

A regular meeting of the Village of Liverpool Board of Trustees was held on October 15, 2018 at 7:00 PM at 310 Sycamore Street, Liverpool NY.

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

Also present were Pat Heaton, Steve Breitzka and Doug Gerber from EDR, Chief Morris, Officer Greenwood and Officer Sturtz, Bill Asmus DPW Superintendent and approximately 25 other persons.

Presentation of Certificate of Appreciation Award to Civilian Bruce Vanantwerp

Chief Morris presented the Certificate of Appreciation Award to Civilian Bruce Vanantwerp. On June 22, 2018, Officer Greenwood has stopped an individual for a traffic infraction and determined that the individual was driving while intoxicated. The male was informed that he was under arrest and began to verbally and physically resist being taken into custody. Officer Greenwood was utilizing necessary force to get the male into custody when Mr. Vanantwerp asked if he needed help. Officer Greenwood acknowledged that he did need assistance and Mr. Vanantwerp provided assistance with securing the male arrestee. Mr. Vanantwerp choose to take action when he could have chosen to continue to drive past this situation.

Update- Onondaga Lake Parkway Project

Mayor White stated that on October 5th, Chief Morris, Bill Asmus and he met with NYS DOT representatives regarding the proposed plans for the Parkway. NYS DOT is proposing two lanes, one in each direction, with a barrier between them. This would start near the entrance to Griffen Field.

NYS DOT plans to go public with this plan in more detail in November.

EDR Presentation of Cemetery Restoration Plans

Mayor White stated that on October 3, 2018, Bill Asmus and he met with Pat Heaton and Steve Breitzka from EDR to review the preliminary construction documents. There was a discussion on the electric location and excavation in the Cemetery .

Pat Heaton, Steve Breitzka and Doug Gerber were present at tonight's meeting to present the preliminary construction plans to the public and to ask for Board input.

Steve Breitzka presented the power point, showing existing conditions and proposed improvements. The proposed plantings on the slopes, lighting, signage and improved walkway was shown in existing condition and proposed improved condition. Benches will be added.

Height of the ground cover was discussed. The proposed ground cover will be 12" – 36" high, with 4 feet of spacing. There will be mulch placed until the plants grow in and spread.

Mayor White asked EDR if they will be doing all phase of the bid. Pat Heaton replied that they will be doing all phases of the bid and the cost will not be a significant addition to the contract.

Mike Romano asked if the Board would be discussing the rules and regulations tonight. Mayor White stated that he has requested the Cemetery Committee to review the State Rules and come up with a draft to present to the Board.

Trustee Fitch asked about the removal of trees in the Cemetery. Pat Heaton replied that Steve Breitzka has reviewed the tree inventory and the condition of the trees. Steve stated that the tree inventory did not have a removal status for those trees in the Cemetery.

Pat Heaton stated that EDR is reluctant to make any recommendations on removal of trees in the Cemetery. EDR stated the decision of removal should be between the Board of Trustees and the Cemetery Committee. Lisa Ballantyne stated that there are options for the trees-pruning etc. EDR and the Mayor recommended the Tree Committee and the Cemetery Committee get together to discuss trees.

Mayor White asked what the next step would be in the Cemetery Restoration Project. Pat Heaton replied that the next steps are as follows: EDR will have one more meeting with the Cemetery Committee and the Village board to finalize plans, documents would be sent to DASNY for their final approval, SEQR review, bids out in early Spring and construction to begin next year.

EDR will have the final set of plans before the November Board meeting.

American High Filming notice

James Fazio, location manager for American High, presented the Board of Trustees with a "Filming Notice" for filming scenes for a feature film in and around the Village of Liverpool. They are asking for approval from the Village Board of Trustees on the following dates: October 23rd, October 27th and November 7th to shoot scenes. All proposed dates and road closures have been sent to Chief Morris. American High has requested Liverpool Police Officers for the above dates while shooting the film , "Sid is Dead".

In case of an emergency, it will be the responsibility of American High to ensure emergency vehicles will have a pathway to get through.

Any changes to the schedule, will be sent to Bill Reagan and Chief Morris.

American High will notify nearby residents of upcoming filming with a personal notification and will document, in writing, persons notified.

Motion was made by Trustee Recor, seconded by Trustee Devendorf, to approve the proposed filming schedule on October 23, October 27 and November 7th conditioned upon a continuing update on any changes being forwarded to Chief Morris and Bill Reagan. Motion Passed .

Request for revocable license agreement to construct a front porch on the Bass Street side of house located at 601 Second Street

Mayor White stated that the Village received a request from Mark and Mary Phelps, 601 Second Street to consider a revocable license agreement from the Village to construct a front porch on the apartment on the Bass Street side of the house located at 601 Second Street. The porch would extend out from the house five feet, 2.7 feet of that onto village property.

