

A regular meeting of the Village of Liverpool Board of Trustees was held on May 20, 2019 at 7:00 PM at 310 Sycamore Street, Liverpool NY.

Present:	Gary White	Mayor
	Christina Fitch	Deputy Mayor
	Jason Recor	Trustee
	Matt Devendorf	Trustee
	John Langey	Attorney
	Mary Ellen Sims	Village Clerk

Absent: Michael LaMontagne Trustee

Also present were Russ Tarby, Eagle News and approximately 10 other persons.

Outstanding issues/ grant updates

Mayor White updated the outstanding issues and grant updates for the month.

Public comment period

Village resident Barbara Dennehy, 803 Fourth St, asked if the owners of the film studio had any plans to pave additional areas for parking. She stated that during filming events, cars are taking up all the parking spots on the street. Mayor White commented that Bill Reagan will be talking to them regarding parking.

She commented that she lives across the street from the school and asked if, with the new filming law, if the film studio needs to notify neighbors when they are filming.

Correspondence-

Letter received from HAGL informing the Village of the Opening Day Celebration of the Liverpool Willow Museum on Saturday June 8th from 12:00 PM to 4:00 PM.

Public hearing Revocable License Agreement between Village of Liverpool and Lemrog Retreat LLC

Motion was made by Trustee Devendorf, seconded by Trustee Fitch, to open the public hearing on the Revocable License Agreement between the Village of Liverpool and Lemrog Retreat for a handicap ramp on Village property. Motion Passed.

The existing restaurant is owned by John Gormel. A portion of the proposed 3’x34’ handicap ramp encroaches onto the Village’s right of way. This proposed handicap ramp will be on the First Street side of the building and is being built to aid those persons needing the ramp to enter the restaurant.

Mayor White asked for any comments and/or concerns and hearing none, asked for a motion to close the public hearing.

Motion was made by Trustee Devendorf, seconded by Trustee Fitch, to close the public hearing. Motion Passed.

Motion was made by Trustee Devendorf, seconded by Trustee Recor, to approve the Revocable License Agreement between the Village of Liverpool and Lemrog with the amendment to the agreement, section 5 the word “homeowner’s” be changed to “owner’s.”

Roll Call Vote:

Trustee Fitch	Yes
Trustee Devendorf	Yes
Trustee LaMontagne	Absent
Trustee Recor	Yes
Mayor White	Yes

Motion Passed.

Public hearing Revocable License Agreement between the Village of Liverpool and Trisha Freeman f/k/a Trisha Bombardo

Motion was made by Trustee Devendorf, seconded by Trustee Fitch, to open the public hearing on the revocable license agreement between the Village of Liverpool and Trisha Freeman f/k/a Trisha Bombardo for a portion of the dwelling that encroaches upon the Village right of way. Motion Passed.

Joseph Gorgoni, attorney for the applicant, stated that this property is being sold and the future buyer's attorney is requesting this agreement be in place. Ms. Freeman bought the property in 2014 and the encroachment has been in place for years. Mr. Gorgoni is in support of this application. The front steps to the property and part of the front porch encroaches upon the Village right-of way.

Mayor White asked if there were any questions, and hearing none, asked for a motion to close the public hearing.

Motion was made by Trustee Recor, seconded by Trustee Devendorf, to close the public hearing. Motion Passed.

Motion was made by Trustee Devendorf, seconded by Trustee Recor, to approve the revocable license agreement between the Village of Liverpool and Trisha Freeman for a portion of the property located at 306 Fourth Street encroaching upon the Village right of way.

Roll Call Vote:

Trustee Fitch	Yes
Trustee Devendorf	Yes
Trustee LaMontagne	Absent
Trustee Recor	Yes
Mayor White	Yes

Motion Passed.

Introduction of Local Law D-2019 Zone Change R-1 to L-I Tulip Street

Trustee Devendorf introduced proposed Local Law D- 2019 relating to the amendment of the Zoning Map of the Village of Liverpool to change the zoning designation of certain lands on Tulip Street from single family residential to limited industrial business park and seconded by Trustee Recor.

