

A regular meeting of the Village of Liverpool Board of Trustees was held on April 16, 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
	Jason Recor	Trustee
	John Langey	Attorney
	Greg Sgromo	Engineer
	Mary Ellen Sims	Village Clerk Treasurer

Also present was Russ Tarby, Eagle News and approximately 25 other persons.

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

**Authorization for Mayor to sign Task 3 and Task 4 of the EDR agreement for Liverpool Village Cemetery**---- tabled to the May 21<sup>st</sup> meeting

**Review of revised rules and regulations for Village Cemetery**

Michael Romano, Cemetery Restoration Committee Chairman, talked about some of the proposed revisions to the cemetery rules and regulations that the committee members have been working on. The Board members each received a copy of the proposed rules. The committee is suggesting the “blue” print be inserted into the rules and the “red” print be deleted. Mr. Romano also stated that he feels the Village should not make rules that cannot be enforced.

EDR will be doing a presentation on May 21<sup>st</sup> to reveal the proposed improvements to the Cemetery. Going forward, the committee would like to see the rules enforced by the Codes department and the DPW Supervisor oversee the work in the Cemetery. Attorney Langey stated that for the Codes officer to enforce the rules of the Cemetery, those rules would need to be included in the Village code book. This would need to be done by local law.

Mayor White asked for the reasoning behind some of the proposed new rules. He commented about the committee’s request to allow dogs in the Cemetery. Mayor White stated that he felt some people would be offended having dogs urinating and leaving feces in the Cemetery. Roberta Marks commented that most pet owners pick up after their pets and that it has become a very dog friendly world.

Roberta Marks and Judi Hebert are on the rules committee and researched over 20 cemeteries and compared rules and regulations.

Mayor White asked about “the no rose bushes allowed” suggestion. Roberta stated that rose bushes trend to grow out of control and are high maintenance.

The contract with EDR is being approved task by task. Task 1 and task 2 will be completed on May 21<sup>st</sup> with the presentation by EDR. Task 3 and 4 are for construction document phase and construction services phase. The Committee hopes that the Board will authorize task 3 and 4 at the May 21<sup>st</sup> meeting.

Trustee Fitch stated that, based on the procurement process, other vendors could be considered for the next phases. Mayor White commented that bringing in another vendor would be counterproductive.

Mr. Romano stated some of the suggestions for changes to the rules and regulations are based on the hiring of a cemetery steward. Mayor White stated that the Village budget for 2018- 2019 includes \$4,000 for cemetery summer help. Mr. Romano stated that currently it takes two DPW workers two days to mow and trim the Cemetery. The Cemetery Steward could work 10 hours a week and be able to keep the cemetery in good shape.

All the Board members are looking forward to the May 21<sup>st</sup> presentation by EDR.

The rules and regulations will be discussed and reviewed and presented again at the May 21<sup>st</sup> meeting.

### **Solvay Parking Ticket Discussion**

The Village Board is considering adopting some parts of the Solvay Code as it relates to parking tickets. Mayor White had asked Trustee Young to have Judge LaValle to review and comment or make suggestions. Judge LaValle was present at the meeting tonight and Mayor White asked for his opinion. Judge LaValle commented that he cannot comment on pending legislation. He stated that he cannot "wear 2 hats." The Solvay Code seems to be a good model and could be a good statute to adopt, stated Judge LaValle.

Mayor White asked Attorney Langey to have someone in his office go through the Solvay Code and make suggestions.

Trustee Young commented that there were several areas that he would like to see changed. He stated that the Solvay software program cost approximately \$6,400.00

Mayor White stated that the Village may not need a comprehensive program.

Trustee Devendorf commented that not many parking tickets are issued and did not think that there was a big problem with parking tickets.

The Village board will place this on the agenda for May meeting.

