

The regular meeting of the Village of Liverpool Board of Trustees was held on Monday, December 21, 2015 at 7:00 PM at 310 Sycamore Street, Liverpool, NY

Present:	Gary White	Mayor
	Nick Kochan	Trustee
	Dennis Hebert	Trustee
	Christina Fitch	Trustee
	John Langey	Attorney
	Greg Sgromo	Engineer
	Mary Ellen Sims	Village Clerk

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

Public hearing on Local Law F- 2015 - a Local Law to amend Chapter 380 of the code of the Village of Liverpool- Section 380-9 thereof so as to amend the zoning map of the Village of Liverpool to designate certain property as being zoned multiple family residential (R-1 to R-3)

Attorney John Langey recapped that the applicant applied to the Village Board for a zone change on a .845 acre lot as part of a project to construct a 135 unit apartment complex on the subject lot and an adjacent 6.18 acre parcel which is currently zoned R-3. The applicant has also submitted a site plan application for the parcels to the Planning Board to build the 135 unit apartment complex.

The plan was sent to Onondaga county Planning for their comments and at that time, the County Planning Board stated that the application was incomplete and asked for further information. Attorney Langey resubmitted the referral with additional information and the Village should receive their recommendation later in the week- possibly December 23rd or 24th.

The Village received a letter from Town of Salina Attorney, Tim Frateschi that stated concerns (9) that they has with the proposed apartment complex. The letter is part of the file on the project and Mayor White proceeded to read the letter to those present.

Attorney Langey explained that the public hearing tonight is in regards to the zone change on the small parcel. Changing the small parcel to an R-3 would permit that parcel to be used as an access point for vehicles to enter the proposed complex. Mayor White asked those wishing to speak to sign in with their name, address and phone number. He asked those wishing to speak to limit their comments to five minutes and to consolidate issues.

Motion was made by Trustee Kochan, seconded by Trustee Hebert, to open the public hearing on local law to amend Chapter 380 of the code of the Village of Liverpool – Section 380-9 thereof so as to amend the zoning map of the Village of Liverpool to designate certain property as being zoned multiple family residential (R-1 to R-3). Motion Passed.

Steve Calocerinos, Calocerinos Engineering recapped the plan for those present. The proposed zone change is for the small parcel (.845 acres) located on Tulip Street. The change of zone would permit vehicle access to the larger parcel, where a 135 unit three story apartment complex is being proposed... The plan includes two conceptual layouts for the complex, both show 3 three – story proposed buildings with 45 units each on the larger parcel, a proposed rental office and laundry building on the smaller parcel and approximately 190 parking spaces across several surface parking lots on both parcels.

Plans show the smaller parcel located along Tulip Street and the larger parcel located essentially landlocked behind it, all access would occur from a proposed driveway on Tulip Street, the location for which has been approved by the Onondaga County Department of Transportation and the plan indicates a secondary gated emergency – only access via Donald Place.

The site has access to public water and there are two potential options for wastewater management: 1) extend sewer lines down Donald Place and would require an acceptance of flow from the Town of Salina or 2) to connect to the Village of Liverpool sewers, which may have lines nearby. The applicant will need to provide a traffic study. The Thruway Authority has advised the engineer that they will not provide a noise barrier.

A resident from the Johnson Tract commented that they already have sewer problems in that area and that there are also water issues. Main concerns from some of the residents of the Donald Tract are water, wetlands and sewers.

Mayor White asked for those wishing to speak to state their names and addresses:

David Merritt, 210 Sheridan Road, stated that a traffic study must be done in that area.

Liz Hollington, 1 Donald Place asked if there was going to be a leasing office on the parcel and if that would be considered commercial. John Langey stated that the leasing office goes along with the plan.

Dick Ward, 309 Fourth Street, stated that traffic is a big concern in the Village. Currently, 40,000 cars pass through the Village and adding more to it would need to be addressed and resolved. He asked if the Village will do an independent traffic study. John Langey responded that the applicant will be responsible for the traffic study but the Village engineer will review it.

