

The regular meeting of the Village of Liverpool Board of Trustees was held on Monday February 29, 2016 at 7:00 PM at 310 Sycamore Street, Liverpool, NY

Present:	Gary White	Mayor
	James Rosier	Trustee
	Christina Fitch	Trustee
	John Langey	Attorney
	Mary Ellen Sims	Village Clerk

Absent:	Nick Kochan	Trustee
	Dennis Hebert	Trustee

Correspondence / Residents wishing to speak

Mayor White stated that the Village received a letter from Onondaga County Board of Elections requesting to have a discussion about moving our election to coincide with the General Election. Mayor White and the Board of Trustees do not want to move our June Village Election for many reasons. The Village can run its own election very effectively and very cost effective. This year, the Village will go to paper ballots and hand count them.

Don Fellows, 202 Vine Street, asked who controls issues and what discussions take place in executive session meetings. Attorney Langey stated that only the topic that is discussed is the topic that the executive session has been called for. If there is any action that will be taken, the Board must go out of executive session, return to regular session and then take action.

Mayor White added that some issues, such as personnel, must be discussed apart from public view. As a Board, we act as a check on each other to ensure executive session rules are followed. Trustee Fitch added there are limited circumstances for use of executive session and recommended to Mr. Fellows to look up the New York State Open Meetings Law online for more information.

Mike Romano- update on Cemetery Committee

Mike Romano gave an update on the Cemetery Committee and what the plan is going forward. EDR Consultants have proposed an additional list of services which include the following:

- Team Meetings
- Stakeholder Meetings
- Funding Plan
- Revised CFA Application
- Short Term Project Recommendations

Compensation requested for the above services is a lump sum of \$ 11,500.

Jean Egenhoffer will talk with Kelly Romano regarding why our application was rejected. They will talk on March 29th at 9:00 AM and Kelly will relay this information to the Board.

Chris Fitch and Mike Romano will develop a plan for best how to approach our other government representatives and get them on board.

Dorianne will attempt to contact family/descendants of cemetery ancestors to garner interest in possible financial support/donations.

Mike Romano said that he is meeting with two contractors to obtain estimates on restoring the cobblestone wall.

Ken Palmer will look into history of the donation of fruit trees from our local American Legion that were planted years ago.

Everyone on the committee should come up with a few ideas for community volunteer projects in the cemetery that could be easily completed during spring and summer.

Mayor White suggested holding off on any commitment of additional funds to EDR until we find out more information from Jean Egenhoffer.

Public hearing Local Law A- “Overriding the Tax Levy Limit”

Motion was made by Trustee Rosier, seconded by Trustee Fitch, to open the public hearing on Local Law A-2016 “Overriding the Tax Levy Limit”. Motion Passed.

Mayor White explained that this local law is enacted as a precautionary measure. If the Village happened to go over the tax levy limit, we would be protected from penalties that would be imposed. The Village passes this law each year but has not gone over the allowable limit.

Mayor White stated that the Village tries very hard and, to date, has been successful in staying within the limit.

Mayor White asked for any comments from the Board and the public and hearing none, asked for a motion to close the public hearing.

Motion was made by Trustee Rosier, seconded by Trustee Fitch, to close the public hearing on Local Law A- 2016. Motion Passed.

No decision will be made on this local law tonight due to the fact that the Mayor would like to vote on this with a full Board present.

Public hearing Local Law B to amend Chapter 380 of the Code to allow for Drive – thru services for restaurants in the B-2 district

Motion was made by Trustee Rosier, seconded by Trustee Fitch, to open the public hearing on Local Law # B- 2016 to amend chapter 380 of the code to allow for Drive-thru services for restaurants in the B-2 District. Motion Passed.

Mayor White read the recommendation from the Planning Board to amend Section 380-41 of the Code of the Village of Liverpool

Planning Board Recommendation as follows:

“Based upon the initial presentation to the Planning board from the applicant for a proposed Dunkin Donuts restaurant with drive-thru, it is the general consensus of the Planning Board to amend the code to allow restaurants to be included via Special Use Permit.

