Delivery Services will be provided by Blauer Associates, an experienced CDBG consultant who has provided similar services to over 230 US HUD Small Cities and State Small Cities projects since 1978. Blauer Associates will be paid from non-CDBG Village of New Paltz funds.

The services to be provided by Blauer Associates are differentiated below into (1) Program Administration and (2) Program Delivery.

(1) Program Administration - these activities by major function will include the following services and are estimated not to exceed \$34,000 over the up to 24 month implementation period

Getting Started:

- Coordinate execution of Grant Agreement;
- Attend OCR webinars in conjunction with Village Local Grant Contact (#1 Getting Started, #2 ERR, #3 Financial Administration and #4 General Program Administration);
- Prepare Project Files;
- Prepare Form 1-1 Authorized Signature;
- Prepare Form 1-2 Designation of Depository;
- Prepare Form 7-2 Program Schedule;
- Prepare Form 8-1 Project Team;
- Assist Village to re-adopt its Fair Housing Plan and to approve same by resolution;
- Prepare legal notice to advertise re-adopted Fair Housing Plan;
- Assist Village to re-adopt Section 504 Grievance Procedure, re-approve same by resolution and re-advertise the same by legal notice;
- Assist Village to designate a Section 3 Coordinator by resolution;
- Assist Village to designate a Labor Standards Officer by resolution;
- Prepare Local Administrative Plan;
- Submit Local Administrative Plan to OCR for approval;
- Prepare Section 3 Plan;
- Review Village procurement policy and suggestions modifications as necessary to comply with OCR requirement for MBE/WBE/Section 3 participation;
- Review Village Employment Policy to make certain equal opportunity, Section 504 and Section 3 language is included.

Disbursements:

- Assemble project activity invoices;

- Review invoices to confirm CDBG edibility;
- Prepare Form 1-5 Public Infrastructure - Facility Request for Funds as necessary;
- Coordinate signing of Form 1-5;
- Assemble related invoices and certified payrolls as support documentation for Form 1-5;
- Submit completed Form 1-5 by email to disbursements@nyshcr.org,
- Revise and resubmit Form 1-5 as may be required by OCR; and
- Prepare Budget Modification forms as required;
- Prepare letters for Village to produce to accompany Budget Modification forms.

Procurement:

- Determine the method of procurement that may be required for a prospective purchase of services, contract labor or materials with reference to local and federal procurement standards;
- Prepare RFQ legal notice and backup material to aid Village in soliciting proposals for legal services, if required;
- Assist Village to develop lists of potentially interested vendors and lists of MBE/WBE/Section 3 vendors by consulting with US HUD and NYS Empire State Development Corporation search functions;
- Assist Village as necessary to summarize scoring results for submission of procurement results to OCR, where necessary;
- Review proposed professional services agreements to make certain OCR required contract language is included;
- Submit copies of proposed professional agreements to OCR in those instances where CDBG funds will pay all or part of those professional services fees, and
- Review proposed billing methods to confirm conformance with federal OMB Circular A-102.

Reporting:

- Prepare Annual Performance Reports as necessary;
- Prepare Labor Standards Enforcement Reports as necessary;
- Prepare CDBG Program Income Reports as necessary;
- Prepare HUD-2516 forms to report on MBE/WBE/Section 3 contracting as necessary;
- Prepare Form 9-1 Federal Assistance Expenditures Forms;
- Coordinate with Village to set monthly progress report meetings; and
- Participate in monthly progress report meetings.

General:

- Respond to project related inquiries from OCR;

- Coordinate with project engineer;
- Respond to inquiries from Village staff;
- Attend training on CDBG grant administration requirements;
- Evaluating program results against State objectives;
- Coordinate the resolution of audit and monitoring findings; and
- Monitoring program activities for progress and compliance with program requirements.

Modifications/Amendments:

- Prepare requests for program modifications as necessary to include additional activities; and
- Prepare Program Amendments where project changes exceed the scope of activities that OCR can approve as program modifications.

Citizen Participation:

- Assist Village to respond to citizen comments about CDBG funded activity;
- Coordinate with Village to set date and time for 2nd hearing;
- Prepare legal notice to advertise 2nd hearing; and
- Attend and conduct 2nd hearing.

Monitoring:

- Attend pre-monitoring conference call;
- Assist Village to respond to Questions posed by OCR before monitoring;
- Assist Village to assemble Documents requested by OCR before monitoring;
- Participate in monitoring conference call;
- Participate in post monitoring conference call; and
- Assist Village to respond to monitoring Findings and/or Concerns, if necessary.

Closeout:

- Prepare Final Annual Performance Report; and
- Assist Village to prepare Final Closeout Forms provided by OCR.

(2) Program Delivery - these activities by major function will include the following services and are estimated not to exceed \$13,000 over the up to 24 month implementation period

Labor Standard Compliance:

- Provide updated Federal and State wage determinations to engineer for draft bid package;
- Coordinate with engineer to include make sure OCR required clauses are in draft bid

package;

- Submit draft bid package to OCR for approval;
- Coordinate with engineer to make revisions as may be required by OCR;
- Compile outreach list of MBE/WBE/Section 3 construction firms for purpose of direct outreach;
- Work with Village to advertise construction bid notices in minority newspapers, trade journals and the NYS Contract Reporter;
- Reconfirm Federal wage determination 10 days before bid opening;
- Review apparent low bidder debarment status at www.sam.gov and NY DOL;
- Reviewing Project Sign template requirements with prime contractor;
- Coordinate with engineer and Village to set pre-construction meeting;
- Attend pre-construction meeting;
- Produce pre-construction minutes of labor standards issues reviewed with prime contractor;
- Provide OCR required labor standards documents to prime contractor(s) including posters and wage rate binder;
- Notify OCR of the start of construction;
- Review subcontractor(s) debarment status at www.sam.gov and NY DOL;
- Obtain digital photographs of Project Sign, Posters and Wage Rate Binder at the job site;
- Review weekly payrolls;
- Provide original signed payrolls to Local Grant Contact;
- Coordinate with prime contractor to obtain payroll corrections, if necessary;
- Conduct employee interview on site or by telephone with a representative number of employees using HUD-11 form;
- Compare payrolls with HUD -11 interviews to confirm labor standard compliance;
- Report to engineer and Village about any unresolved labor standards issues;
- Require restitution for any wage or fringe under payments; and
- Report any instance of labor standards violations to OCR.

The services of Brinnier & Larios, PC, the firm selected via our completed Request for Qualifications process are segregated into Engineering - Program Delivery and Engineering - Contract Administration. The services associated with each are described below.

(3) Engineering: Program Delivery - this activity will include the following services and are estimated not to exceed \$57,000 over the up to 24 month implementation period

- Travel to site to review existing conditions and gather additional information needed for

work;

- Coordinate and review project scope of work with the Village via site visits, telephone and email;
- Consult with equipment manufacturer/suppliers and outside consultants/subcontractors to develop specifications;
- Review the recommended plan with the Village and confirm the scope of work;
- Based on the final scope of work, review the project cost estimate and adjust the scope of work to maintain the project budget;
- Review the final scope of work, cost estimate, and project schedule with the Village to concur on a plan forward;
- Prepare Contract Documents for bidding and construction in accordance with NYS Municipal Law;
- Prepare specifications to include bid notice/advertisement, information for bidders, work item descriptions, bid forms, bond requirements, agreement information, general conditions, special conditions, technical specifications, prevailing wage schedules & permits;
- Obtain the most recent OCR specifications related to CDBG funded projects from the Village's grant administration consultant and integrate into the specifications;
- Prepare Contract Drawings;
- Review Contract Documents with the Village Board, and revise to address comments;
- Forward contract specifications to OCR (CDBG) for review and comments.;
- Review and address OCR comments and provide written response letter to each agency, if required, for their approval.
- Provide Village with an updated probable cost estimate at completion of design;
- Provide a copy of the bid notice to the Village Clerk for subsequent publication of the legal notice in the Village's local newspaper, and fax the notice to several contractors who have performed well on previous projects;
- Prepare for and attend a pre-bid meeting with potential contractors and Village staff to review the scope of work and project requirements;
- Reply to questions from prospective bidders, and prepare clarifications and addendums;
- Attend bid opening and pick up all bid documents from the Village for bid review;
- Review and tabulate bids;
- Provide the Village and Village's grant administrator (consultant) with bid review results and recommendations regarding award of the prime construction contract;
- Prepare and submit to the Village a Notice of Award for execution by the Mayor, and subsequently submit Owner-signed notices to the one prime contractor, for execution and return with bonds and certificates of insurance;
- Prepare and forward a letter advising all unsuccessful bidders of the bid results (OCR requirement) with copies to the Village and Village's grant administrator (consultant);