Mr. Ward asked if the entrance to the proposed complex would be across from the dance studio. Mr. Calocerinos responded yes it would be across from the dance studio. Mr. Ward asked if a traffic light has been given any consideration in this area. Mr. Calocerinos replied that it has not yet been considered by it may be part of the County Study. Mr. Ward requested that the Village ask the county what type of traffic control they would recommend.

Richard Swift, 10 Donald Place, asked when the large parcel was rezoned by the Village. Mayor White commented that it was part of the Village Master Plan that was adopted in 2008. Trustee Kochan stated that the Comprehensive Plan started in 2002 and that there were over 30 meetings, open to the public and that this proposed zone change from Industrial to R-3 was part of those discussions and meetings.

Trustee Kochan stated that R-3 is a more restricted zone than Industrial and that the Industrial zone was a bigger threat to Johnson Tract. R-3 zone does include R-1 and R-2 development. A resident of the Johnson Tract stated that the Community Design Handbook states that it is opposed to adding curb cuts on major thoroughfares.

Dave Nortman, 1103 Tulip Street, is concerned about traffic in the already congested area. He stated that adding 150 cars from the proposed apartment complex is a disaster.

Colleen Gunnip, First Ward Councilor Town of Salina asked to receive any copies of correspondence that is received for their file. She thanked the Board for looking at the entire parcel.

Curt Arsenal, 4 Donald Place is concerned about traffic on Morgan Road, construction traffic and school buses

Steve Calocerinos stated that the applicant hopes to avoid Donald Place and that the construction traffic will probably use a temporary access road during the construction phase.

Rosemary Merritt, 210 Sheridan Road asked how wide the access road would be to enter the proposed apartment complex. Steve Calocerinos stated that it would be 24 feet wide.

Steve Calocerinos stated that the developer is willing to have a meeting with the concerned residents and that a sign in sheet is in the back of the room. It was highly recommended that the residents sit down with the developer and get more information. A meeting, such as this, is a great way to exchange ideas and make suggestions as to what each party would like to see developed.

George Allison is concerned about run off water.

Tom Paige asked what happened to a proposed townhouse development on that same parcel years ago. Trustee Kochan, who was the planning board chairman at that time, stated that the applicant withdrew the plans for townhouses.

Marvin Meyer, owner of the parcels, commented that the Thruway is looking into the run off issue. He also stated that using the small parcel and changing it from R-1 to R-3 would eliminate any traffic going through Donald Place to access the proposed apartment complex.

Marvin Meyer distributed a letter from Onondaga County Department of Transportation, dated November 10th, 2014, a map of the parcel and a zoning map, dated May 15, 2008 to the Board and Clerk Sims labeled it Exhibit 1.

Mayor White asked that the board continue the public hearing to the next meeting. It was agreed to continue the public hearing to the January meeting, which is rescheduled to January 19th, due to the Holiday.

Correspondence / Residents wishing to speak

A letter was received from Liverpool Library regarding the use of a wood stove in the building next door, Liverpool Shoes building. The smoke from the wood stove is impacting patrons of the Liverpool Library and causing issues.

Code Officer Reagan stated that the stove is up to code and that the Village does not have any local laws to address smoke infiltrating into another premise. He commented that the smoke infiltrating into the Library from the Shoe Store is a Civil Matter.

Glenna Wisniewski , director of the Liverpool Public Library asked to speak to the Board. She stated that patrons and employees of the Library are being impacted by the smoke.

Bill Reagan stated that he will contact the DEC to see if there is any type of regulations regarding the smoke infiltrating into another building.

Anthony LaValle, resident and Village Justice stated that court clerk Kim hall has been elected as VP of the Onondaga County Court Clerk's Association.

2016 Agreement for use of OCRRA Solid Waste Management System (Hauler Agreement)

The Village received the 2016 Agreement for use of OCRRA Solid Waste Management System. The terms are the same and the tipping fees have remained the same.

Motion was made by Trustee Fitch, seconded by Trustee Kochan, to authorize Mayor White to sign the 2016 OCRRA Solid Waste Management System Agreement. Motion Passed.

Discussion on Pearl Street Apts Storm Repair Bill in the amount of \$2,750

Greg Sgromo, engineer, will research this issue.