The proposed restaurant is in a commercial location and not near residential zones. By allowing the change and requiring a special use permit for the drive-thru, the Planning board believes we will be able to maintain control over any future cases that may come before the Board. It is the recommendation of the Planning Board to move forward with the zone change amendment.”

Attorney Langey read the following comments from the Onondaga County Planning Board:

“The Board encourages the Village to ensure through adequate regulation that the pedestrian environment and scale of the Village Center is not negatively altered by the allowance of drive-thru facilities. The Village is especially discouraged from granting requests that would introduce lower density, suburban-style site planning in the Village core.

The Board and the Onondaga County Department of Transportation further encourage the Village to consider the potential traffic impacts of adding drive-thru facilities within the busy Village core”

Mayor White asked if there were any comments

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Tony Spagnola, 813 Oswego Street, asked if the planning board approved the drive thru . Mayor White stated that the Village Board has the authority to change the code but that nothing has been changed yet.

Jim Farrell, 403 Bass Street, stated that the request to change the code for restaurants does not conform with the comprehensive plan. He asked why originally were restaurants excluded .

Joe Ostuni, Planning Board Chairman stated that over 15 years ago, the Village had a Burger King and a Wendy's restaurant with drive- thru services. Both restaurants backed up to residential areas and created issues with noise from people ordering from the menu boards. When the comprehensive plan was developed, drive- thru for restaurants were not included.

This application for Dunkin Donuts is in the middle of the commercial district. Residential areas are over six lanes of traffic away. The Village Board should consider this change for this low impact area.

Jim Farrell stated that perhaps the comprehensive plan should be revisited. He feels that the comprehensive plan has not come to fruition.

Colleen Gunnip, Town of Salina First Ward Councilor, asked if the lot size has been considered and the possible stacking of cars onto Route 57.

Mayor White commented that the Dunkin Donuts on 7th North Street, Route 57 and Bayberry all have stacking issues and cars are stacking in the road.

Traffic issues, stacking issues will all be part of the site plan process through the planning board's review.

Allison Bently, Village resident, commented that the new Dunkin Donuts in Fayetteville did not get their drive –thru approved and they still built the store in that location. She asked the Board to look long and hard and then look again at this zone change request. She asked the Board to save the quality of life in the Village.

Mike Romano commented that the Village should be a destination and not a drive- thru as indicated in the Comprehensive Plan adopted in 2006.

Jim Farrell stated that he is opposed to allowing drive- thru access for restaurants. He stated that the Village is unique and that having a Dunkin Donuts with a drive-thru does nothing to enhance the Village.

Mayor White stated that there will be no decision tonight. He would like to have a full board to make the decision.

Hearing no more comments, or questions, Mayor White asked for a motion to close the public hearing.

Motion was made by Trustee Rosier, seconded by Trustee Fitch, to close the public hearing on Local Law B- 2016. Motion Passed.

Liverpool is the Place request for use of Johnson Park for 2016 Summer Concert Series starting June 6th through August 24th 2016

Request to post concert information on Village signboard

Colleen Gunnip was present to request use of Johnson Park be approved for the summer concert series and to request use of the Village of Liverpool signboard to post the schedule of concerts. The Board approved use of Johnson Park for the summer concert series and approved use of the signboard to post the schedule of concerts.

The Village is preparing an RFP and/or bid package for the installation and purchase of an awning for over the stage area. The Village received a grant for \$ 40,000 for this purpose. Trustee Fitch is working on the specs, with the engineer and attorney, keeping the Mayor up to date on progress. Hopefully, the awning will be in place for the upcoming season.

Request to use the Village Hall Meeting Room on Monday May 2nd from 7:00 PM to 9:00 PM for the Village of Liverpool Republican Caucus

Motion was made by Trustee Fitch, seconded by Trustee Rosier, to approve the request to use the Village Hall Meeting Room on Monday May2nd from 7:00 PM to 9:00 PM for the Village of Liverpool Republican Caucus. Motion Passed.