- Review contractor bonds and certificate of insurance and, if acceptable, prepare Notice to Proceed for the contract;
- Prepare and submit to the Village execution copies of the Contract Documents that include copies of the contractor's bid sheets bid, bonds, certificate of insurance, Notice of Award, and Notice to Proceed for subsequent endorsement by the Village and the successful contractor;
- Provide three sets of construction documents to the successful contractor for use during construction;
- Coordinate directly with Mayor and attend monthly Village Board meetings to apprise the Board of project activities; and
- Prepare as-built drawings upon completion of the project.

(4) Engineering: Contract Administration - this activity will include the following services and are estimated not to exceed \$38,000 over the 24 month implementation period

- Review and process contractor shop drawings and submittals as necessary to confirm that the contractor is providing the required items;
- Maintain two files containing contractor shop drawings and submittals. Provide one copy to the Village for use during construction and for future record purposes;
- Prepare for and attend a preconstruction meeting with Village staff, Village's grant administration consultant and the successful contractor to review project requirements;
- Periodically visit the project site to review progress of work;
- Review construction contractor performance to monitoring compliance with the Build America - Buy America Act (BABA);
- Review and process monthly contractor payment requests including review of the draft "pencil" copy of the AIA forms, generation of final AIA payment request cover sheet form and spreadsheet form to substantiate the costs;
- Obtain confirmation from the Village's grant administrator (consultant) that the contractor's monthly certified payroll is acceptable;
- Submit recommendation for payment letter, with cost information for each contractor payment request to the Village with copy to the Village's grant administrator;
- Process project change orders;
- Discuss project activities with the on-site representative; and
- Prepare contract close-out package, including the certificate of substantial completion, contractor's affidavit of release of liens and final payment request and forward to the prime contractor and Village for processing.

In summary, \$47,000 in committed Village funds will pay for Administrative and Program Delivery services provided by Blauer Associates. Engineering services in the amount of \$95,000 will be paid from CDBG funds. Brinnier & Larios, PC was selected via a Request for Qualifications process completed in June 2023. The Village will execute a contract with that firm in January 2024 if this CFA 2023 CDBG project is approved.

Q_12684 Is the proposed project subject to the formation of a new water or sewer district? If yes,

provide a brief description of the process, including the status of site control, and dates of any public referendum and/or district formation, including any pending NYS Comptroller review or approval of a new district. Provide a statement for the need for any permanent or temporary easements that may be required to undertake the proposed project. Provide as an attachment the Map-Plan-Report.

Not Applicable - The entire Village of New Paltz is served by the existing sanitary sewer collection and treatment system. No portions of the Village are still served by on-lot sewage disposal systems. Formation of a new sewer district is not required for this project to proceed. The Village will replace existing sanitary sewer mains currently in use as part of our sanitary sewer collection system.

Q_13745 Explain if and how the project will reduce the cost burden to low-to-moderate income households. See scoring tips for additional information.

On May 24, 2023 the Village has made a perpetual commitment in the form of a Village Board resolution to assist any low and moderate income persons that need assistance to make a new connection to the New Paltz Village sanitary sewer system. A copy of the actual resolution is provided as part of our CFA application upload in response to Question_12768.

The resolution is quoted below and cites the perpetual source of LMI connection assistance funds as the Village's Sanitary Sewer G8120 Account.

"WHEREAS, the Village of New Paltz will apply to the NYS Office of Community Renewal Program Year 2023 Small Cities Community Development Block Grant via a Public Infrastructure application for the Village of New Paltz Consent Order Compliance Sewer Remediation Identified by the NYS DEC Engineering Planning Grant Project; and

WHEREAS, the Village intends to assist persons of low and moderate income undertake sanitary sewer system connections; and

WHEREAS, the US Department of Housing & Urban Development annually establishes Low Income (80% of Median Family Income) income ceilings adjusted for family size; and

WHEREAS, the Village is committed to assist any persons qualifying as low and moderate income to undertake any new connections to the Village sanitary sewer system;

WHEREAS, the Village is prepared to advertise the availability of assistance to person of low and moderate income to make new connections to the Village sanitary sewer system;

NOW, THEREFORE, BE IT RESOLVED, that the Village Board of the Village of New Paltz hereby commits to using monies from funds available in the Sanitary Sewer G8120 account to assist low and moderate income persons by providing grants to pay for proposed new sanitary sewer connections within the Village of New Paltz sanitary sewer system. There is no expiration on this commitment.

Adopted this 24th day of May, 2023."

The above noted resolutions is a perpetual commitment to assist low and moderate income persons with grants to connect to the Village's public sewer system.

Q_13746 Outline the timeline for the proposed activities including key milestones that will ensure timely implementation and completion within the contract terms (see RFA Section VIII(B)). The narrative should include but not be limited to:

- Grant Agreement Execution
- Addressing all mitigation and consultation related to the ERR, including, but not limited to SHPO, Phase

1A and/or 1B, impact on designated agricultural districts, airport hazards and final design approval by any involved regulatory agency

- Obtaining Release of Funds within 60 days of award
- Procurement/bidding activities within six (6) months of award
- Initial disbursements within six (6) months of award
- Project completion of all activities, not just CDBG funded activities, within 24 months of award

The following timeline is based on notification of CFA CDBG funding approval for the Village of New Paltz' requested project on or about December 14, 2023. Based on completion of our environmental review and procurement activities prior application submission, a construction contract can be awarded within six months of the grant award announcements.

Selection of Administrative Consultant - Completed April 2023

Selection of Engineer via RFQ - Completed June 2023

Completion of NEPA and SEQRA Environmental Review - Completed July 2023

Submission of Application via CFA - July 28, 2023

Estimated CFA Announcement of Grant Award - December 14, 2023

Approval of Grant Agreement, Program Schedule, Project Team, Depository Form and Authorized Signature Form by Village Board - January 10, 2024

Publish NOI-RROF legal notice - January 16, 2024

Execute Engineering Services Contract - January 17, 2024

Submit signed Request for Release of Funds to OCR - February 8, 2024

NYS OCR Release of Funds Effective Date - March 4, 2024

Preparation of Detailed Plans, Specifications, and Contract Documents - Jan 18 to Mar 12, 2024

Submit Draft Bid Package to OCR - March 13, 2024

Public Bidding Period - Apr 18 to May 9, 2024

Construction Contract Award by Village Board - May 15, 2024

Construction Contract Signing and Pre-Construction Meeting - June 5, 2024

Construction Period - June 2024 – Nov 2024

Conduct 2nd Public Hearing to Review Project Performance - December 11, 2024

Project Completion - December 18, 2024

Project Closeout - January 15, 2025

New Paltz Village understands that under the terms of the grant award, the project must be completed within 24 months of the award announcement.