Mr. Phelps presented an architectural drawing for the Board.

Going forward, the Phelps would need to obtain a variance from the Village of Liverpool Zoning Board. The variance, if granted, would be conditioned upon the revocable license agreement being granted.

Village Board of Trustees stated that they would be inclined to grant the revocable license agreement after the variance is granted. The Phelps will be directed to request the variance from the ZBA and, if granted, will appear before the Village Board for the revocable license agreement.

Discussion on possible penalties for illegal removal of Village Trees

Trustee Fitch stated that there have been a few instances where homeowners have illegally removed Village trees, specifically 401 6th Street and the 2017 unauthorized removal of a healthy Basswood tree at 210 Hickory Street. Both instances have been referred to the Tree Committee for consideration.

The following section of the draft local law for Penalties for unauthorized removal of a Village tree will serve as the Tree Committee's recommendation to the Board regarding the destruction of valuable public property (trees) which has taken place in 2017 and 2018:

"Penalty for unauthorized removal of a municipal tree shall be \$25 per inch of DBH(diameter breast height) of tree for the first offense and \$100 per inch of DBH for each offense thereafter to provide the Village funds for replacement of the municipal trees lost, and provide restitution in part for the entire value lost to the public deriving from shade, energy savings, storm water uptake, carbon sequestration, bird and wildlife value, property values and the general welfare of the residents of the Village of Liverpool."

Trustee Fitch commented that any tree outside of the sidewalk belongs to the Village and cannot be removed unless authorized.

Sam Avery, 401 6th Street was present and did send a letter to the Mayor on September 24th to explain the tree removal issue. He stated that he did not know there was a Tree Committee in the Village. He stated that he thought that the trees he removed were dead and was only trying to make his property look better. Whoever planted the pine trees in the Village right of way planted them too close together and they are killing each other off.

Trustee Fitch stated that the DPW had done work on trees before in the planting strip, and the two Norway spruce trees (one ten and another 15 inches in diameter) were the highest rating in all categories in the Inventory performed this summer and were not dead.

Trustee Fitch suggested a penalty or replacement trees for those illegally removed.

Mayor White asked Trustee Fitch to meet with the Tree Committee and discuss again and come up with a plan. This will be on the November agenda.

Authorization of change order # 1 and # 2 from Lan-Co Companies for Hickory & Sixth Street Project.

Lan-co, Contractor for the Hickory& Sixth Street Project has submitted two change orders. Change order # 1 is for sidewalk replacement and replacing concrete driveway for a total of \$ 4,500 and change order # 2 is for 2 catch basins for a total cost of \$3,120.00.

Change order # 1 is for the additional concrete work that is required due to National Grids relocation efforts. National Grids operation manager, Matt Pyle has agreed to reimburse the Village for this work , as well as provide the Village with a letter stating such.

Motion was made by Trustee Recor, seconded by Trustee Devendorf, to approve change order # 1 in the amount of \$4,500 and change order # 2 is for 2 catch basins for a total cost of \$3,120.00 Motion Passed.

Update – Lights on the Lake Meeting held on October 3, 2018

Mayor White stated that on October 3, 2018, Chief Morris, Bill Asmus and he met with Onondaga County Parks and Galaxy Communications regarding parking issues in the Village with the upcoming “Lights on the Lake”.

Onondaga County Parks suggested they may offer different ticket prices to help with the heavy traffic nights. Mayor White stated that he will reach out to Syracuse Metropolitan Transportation Council to do traffic counts during Lights on the Lake on two days prior to the opening and opening night--- Tuesday November 13 (lights on the Lake Stroll) , Wednesday November 14, (Lights on the Lake Dog Walk) and Thursday November 15 (Salute the Troops/ Opening Night)

Discussion on the Creation of a Holiday Celebration Committee

In the past, the American Legion has spearheaded the Christmas in the Park Celebration the first Sunday in December.

Mayor White stated that he felt that the Village should be the organizational committee for Holiday Celebrations in the Village parks. The American Legion will continue to provide the goody bags for the children and arrange to have Santa arrive. Duties and **responsibilities will** be determined. Mayor White would like to appoint a Holiday Celebration Committee and would like to appoint Diane Recor as Chairperson.

Motion was made by Trustee LaMontagne, seconded by Trustee Devendorf to establish a Holiday Celebration Committee and appoint Diane Recor as Chairperson. Trustee Fitch will be the liaison with the American Legion and Trustee Recor will be the liaison for the Holiday Celebration Committee. Motion Passed.

Award bid for emergency roof repair at DPW Building

One bid was received from Central City Roofing. The bid amount was above our procurement policy guidelines. Village Engineer Greg Sgromo and Bill Asmus will meet with the other interested roofing companies that did not bid and report back to the Board.

