

Village Board of Trustees  
Regular Board Meeting  
August 18, 2009

A regular meeting of the Village of Liverpool Board of Trustees was held on Tuesday, August 18, 2009 at 6:30 PM at 310 Sycamore Street, Liverpool, and New York

**Work Session:**

Peter Osborne, Architect, explained to the Board and all those present the renovations that will be taking place at Liverpool Elementary and Liverpool Middle Schools. The renovations were voted on and approved June 2008. The renovations will begin next spring and continue for approximately 30 months.

Liverpool School District Representatives stated that they would be back to the Village of Liverpool meetings to update progress on the project.

Present:	Gary White	Mayor
	Nicholas Kochan	Deputy Mayor
	James Rosier	Trustee
	Robert Gaetano	Trustee
	Mary Ellen Sims	Clerk
	John Langey	Atty

Late: Dennis Hebert took his place on the Board at 7:50 PM.

Mayor White called the meeting to order at 7:00 PM and all those present joined in the pledge of allegiance.

**Correspondence**

Mayor White wrote a letter to the Town of Salina Assessment Board to consider a Village Resident when an opening occurs on the Board.

**Public hearing LL F- 2009 to amend Chapter 129 of the Code of the Village of Liverpool relating to Stop Intersections – Seventh Street at the Balsam Street Intersection.**

Motion was made by Trustee Kochan, seconded by Trustee Gaetano, to open the public hearing on LL F- 2009 to amend Chapter 129 of the Code of the Village of Liverpool relating to Stop Intersections – Seventh Street at the Balsam Street Intersection .Motion Passed.

Mayor White stated that the Village board asked the Liverpool Police Department to conduct a Traffic Impact Study to determine if the placement of additional traffic control would benefit in regulating the traffic flow through the intersection of 7<sup>th</sup> Street at the Birch Street intersection. It was determined that this area was in need of additional safety measures.

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

Motion was made by Trustee Rosier, seconded by Trustee Kochan, to close the public hearing. Motion Passed.

The following resolution was offered by Nicholas Kochan, who moved its adoption, seconded by James Rosier, to wit:

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**WHEREAS**, pursuant to the provisions of the Municipal Home Rule Law, a proposed local law entitled Local Law No. F-2009, "A Local Law to Amend Chapter 129 of the Code of the Village of Liverpool Relating to Stop Intersections", was presented and introduced at a Regular Meeting of the Village Board of the Village of Liverpool held on July 20, 2009; and

**WHEREAS**, a public hearing was held on such proposed local law on August 18, 2009 by the Village Board of the Village of Liverpool and proofs of publication of notices of such public hearings, as required by law, having been submitted and filed, and all persons desiring to be heard in connection with said proposed local law having been heard, and said proposed local law having been in the possession of the members of the Village Board of the Village of Liverpool in its final form in the manner required by Section 20 of the Municipal Home Rule of the State of New York; and

**WHEREAS**, this Board determined that the enactment of Proposed Local Law No. F of 2009 is an unlisted action that this Board will act as lead agency for this application for purposes of SEQR review; and

**WHEREAS**, a short EAF has been prepared and has been reviewed by the Village Board; and

**WHEREAS**, it is in the public interest to enact said Proposed Local Law No. F of 2009.

**NOW, THEREFORE**, it is

**RESOLVED AND DETERMINED**, that the Village Board of Trustees of the Village of Liverpool has reviewed the short environmental assessment form and has determined that there will be no adverse environmental impacts as a result of this action and therefore, renders a negative declaration for purposes of SEQR; and it is further

**RESOLVED AND DETERMINED**, that the reasons for the foregoing declaration are as follows:

1. The proposed text amendment will not adversely affect the environment in any manner other than a positive impact.

**RESOLVED**, that the Village Board of the Village of Liverpool, Onondaga County, New York, does hereby enact Proposed Local Law F of 2009 as Local Law No. 3 of 2009 as follows:

**VILLAGE OF LIVERPOOL  
PROPOSED LOCAL LAW 3-2009**

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**A Local Law to Amend Chapter 129 of  
the Code of the Village of Liverpool Relating  
to Stop Intersections**

Be it enacted that the Code of the Village of Liverpool shall be amended, as follows:

**Section 1.** So that Chapter 129, Section 5 of the Code, is amended to add the following intersections, to be inserted in alphabetical order, as designated stop intersections:

<b>Intersection of</b>	<b>Stop Sign on</b>	<b>Entrance</b>
Balsam Street	Seventh Street	East/West

**Section 2.**

**Effective Date.** This Local Law shall take effect upon its filing with the New York Secretary of State.

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

<b>Hon. James Rosier</b>	<b>Trustee</b>	<b>Voted</b>	<b>Yes</b>
<b>Hon. Nicholas Kochan</b>	<b>Trustee</b>	<b>Voted</b>	<b>Yes</b>
<b>Hon. Robert Gaetano</b>	<b>Trustee</b>	<b>Voted</b>	<b>Yes</b>

The foregoing Resolution was thereupon declared duly adopted.