Within one (1) month of grant award the Village is prepared to complete those administrative steps required to execute its Grant Agreement. Those steps include, in

addition to the actual signing of the Grant Agreement by the Village Mayor, completing and submitting the Program Schedule form, Project Team form, Depository Form, Authorized Signature Form, Local Recipient Administrative Plan and Section 3 Plan.

During July 2023 the Village completed its Environmental Review Record (ERR), which has been uploaded to this CFA 2023 application at Question_13905. The ERR includes consultation with four THPO's, NYS DEC SHPO, NYS Ag & Markets, NYS DEC Natural Heritage Program and US DOI Fish & Wildlife. Phase 1A and/or Phase 1B archeological investigations are not required. Moreover, no mitigation measures are required based on any consultation comments. The Village adopted a SEQRA resolution on May 24, 2023 declaring this proposed project to be a Type II activity.

The Village intends to submit the Request for Release of Funds to OCR within sixty (60) days of the announcement of a CDBG grant award. Upon notification of CDBG award in December 2023 the Village will submit its completed ERR to its assigned OCR Community Developer in order to gain permission to publish its NOI-RROF notice. Our timeline projects publishing a Notice of Intent to Request Release of Funds (NOI-RROF) legal notice on January 16, 2024 to be followed by a Request for Release of Funds submission on February 8, 2024.

The Village completed all professional services procurement during June 2023.

Since the engineering consultant will be paid from CDBG funds, an engineering Request for Qualifications legal notice was published on May 27, 2023. Upon completing their review of qualification statements received by the June 21, 2023 deadline, the New Paltz Village Board selected Brinnier & Larios, P.C. by resolution on June 28, 2023. Brinnier & Larios, P.C. will provide, should a CDBG grant be awarded by OCR, design and inspection services starting in January 2024. Our timeline estimates actual execution of a contract with Brinnier & Larios, P.C. on January 17, 2024.

An administrative consultant, Blauer Associates, will be paid from local (non CDBG) funds. The Village has complied with its own procurement policy. Since an administrative services Request for Proposals process will not be required after CDBG grant approval, Blauer Associates will begin providing administrative services immediately upon notification of an award - assumed to be on or around December 14, 2023..

Based upon an anticipated issuance of a Release of Funds by OCR on or about March 4, 2024, an initial disbursement request can be submitted within 3 months of award. Disbursement #1 will be for engineering services.

As a consequence of the actions already taken by the Village, it will be possible to initiate program design in January 2024. Submission of the draft bid package to OCR in March 2024 will be followed up with construction project bidding in April-May 2024 and award/execution of a construction contract during June 2024.

Based upon entering into a construction contract during June 2024, the Village of New Paltz can undertake the proposed replacement of aging sewer mains and manholes on Elting Avenue, Lincoln Place, Hasbrouck Place and South Oakwood Terrace during the 2024 building season. Construction can be completed by the end of 2024. Closeout of this project with OCR staff can be accomplished during January 2025 including a final disbursement request.

Q_12766 For projects that are awarded NYS CDBG funds and that intend on requesting reimbursement for costs related to NEPA, provide a description of costs how these costs were incurred in compliance with federal and local procurement. If costs related to NEPA will not be requested for reimbursement, please provide a brief description of how these costs will be encumbered. For further information, please see scoring tips.

Not Applicable - The Village of New Paltz will not request reimbursement though CDBG for costs related to NEPA compliance incurred prior to July 28, 2023.

Costs associated with NEPA compliance incurred prior to the July 2023 CFA application submission will be paid out of the Village of New Paltz' General Fund and are not part of the \$47,000 of Sanitary Sewer Account G8120 funds firmly committed to this project for post approval administrative services.

Post approval administrative services will start in December 2023 with the publication of our NOI-RROF legal notice on January 16, 2024.

The \$47,000 in Village funds earmarked for post approval administrative costs will not pay for any application or NEPA compliance related costs incurred prior to July 28, 2023. The Village made a similar commitment for its OCR CDBG #793PR168-22 project now under construction in July 2023. The Village has not and will not request reimbursement for any costs related to NEPA for ongoing project #793PR168-22.

Q_13747 Administrative Capacity:

Identify the employees, subrecipient, or consultants assigned to work on the proposed program for each of the roles listed below. Include their relevant experience and the estimated number of hours per week they will be working on the CDBG program.

- General CDBG program management and compliance oversight
- Construction management and inspections
- Preparation of work write-ups/cost estimates
- Procurement efforts
- Disbursement/Financial management
- Reporting requirements

The instructions for Question_13747 ask the Village to identify the employees, subrecipient, or consultants assigned to work on our proposed Public Infrastructure project for each of the roles listed below. We are asked to include their relevant experience and the estimated number of hours per week they will be working on our CDBG program.

Each of the entities that will have a role in project implementation are described below:

Village of New Paltz Staff - Mayor Tim Roger and Village Clerk/Treasurer Nancy Branco

Our New Paltz Village staff has current, relevant CDBG experience as the Village will complete three (3) CDBG sanitary sewer replacement projects during. Project #793PR115-20 was completed during July 2023. Projects #793PR80-21 and #793PR168-22 construction contracts have been awarded and both will be completed by the end of 2023. All three of these CDBG projects are similar to our proposed FY 2023 Public Infrastructure projects as all three address the ongoing NYS DEC Consent Order.

Our uploaded CFA Application Project Team identifies Village Mayor Tim Rogers as Chief Elected Official. Mayor Rogers will execute contracts, will designate the authorized signatories for disbursements, will sign checks to vendors, will serve as NEPA certifying officer, will execute consultant and construction contracts and will sign and submit Annual Performance Reports, Section 3 Reports, Labor Standards Reports, Financial Assistance Expenditure Reports and final closeout documents. Mayor Rogers will be assisted by Nicole MacLean, Deputy Village Clerk. We estimate the Mayor's weekly time to be spent on this project as 2 hours.

Our uploaded CFA Application Project Team identifies Village Clerk/Treasurer Nancy Branco as Local Grant Contact, Municipal Clerk and Municipal Treasurer. Her roles include coordinating with the administrative consultant and engineering consultant and

overseeing their performance. In this regard Ms. Branco will employ the OCR document titled "Subrecipient/Consultant - Monitoring Template" on a quarterly basis to monitor the performance of the administrative consultant and engineering consultant. Additionally Nancy Branco will maintain project files and will serve as daily contact person for OCR's assigned Community Developer in order to respond to inquiries on project progress. In her role as Municipal Treasurer, Ms. Branco will process vendor checks, will write checks and maintain bank records for this project. Nancy Branco will participate in monthly progress meetings if requested by OCR. Nancy Branco will be designated as Fair Housing Officer by Village Board resolution. We estimate the Municipal Clerk's weekly time to be spent on this project as 4 hours.

Subrecipients - No subrecipients are involved with this project.

Administrative Services Consultant - Mark Blauer dba Blauer Associates

Mark Blauer doing business as Blauer Associates is an individual who has been serving New York State municipalities as a Community Development Specialist since 1978. Since that date he has served as an administrative consultant specializing in the Small Cities Community Development Block Grant Program on over 230 projects in New Jersey, New York and Pennsylvania.

Presently Mark Blauer is serving as an administrative consultant on ten (10) New York State Office of Community Renewal CDBG projects in Franklin Village (Delaware County), Liberty Town (Sullivan County), New Paltz Village, Wawarsing Town and Ulster Town (Ulster County), Sharon Springs Village and Middleburgh Village (Schoharie County).

Blauer Associates will be paid from \$47,000 of firmly committed local (non CDBG) funds. The Village has complied with its own procurement policy. Since an administrative services Request for Proposals process will not be required after CDBG grant approval, Blauer Associates will begin providing administrative services immediately upon notification of an award.