The property owner has been unsuccessful for years to sell the property due to its zoning as residential. The land is undeveloped and tree covered. Several years ago, NYSDOT cut a curb cut and he states he had a driveway put in. The property is on the same side of the street as the Meyer Manor Apartment complex. Upon discussion with the Planning Board and Village attorney for suggested uses it was decided that the best suggestion for rezoning would be by L-I limited light industrial with permitted uses as defined in Section 380-60. After unanimous vote by the Planning Board, it is recommended to the Board of Trustees to approve the zone change from R-1 to L-I for future development.

Attorney Langey completed Part 2 of the SEQR with the Board of Trustees, and the Trustees determined that this is a negative declaration for SEQR purposes. Motion was made by Trustee Devendorf, seconded by Trustee Recor, to set a public hearing for proposed Local Law D- 2019 for June 17th at 7:01 PM. .

Discussion

Trustee Fitch stated that she is not in the same mind frame as the other Board members regarding this proposed zone change from R-1 to L-1 . She stated that light industrial has a broad range of possible development. This parcel is a little larger than she thought and feels spot zoning is not the proper procedure.

Although the parcels directly across from this proposed zone change are zoned L-1, there is a natural barrier of the road between those and the residential across the street. Trustee Fitch stated she did not feel the case has been made to change the zoning on this parcel

Hearing no more comments, Mayor White asked for the vote on the Resolution to introduce Local Law D-2019, make a Negative Declaration on SEQR and set a public hearing on the proposed law:.

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

Trustee Fitch	No
Trustee Recor	Yes
Trustee Devendorf	Yes
Mayor White	Yes
Trustee LaMontagne	Absent

Resolution passed.

Discussion on the proposed addition to the Village of Liverpool code to allow chickens and/or hens to Section 380-114.

Devin Heldt, 109 Hazel Street, asked that the Village board consider changing the Village code Section 380-5 to include allowing chickens (hens). Codes officer Bill Reagan has put together a sample law that would permit chickens (hens). Mr. Heldt presented many articles on the benefits of raising chickens. The Village Board will review all materials submitted.

The only concern that Codes had with the proposed change was the cleanliness of the chicken coop and the disposal of chicken waste.

Mayor White stated that this is a big change in the existing law and stated that more comments are needed. This will be on the agenda in June.

Tax Warrant

YOU ARE HEREBY COMMANDED to receive and collect from the several persons named in the tax roll hereunto annexed the several sums stated in the last column hereof opposite their respective names, being a total of \$1,757,360.16 for the following purposes”

For the Current Budget	<u>\$1,592,393.26</u>
For Sewer rents and charges	<u>163,361.90</u>
Mowing Charges	<u>1,605.00</u>
Total	\$1,757,360.16
Total without mowing charges	\$1,755,755.16

YOU ARE FURTHER COMMANDED to receive and collect such sums without additional charge between the first day of June and the first day of July 2019, both inclusive; and thereafter to collect with such of the

sums as have not been theretofore collected, an additional charge of five percentum for the first month or fraction thereof and one percentum for each month or fraction thereof thereafter until paid.

YOU ARE FURTHER COMMANDED to file the tax roll and warrant in your office on or before the first day of November 2019 and to deliver to the Board of Trustees at the same time an account of the taxes remaining due and unpaid; describing each parcel or real property upon which taxes are unpaid, showing the person or persons to whom the parcel is assessed and showing which taxes are unpaid.

**Resolution Supporting Participation in the
CNY Storm water Coalition Staff Services and Education Compliance Assistance Program**

Resolution authorizing the items listed below pursuant to requirements of the New York State Pollutant Discharge Elimination System Municipal Separate Storm Sewer System General Permit.