### **Resolution authorizing the Mayor to enter into a lease/purchase contract for the lease/purchase of a 2018 International HV 4x2 Chassis with the Viking Plow Package**

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

**WHEREAS**, the Village of Liverpool Department of Public Works has previously advised the Village Board of Trustees of the Village of Liverpool of its continuing need to repair, replace and update its fleet of heavy equipment; and

**WHEREAS**, previously the Village of Liverpool Department of Public Works advised of its desire to acquire a 2019 International HV507 4x2 Chassis with Viking Plow Package; and; and

**WHEREAS**, the Village Board of Trustees at its March 19, 2018 meeting authorized the order of a 2019 International HV507 4x2 Chassis with Viking Plow Package (more particularly described in the proposal from Stadium International Trucks Inc. and quotation from Viking Cives(USA) attached hereto as Schedule "A", available for lease/purchase through Office of General Services of the State of New York pursuant to Section 104 of the General Municipal Law of the State of New York, at a contract price not to exceed One Hundred Seventy-Two Thousand Four Hundred Forty-One and 00/100 Dollars (\$172,441.00), without application of any applicable trade-in, or other allowances (Oneida County Contract #1949); and

**WHEREAS**, pursuant to §109-b of the General Municipal Law and the New York State Local Finance Law, any Village considering the use of a Lease Purchase Agreement shall critically evaluate the financing alternatives available to it under the above-referenced sections; and

**WHEREAS**, pursuant to 2 NYCRR Part 39, the Village Board of Trustees have undertaken an analysis of financing alternatives available to the Village of Liverpool, including cash payment; and

**WHEREAS**, the evaluation of financing alternatives has complied with the requirements of 2 NYCRR Part 39 *et seq.*, which evaluation has reviewed the estimated cost of the equipment at the proposed purchase price inclusive of the cost of financing, if financed pursuant to Lease Purchase Agreement; and a comparison of said cost has been made; and

**WHEREAS**, a determination has been made based upon said evaluation that it is in the best interest of the Village to finance the equipment purchase pursuant to a Lease Purchase Agreement based upon the total cost and expense to be incurred by the Village; and

**WHEREAS**, a copy of the analysis undertaken by the Village Board of Trustees shall be on file with the Village Clerk; and

**WHEREAS**, the Village Board of Trustees, on the basis of this evaluation, hereby directs that the 2019 International HV507 4x2 Chassis with Viking Plow Package, described herein, be procured from the successful Government Contract Vendor and that non-vendor financing be obtained.

**NOW, THEREFORE BE IT RESOLVED** by the Village Board of Trustees as follows:

1. The Village of Liverpool Mayor is hereby authorized to enter into a Lease Purchase Agreement to acquire a 2019 International HV507 4x2 Chassis with Viking Plow Package, at a price not to exceed One Hundred Seventy-Two Thousand Four Hundred Forty-One and 00/100 Dollars (\$172,441.00) from the Government Contract Vendor (Oneida Co. Contract #1949) through a Lease Purchase Agreement from Stadium International Trucks Inc., for a total financed amount of One Hundred Thirty –Five Thousand Eight Hundred and Eight and 66/100 Dollars (\$\_135,808.66) upon the terms as provided by Solvay Bank, wherein the Village would enter into a four (4) year lease, with a down payment of \$36,632.34 on May 21, 2018, followed by four (4) annual payments of Thirty-six Thousand Six Hundred and Thirty-two and 34\_100 Dollars (\$\_36,632.34), with a dollar buyout upon completion of the four (4) year lease term at an interest rate of 2.85%; and

2. That execution of a Lease Purchase Agreement will not cause the Village of Liverpool to exceed the limits of paragraph C(6) of §109-b of the General Municipal Law; and

3. That it is in the best interest of the Village to finance the purchase pursuant to a Lease Purchase Agreement as the overall costs to the Village as compared to traditional financing through indebtedness issued pursuant to New York State Local Finance Law shall be lower and will be in the best interest financially to the Village.

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
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Hon. Jason Recor	Trustee	Voted	Yes
Hon. Matthew Devendorf	Trustee	Voted	Yes
Hon. Christina Fadden-Fitch	Trustee	Voted	Yes
Hon. Gary White	Mayor	Voted	Yes

The foregoing Resolution was thereupon declared duly adopted.

**Adopt 2018-2019 Budgets for General Fund and Sewer Fund**

Mayor White stated that the public hearing on the 2018-2019 Budget for General Fund and Sewer Fund was held on March 19, 2018. After the public hearing was held, the Board entered into executive session and approved \$18,845 in raises for the non-union employees. This money reduced the contingent line from \$20,000 to \$0.0. The Village Board also added \$34,500 to the transfer to capital project line – Tree Program.