Within one (1) month of grant award the Village is prepared to complete those administrative steps required to execute its Grant Agreement. Those steps projected for December 2023-January 2024 include, in addition to the actual signing of the Grant Agreement by the Village Mayor, completing and submitting the Program Schedule form, Project Team form, Depository Form, Authorized Signature Form, Local Recipient Administrative Plan and Section 3 Plan.

In addition to his roles as administrative consultant, Mark Blauer will be designated as Labor Standards Officer and Section 3 Officer by Village Board resolutions.

The Village of New Paltz is committed to executing a construction contract within six (6) months of notification of the grant award. Blauer Associates is currently serving as administrative consultant for three FY 2022 Public Infrastructure projects (#793PR168-22, #1159PR162-22 and #1215PR167-22) where their construction contracts were bid/awarded by the end of June 2023 and construction completion will occur by the end of 2023..

Our timeline projects completion of construction during 2024 and project closeout during January 2025. We estimate that Blauer Associates will work an estimated 225 hours over a 12 month implementation period or an average of 5 hours a week. In actual practice the hours per week spent on this project by Blauer Associates will vary.

What follows is a thorough listing of services that Blauer Associates will provide over the life of this project.

(1) Program Administration - these activities by major function will include the following services:

Getting Started:

- Coordinate execution of Grant Agreement;
- Attend OCR webinars in conjunction with Village Local Grant Contact (#1 Getting Started, #2 ERR, #3 Financial Administration and #4 General Program Administration);
- Prepare Project Files;
- Prepare Form 1-1 Authorized Signature;
- Prepare Form 1-2 Designation of Depository;
- Prepare Form 7-2 Program Schedule;
- Prepare Form 8-1 Project Team;
- Assist Village to develop Fair Housing Plan and to approve same by resolution;
- Prepare legal notice to advertise Fair Housing Plan;
- Assist Village to develop Section 504 Grievance Procedure and to approve same by resolution;
- Prepare legal ad to advertise Section 504 Grievance Procedure;
- Assist Village to designate a Section 3 Coordinator by resolution;
- Assist Village to designate a Labor Standards Officer by resolution;
- Prepare Local Administrative Plan;
- Prepare Section 3 Plan;
- Submit Local Administrative Plan to OCR for approval;
- Review Village procurement policy and suggestions modifications as necessary to comply with OCR requirement;
- Review Village Employment Policy to make certain equal opportunity, Section 504 and Section 3 language is included.

Disbursements:

- Assemble project activity invoices;
- Review invoices to confirm CDBG edibility;
- Prepare Form 1-5 Public Infrastructure - Facility Request for Funds as necessary;
- Coordinate signing of Form 1-5;
- Assemble related invoices and certified payrolls as support documentation for Form 1-5;
- Submit completed Form 1-5 by email to disbursements@nyshcr.org,
- Revise and resubmit Form 1-5 as may be required by OCR; and
- Prepare Budget Modification forms as required;

- Prepare letters for Village to produce to accompany Budget Modification forms.

Procurement:

- Determine the method of procurement that may be required for a prospective purchase of services, contract labor or materials with reference to local and federal procurement standards;
- Assist Village to develop lists of potentially interested vendors and lists of MBE/WBE/Section 3 vendors by consulting with US HUD and NYS Empire State Development Corporation search functions;
- Assist Village as necessary to summarize scoring results for submission of procurement results to OCR;
- Review proposed professional services agreements to make certain OCR required contract language is included; and
- Review proposed billing methods to confirm conformance with federal OMB Circular A-102.

Reporting:

- Prepare Annual Performance Report as necessary;
- Prepare Labor Standards Enforcement Report as necessary;
- Prepare CDBG Program Income Report as necessary;
- Prepare HUD-2516 to report on MBE/WBE/Section 3 contracting as necessary;
- Prepare Form 9-1 Federal Assistance Expenditures Form;
- Coordinate with Village to set monthly progress report meetings; and
- Participate in monthly progress report meetings.

General:

- Respond to project related inquiries from OCR;
- Coordinate with project engineer;
- Respond to inquiries from Village staff;
- Attend training on CDBG grant administration requirements;
- Evaluating program results against State objectives;
- Coordinate the resolution of audit and monitoring findings; and
- Monitoring program activities for progress and compliance with program requirements.

Modifications/Amendments:

- Prepare requests for program modifications as necessary to include additional activities; and
- Prepare Program Amendments where project changes exceed the scope of activities

that OCR can approve as program modifications.

Citizen Participation:

- Assist Village to respond to citizen comments about CDBG funded activity;
- Coordinate with Village to set date and time for 2nd hearing;
- Prepare legal notice to advertise 2nd hearing; and
- Attend and conduct 2nd hearing.

Monitoring:

- Attend pre-monitoring conference call;
- Assist Village to respond to Questions posed by OCR before monitoring;
- Assist Village to assemble Documents requested by OCR before monitoring;
- Participate in monitoring conference call;
- Participate in post monitoring conference call; and
- Assist Village to respond to monitoring Findings and/or Concerns, if necessary.

Closeout:

- Prepare Final Annual Performance Report; and
- Assist Village to prepare Final Closeout Forms provided by OCR.

(2) Program Delivery - these activities by major function will include the following services:

Labor Standard Compliance:

- Provide updated Federal and State wage determinations to engineer for draft bid package;
- Coordinate with engineer to include make sure OCR required clauses are in draft bid package;
- Submit draft bid package to OCR for approval;
- Coordinate with engineer to make revisions as may be required by OCR;
- Compile outreach list of MBE/WBE/Section 3 construction firms for purpose of direct outreach;
- Work with Village to advertise construction bid notices in minority newspapers, trade journals and the NYS Contract Reporter;
- Reconfirm Federal wage determination 10 days before bid opening;
- Review apparent low bidder debarment status at www.sam.gov and NY DOL;
- Reviewing Project Sign template requirements with prime contractor;
- Coordinate with engineer and Village to set pre-construction meeting;

- Attend pre-construction meeting;
- Produce pre-construction minutes of labor standards issues reviewed with prime contractor;
- Provide OCR required labor standards documents to prime contractor(s) including posters and wage rate binder;
- Notify OCR of the start of construction;
- Review subcontractor(s) debarment status at www.sam.gov and NY DOL;
- Obtain digital photographs of Project Sign, Posters and Wage Rate Binder at the job site;
- Review weekly payrolls;
- Provide original signed payrolls to Local Grant Contact;
- Coordinate with prime contractor to obtain payroll corrections, if necessary;
- Conduct employee interview on site or by telephone with a representative number of employees using HUD-11 form;
- Compare payrolls with HUD -11 interviews to confirm labor standard compliance;
- Report to engineer and Village about any unresolved labor standards issues;
- Require restitution for any wage or fringe under payments; and
- Report any instance of labor standards violations to OCR.

Engineering Services Consultant - Brinnier & Larios, P.C.

Founded in 1956, Brinnier & Larios, P.C. is a community-based engineering and land surveying firm licensed to practice in New York State. The firm is located at 67 Maiden Lane, Kingston, New York 12401.

Since its inception, Brinnier & Larios, P.C. has specialized in commercial, residential and municipal engineering and land surveying, primarily serving the City of Kingston and the Towns and Villages of Ulster County and beyond. The firm presently employs 19 people and is a Professional Corporation licensed by the New York State Education Department.

Brinnier & Larios believes in building both client and employee relationships with longevity. Brinnier & Larios is proficient in navigating the regulations set by funding and permitting agencies; they provide all aspects of engineering services from design through bid assistance, construction management and administration, to on-site inspection and close-out.

Our timeline projects completion of construction during 2024 and project closeout during January 2025. We estimate that Brinnier & Larios will work an estimated 750 hours of design and contract administration time over a 12 month implementation period or an average of 15 hours a week. During actual construction full time on site inspection services will be 8 hours a day or 40 hours a week. In actual practice the hours per week will vary depending on the activity then ongoing.

