

The regular meeting of the Village of Liverpool Board of Trustees was held on Monday March 21, 2016 at 7:00 PM at 310 Sycamore Street, Liverpool, NY

Present:	Gary White	Mayor
	Nick Kochan	Deputy Mayor
	Dennis Hebert	Trustee
	James Rosier	Trustee
	Christina Fitch	Trustee
	John Langey	Attorney
	Mary Ellen Sims	Village Clerk

Correspondence

Mayor White stated that the Village received two letters regarding the proposed amendment to Chapter 380 of the Code of the Village of Liverpool to allow for drive-thru services for restaurants in the Village B-2 District. One letter was in support of the change and the other was against the change in Code.

The Village received a request from David Skeval, Cornell Cooperative Extension, for a letter of support. Cornell Cooperative Extension is submitting a community Development Block Grant and would like to have the letter of support to include along with the application. Mayor White asked Trustee Fitch to look into it.

A letter was received from the home owners at 109 Alder Street regarding some issues with sewer backups and poison ivy in the tree in front of their home. Most of the issues have been resolved. Bill Asmus is aware of the letter is working on resolving all the issues.

Residents wishing to speak

Russ Tarby, 105 North Willow Street stated that the letters the Village received regarding the proposed amendment to the code to allow drive- thru services for restaurants were from a Village resident and a non- Village resident. The non-Village resident was in favor of the change and the Village resident was against the change.

Decision on Local Law A- "Overriding the Tax Levy Limit"

A public hearing was held on this local law at the February 29, 2016 meeting.

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 asked for comments from the Board:

Trustee Kochan stated that he was in favor of the local law. He stated there is no down side and the Village will try to stay within the limit. Trustee Kochan stated that the Village has stayed within the limit for the last five years.

Trustee Hebert stated that he is in support of this local law as it gives us increased flexibility.

Trustee Rosier stated he is also in support of passing this local law.

Trustee Fitch stated that she acknowledges the pressures of staying within the tax levy limit but feels that the timing is wrong. She feels that it is better to hold off passing this law tonight and if it looks like the budget will surpass the tax levy, the law could be passed at that time. Trustee Fitch feels that it should not be passed this early in the budget process and should not be done as an insurance policy.

Mayor White stated that there is no down side to passing this law. That passing the local law is insurance and protects the Village. He stated that he disagreed that the timing is wrong.

Mayor White asked for a motion on Local Law A- 2016.

Motion was made by Trustee Kochan, seconded by Trustee Hebert, to adopt Local Law A- 2016 (now Local Law 1- 2016) “ Overriding the Tax Levy Limit. “

Roll Call Vote:

Trustee Kochan	Yes
Trustee Hebert	Yes
Trustee Rosier	Yes
Trustee Fitch	No
Mayor White	Yes

Motion passed.

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

Public hearing was held and closed at the February 29, 2016 Village Board meeting.

Mayor White asked Joe Ostuni, Chairman of the Planning Board, to recap why drive-thru for restaurants were not included in the Comprehensive Plan. He explained that, at the time of the Comprehensive Plan 2000, there were two restaurants with drive-thru services that backed up to residential areas. The residential properties complained of the noise from the menu board.

Mayor White asked for any comments from the Board.

Trustee Kochan stated that he has spoken with residents in the Village in regards to the possible drive-thru that is being proposed. He feels that he would support this request for drive-thru service due to the fact that this business is located within the business district. He stated that he feels it won't generate more traffic and feels that it will slow down traffic and be better for pedestrians.

Trustee Hebert commented that he travels Second Street many times and that initially he was not in favor of this change to the code due to the traffic issues in this area and the “quick” traffic light. However, Trustee Hebert feels that this drive-thru will benefit the people in the Village. The latest design concept fits well into the Village, is very attractive and is an improvement to the site. He would support this change to the code.

Trustee Rosier asked Joe Ostuni if there was an application before the Planning Board. Mr. Ostuni stated that there is an application and that there are a variety of items to look at.

Chief Morris asked if there was a traffic study done. Mr. Ostuni stated that there has not been a traffic Study done yet.

Chief Morris stated that he would like to see the volume of traffic and that he is not opposed to the drive-thru.

Trustee Rosier stated that he is favor of this change to the code.

Trustee Fitch asked if the special permit runs with the land or with the owner. Attorney Langey responded that it runs with the land for the exact same use. She commented that she has gone back and forth on her thoughts for approval or denial. She feels that there is a loss of street scape in that area and that this area has lost trees and green space. She commented that the Onondaga County Planning Agency raised concerns about the lot size. She stated that the building would definitely improve the site and would calm the feeling of commerciality . She would support this change of use.

Hearing no more comments, Mayor White asked for a motion.