Final Closeout Drainage Project – JJ Lane

Mayor White stated that the Drainage Project is closed . All lien releases have been received and the Village can release the retainage that is being held, which is \$ 28,641.99.

Motion was made by Trustee Rosier, seconded by Trustee Fitch, to approve the release of retainage to JJ Lane in the amount of \$ 28,641.99. Motion Passed

Resolution for professional services

Mayor White moved this to the March agenda when five Board members will be present.

Recommendation to appoint Jason Recor as an alternate to the ZBA

Motion was made by Trustee Fitch, seconded by Trustee Rosier, to appoint Jason Recor as an alternate member of the Zoning Board of Appeals. Motion Passed.

Dr. Mark Potter, Superintendent Liverpool Schools and Katie Philips presenting the Capital project information

Dr. Mark Potter and Katie Phillips presented the Capital Project information for the Capital Project for Liverpool Central Schools that will be presented to residents for vote on March 10, 2016. They outlined the project detail for Phase 3, the facilities planning process and scope, project funding, local tax impact and an open time slot for questions and answers from the public.

Indemnification Agreement Town of Salina / Village of Liverpool Police Department

Motion was made by Trustee Rosier, seconded by Trustee Fitch to sign and agree to the indemnification agreement between the Town of Salina and the Village of Liverpool Police Department. Motion Passed.

Authorization for Mayor to sign Recycling Agreement and Waste Management

Motion was made by Trustee Rosier, seconded by Trustee Fitch, to authorize Mayor White to sign Recycling Agreement and Waste Management Agreement. Motion Passed.

DPW STATS

Trustee Fitch gave the following recap of DPW:

14 UFPO's marked

9 Sewer Maintenance calls handled by County

One sewer repair at 500 Third Street

No Banner pole requests

Chicken BBQ June 4th First United Methodist Church has been approved.

Easter Sunrise Service Johnson Park March 27th is approved

J.P. Morgan Corporate Challenge on June 7th is approved

POLICE STATS

Trustee Rosier read the following STATS for the police department:

170	Traffic Stops
147	Traffic tickets issued
02	DWI's
15	Accidents Investigated
14	Parking Tickets issued
162	Residential Property Checks
458	Incidents

CODES STATS

Trustee Rosier presented the Codes STATS to the Board for their review.

Outstanding Issues

Mayor White read the list of outstanding issues and any mitigation that have taken place. The outstanding issue list will be presented at each meeting with any updates or additions.

Clerk Sims presented the Financial Reports:

Trustee Rosier moved and Trustee Fitch seconded the approval of Abstract # 09 General Fund vouchers # 462-529 in the amount of \$85,068.06, Abstract # CM fund Voucher # 528 in the amount of \$720.00, Abstract # 9 Voucher # 526-527 in the amount of \$4,990.69. Motion Passed

Transfers

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

From	To	Amount	Number
A1990.4	A1010.4	60.00	1
A1110.43	A1110.4	25.67	2
A1990.4	A1210.4	81.96	3
A1420.4	A1420.41	2342.16	4
A1620.44	A162.45	4.74	5
A5010.46	A5010.4	174.14	6
A5112.1	A5132.1	113.58	7
A7550.22	A7550.4	158.29	8
A8140.4	A8140.41	600.00	9
A1990.4	A8175.4	1430.00	10

Motion Passed

Approve Minutes

Motion was made by Trustee Fitch, seconded by Trustee Rosier, to approve the minutes of January 19, 2016, February 4, 2016, February 17 and February 22, 2016 as presented. Motion Passed.

Adjournment

Motion was made by Trustee Fitch, seconded by Trustee Rosier, to adjourn the meeting. Meeting was adjourned at 8:23 PM. Motion Passed.

Respectfully submitted,

Mary Ellen Sims
Village Clerk Treasurer