The services of Brinnier & Larios are segregated into Engineering - Program Delivery and Engineering - Contract Administration. The services associated with each are described below.

(1) Engineering: Program Delivery - this activity will include the following services:

- Travel to site to review existing conditions and gather additional information needed for work;
- Coordinate and review project scope of work with the Village via site visits, telephone and email;
- Consult with equipment manufacturer/suppliers and outside consultants/subcontractors to develop specifications;
- Review the recommended plan with the Village and confirm the scope of work;
- Based on the final scope of work, review the project cost estimate and adjust the scope of work to maintain the project budget;
- Review the final scope of work, cost estimate, and project schedule with the Village to concur on a plan forward;
- Prepare Contract Documents for bidding and construction in accordance with NYS Municipal Law;
- Prepare specifications to include bid notice/advertisement, information for bidders, work item descriptions, bid forms, bond requirements, agreement information, general conditions, special conditions, technical specifications, prevailing wage schedules & permits;
- Obtain the most recent OCR specifications related to CDBG funded projects from the Village's grant administration consultant and integrate into the specifications;
- Prepare Contract Drawings;
- Review Contract Documents with the Village Board, and revise to address comments;
- Forward contract specifications to OCR (CDBG) for review and comments.;
- Review and address OCR comments and provide written response letter to each agency, if required, for their approval.
- Provide Village with an updated probable cost estimate at completion of design;
- Provide a copy of the bid notice to the Village Clerk for subsequent publication of the legal notice in the Village's local newspaper, and fax the notice to several contractors who have performed well on previous projects;
- Prepare for and attend a pre-bid meeting with potential contractors and Village staff to review the scope of work and project requirements;
- Reply to questions from prospective bidders, and prepare clarifications and addendums;
- Attend bid opening and pick up all bid documents from the Village for bid review;
- Review and tabulate bids;
- Provide the Village and Village's grant administrator (consultant) with bid review results and recommendations regarding award of the prime construction contract;
- Prepare and submit to the Village a Notice of Award for execution by the Mayor, and subsequently submit Owner-signed notices to the one prime contractor, for execution and return with bonds and certificates of insurance;

- Prepare and forward a letter advising all unsuccessful bidders of the bid results (OCR requirement) with copies to the Village and Village's grant administrator (consultant);
- Review contractor bonds and certificate of insurance and, if acceptable, prepare Notice to Proceed for the contract;
- Prepare and submit to the Village execution copies of the Contract Documents that include copies of the contractor's bid sheets bid, bonds, certificate of insurance, Notice of Award, and Notice to Proceed for subsequent endorsement by the Village and the successful contractor;
- Provide three sets of construction documents to the successful contractor for use during construction;
- Coordinate directly with Mayor and attend monthly Village Board meetings to apprise the Board of project activities; and
- Prepare as-built drawings upon completion of the project.

(2) Engineering: Contract Administration - this activity will include the following services:

- Review and process contractor shop drawings and submittals as necessary to confirm that the contractor is providing the required items;
- Maintain two files containing contractor shop drawings and submittals. Provide one copy to the Village for use during construction and for future record purposes;
- Prepare for and attend a preconstruction meeting with Village staff, Village's grant administration consultant and the successful contractor to review project requirements;
- Periodically visit the project site to review progress of work;
- Review construction contractor performance to monitoring compliance with the Build America - Buy America Act (BABA);
- Review and process monthly contractor payment requests including review of the draft "pencil" copy of the AIA forms, generation of final AIA payment request cover sheet form and spreadsheet form to substantiate the costs;
- Obtain confirmation from the Village's grant administrator (consultant) that the contractor's monthly certified payroll is acceptable;
- Submit recommendation for payment letter, with cost information for each contractor payment request to the Village with copy to the Village's grant administrator;
- Process project change orders;
- Discuss project activities with the on-site representative; and
- Prepare contract close-out package, including the certificate of substantial completion, contractor's affidavit of release of liens and final payment request and forward to the prime contractor and Village for processing.

Below is a summary of the roles described in detail above.

General CDBG Program Management and Compliance Oversight: Program Management and Compliance Oversight will be handled by Village Mayor Tim Rogers, Village Clerk/Treasurer Nancy Branco, Deputy Clerk Nicole MacLean and administrative consultant Mark Blauer.

Construction Management and Inspections: Construction management will be handled by the project engineer to be assigned by Brinnier & Larios, P.C. Construction inspection will be handled by one or more of the inspectors employed by Brinnier & Larios, P.C.

Preparation of Work Write-ups/Cost Estimates: The preliminary cost estimate uploaded to this application will be refined by Brinnier & Larios, P.C. during project design by Brinnier & Larios, P.C. and will serve as the basis for reviewing the adequacy of construction bids received when project construction is publicly bid.

Procurement - Procurement is largely completed through the selection of an administrative consultant and engineering consultant.

The Village selected a Blauer Associates as its administrative consultant and has firmly committed \$47,000 via letter and resolution to pay that firm's fees for post approval administrative services using Village funds. No portion of that firm's fees for Administrative Services will be requested for reimbursement through CDBG.

The Village selected an Engineering Consultant through a Request for Qualifications (RFQ) process that complied with NYS OCR standards for engineering selection. The RFQ was published on May 27, 2023, responses were due June 21, 2023 and Brinnier & Larios was selected by Village Board motion as top scoring respondent on June 28, 2023. Outreach included direct mailing to MBE firms, WBE firms, Section 3 firms and firms likely to want to submit a RFQ response. The Village will enter into a contract with Brinnier & Larios contingent only upon CFA approval of this CDBG grant request.

Construction contract procurement will be handled through a sealed bid process in accordance with New York State law and the Village of New Paltz' adopted procurement policy. The lowest responsible bidder will be awarded the construction contract.

Disbursement/Financial Management: Disbursement request 1-5/1-5A forms will be prepared by Blauer Associates. Each disbursement request will be signed by two of the four persons who will be designated to request CDBG funds as shown by Form 1-1. Construction invoice approvals will be recommended by Brinnier & Larios, P.C. Construction invoices will be submitted via disbursement requests after they are approved at a regular Village Board meeting. Vendor checks will be signed by the Municipal Treasurer and Mayor.

Reporting Requirements: Project reports such as Annual Performance Reports, Semi-Annual Labor Standards Reports, Financial Assistance Expenditure Reports, MBE-WBE Utilization Reports and Section 3 Reports will be prepared by Blauer Associates. Those reports will be signed and submitted by Mayor Rogers.

Q_13748 Administrative Experience:

How is the Applicant uniquely positioned to address the needs identified in the application? Identify policies and procedures in place that will ensure timely implementation of the proposed program.

Briefly explain any specific accomplishment(s) while administering a previous infrastructure or facility-related grant.

Briefly explain any obstacles, delays, or administrative issues while administering a previous infrastructure or facility-related grant and how they were overcome. Explain changes implemented to ensure successful administration of future grants.

The Village of New Paltz is asked to identify policies and procedures in place that will ensure timely implementation of our proposed project.

The Village understands that under the terms of the grant award, the project must be completed within 24 months of the award announcement and that more specifically it must

certify that it will award a construction contract within six months of the CDBG grant announcement. The ability of the Village of New Paltz to follow through on such a commitment is demonstrated by the Village's current performance for OCR Project #793PR168-22 awarded in November 2022. The construction contract went out to bid in May 2023. A bid award was made in June 2023 and the Village executed a construction contract during July 2023. Project #793PR168-22 will be completed by the end of December 2023 - well before the end of the contract period in December 2024.

The timeline found at Question_13746 is based on notification of an OCR CDBG award announcement on or around December 14, 2023 and details how construction will begin within six months thereafter. It is assumed that OCR will offer the Village its Grant Agreement on January 2, 2024.