**House at 807 Appointments**

Motion was made by Trustee Gaetano, seconded by Trustee Kochan, to make the following appointments to the Board for the Liverpool Village Housing Authority:

Appoint Christina Fadden Fitch to the Housing Board for a term of five years  
Appoint Mark Spadafore as Secretary to the Housing Board for a term of five years  
Appoint Norm Andrzejewski as Chairperson to the Housing Board for a term of five years.

Motion Passed.

**Approval – NYCOM Fall Training School**

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Motion was made by Trustee Kochan, seconded by Trustee Gaetano, to approve all expenses for the NYCOM Fall Training School for Sandra Callahan to attend in Albany from September 21- September 25<sup>th</sup> , with funds being allocated from the Village clerk's training budget. Motion Passed.

**Resolution acknowledging that the Village of Liverpool conducted the required examination and audit of the Justice Court**

The following resolution was offered by Nicholas Kochan, who moved its adoption, seconded by James Rosier , to wit:

**WHEREAS**, pursuant to Section 2019-a of the Uniform Justice Court Act requirement that village Justices annually provide their court records and dockets to the Village auditing boards and that such records then be examined or audited

**WHEREAS**, the Village of Liverpool did thereby conduct their annual audit of the Village of Liverpool Justice Court records and dockets and thereby be it;

**RESOLVED**, that the Village of Liverpool pursuant to Section 2019-a of the Uniform Justice Court Act the required audit was conducted.

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

Hon. James Rosier                      Voted Yes

Hon. Robert Gaetano                      Voted Yes

Hon. Nicholas Kochan   Voted Yes

The foregoing Resolution was thereupon declared duly adopted.

**Authorization Change Order # 2 JJ Lane to complete driveway work at 807 Tulip Street and 809 Tulip Street**

Motion was made by Trustee Kochan, seconded by Trustee Gaetano, to authorize the Mayor to sign change order # 2 JJ Lane Construction to complete driveway work at 807 and 809 Tulip Street for distribution of funds from EFC subject to the receipt of signed releases.

Discussion

Trustee Rosier asked about the driveway at 707 Tulip Street and why it was not included. Trustee Kochan asked Mr. Rosier to submit an estimate for the cost of repairing the driveway at 707 Tulip Street. There is a continued problem with water pooling at the end of the driveway due to the construction project that was done by Adhan during the first phase of the sewer project.

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Motion Passed.

**Establish Labor- Management Committee- DPW**

Motion was made by Trustee Gaetano, seconded by Trustee Kochan, to establish a labor- management committee for the DPW as stated in Article 28 of the Teamsters Contract and to appoint Trustee Gaetano as the representative of the Village of Liverpool. Motion Passed.

**Call Public hearing LL G- 2009 “ Outdoor Burn”**

Motion was made by Trustee Rosier, seconded by Trustee Kochan, to call a public hearing on LL G- 2009 “ Outdoor Burn” for September 21, 2009 at 7:00 PM. Motion Passed.

**Adopt LL-D- 2009 titled “ A Local Law relating to Development and Project Fees in the Village of Liverpool” and to adopt the revised fee schedule**

Motion was made by Trustee Gaetano, seconded by Trustee Kochan, to adopt LL D- as Local Law 4- 2009 titled ““ A Local Law relating to Development and Project Fees in the Village of Liverpool” and to adopt the revised fee schedule. Motion Passed.

**Garage Sale Weekend**

Garage sale weekend will be September 11, 12 and 13<sup>th</sup> . No permit is required.

**Police STATS**

STATS for the police department for July were as follows:

338 Traffic tickets issued  
19 DWI Arrests  
6 Accidents investigated  
9 parking tickets issued  
28 Residential property checks  
344 complaints

**DPW Monthly Report**

Trustee Gaetano presented the monthly report from the DPW department:

36 UFPO  
20 Sewer Mntc Calls  
No sewer repairs  
First Street Project is complete with punch list items remaining. The Village will be doing the black top work under the Onondaga County contract.

Village Hall Roof Replacement- Project is complete with all inspections done. Punch list items remain. Retainage is being held until these items are complete.

Sanitary Sewer Project-Punch list items need to be completed.