Motion was made by Trustee Rosier, seconded by Trustee Kochan, to adopt Local Law B- 2016 (now called Local Law 2-2016) to amend Chapter 380 of the Code to allow for Drive – thru services for restaurants in the B-2 district.

Roll call Vote:

Trustee Kochan	Yes
Trustee Hebert	Yes
Trustee Rosier	Yes
Trustee Fitch	Yes
Mayor White	Yes

Motion Passed.

Resolution for professional services

Mayor White explained that the Village does not have a retainer for the engagement of professional services. The Village pays its professional service providers, such as the Attorney and Engineer, on an hourly basis. This is more cost effective for the Village but expenses need to be controlled and by passing this resolution, the Village would be able to control the expenses of the professional service providers.

Mayor White asked for comment from the Board:

Trustee Kochan stated that he is in support of this resolution because it is an effort to make perfectly clear who may contact the professional service providers.

Trustee Hebert stated that the Village is on a tight budget and that there are free services available through NYCOM that the Village can and does utilize NYCOM before they engage the services of our professional staff.

Trustee Rosier agreed that the Village needs to use all resources available at no cost. He stated that there does need to be controls.

Trustee Fitch stated that she supports controls over expenses incurred by utilizing professional service providers. Every year at the organizational meeting, the Village engages the services of the Attorney and Engineer. She stated that she has never seen a contract for these services. She stated that it is more appropriate to put the scope of services into a contract for professional services.

Trustee Fitch stated that she is in support of the premise of the resolution but feels that elected officials should be permitted to seek the services of the attorney and/or engineer without having to first obtain verbal or written authorization from the Village Mayor and /or Deputy Mayor.

Mayor White commented that the Board works well together and that this resolution will help to control costs incurred for professional services. The scope of services for the attorney and/or engineer is what the Board tells them to do and that is has been very successful.

Trustee Kochan stated that the general practice, if there is an issue, is to contact the Mayor first. He stated that he strongly supports this resolution.

Motion was made by Trustee Kochan, seconded by Trustee Hebert, to enact the following resolution:

WHEREAS, the Village of Liverpool Board of Trustees recognizes the necessity for the engagement of professional services for particular Village matters throughout the year; and

WHEREAS, the Village of Liverpool has retained the services of legal counsel and consulting engineers, as well as other professionals to assist in Village matters; and

WHEREAS, the Village of Liverpool Board of Trustees is cognizant of the expenses incurred by the utilization of such professionals, such that the Village wishes to carefully control such expenses and said engagements; and

WHEREAS, the Village of Liverpool finds it desirable to adopt a policy relative to the utilization of Village legal services, engineering services and other professional services.

NOW, THEREFORE, BE IT RESOLVED that the following Policy is hereby established by the Village of Liverpool Board of Trustees relative to the utilization and engagement of professional services for the Village:

1. Prior to the utilization of professional services (including legal services, engineering services, architectural services and other professional services) any individual member of the Village of Liverpool Board of Trustees (exclusive of the Mayor and the Deputy Mayor) shall first obtain verbal or written authorization from the Village Mayor for the engagement/use of such services;
2. Other Department employees of the Village, including Department Heads and staff, shall obtain written authorization from the Village Mayor or the Deputy Mayor prior to the engagement/use of said professional services;
3. In the event that neither the Mayor nor the Deputy Mayor are available to authorize engagement of the professional services upon reasonable efforts to contact them, then upon consensus of any three (3) Village Trustees to engage professional services, any one (1) of such Trustees may engage said professional(s) on a specified topic or issue; and it is further

RESOLVED that this policy may be amended from time-to-time by resolution of the Village of Liverpool Board of Trustees.

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

Hon. Nicholas Kochan	Trustee	Voted	Yes
Hon. James Rosier	Trustee	Voted	Yes
Hon. Dennis Hebert	Trustee	Voted	Yes
Hon. Christina M. Fitch	Trustee	Voted	No
Hon. Gary White	Mayor	Voted	Yes

The foregoing Resolution was thereupon declared duly adopted.

Resolution to change Schedule of Fees- Cemetery Footer charge from \$.80 a square foot to \$.85 a square foot

The Village Board needs more information on this from Bill Asmus. It will be rescheduled on the April agenda.

Authorize Bonadio Group to conduct audit of the Court Department

Mayor White stated that the former Court Clerk, Kim Hall, resigned her position and a new Court Clerk was hired last week. With the change in staff, the Village would like to conduct an audit of the Court Department. This will take the place of the annual September audit that is performed.

Motion was made by Trustee Kochan, seconded by Trustee Rosier, to authorize the Bonadio Group to conduct an audit of the Court Department for a cost not to exceed \$ 4,500. Motion Passed.

Authorize Trustee Fitch to attend the NYCOM 2016 Annual Meeting & Training School Sunday May 1 to Tuesday May 3 in Saratoga Springs for a cost not to exceed \$900.