Based upon the above timing assumptions, the Village of New Paltz is certifying that it will (1) submit its completed Environmental Review Record to OCR's assigned Community Developer during January 2024 for review and approval (2) publish its NOI-RROF legal notice on January 16, 2024, (3) submit its Request for Release of Funds and Certification on February 8, 2024 and (4) bid, award and sign a construction contract by the end of June 2024.

The following timeline can be found as our answer to Question_13746 and is, as noted, based on notification of NYS-OCR CDBG funding approval for the Village of New Paltz' requested project during December 2023. Based on activities already completed prior to application submission, we can confidently predict a construction contract can be awarded within six months of the grant award announcement.

Selection of Administrative Consultant - Completed April 2023

Selection of Engineer via RFQ - Completed June 2023

Completion of NEPA and SEQRA Environmental Review - Completed July 2023

Submission of Application via CFA - July 28, 2023

Estimated CFA Announcement of Grant Award - December 14, 2023

Approval of Grant Agreement, Program Schedule, Project Team, Depository Form and Authorized Signature Form by Village Board - January 10, 2024

Publish NOI-RROF legal notice - January 16, 2024

Execute Engineering Services Contract - January 17, 2024

Submit signed Request for Release of Funds to OCR - February 8, 2024

NYS OCR Release of Funds Effective Date - March 4, 2024

Preparation of Detailed Plans, Specifications, and Contract Documents - Jan 18 to Mar 12, 2024

Submit Draft Bid Package to OCR - March 13, 2024

Public Bidding Period - Apr 18 to May 9, 2024

Construction Contract Award by Village Board - May 15, 2024

Construction Contract Signing and Pre-Construction Meeting - June 5, 2024

Construction Period - June 2024 – Nov 2024

Conduct 2nd Public Hearing to Review Project Performance - December 11, 2024

Project Completion - December 18, 2024

Project Closeout - January 15, 2025

The Village of New Paltz understands that under the terms of the grant award, the project must be completed within 24 months of the award announcement.

Within one (1) month of grant award the Village is prepared to complete those administrative steps required to execute its Grant Agreement. Those steps include, in addition to the actual signing of the Grant Agreement by the Village Mayor, completing and submitting the Program Schedule form, Project Team form, Depository Form, Authorized Signature Form, Local Recipient Administrative Plan and Section 3 Plan.

Important steps already completed prior to this CFA 2023 application submission are described below:

NEPA Environmental Review Record (ERR) - Our ERR is completed.

During July 2023 the Village completed its Environmental Review Record (ERR), which has been uploaded to this CFA 2023 application. The ERR includes consultation with four THPO's, NYS DEC SHPO, NYS Ag & Markets, NYS DEC Natural Heritage Program and US DOI Fish & Wildlife. Phase 1A and/or Phase 1B archeological investigations are not required. Moreover, no mitigation measures are required based on any consultation comments. The Village adopted a SEQRA resolution on May 24, 2023 declaring this proposed project to be a Type II activity.

The Village intends to submit the Request for Release of Funds to OCR within sixty (60) days of the announcement of a CDBG grant award. Upon notification of CDBG award in December 2023 the Village will submit its completed ERR to its assigned OCR Community Developer in order to gain permission to publish its NOI-RROF notice. Our timeline projects publishing a Notice of Intent to Request Release of Funds (NOI-RROF) legal notice on January 16, 2024 to be followed by a Request for Release of Funds submission on February 8, 2024.

Procurement - The Village completed all professional services procurement during May-June 2023.

Since the engineering consultant will be paid from CDBG funds, an engineering Request for Qualifications legal notice was published on May 27, 2023. Upon completing their review of qualification statements received by the June 21, 2023 deadline, the New Paltz Village Board selected Brinnier & Larios, P.C. by resolution on June 28, 2023. Brinnier & Larios will provide, should a CDBG grant be awarded by OCR, design and inspection services starting in January 2024.

An administrative consultant, Blauer Associates, will be paid from local (non CDBG) funds. The Village has complied with its own procurement policy. Since an administrative services Request for Proposals process will not be required after CDBG grant approval, Blauer Associates will begin providing administrative services immediately upon notification of an award - assumed to be on or around December 14, 2023.

Based upon an anticipated issuance of a Release of Funds by OCR on or about March 4, 2024, an initial disbursement request can be submitted within 3 months of award. Disbursement #1 will be for engineering services.

As a consequence of the actions already taken by the Village, it will be possible to initiate program design in January 2024. Submission of the draft bid package to OCR in March 2024 will be followed up with construction project bidding in April-May 2024 and award/execution of a construction contract during June 2024.

Based upon entering into a construction contract during June 2024, the Village of New Paltz can undertake the replacement of the sewer mains and manholes on Elting Avenue, Lincoln Place, Hasbrouck Place and South Oakwood Terrace during the 2024 building season. Closeout will thus be possible by January 2025.

The was further asked to explain any specific accomplishments while administering a previous infrastructure or facility related grant.

The Village of New Paltz has demonstrated capacity to implement CDBG Public Infrastructure projects.

Since 2010 the Village of New Paltz has successfully completed eight (8) previous OCR Small Cities CDBG projects. New Paltz has successfully completed CDBG projects #793PW67-10, #793PW72-11, #793PR9-12, #793PR55-13, #793PR104-15, #793PR177-16, #793PR104-18 and #793PR115-20. The most recently completed project (#793PR115-20) was completed satisfactorily in July 2023 and will be closed out before the end of 2023.

In addition to the completed CDBG project the Village is currently implementing two other CDBG projects during 2023. Contracts were signed with the construction contractor during July 2024 for sewer main and manhole replacement and/or relining activities identified in the NYS DEC Engineering Planning Grant Final Report, as described below:

- OCR #793PR80-21 is addressing sewer main and manhole replacement and/or relining on Huguenot Street, Tricor Avenue, Colonial Drive and North Chestnut Street. A contract has been awarded to Amity Construction Corp in the amount of \$898,898. Construction will begin in August 2023 and all construction will be completed by December 2023; and

- OCR #793PR168-22 is addressing sewer main and manhole replacement and/or relining on South Chestnut Street, Prospect Street and Harrington Street. A contract has been awarded to Amity Construction Corp in the amount of \$1,111,111. Construction will begin in August 2023 and all construction will be completed by December 2023.

Our two selected professional services consultants, Blauer Associates and Brinnier & Larios, P.C., served the Village in their administrative and engineering roles for all ten (10) of the above noted OCR CDBG projects. Both firms have long experience in implementing CDBG projects.

Village administrative staff members who implemented completed project OCR #793PR115-20 are currently implementing OCR #793PR80-21 and OCR #793PR168-22. Mayor Tim Rogers, Clerk/Treasurer Nancy Branco and Deputy Clerk Nicole MacLean will serve in similar roles for this proposed FY 2023 project.

Q_12769 For public and private water and sanitary sewer, and storm water management projects, does the system currently have a Consent Orders, Notice of Violations, Orders on Consent, or any other documentation from a regulatory agency requiring a specific course of action, consistent with the proposed project, to be taken within a certain timeframe? Provide a brief description and provide the date of issuance and any updates. Provide a brief description regarding efforts made up to this point to address and notice.

The New Paltz Village sanitary sewer system does have current Consent Orders and Notices of Violations. The following documents are uploaded at Question_13740:

Item 1 - Original October 2003 NYS DEC Consent Order and January 8, 2009 Letter of NYS DEC Assistant Regional Attorney to Village Attorney;

Comment: Riverkeeper issued a Notice of Intent to Sue the Village of New Paltz for Clean Water Act Violations and the New York State Department of Environmental Conservation

(NYSDEC) issued an Order on Consent to the Village of New Paltz which was executed by the Village of New Paltz on September 7, 2003. The Order reflects overflowing sewer manholes in violation of Sections 17-0501, 17-0505 and 17-0803 of the New York State Environmental Conservation Law. The Order outlined a Remediation /Restoration Schedule which the Village has been diligently adhering to the best of its capabilities to reduce inflow and infiltration throughout its sanitary sewer collection system.