**Park Use Request**

Motion was made by Trustee Gaetano, seconded by Trustee Rosier, to approve CCCS to use Johnson Park for a small financial carnival to promote wellness on October 17<sup>th</sup> from 11:00 AM- 2:00 PM, subject to Trustee Hebert’s approval. Motion Passed

**Resolution – Installment Purchase 2010 International with dump body and plow equipment**

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**AUTHORIZING THE MAYOR TO ENTER INTO AN INSTALLMENT PURCHASE CONTRACT  
FOR THE LEASE/PURCHASE OF A 2010 INTERNATIONAL 7500 TRUCK  
WITH DUMP BODY AND PLOW EQUIPMENT**

The following resolution was offered by Robert Gaetano, who moved its adoption, seconded by James Rosier , to wit:

**WHEREAS**, the Village of Liverpool Department of Public Works has previously advised of its need to acquire a new International work truck for the Department; and

**WHEREAS**, the Village has ascertained that such equipment is available for a lease/purchase through the New York State Office of General Services pursuant to §104 of the General Municipal Law of the State of New York at a contract price not to exceed \$152,129 for a model year 2010 International 7500 Truck with dump body and plow equipment; 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 Installment Purchase Contract shall critically evaluate the financing alternatives available to it under the above-referenced sections; and

**WHEREAS**, the vendor of the above-referenced highway truck does not offer an Installment Purchase Contract option for acquisition; and

**WHEREAS**, pursuant to 2 NYCRR Part 39, the Mayor has caused to be prepared an analysis of financing alternatives available to the Village; 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 each capital improvement to be financed exclusive of the cost of financing; the estimated total cost of purchase inclusive of the cost of financing, if financed pursuant to local finance laws; the estimated total cost of the proposed purchase inclusive of the cost of financing, if financed pursuant to Installment Purchase Contract; and a comparison of said cost has been made; and

**WHEREAS**, a recommendation has been made based upon said evaluation that it would be in the best interest of the Village to finance the capital improvements pursuant to an Installment Purchase Contract based upon the total cost and expense to be incurred by the Village; and

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**WHEREAS**, a copy of the analysis caused to be undertaken by the Mayor is on file with the Village Clerk; and

**WHEREAS**, the Village Board of Trustees on the basis of this evaluation hereby directs that the highway truck be procured from the successful Government Contract Vendor at the price exclusive of the cost of financing 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 the model year 2010 International 7500 Truck with dump body and plow equipment at a price not to exceed One Hundred Fifty-Two Thousand One Hundred Twenty-nine and N0/100 (\$152,129) Dollars from the Government Contract Vendor (OGS Group No. \_\_\_\_; Award No. \_\_\_\_ ) through an Installment Purchase Agreement from Key Government Finance, Inc. (the "Firm") at an interest rate of approximately 5.25% and upon the terms as provided by said Firm; and

2. That execution of an Installment Purchase Contract 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 capital improvements pursuant to an Installment Purchase Contract 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.

4. That the first payment of \$ 33,549.61 be paid at the time that all documents for financing are complete and sent to Key Financial Bank.

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

Hon. Robert Gaetano	Trustee	Voted	Yes
Hon. James Rosier	Trustee	Voted	Yes
Hon. Nicholas Kochan	Trustee	Voted	Yes
Hon. Dennis Hebert	Trustee	Voted	Yes

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The foregoing Resolution was thereupon declared duly adopted.

**Financial Updates**

Clerk Sims presented the update of financial accounts to the Board of Trustees.

**Approve Abstract**

Motion was made by Trustee Hebert, seconded by Trustee Kochan, to approve Abstract # 003 General Fund , Claim 3 128-184 in the amount of \$ 139,105.24,; HM Fund , claim # Hm30-31 in the amount of \$ 294541.09; CM fund 003, claim # CM 20-21 in the amount of \$ 9,000. Motion Passed

**Approve Transfers**

1110.1	A1110.43	536.42	1
1325.42	A1325.491	496.07	2
1990.4	1420.4	4153.60	3
1990.4	1420.43	60.00	4
1990.4	1440.42	749.18	5
1440.4	1450.4	37.13	6
1620.413	1620.412	5.56	7
1620.425	1620.422	1059.13	8
1620.493	1620.46	112.62	9
1620.493	1620.47	111.63	10
1620.413	1620.48	500.00	11
1989.4		900.00	12
1990.4	1620.494	750.00	
3120.11		4100.00	13
3120.21	3120.1	2588.88	
3120.21	3120.13	2327.39	14
3120.491	3120.2	1163.46	15
3120.25	3120.4	461.46	16
3120.25	3120.41	145.04	17
3120.420	3120.42	90.26	18
3120.420	3120.43	39.50	19
3120.495	3120.48	1347.35	20
3120.495		1900.00	21
3120.493	3120.494	356.00	
3120.495	3120.496	237.50	22
3120.495	3120.498	244.74	23
5110.45	5110.1	1111.29	24
5110.42	5110.44	3117.90	25
5132.4	5132.42	79.22	26
5132.4	5132.43	191.05	27
5132.4	5132.45	75.99	28
8140.1	7110.1	561.93	29
7110.43	7110.41	278.74	30
7110.474	7110.47	308.70	31