Trustee Fitch presented a tentative agenda for the annual meeting in Saratoga Springs.

Motion was made by Trustee Rosier, seconded by Trustee Kochan, to authorize Trustee Fitch to attend the NYCOM 2016 Annual Meeting & Training School Sunday May 1 to Tuesday May 3 in Saratoga Springs for a cost not to exceed \$900. Motion Passed.

Presentation of Tentative Budget 2016- 2017

Village Clerk Treasurer Sims presented the tentative budget for 2016-2017 to the Board of Trustees. The tentative budget, Model # 1, is presented with a \$.50 increase in the tax rate, the possible use of \$ 37,128.00 from fund balance to balance the budget, the requested capital purchases of a police vehicle, lease of a garbage truck and purchase of a dump box.

Trustee Rosier commented that at the joint meeting of the Town of Salina and the Village of Liverpool, there were suggestions as to some areas that the Village could consider consolidating. The Village could consolidate software and could use the Salina Court System. Trustee Rosier stated that he Village may want to look at both of these items.

Mayor White stated that he thinks that less than 5% of the Court business is Village residents. Mayor White suggested that two members of the Board sit with the Judge and get his thoughts.

Pam Carey asked if her Town taxes would go up if the Town of Salina were to take over the Court.

Mayor White commented that the budget shortfall is approximately the difference between Court revenues and Court expenses.

Trustee Fitch will get together with Bill Asmus to discuss his budget requests, especially his requested capital purchases.

Chief Morris stated that he may be able to reduce his personnel services line.

Trustee Kochan, Trustee Hebert, Judge LaValle and the Town of Salina Comptroller will all sit down to discuss Court possibilities.

Motion was made by Trustee Hebert, seconded by Trustee Kochan, to schedule a special meeting for a budget workshop on April 4th at noon. Motion Passed.

Reschedule April Meeting – Public hearing on Budget must be before April 15

Motion was made by Trustee Kochan, seconded by Trustee Fitch, to reschedule April 18 Village Board meeting to April 14 at 6:00 PM. Motion Passed.

Call Public hearing for 2016-2017 Budget

Motion was made by Trustee Hebert, seconded by Trustee Kochan, to call a public hearing on the 2016-2017 Budget for April 14th at 6:01 PM. Motion Passed.

Request to use the DPW Garage as an Emergency Medical Operations Site for the 2016 edition of the J.P. Morgan Corporate Challenge on June 7, 2016.

Dave Oja, Race Coordinator for J.P. Morgan Corporate Challenge and Daniel Wears, Commissioner of Department of Emergency Management requested that the Village allow the use of the DPW garage for emergency medical operations at the 2016 edition of the J.P. Morgan Corporate Challenge on Tuesday June 7th.

Village Board of Trustees approved the request to use the DPW garage as an Emergency Medical Operations Site.

DPW STATS

Trustee Fitch gave the following recap of DPW:

14 UFPO's marked

12 Sewer Maintenance calls handled by County

Banner pole request- Liverpool Craft Extravaganza May 7- May 22 is approved

No sign requests

Plant Sale in Johnson Park is approved

Memorial Day in Johnson Park, street and Cemetery is approved

2016 Yard Waste collection will be picked up the first and third Monday of the Month

Earth Day clean up – The Village DPW will be a drop off point for groups to drop material off from Earth Day clean up and be disposed of at Ley Creek transfer station . The Village has taken part in this event for the past twelve years.

POLICE STATS

Trustee Rosier read the following STATS for the police department:

140	Traffic Stops
116	Traffic tickets issued
02	DWI's
12	Accidents Investigated
17	Parking Tickets issued
192	Residential Property Checks
488	Incidents

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.

Financial Reports:

Trustee Hebert moved and Trustee Kochan seconded the approval of Abstract # 10 General Fund vouchers # 530-577 in the amount of \$65,384.77, Abstract # 10, HD Fund Voucher # 541 in the amount of \$28,641.99 and Abstract # 10 Sewer Fund Voucher # 578 in the amount of \$77,240.13. Motion Passed

Transfers

Motion was made by Trustee Rosier, seconded by Trustee Fitch, to approve the transfers numbered 1-5. Motion Passed.

Covering for Johnson Park Stage

Trustee Fitch is working on RFP/and/or bids for the covering for Johnson Park Stage.

Approve Minutes

Motion was made by Trustee Rosier, seconded by Trustee Fitch, to approve the minutes of February 29 and March 17, 2016 as presented. Motion Passed.

Adjournment

Motion was made by Trustee Fitch, seconded by Trustee Rosier, to adjourn the meeting. Meeting was adjourned at 8:45 PM. Motion Passed.

Respectfully submitted,

Mary Ellen Sims
Village Clerk Treasurer