Item 2 - September 30, 2013 Notice of Violation;

Comment: While the 2003 consent order was still in effect and the Village Department of Public Works reported sewage erupting from 4 subject manholes cited in the original Consent Order on June 30, 2013 and August 9, 2013.

The NYSDEC responded by issuing a Notice of Violation on September 30, 2013 citing that on two separate occasions, raw sewage overflowed manholes on Water Street, Mulberry Street, Broadhead Avenue and Huguenot Street. This again was a violation of Article 17 of the Environmental Conservation Law making the Village of New Paltz subject to fines and penalties. The Notice of Violation also indicated that Village Officials including the Mayor and Superintendent of Public Works were required to attend a technical compliance meeting on November 12, 2014 at the NYSDEC Offices in New Paltz New York. At this meeting, the aforementioned completed sewer projects were discussed and the Village presented the then currently proposed project with its intended benefits for eliminating the incidents indicated in the Notice of Violation.

Item 3- Reissued NYS DEC Consent Order (October 2014), Copy of \$5,000 Check to NYS DEC for Civil Penalty and SPDES Compliance Schedule (March 2015);

Comment: The New York State Department of Environmental Conservation issued a new Order on Consent Case No. R3-20140430-71. The Order was executed by the Village of New Paltz on October 17th 2014 and by the New York State Department of Environmental Conservation on October 20, 2014. The newly issued Order on Consent outlined a new schedule of compliance which stipulates requirements for avoiding fines and penalties amounting to \$37,000.00 for each of the two (2) violations mentioned previously.

The Village "Respondent" was also ordered to pay thirty thousand dollars to the Department, \$5,000.00 of which was payable upon the Respondents return of the executed copy of the Order to the Department with the remaining \$25,000.00 to be suspended provided that the Respondent strictly adheres to the terms and conditions of the newly issued Order.

Attorneys for the Village negotiated a fine of \$5,000.00 but the requirements of the Order still remain standing and consist of a Schedule of Compliance that outlines remedial activities and milestones. In summary, requirements of this Schedule are as follows:

- Cease and Desist- The Village shall cease and desist any future violation of the NYS Environmental Conservation Law e.g.-overflowing manholes.
- Self-Certification- All items required by the Schedule of Compliance shall be certified that the work was completed by the date indicated in the Consent Order and that it was completed in a manner as required by the Order.
- Remedial Activities and Milestones-This requirement is divided into three parts. A report of Non Compliance, A Corrective Action Plan and a Capacity Management, Operation and Maintenance Plan.

Item 4 - January 18, 2022 Notice of Violation and February 3, 2022 Compliance Schedule;

Comment: On January 18, 2022, the New York State Department of Environmental Conservation (NYSDEC) issued a Notice of Violation (NOV) to the Village of New Paltz for

the 22 sanitary sewage overflows in the collection system between October 2019 and November 23, 2021. It was stipulated in this NOV that violations of the ECL are subject to penalties of up to \$37,500 per day per violation.

Following a Compliance Conference with the NYSDEC Region 3 Division of Water Engineers, the Village provided the NYSDEC with a Compliance Schedule for two proposed sewer projects as well as a NYSDEC Certificate of Compliance and a Wastewater Treatment Plant Rating Worksheet. All of these items were required by the NYSDEC as part of the Notice of Violation and were submitted prior to the required submission date.

Item 5- Reports form Village of New Paltz Department of Public Works to NYS DEC Related to Non Compliance Events, i.e. Sanitary Sewer Overflows, on April 18, 2019, October 21, 2019, October 31, 2019, November 25, 2019, February 24, 2020, May 7, 2020, August 24, 2021, September 3, 2021, October 27, 2021, April 11, 2022, March 22, 2023 and April 30, 2023;

Comment: These instances of non-compliance as late as April 30, 2023 demonstrate that despite the Village's ongoing efforts to reduce I & I that sewer overflows are still occurring. These reports from 2019 into 2023 cumulatively demonstrate that the original I & I problem has not been solved and that the Village must continue to make progress to reduce I & I in order to avoid further fines. NYS DEC is clearly prepared to sanction the Village and impose fines if the Village does not diligently abide by the requirements of the original 2003 (later modified in 2014) Consent Order.

Item 6- Documents Related to Direct Sewage Overflow into the Wallkill River on April 11, 2022.

Comment: On April 7th and 8th 2022, 4.32 inches of rain was recorded at the wastewater facility. This event led to the overflow of the facility's primary clarifiers, into the facility's stormwater system and into the Wallkill River at a rate of approximately 350 GPM for a duration of approximately 8 hours. The total estimated discharge of untreated sanitary wastewater into the Wallkill River was approximately 168,000 gallons.

During this same rainfall event, sanitary manholes on Mulberry Street, Mohonk Avenue, Henry W. Dubois Drive and Broadhead Avenue also experienced sanitary sewage overflows. These non-compliance events at the wastewater facility and in the collection system were reported to the New York State Department of Environmental Conservation.

Q_12666 For joint application, identify both applicants (units of local governments).

Not Applicable - This is not a Joint Application.

Q_13951 Is the project listed on the NYS Environmental Facility Corporation's Intended Use Plan (IUP)? Please identify if the project is on the Intended Use Plan (IUP) Listing, Multi-Year Listing, or Annual Listing. Provide the IUP project number.

In 2021 the Village submitted this proposed project for the IUP Multi-Year List via the EFC's PLUS system. During the latter part of 2021 EFC scored this project at 106 points. The Village has since submitted IUP updates in June 2022 and June 2023. Excerpts from the 2023 CWSRF Intended Use Plan Multi-Year List uploaded as part of our response to Question_13720 show that our project is identified as #C3-7299-03-00 is still scored at 106 points.

In 2022 EFC reduced the scoring line for hardship status (0% loan) to 41 points. The scoring line for a subsidized loan interest rate was reduced to 34 points. Our proposed thus qualifies for the hardship 0% interest rate.

A 28 year CWSRF loan for \$857,550 at the 0% rate would result in an additional \$30,326.78 in debt service per year or \$10.63 more per EDU.

Without CDBG the new cost per EDU per year would be the sum of the existing \$515.18 plus \$10.63 in new debt service. The resulting \$525.81 typical charge per EDU would be 1.01% of MHI.

Q_3345 I understand that NYS Homes and Community Renewal may require additional project information or modifications to the original project proposal as a condition of award.

Yes

Certification

Q_1038 By entering your name in the box below, you certify that you are authorized on behalf of the applicant and its governing body to submit this application. You further certify that all of the information contained in this Application and in all statements, data and supporting documents which have been made or furnished for the purpose of receiving assistance for the project described in this application, are true, correct and complete to the best of your knowledge and belief. You acknowledge that offering a written instrument knowing that the written instrument contains a false statement or false information, with the intent to defraud the State or any political subdivision, public authority or public benefit corporation of the State, with the knowledge or belief that it will be filed with or recorded by the State or any political subdivision, public authority or public benefit corporation of the State, constitutes a crime under New York State Law.

Tim Rogers, Mayor

Net New Jobs

No job answers necessary due to your associated programs.

Qualified Investments

No investment answers necessary due to your associated programs.

