

DRAFT

A regular meeting of the Village of Liverpool Board of Trustees was held on March 19, 2018 at 7:00 PM at 310 Sycamore Street, Liverpool NY

Present:	Gary White	Mayor
	Christina Fitch	Deputy Mayor
	Matt Devendorf	Trustee
	Bradley Young	Trustee
	John Langey	Attorney
	Mary Ellen Sims	Village Clerk Treasurer

(Jason Recor took his place on the board at 7:24 PM.)

Mayor White called the meeting to order at 7:00 PM. All those present stood for the Pledge of Allegiance.

Also present were 6 other persons.

Mayor White asked that a note of condolence be sent to Russ Tarby. His mother, Mary Tarby passed and calling hours are being held tonight.

#### **Solvay Parking Discussion**

Mayor White asked the Village Board to review the Village of Solvay's Vehicles and Traffic code, chapter 160, section 160-75, 160-76 and 160-77 for possible change to our V & T code. At this time, there is no policy or code that states what happens when people don't pay their parking tickets. The Village has no way of pursuing delinquent parking tickets.

Trustee Young has not heard from Judge LaValle regarding his comments or concerns with the code. This will be on the April agenda, pending review of our Village Judge.

#### **Release of Village's Right of Way Easement**

The Village has received a request to release a portion of the easement behind the Limp Lizard. The easement was granted to the Village in 2015 by Constine LLC and is not needed by the Village of Liverpool. The easement was put into place in order to facilitate maintenance of the previously proposed underground storm water management system. The site plan was never developed and it is not necessary for this easement to remain on the property in question.

The following resolution was offered by Trustee Devendorf, who moved its adoption, seconded by Trustee Fitch to wit:

**WHEREAS**, the Village of Liverpool is the beneficiary of a certain interest in land in the Village of Liverpool consisting of an easement and right of way granted by Constine LLC on or about August 31, 2015, all as described in a certain "Storm water Management Control Facility Maintenance Agreement and Grant of Easement and Right of Way" the ("Easement and Right of Way"), attached hereto as Schedule "A"; and

**WHEREAS**, the subject Easement and Right of Way is excess and is not needed by the Village of Liverpool; and

**WHEREAS**, the current owners of the premises, through their counsel, have requested termination of the Easement and Right of Way described herein; and

**WHEREAS**, the Village Board of Trustees of the Village of Liverpool has determined that termination of the Easement and Right of Way is in the best interest of the Village of Liverpool; and

**WHEREAS**, the proposed extinguishment of the Easement and Right of Way is a Type II action for purposes of State Environmental Quality Review and, as a result, no environmental impact is anticipated.

**NOW, THEREFORE, IT IS**

**RESOLVED AND DETERMINED** that this Board hereby authorizes the termination of the Easement and Right of Way, described above, with all costs and expenses of such termination to be borne solely by Constine LLC, or its designee; and it is further

**RESOLVED AND DETERMINED** that the Village of Liverpool Mayor is hereby authorized to sign any papers and take any and all actions necessary to give full force and effect to this resolution.

The question of the foregoing Resolution was duly put to a vote and, upon roll call, the vote was as follows:

Hon. Bradley Young	Trustee	Voted	Yes
Hon. Jason Recor	Trustee	Voted	Absent
Hon. Matthew Devendorf	Trustee	Voted	Yes
Hon. Christina Fadden Fitch	Trustee	Voted	Yes
Hon. Gary White	Mayor	Voted	Yes

Motion Passed.

**1004 Tulip Street**

There have been ongoing issues in this area. The Tulip Street project was in June 2008. Attorney Langey commented that the warranty period has expired. The existing lateral has a hump in it which is located beneath the pavement on Tulip Street. This hump prevents sewage from properly traveling to the sewer main on the opposite side of the street and allows sewage to settle out and eventually block the lateral. This lateral will need to be replaced and the only practical way of replacing it is by directional boring a new lateral beneath Tulip Street.