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7110.43	7110.48	55.22	32
8010.46	8010.4	80.03	33
8560.1	8170.1	343.70	34
8810.21	8810.2	3491.76	35
9060.8	9010.8	4375.87	36
9060.81	9015.8	1538.99	37
9060.81	9030.8	2455.77	38
9060.8	3620.1	1461.30	39
9060.81	5182.4	684.78	40
9060.81	5182.41	238.57	41
8160.4		4000.00	
8160.41	7110.2	1000.00	42
8560.1	8810.1	757.74	43
A1010.4	A1110.43	8.39	44
A1010.1	A1210.1	.04	45
A1325.42	A1325.43	247.65	46
1325.491	1325.49	217.23	47
9060.8	1420.4	5421.10	48
1620.411	1620.4	36.00	49
1620.493	1620.414	29.74	50
1620.424	1620.422	451.41	51
1620.493	1620.423	177.12	52
1620.493	1620.47	342.91	53
3010.1	3010.13	639.22	54
3010.1	3010.4	22.25	55
3120.11	3120.13	827.46	56
1620.412	1620.46	1382.98	57
1624.11		1474.07	
3120.4	3120.41	146.30	58
3120.4	3120.43	179.95	59
3120.4	3120.44	100.00	60
3120.4	3120.48	117.81	61
3120.4	3120.494	401.22	62
1990.4	3620.1	1054.56	63
1990.4	5110.1	1315.87	64
1990.4	5110.1	126.42	65
5110.42	5110.43	377.96	66
5110.42	5110.44	482.89	67
5132.45	5132.42	945.87	68
5132.4	5132.43	583.85	69
5132.4	5132.44	27.90	70
9060.8	5142.44	336.24	71
5182.4	5182.41	486.51	72
8140.1	7110.1	614.03	73
7110.474	7110.41	406.13	74

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7110.49	7110.42	13.61	75
7110.47	7110.45	330.00	76
7110.474	7110.48	77.00	77
7510.46	7510.4	9.95	78
7510.46	7510.45	6.66	79
8160.1	8170.1	676.04	80
8810.4R	8810.1	292.16	81
8810.4R	8810.13	294.60	82
8810.4R	8810.41	740.33	83
9060.8	9030.8	1400.43	84
9010.8	A1110.4	35.00	85
9010.8	1110.44	78.00	86
1910.4	1110.46	820.10	87
1325.491	1325.43	85.14	88
1325.491	1325.44	78.00	89
1440.44	1380.4	500.00	90
7550.22		2911.00	
8140.4	1420.4	147.00	91
9010.8	1420.43	60.00	92
1620.46	1620.22	3680.00	93
3120.11	3120.13	909.15	94
3120.495	3120.41	145.00	95
3120.495	3120.43	93.59	96
3120.495	3120.46	19.98	97
3620.45	3620.2	163.19	98
5110.42	5110.1	3392.83	99
5110.42	5110.43	1862.59	100
7510.45	7510.43	6.86	101
8140.4	8140.41	297.11	102
8170.41	8170.1	379.42	103
9060.8	9950.96	4410.32	104
1620.412	1620.46	1935.50	105
3120.4	3120.44	78.00	106
Motion Passed			

**Approve Minutes July 20 and August 3rd<sup>h</sup>**

Motion was made by Trustee Hebert, seconded by Trustee Gaetano , to approve the minutes of July 20 and August 3<sup>rd</sup> as presented. Motion Passed. ( Trustee Rosier abstained due to the fact that he was not present at the meetings )

**Executive Session**

Motion was made by Trustee Hebert, seconded by Trustee Kochan, to enter into executive session for the purpose of contract negotiations and to invite Attorney Langey into the Session. Motion Passed.

**Return to Regular Session**

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Motion was made by Trustee Hebert, seconded by Trustee Gaetano, to move back into regular session. Motion Passed.

Motion was made by Trustee Hebert, seconded by Trustee Kochan, to accept the \$ 3,500 proposed settlement claim from R & S Associates for repairs to the Johnson Park Dance Floor. Motion Passed.

**Adjournment**

Motion was made by Trustee Hebert, seconded by Trustee Kochan, to adjourn the meeting. Motion Passed. Meeting was adjourned at 8:42 PM.

Respectfully submitted,

Mary Ellen Sims  
Village Clerk Treasurer