Mayor White asked if there were any questions or comments and hearing none, asked for a motion to adopt the budget.

Motion was **made by Trustee Recor, seconded by Trustee Devendorf, to pass the following resolution:**

WHEREAS, the Board of Trustees did receive on March 19, 2018 a tentative General Fund Budget and Sewer Fund Budget for the 2018-2019 Village fiscal year and

WHEREAS, a public hearing on such budget was held on April 10, 2018 now, thereby, be it

RESOLVED, that the General Fund Budget in the amount of \$2,581,137.26; and Sewer Fund Budget in the amount of \$ 163,492.00 for a total budget of \$2,744,629.26 , utilizing \$172,042.26 from unexpended fund balance to be used for capital purchases of a police vehicle for \$ 30,000, mower for \$15,000, transfer of \$50,000 for Hickory / Sixth Street Project and \$ 34,500 transfer to Capital Project Trees is hereby adopted setting a tax rate of \$12.45 per thousand of assessed valuation and setting sewer rates at \$\_130.00\_\_ per unit.

Motion Passed.

**Approve request for Republican Caucus to be held at Village Hall May 1<sup>st</sup> at 6:30 PM**

Motion was made by Trustee Devendorf, seconded by Trustee Fitch to approve the request for the use of the meeting room at Village Hall for the Republican Caucus on May 1<sup>st</sup> at 6:30 PM. Motion Passed.

**Resolution setting polling place and hours polls are open for the June 19<sup>th</sup> Election**

**The following resolution was moved by Trustee Young, seconded by Trustee Devendorf:**

WHEREAS, the Village of Liverpool hereby passes the following resolution:

The polling place for the General Village Election to be held on Tuesday June 19<sup>th</sup>, 2018 shall be located at the Village Hall, 310 Sycamore Street, Liverpool, New York:

That the hours for voting on the date of the General Village Election held on June 19<sup>th</sup> , 2018 shall commence at the hour of 12:00 noon on said day and continue until the hour of 9:00 PM, local time on said day.

Motion Passed.

**Appoint Election Inspectors**

Motion was made by Trustee Young, seconded by Trustee Devendorf, to appoint the following voting machine specialists and election inspectors for the June 19<sup>th</sup> Village Election:

Sandra Lovell and Roberta Marks as Election Inspectors  
Thomas Murphy and Gene Balcum as voting machine specialists  
Motion Passed.

**Award bid- Hickory and Sixth Street Project**

The Hickory and Sixth Street bids were opened today (April 16, 2018) at 2:00 PM and read aloud. Greg Sgromo, Engineer, stated that there were six bidders for the Hickory and Sixth Street Project. High bid was \$500,533.36 and low bid was \$214,090. The low bidder was LAN-CO Company. Mr. Sgromo stated that the bid prices from Lan-Co were similar to the estimates their engineering firm came up with and that he is very happy with the results of the bid. Bonding is in place and the bid could be awarded based on legal and engineering.

Motion was made by Trustee Devendorf, seconded by Trustee Young, to award the bid to LAN-CO companies for \$ 214,090 based on legal and engineering review.

Roll Call Vote:

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

Motion passed.

**Call public hearing for MS4 for May 21, 2018**

Motion was made by Trustee Fitch, seconded by Trustee Young, to call a public hearing for MS4 for May 21<sup>st</sup> at 7:01 PM. Motion Passed

**Introduction of Local Law A- 2018 “ A local law to amend Chapter 368 of the Code of the Village of Liverpool relating to the regulation of Stop Intersections” and to call a public hearing for Local Law A**

Trustee Devendorf introduced proposed Local Law No. A-2018 to amend Chapter 368 of the Code of the Village of Liverpool, Section 368-5 thereof, so as to add a stop sign at the intersection of Salina Street and Pearl Street in the Village of Liverpool and made the following motion, which was seconded by Trustee Young:

**WHEREAS**, proposed Local Law A-2018 has been introduced and will be considered for enactment pursuant to the provisions of the Municipal Home Rule Law; and

**WHEREAS**, no other agency has the legal authority or jurisdiction to approve or directly undertake the enactment of Local Laws in the Village of Liverpool, such that there are no other involved agencies within the meaning of the New York State Environmental Quality Review Act (SEQR) with respect to the proposed enactment of said Local Law, with the result that the Village Trustees shall act as lead agency in this matter; and

**WHEREAS**, the Village Board of Trustees has determined that a Short Environmental Assessment Form (EAF) shall be required in connection with this matter.