Reminder – Kick off meeting January 14th 7:00 PM at the Liverpool Public Library regarding fund raising efforts for Liverpool Cemetery.

The Village of Liverpool did not receive funding from the Consolidated Funding Application we submitted for the Liverpool Village cemetery Restoration Project.

There will be a kick off meeting January 14th at 7:00 PM to discuss fund raising efforts.

Approval Brenda Giacchi for Part Time Police Clerk at 20 hours a week at current hourly rate, due to her upcoming retirement on December 31, 2015

Motion was made by Trustee Hebert, seconded by Trustee Fitch, to approve Brenda Giacchi to return to work for the Village of Liverpool Police Department part time at 20 hours a week at current hourly rate. Motion Passed.

Resolution 508 Vine Street for cleanup

The following resolution was offered by Trustee Kochan, who moved its adoption, seconded by

Trustee Hebert, to wit:

WHEREAS, on December 11, 2015, the Code Enforcement Office for the Village of Liverpool secured a search warrant and inspected property reputedly owned by Matthew J. Rosenthal, located at 508 Vine Street, in the Village of Liverpool with a Tax Map Number of 003.-08-16.0 (hereinafter the "Premises"); and

WHEREAS, the Code Enforcement Officer, in accordance with Chapter 249 of the Code of the Village of Liverpool, determined by such inspection that the residential building and accessory structure situated on the Premises is in such a condition as to present an immediate danger to the life and safety of any person or property; and

WHEREAS, the Code Enforcement Officer concluded that the Premises' excessive amount of "litter," as defined in Chapter 249 of the Village Code, resulted in an infestation of rodents and, due to the close proximity of residential housing within the Residential Single-Family (R-1) District, creates an immediate health hazard for neighboring residents; and

WHEREAS, the Code Enforcement Officer determined that immediate corrective action to remove the excessive litter and exterminate the rodents is necessary to protect the health, safety and welfare of the public; and

WHEREAS, in accordance with Section 249-24(A) of the Village Code, the Code Enforcement Officer issued a notice, which was duly served upon the title owner of the Premises by means of certified mail, return receipt requested, the particulars of which said the residential structure and accessory building are unsafe and dangerous and in such a condition as to present an immediate danger to the life and safety of any person or property together with an order requiring compliance with the terms of said notice within ten (10) days, and establishing December 21, 2015 at 7:00 p.m. at the Village Hall as the time and place for a hearing on the matter before the Village Board of Trustees; and

WHEREAS, William B. Reagan, the Code Enforcement Officer, further prepared a written report addressed to the Village Board of Trustees, dated December 11, 2015, documenting his observations, the Premises' history of noncompliance and a recommendation that the Premises be declared a nuisance and a resolution be considered wherein approval is granted to remove the excessive litter that is within the residential structure and accessory garage building and extermination services are secured immediately, with the costs and expenses for same assessed against the Premises; and

WHEREAS, a hearing was conducted by this Village Board of Trustees on December 21, 2015, to determine whether said Premises are a nuisance posing a threat to the public's safety, health and welfare and the Village Board of Trustees having received the testimony of Code Enforcement Officer Reagan in support of the contention that said Premises is dangerous as defined by Chapter 249 of the Village Code and having reviewed and thoroughly considered the written report detailing the existing violations submitted by Code Enforcement Officer Reagan and said Matthew J. Rosenthal having failed

to make an appearance to offer testimony or evidence to contradict the evidence presented by Code Enforcement Officer Reagan.

NOW, THEREFORE, it is

RESOLVED AND DETERMINED, by the Village Board of Trustees of the Village of Liverpool, pursuant to the Village Law of the State of New York and the local laws of the Village of Liverpool, New York that:

1. The Premises described in the preamble of this resolution are hereby declared unsafe and dangerous, and an immediate danger to the life, health, safety and general welfare of any person or property as a result of the residential structure and accessory garage building's excessive litter and rodent infestation.