Total Project Cost

Total project cost: \$ 904,550

Funding Requested from Program

Program	Amount Requested
HCR - Community Development Block Grant (CDBG) - Public Infrastructure & Public Facilities	\$ 8575 maximum funding allowed: \$1,750,000

Program Budget

HCR - Community Development Block Grant (CDBG) - Public Infrastructure & Public Facilities

Use	Source	Status	Amount	Indicate Source / Comments
Construction/Renovation	Federal	Anticipated	\$762550	OCR CDBG Small Cities funds to be used for Construction, Construction Inspection and Construction Contingencies.
Architectural/Engineering/Soft Costs	Federal	Anticipated	\$95000	OCR CDBG Small Cities funds to be used for Engineering Design, Survey, Bidding and Contract Administration using a consulting firm selected via a RFQ process in May-June 2023. Brinnier & Laros will proceed with design in January 2024, if funded.
Administration	Local	Secured	\$47000	Village funds will be used to retain Blauer Associates to provide administrative services to assist the Village to administer CDBG funds.

Attachment Questions & Answers

HCR - Community Development Block Grant (CDBG) - Public Infrastructure & Public Facilities

Q_12650 Citizen Participation Compliance Materials Note that If any of the required documents are not submitted with the application, they cannot be submitted after the application period closes, and the application will be deemed ineligible. Refer to the "scoring tips" section for additional guidance. Materials must include the following: Affidavit of publication of public hearing notice (see scoring tips) Copy of public hearing notice Evidence of conspicuous public posting (see scoring tips) Public hearing minutes (quorum needed - see scoring tips)

CFA 2023 Citizen Participation Compliance Documents Upload New Paltz Village.pdf
[Download](#)

Q_12658 Program Income Report Form

CFA 2023 Program Income Report Upload New Paltz Village.pdf
[Download](#)

Q_12660 Smart Growth Compliance Form

[CFA 2023 Smart Growth Impact Compliance Form Upload New Paltz Village.pdf](#)
[Download](#)

Q_12652 Applicant/Recipient Disclosure/Update Form

[CFA 2023 Applicant Disclosure Report Upload New Paltz.pdf](#)
[Download](#)

Q_12663 Project Team

[CFA 2023 Project Team Upload New Paltz Village.pdf](#)
[Download](#)

Q_13720 Upload all funding commitment letters, approval/rejection letters from funding agencies, evidence of bank financing, and any other supporting documentation demonstrating that non-CDBG funds have been pursued. Statements that describe a self-analysis of other funding sources do not constitute an effort to pursue other funding.

[CFA 2023 Local Funding Commitment and Pursuit of Non-CDBG Funds Upload New Paltz Village 7-11-23.pdf](#)
[Download](#)

Q_13734 Civil Rights – Submit a Section 3 Compliance Plan. Refer to the application tips for additional information.

[CFA 2023 Civil Rights - Section 3 Participation Plan Upload New Paltz Village.pdf](#)
[Download](#)

Q_12662 Civil Rights - Documentation of Affirmatively Furthering Fair Housing compliance. Refer to the application tips for additional information.

[CFA 2023 Civil Rights -Fair Housing Compliance Upload New Paltz Village.pdf](#)
[Download](#)

Q_12653 Applicant Certification Form

[CFA 2023 Applicant Certification Form Upload New Paltz.pdf](#)
[Download](#)

Q_12651 If the application is a joint application, a cooperation agreement and a resolution authorizing a joint application and one of the units of local government as the primary applicant. In addition, note that CDBG public hearing requirements apply to all applicants submitting joint applications. Each community will be required to hold a public hearing prior to submission.

[CFA 2023 Cooperation Agreement - Joint Application Upload New Paltz Village.pdf](#)
[Download](#)

Q_12639 If the applicant has already entered into an agreement with a qualified Not-for-Profit subrecipient, please attach a Vendor Responsibility Questionnaire (VRQ)

[CFA 2023 Vendor Responsibility Questionnaire Upload New Paltz Village.pdf](#)
[Download](#)

Q_13737 Provide documentation of compliance with HUD's National Objectives. Information related to the appropriate type of documentation can be found in scoring tips.

[CFA 2023 Compliance with HUD's National Objective Upload New Paltz Village.pdf](#)
[Download](#)

Q_13905 As an attachment, upload the completed Environmental Review Record. See scoring tips for list of documentation.

[CFA 2023 Environmental Review Record Upload New Paltz Village July 26 2023.pdf](#)
[Download](#)

Q_12768 Provide documentation for all future commitments, financial or otherwise. Examples include evidence of a capital reserve fund or an operation & maintenance plan. For public and private water and sanitary sewer, please also attach the most current version of the municipal water/sewer budget. For public facility projects only, a supportive services plan must also be included.

[CFA 2023 Future Commitments Upload New Paltz Village.pdf](#)
[Download](#)

Q_13731 Public Infrastructure/Facility Activity Detail Form

Please carefully follow the instructions for the Activity Detail Form. This is used to substantiate the applications service population, net impact, and must represent the entire scope of the proposed project. Accuracy and completeness are essential as revisions to this document post submission of the application will not be accepted.

[CFA 2023 Public Infrastructure Activity Detail Form Upload New Paltz Village 7-11-23.pdf](#)
[Download](#)

Q_13732 Preliminary Budget Table

Carefully review the preliminary budget table instructions. The preliminary budget must reflect the total project cost (TPC) and all supporting documentation. This is used to substantiate the request for funds in the application and must represent the entire scope of the proposed project. Accuracy and completeness are essential as revisions to this document post submission of the application will not be accepted.

[CFA 2023 Preliminary Budget Table Upload New Paltz Village.pdf](#)

[Download](#)

Q_12659 For drinking water systems only, does your community water system provide drinking water to more than 3,300 people? If so, please provide your community's updated risk & emergency response plans as required by the American Water Infrastructure Act of 2018 that amended the Safe Drinking Water Act. This is a federal requirement which is separate from the existing New York State Department of Health (NYSDOH) vulnerability assessment & emergency response plan (VA/ERP) requirements.

CFA 2023 American Water Infrastructure Act of 2018 Compliance Upload New Paltz Village.pdf
[Download](#)

Q_13733 For Public Facility projects, provide a Maintenance Plan

CFA 2023 Facilities Maintenance Plan Upload New Paltz Village.pdf
[Download](#)

Q_13738 Please provide letters of local support for your project (if applicable). Support letters are not considered during scoring but can demonstrate local community support for the proposed activity. Do not submit hardcopy support letters. Only support letters attached to the application will be reviewed. All letters must be scanned into a single PDF file and their total size cannot exceed 30 Megabytes (MB).

CFA 2023 Letters of Support Upload New Paltz Village.pdf
[Download](#)

Q_13739 Attach purchase agreements, property acquisition, easements or other documentation that supports the status of site control

CFA 2023 Status of Site Control Upload New Paltz Village.pdf
[Download](#)

Q_13740 For public and private water and sanitary sewer, and storm water management projects, attach all applicable Consent Orders, Notice of Violations, Orders on Consent, SPDES Compliance Schedule or any other documentation from a regulatory agency requiring a specific course of action, consistent with the proposed project. This must be consistent with the preliminary or full engineering report.

CFA 2023 Consent Order-Notices of Violation-Schedule of Compliance Upload New Paltz 6-10-23.pdf
[Download](#)

Q_12674 For any project that is requesting NYS CDBG funds for any public or private water, public or private sanitary sewer, storm water management programs, or other public facilities, an Engineering Report or Preliminary Engineering Report must be included. Please refer to the Request for Applications for a description of public facility activities. See scoring tips for minimum requirements.

CFA 2023 Engineering Report Upload New Paltz Village July 20 2023.pdf

[Download](#)

Q_12685 For all public facility proposals, is there a current code violation or any other form of documentation requiring the proposed improvements to be undertaken? If yes, please attach all applicable documentation.

CFA 2023 Public Facilities Code Violations Upload New Paltz.pdf

[Download](#)

Legend

[x] = Expired Program