**NOW, THEREFORE, IT IS**

**RESOLVED AND DETERMINED** that the enactment of this proposed local law is an Unlisted Action under SEQR, that there are no other involved agencies and the Village Board shall act as lead agency; and it is further

**RESOLVED AND DETERMINED** that the Village Board of Trustees shall conduct a public hearing as to the enactment of proposed Local Law A-2018 at the Village of Liverpool Village Hall, 310 Sycamore Street, Liverpool, New York on May 21, 2018, at 7:01 p.m. or as soon thereafter as the matter can be heard, at which time all persons interested on the subject shall be heard.

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	Yes
Hon. Matthew Devendorf	Trustee	Voted	Yes

Hon. Christina Fadden-Fitch	Trustee	Voted	Yes
Hon. Gary White	Mayor	Voted	Yes

The foregoing Resolution was thereupon declared duly adopted.

**Call public hearing for Local Law # A- 2018**

Motion was made by Trustee Devendorf, seconded by Trustee Young, to call a public hearing for Local Law A- 2018 “ A local law to amend Chapter 368 of the Code of the Village of Liverpool relating to the regulation of Stop Intersection. “ for May 21, 2018 at 7:01 PM. Motion Passed.

**Motion was made by Trustee Devendorf, seconded by Trustee Young to approve Village Wide Garage Sale Weekend for May 11, 12 and 13. Motion Passed.**

**Authorization for Mayor to sign the Internet Processing Professional Services Agreement with Hamer Enterprises**

The Village clerks will be using E- Tax Software to collect Village taxes this year. It is an internet web based site and will be a shared services initiative with the County of Onondaga. In order to accept online credit card payments, the Village Mayor and Board will need to approve the internet processing professional services agreement with Hamer Enterprises.

Motion was made by Trustee Recor, seconded by Trustee Young, to authorize Mayor White to sign the internet processing professional services agreement with Hamer Enterprises. Motion Passed.

**Authorization to lease Suite 5,7 and 8 Gleason Mansion to Pathfinders CT’s Inc. for a total rent for the three rooms of \$552.00**

Pathfinders CT Inc. would like to rent the three available rooms at the Gleason Mansion for their business. The three rooms have been vacant for a few months and the rent will be at the highest level, as this is an established business. The Village offers a less costly rent payment to incubator businesses.

Motion was made by Trustee Fitch, seconded by Trustee Young, to authorize the lease of Suites 5, 7 and 8 to Pathfinders for a total rent payment of \$ 552.00. Motion Passed.

**Approve request from Corporate Challenge organizer to use the Liverpool DPW garage for on-site doctor, paramedic/EMT personnel and other emergency responders on Corporate Challenge Race Day June 06**

Motion was mad by Trustee Devendorf, seconded by Trustee Recor to approve the request from Corporate Challenge organizer to use the Liverpool DPW garage for on-site doctor, paramedic/EMT personnel and other emergency responders on Corporate Challenge Race Day June 06, 2018. Motion Passed.

**The following park use requests were approved by motion of Trustee Recor, seconded by Trustee Fitch:**

Approve request from Liverpool First United Methodist Church for Plant Sale on May 12<sup>th</sup> in Johnson Park

Approve request for Movies in the Park in Johnson Park on May 25, July 10 (rain date of July 12) and July 24 (rain date July 26)

Approve request from Liverpool is the Place Committee to use Johnson Park for the 2018 Summer Concert series starting Monday June 4th through Wednesday August 22<sup>nd</sup> 2018

Approve request to post the concert information on the Village Signboard  
Motion passed unanimously.

**Update on Johnson Park lighting and repair of the woofers**

Trustee Fitch commented that there are a few items in Johnson Park that need to be addressed before the concert series begins in June. The problem with the sound system is not the woofers but does create an issue with voice.