Request to use the Village Hall meeting room for the NYS Urban Forestry council’s Annual Workshop on November 14th from 8AM to 3PM.

Motion was made by Trustee Devendorf, seconded by Trustee LaMontagne to approve the use of the Village Hall meeting room for the NYS Urban Forestry council’s Annual Workshop on November 14th from 8AM to 3PM. Motion Passed.

Outstanding issues

Mayor White reviewed the outstanding issues with the following updates:
Johnson Park- Trustee LaMontagne is securing quotes on the installation of the stage lights
Sewer Lining- Save the Rain- Applications are due November 1, 2018.
All other topics have been covered and updated during this meeting.

Public comment period

Devin Heldt, 109 Hazel Street asked if the board would review Section 380-114 of the Village code-Domestic Animals. The current code states that Domestic Animals includes dogs, cats, as well as other common household pets, such as fish, hamsters, gerbils and **birds, which are** maintained indoors. This term shall exclude farm animals (horses, livestock and poultry) and wild or other dangerous animals.

Mr. Heldt received a warning notice from Codes to remove the 11 chickens that he housed in his backyard. He is finding new homes for them, however asked that the Board review the Code for the future. He stated that no neighbors had complained.

Mayor White asked Mr. Heldt to forward any information to Bill Reagan regarding the reasons to review the code and he will forward to the Board.

Codes

Mayor White asked Trustee LaMontagne to get together with Bill Reagan to devise some type of activity log and give it to the Clerk's office.

Correspondence

Email received from Jim and Gerri Sullivan, 203 Springmoor Drive, regarding adding an additional marked crosswalk at the intersection of 4th and Oswego to provide an additional location for safer crossing. Mayor White will ask Chief Morris to look into this.

Letter received from Supervisor Mark Nicotra, Town of Salina regarding possible increase in taxes next year. A homeowner in the Village with a \$100,000 valued home will pay an additional \$.59 per month. The budget has not been adopted yet.

DPW—STATS

Trustee Recor presented the following STATS for the month of September:

22 UFPO's marked
6 Sewer Mntc. Calls
Sewer Repair at 111 Sixth Street

No banner pole requests and no sign request and no park requests

Yard Waste has been completed for the season.

Leaf pick up will begin on October 29th. Leaves, grass and plants can be raked to the curb or placed in paper bags (not in the street). Please no tree branches should be mixed in with leaves. The DPW will remove the leaves as soon as possible.

Police – STATS

Trustee Devendorf presented the following STATS for the month of September:

- 299 Traffic Stops
- 248 Traffic Tickets issued
- 02 DWI arrests
- 10 Accidents Investigated
- 0 Parking Tickets issued
- 128 Residential Property Checks
- 545 Incidents

The Liverpool Police Department arrested a total of 47 individuals this month with 63 charges filed.

Codes—STATS

Trustee LaMontagne read the following STATS from the codes department for August:

- 10 New project application reviews
- 8 Permits approved or extended
- 22 Construction inspections
- 13 Certificates of compliance
- 5 Complaint inspections
- 16 Fire code Inspections
- 7 Misc Inspections
- 1 Rental Dwelling Inspections
- 59 Violation Inspections/Re-inspections
- 59 Letters, notices, citations
- 31 Signs removed from Village property
- 38 Miscellaneous Recorded Actions

Financial – Approve abstracts

Motion was made by Trustee Fitch, seconded by Trustee LaMontagne to approve the following abstracts: General Fund Abstract # 5, claims # . 233-201 in the amount of \$123,987.84, Cemetery Restoration Project, abstract # 5 claim # 300 in the amount of \$ 6,160.50, Sewer fund Abstract # 5 Claim # 298 in the amount of \$575.41 and Hickory and Sixth Street Abstract # 5 claim # 299 in the amount of \$90,018.58.

Roll Call Vote:

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

Interest rate from CLASS

The current interest rate from CLASS is 2.05 %. To date, the CLASS General Fund account interest is over \$7,000 year to date.

Authorization to transfer remaining funds from the Balsam, Third Street Project to the Hickory & Sixth Street Project in the amount of \$ 105,955.48

Motion was made by Trustee Fitch, seconded by Trustee Devendorf, to authorize the transfer of the remaining funds from the Balsam, Third Street Project to the Hickory & Sixth Street Project in the amount of \$105,955.48. Motion Passed

Approve minutes of September 17, 2018

Motion was made by Trustee LaMontagne, seconded by Trustee Fitch, to approve the minutes of September 17, 2018 as presented. Motion Passed

Adjournment

Motion was made by Trustee Devendorf, seconded by Trustee Fitch, to adjourn the meeting. Meeting was adjourned at 9:32 PM Motion Passed.

Respectfully submitted,

Mary Ellen Sims
Village Clerk Treasurer