Village Engineer, Greg Sgromo spoke with Derek Tarolli and they are able to install new lateral by boring underneath Tulip Street and connecting to the sewer line on the west side . This will take approximately 2 days. They would do this under the current contract with the Village and the estimated cost including materials that will be provided by the Village would be in the range of \$10,000 to \$20,000.

Mayor White stated that is necessary to do this work.

Motion was made by Trustee Young, seconded by Trustee Devendorf, to authorize Greg Sgromo to start the process with Tarolli for the repair work at 1004 Tulip Street for a cost not to exceed \$20,000, with proof of insurance, based on Village Engineer Sgromo checking that this is the best price for this work.

Roll call vote:

Trustee Fitch	Yes
Trustee Devendorf	Yes
Trustee Young	Yes
Mayor White	Yes

Motion Passed.

The foregoing Resolution was thereupon declared duly adopted.

(Trustee Recor took his place on the board at 7:24 PM)

**Reschedule April 16<sup>th</sup> meeting due to public hearing on budget**

Motion was made by Trustee Fitch, seconded by Trustee Devendorf, to reschedule the April 16<sup>th</sup> meeting to April 10<sup>th</sup> at 7:00 PM. Motion Passed.

**Authorization to sign the acceptance/obligation agreement with NYS Urban Forestry council**

Trustee Fitch and the Tree Committee applied for a grant for an Arbor Day Event in the Village of Liverpool through the NYS Urban Forestry Council. The grant monies will be used to support the first ever Arbor Day Celebration for the Village of Liverpool. The Arbor Day event will be April 20<sup>th</sup> at 9:00 AM at Liverpool Elementary School.

An award letter was received on March 17<sup>th</sup> in the amount of \$780.00 from the NYS Urban Forestry Council. The award letter and a check for 50 % of the award (\$ 390) was received.

The following resolution was offered by Trustee Fitch, who moved its adoption, seconded by Trustee Young to wit:

That Gary White, as Mayor of the Village of Liverpool is hereby authorized and directed to file an application for an Urban Forestry Council Arbor Day Program Community Grant in an amount not to

exceed \$1,000 and upon approval of said request to enter into and execute a project agreement with the New York State Department of Environmental Conservation for such financial assistance to the Village of Liverpool for Arbor Day Community Event.

Motion passed.

Motion was made by Trustee Fitch, seconded by Trustee Young, to authorize Mayor White to sign the acceptance/obligation agreement with the NYS Urban Forestry Council. Motion Passed

**DPW - STATS**

Mayor White presented the following STATS for DPW:

8 UFPO's have been marked for the month  
Not available at this time - Sewer Maintenance Calls  
302 Fourth Street Sewer repair  
No banner pole requests, sign requests or park requests at this time  
Yard Waste pick up will start in April and be picked up the first and third Monday thru October.

**Authorization to lease a 2019 International Dump Plow Truck for \$172,441 with a five year lease to own lease payment of approximately \$ 36,000.**

Bill Asmus, DPW Superintendent, encumbered funds in the amount of \$36,000 for the purchase of a truck in this year's budget. He would like permission to lease a 2019 Dump Plow and utilize those funds for the first payment.

In the past, the Village would lease to own a vehicle that is over \$100,000. Trustee Fitch asked if it would be more fiscally responsible to pay for the truck outright and save the interest payments. Current interest is low to lease and if the vehicle were purchased outright, it would require the fund balance to be depleted by that much.

Village Trustees agreed that it would be best to lease to own the 2019 International Dump Plow truck and to authorize the lease this year. Hopefully, if purchased at year end, the next payment would be in the 2019-2020 budget.

Motion was made by Trustee Devendorf, seconded by Trustee Young to authorize the lease of a 2019 International Dump Plow Truck for \$172,441 with a five year lease to own lease payment of approximately \$ 36,000, based on legal review.

Roll call vote:

Trustee Fitch	Yes
Trustee Devendorf	Yes
Trustee Young	Yes
Trustee Recor	Yes
Mayor White	Yes

Motion Passed.

**Police – STATS**

Trustee Devendorf presented the Liverpool Police STATs for the month of February:

305 Traffic Stops

- 292 Traffic Tickets issued
- 04 DWI arrests
- 12 Accidents Investigated
- 13 Parking Tickets issued
- 173 Residential Property Checks
- 590 Incidents

The Liverpool Police Department arrested a total of 56 individuals this month with 79 charges filed.