Trustee Fitch contacted a lighting contractor recommended by Greg Sgromo & Ric Maar (quality Lighting Systems). He has a number of ideas for lighting. The lighting contractor would like to meet with Bill Asmus and will contact him when he gets back from vacation.

There is a need to repair the decorative lighting in the theater seating area. Mayor White and Bill Asmus will review the method of repair.

Colleen Gunnip, Liverpool is the Place Committee, asked if the railings were put on the new stairs. Trustee Fitch will check with Bill Asmus.

Motion was made by Trustee Recor, seconded by Trustee Devendorf, to authorize the repair of the sound system for a cost not to exceed \$500.00

Roll Call Vote:

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

Motion Passed.

**DPW – STATS--- no STATS this month**

**Police – STATS**

Trustee Devendorf presented the Liverpool Police STATS for the month of March:

359	Traffic Stops
260	Traffic Tickets issued
04	DWI arrests
07	Accidents Investigated
03	Parking Tickets issued
189	Residential Property Checks
592	Incidents

The Liverpool Police Department arrested a total of 61 individuals this month with 81 charges filed.

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

Police Officer Robert Marshall was selected by the Liverpool PBA as the 2017 Officer of the Year. Officer Marshall is a full time deputy for the Onondaga County Sherriff's Office and was appointed to the Liverpool PD on July 8, 2016. He will be recognized at the PBA dinner and will be recognized by the Liverpool Elks in June.

#### **Codes STATS**

Trustee Young presented the Codes STATS

#### **Authorization to add late fees to rental dwelling registration at the cost of \$5.00 per month per unit.**

Trustee Young felt that the late fee should be a little higher than \$5.00 per unit per month. The Board agreed to set the late fee at \$5.00 per unit per month and if they need to raise it in the future, they will. Motion was made by Trustee Recor, seconded by Trustee Devendorf, to add late fees to rental dwelling registration at the cost of \$5.00 per unit per month. Motion Passed.

#### **Financial – Abstracts**

Motion was made by Trustee Fitch, seconded by Trustee Recor, to approve the following abstracts: General Fund Abstract # 011 vouchers # 620-666 in the amount of \$73,315.55, HC Fund Voucher # 667 in the amount of \$ 2,458.25 and Sewer Fund, voucher # 668 in the amount of \$5,663.20.

Roll call vote:

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

Motion Passed.

#### **Transfers**

Motion was made by Trustee Fitch, seconded by Trustee Recor, to approve the transfers 1-18 as presented.

#### **Minutes**

Motion was made by Trustee Young, seconded by Trustee Recor, to approve the minutes of March 19, 2018 as presented. Motion Passed.

#### **Outstanding issues/ Grant updates**

Mayor White stated that the sewer issue at 215 Alder Street has been an issue. He asked Greg Sgromo to contact the County to televiser the line. Mayor White stated that he is pretty confident that the problem is not the fault of the Village.

#### **Public Comment Period/correspondence**

Joe Ostuni asked to speak to the Board regarding a dangerous tree on Village property at 615 and 617 First Street. He feels that the tree is a safety hazard. It has regularly shed branches in dangerous

locations over both properties. The tree overhangs power, phone and cable lines that run from the utility pole to the house at 615 First Street and parking areas for both residences. Most recently on March 4<sup>th</sup>, 2018, two large branches 10-12 feet in length and about 4 inches in diameter at the base, snapped off and landed on a car in the parking area at 615 First Street. He feels that this is a dangerous tree that must be removed immediately before someone gets hurt.

A resident commented that there are two trees on Fourth Street that overhang the roadway and feels that this is a dangerous situation. She will get the address locations of those two trees and report back to the Board at the next meeting.

### **Arbor Day Celebration**

The first Arbor Day Celebration will be held in the Village on Friday April 20<sup>th</sup>. The celebration will take place at the Liverpool Elementary School at 9:30 with an assembly of the students and will conclude with the planting of a tree.

### **Adjournment**

Motion was made by Trustee Young, seconded by Trustee Fitch, to adjourn the meeting. Meeting was adjourned at 8:47 PM Motion Passed.

Respectfully submitted,

Mary Ellen Sims  
Village Clerk