WHEREAS, **Village of Liverpool**

herein called the "Municipality", after thorough consideration of the various aspects of the problem and consideration of available information, has hereby determined that certain work, as described in Attachment A, herein called the "Project", is desirable, is in the public interest, and is required in order to implement the Project; and

WHEREAS, the Central New York Regional Planning & Development Board, herein called the "Board", has provided program planning and implementation assistance pertaining to the requirements of the New York State Pollutant Discharge Elimination System (SPDES) Storm water Phase II General Permit for Municipal Separate Storm Sewer System (MS4) operators since 2002, and

WHEREAS, the Board has proposed staff and education assistance services in support of sustaining the CNY Storm water Coalition and to provide a regional public education, outreach and training compliance program to reduce municipal staff burdens, ensure consistency, provide widespread priority audience targeting the most efficient use of limited municipal funds by distributing total program costs over a number of entities within a twelve month timeframe as outlined in Attachment B;

NOW, THEREFORE, BE IT RESOLVED **BY Board of Trustees Village of Liverpool**

1. That **Gary C. White Mayor**

or such person's successor in office is the representative authorized to act in behalf of the Municipality's governing body in all matters related the Project;

2. That the Municipality agrees that it will fund its portion of the program cost in the amount of \$3,600, and that those funds will be made available to the Board upon receipt of invoice.

3. That one (1) certified copy of this Resolution will be prepared and sent to the Board upon adoption.

4. That this Resolution take effect immediately.

The Village of Liverpool has received the draft MS4 report for the year and the semiannual MS4 for the year. Upon review of the Village Board, the draft is approved. Report was completed by the Village engineers.

Motion was made by Trustee Devendorf, seconded by Trustee Recor, to authorize Mayor White to sign the MS4 Annual Report and the MS4 Semi-annual report. Motion Passed.

Approval of Storm Water Maintenance Agreement – Marvin Meyer

Motion was made by Trustee Devendorf, seconded by Trustee Recor, to authorize Mayor White to enter into the Storm water Maintenance Agreement for Marvin Meyer Apartment complex subject to legal approval. Motion Passed.

Approval of Construction Agreement- Marvin Meyer

Attorney Langey stated that he has not received the construction Agreement from the Attorney for the owner of the proposed project. He will review it and if it is the desire of the Board, he will recommend approval and the Mayor can sign it.

Motion was made by Trustee Recor, seconded by Trustee Devendorf, to authorize Mayor White to sign the Construction Agreement upon the Attorney's review. Motion Passed.

Memorial Day Parade

Trustee Fitch will talk to the Commander of the American Legion Post to discuss the schedule. The ceremony in Johnson Park will begin at 9:00 AM, with the parade to start at 10:00 AM.

Nuisance Abatement Code

Mayor White asked the Board members to review the sample code. This will be on the agenda for June 17, 2019.

Cemetery Restoration Project Update

EDR met with the Village and after receiving final approval from SHPO, the construction documents will be compiled. The project will then go to bid.

Employee Handbook Discussion- will be on the agenda June 17, 2019

All Board members have received a draft copy for their review and input.

DPW STATS

Trustee LaMontagne presented the following STATS for the DPW Department for the month of April:

23 UFPO's marked for the month
9 Sewer house calls were handled

No sewer repairs

Yard Waste – three have been picked up for the year.

Banner Pole Request- none at this time

Sign request - none at this time

Park Requests: The following park requests are approved:

Craft and Vendor event Washington Park July 20 or 27- requesting use of restrooms

Liverpool class of 1979 Concert August 10th – Johnson Park

Liverpool Public Library would like to float rubber ducks on the fountain in Johnson Park at the summer reading kick-off.

Liverpool is the Place Summer concert Series on Monday and Wednesday nights are approved for Johnson Park.

Police – STATS

Trustee Devendorf gave the following STATS for the Police Department for the month of April

- 390 Traffic Stops
- 362 Tickets issued
- 04 DWI arrests
- 07 Accidents Investigated
- 02 Parking Tickets issued
- 109 Residential Property checks
- 623 Incidents

The Liverpool Police Department arrested a total of 77 individuals this month with 95 charges filed.