A continuing reminder that the LPD recommends locking your vehicles when unattended and never leave valuables in plain sight inside a vehicle.

**Codes** STATS were presented for January and February 2018 by Trustee Young.

Trustee Young stated that if the Marvin Meyer apartments are approved, there will be a need for fire inspections for the future and more time allotted for our Fire Marshall..

**Financial – Abstracts**

Motion was made by Trustee Fitch, seconded by Trustee Recor, to approve the following abstracts: General Fund Abstract # 010 vouchers # 570-619 in the amount of \$82,394.39 and Sewer Fund, voucher # 617 in the amount of \$75,959.13.

Roll call vote:

Trustee Fitch	Yes
Trustee Devendorf	Yes
Trustee Young	Yes
Trustee Recor	Yes
Mayor White	Yes

Motion Passed.

Trustee Young asked what the invoice for mutt mitts was and if that is a yearly expense. Mutt mitts are dog waster bags and are purchased twice a year. Trustees would like to ask Bill Asmus to find a less expensive bag for future purchase.

**Transfers**

Motion was made by Trustee Fitch, seconded by Trustee Devendorf to approve the transfers numbered 1 to 20 as attached. Motion Passed.

**Presentation of 2018- 2019 Village Budget for General Fund and Sewer Fund  
Set public hearing on Budget.**

Clerk Sims presented the 2018- 2019 Tentative Budget for General Fund and Sewer Fund to all board members.

This tentative budget includes capital projects/ purchases totaling \$ 115,000. It keeps the tax rate the same at a rate of \$12.45 per thousand and sewer rents the same at \$130.00 per unit. It shows an appropriated fund balance of \$135,000 to balance the budget. This budget does not include any monies for the tree program and also does not include any raises for non-union employees.

This tentative budget can be revised up to the posting of the public hearing and can be revised after the public hearing is held. A budget must be adopted by May 1<sup>st</sup>.

Motion was made by Trustee Devendorf, seconded by Trustee Fitch, to set a public hearing on the 2018-2019 budget for April 10<sup>th</sup> 2018 at 7:00 PM. Motion Passed.

### **Johnson Park**

Village Engineer Greg Sgromo gave Trustee Fitch contact information for a lighting specialist for suggestions for lighting under the Johnson Park Stage Cover. Trustee Fitch will follow up with the lighting specialist.

At the last Liverpool is the Place meeting, the committee was informed that the woofers in the speakers are bad. The repair estimate by Mark Fitzgerald is approximately \$ 500 and would need to be fixed before the concerts begin. Trustee Fitch will follow up on both issues.

### **Outstanding Issues**

Mayor White reviewed the outstanding issues and they were updated with the most current information.

### **Public Comment Period/ Correspondence**

Correspondence was received from Mrs. Nancy Schamu Wildoner, dated March 2, 2018 regarding the Marvin Meyer Apartments and Johnson Tract.

### **Mayor White asked if there were any comments from the Public:**

Marsha Ruby, 200 Pearl Street asked to speak to the Board regarding the lack of a stop sign at the end of Salina Street. It is a dangerous intersection.

Mayor White asked Trustee Devendorf to ask Chief Morris to conduct a traffic study and report to the Board at the next meeting.

### **Minutes**

Motion was made by Trustee Young, seconded by Trustee Recor, to approve the minutes of February 27, 2018 as presented. Motion Passed.

### **Executive Session**

Motion was made by Trustee Devendorf, seconded by Trustee Recor, to move into executive session for the purpose of contract negotiations. Motion Passed.

Motion was made by Trustee Devendorf, seconded by Trustee Young to move out of executive session and return to regular session. Motion Passed.

### **Adjournment**

Motion was made by Trustee Young, seconded by Trustee Fitch, to adjourn the meeting. Meeting was adjourned at 8:45 PM Motion Passed.

Respectfully submitted,

Mary Ellen Sims  
Village Clerk