Officer Greenwood was honored by the Onondaga County Traffic Safety Advisory Board at their annual awards function on April 11th 2019.

Financial – Approve abstracts

Motion was made by Trustee Fitch, seconded by Trustee Devendorf to approve Abstract # 12, claims # 674-737 in the amount of \$82,731.59.

Roll Call Vote:

- Trustee Fitch Yes
- Mayor White Yes
- Trustee Devendorf Yes
- Trustee LaMontagne Absent
- Trustee Recor Yes

Motion Passed.

Transfers

Motion was made by Trustee Fitch, seconded by Trustee Devendorf, to approve the following transfers:

From	To	Amount	Number
A1110.1 Court Wages	A1110.14 Court Bailiff	300.00	1
A1110.43 Court office supplies	A1110.4 Court Contractual	178.10	2
A1325.43 Clerk office supplies	A1325.1 Clerk wages	1000.00	3
A1620.422 Buildings VH Electric	A1620.46 Buildings Villhall mntc	502.12	4
A3120.101 Police Military time	A3120.13 Police OT	962.30	5
A5010.43 Street Admin Office Supplies	A5010.4 Street Admin contractual	196.02	6
A5110.42 Street Mntc materials	A5110.1 Street mntc wages	4187.75	7
A5110.43 Street mntc veh mntc	A5110.431 Street mntc truck repairs	347.23	8
A5132.45 Garage mntc material	A5132.41 Garage Telephone	47.86	9
A5142.42 Snow road salt	A5142.1 Snow wages	46.50	10
A5142.42 Snow road salt	A5142.13 Snow OT	594.84	11

A7550.22 Holiday Dec Lights	A7510.41 Historian Telephone	118.03	12
A7510.44 Historian Service agreements	A7510.43 Historian office supplies	32.26	13
A7510.44 Historian service agreements	A7510.45 Historian ISP	109.49	14
A8160.41 Refuse Disposal	A8160.1 Refuse wages	448.25	15
A8160.41 Refuse disposal	A8160.11 Refuse wages	926.00	16
A8170.13 Street cleaning OT	A8170.1 Street cleaning wages	1001.75	17
A8560.41 Tree contract	A8170.1 Street cleaning wages	4655.00	18
A9015.8 Police Retirement	A9030.8 Social Sec /Medicare	3797.10	19
A9040.8 Workers comp	A9030.8 Social sec / Medicare	316.98	20

Motion Passed.

Approve minutes of April 11, 2019 and April 29, 2019

Motion was made by Trustee Devendorf, seconded by Trustee Fitch, to approve the minutes of April 29, 2019 as presented. April 11, 2019 will be approved at June meeting. Motion Passed

Executive Session

Motion was made by Trustee Fitch, seconded by Trustee Devendorf, to enter into executive session for the purpose of personnel issues. Motion Passed.

Motion was made by Trustee Fitch, seconded by Trustee Devendorf, to move out of executive session and move into regular session.

Regular Session

Motion was made by Trustee Fitch, seconded by Trustee Devendorf, to raise Superintendent of Public Works Salary \$ 4,000 and to note that this position is an exempt employee position. This increase takes effect on June 1, 2019.

Roll Call Vote:

Trustee Fitch	Yes
Trustee Devendorf	Yes
Trustee Recor	Yes
Mayor White	Yes
Trustee LaMontagne	Absent

Motion Passed.

Motion was made by Trustee Recor, seconded by Trustee Fitch, to advertise for sealed bid the 2008 Crown Victoria. Motion Passed.

Adjournment

Motion was made by Trustee Fitch, seconded by Trustee Devendorf to adjourn the meeting. Meeting was adjourned at 8:50 PM Motion Passed.

Respectfully submitted,

Mary Ellen Sims , Village clerk