2. The Code Enforcement Officer is hereby authorized and directed to obtain estimates of the cost of making the Premises safe and secure by means of removal of the litter and extermination of the rodents. The Village Board of Trustees further authorizes the Mayor to execute any such agreements and to take any and all further action needed to give full force and effect to this approval and order. Such corrective action shall occur at the discretion of the Code Enforcement Officer no later than thirty (30) days from the date of this determination.

3. All costs and expenses incurred by the Village of Liverpool, including reasonable legal expenses, shall be charged to and reimbursed by said Matthew J. Rosenthal, as owner, or shall be assessed against the land upon which said building(s) or structure(s) are located.

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

Hon. Dennis Hebert	Trustee	Voted	Yes
Hon. Christina M. Fitch	Trustee	Voted	Yes
Hon. Nicholas Kochan	Trustee	Voted	Yes

The foregoing Resolution was thereupon declared duly adopted.

Authorize Mayor White to sign amendment to Contract for parking at Griffin Field and Salt Museum and enhanced police patrol and protection at the parking lots. This amendment extends the term of the contract to December 31, 2019.

Motion was made by Trustee Kochan, seconded by Trustee Fitch, to authorize Mayor White to sign amendment to Contract for parking at Griffin Field and Salt Museum and enhanced police patrol and protection at the parking lots. This amendment extends the term of the contract to December 31, 2019.

Change dates for January and February Board meetings due to Holidays

Trustee Kochan moved and Trustee Hebert seconded to change the dates for meetings in January – January 19th at 7:00 PM and February 29th at 7:00 PM due to the holidays on regular meeting dates. Motion Passed.

DPW STATS

Trustee Fitch gave the following recap of DPW:

- 8 UFPO's marked
- 11 Sewer Maintenance Calls handled by County
- No Sewer repairs
- No Banner pole requests
- No sign requests
- No Park Requests

POLICE STATS

Chief Morris read the following STATS for the police department:

- 197 Traffic Stops
- 132 Traffic tickets issued
- 19 Accidents Investigated
- 22 Parking Tickets issued
- 208 Residential Property Checks
- 445 Incidents

Overnight parking is prohibited on all highways within the Village between 12:00 AM and 8:00 AM from November 1st to April 15th. However, parking of a vehicle in the Village Business District is hereby prohibited between the hours of 2:00 AM and 8:00 AM from November 1 to April 15th.

Chief Morris updated the public on the Nichols Robbery. The Liverpool PD identified the suspect within 1 day of the incident. A warrant was obtained and entered into the Nationwide system. On 10/19/15 the suspect, John Putnam was detained and arrested by the Brockton PD in Massachusetts on our warrant. On 11/19/15 Mr. Putnam was indicted by an Onondaga County Grand Jury. On 12/08/15 Mr. Putnam was returned to NYS and lodged at the Public Safety Building in Syracuse. On 12/17/15 Chief Morris was informed that Mr. Putnam pleads guilty and will receive a five year sentence.

CODES STATS

Mayor White 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.

Town of Salina and Village of Liverpool Salt Agreement

Motion was made by Trustee Kochan, seconded by Trustee Hebert, to authorize Mayor White to sign the Municipal Agreement for the joint storage of road salt. Motion Passed.

Trustee Hebert presented the following Financial Reports:

Trustee Hebert moved and Trustee Kochan seconded the approval of Abstract # 07 General Fund vouchers 343-405 in the amount of \$ 295,578.48 and Abstract # 7 Sewer Fund G , voucher # G-402 in the amount of \$275.00. Motion Passed.

Transfers

Motion was made by Trustee Hebert, seconded by Trustee Kochan, to approve the following transfers:

From	To	Amount	Number
A1210.4	A1010.4	16.00	1
A1990.4	A1989.4	528.73	2
A3120.1	A3120.10	236.40	3
A5010.43	A5010.4	29.22	4
A5110.45	A5110.46	197.95	5
A8160.41	A8160.45	461.67	6
A1990.4	A8175.4	175.00	7
A1990.4	A8510.4	505.34	8

Motion Passed

Approve Minutes

Motion was made by Trustee Kochan, seconded by Trustee Fitch to approve the minutes of November 16, 2015. Motion Passed.

Adjournment

Motion was made by Trustee Kochan, seconded by Trustee Fitch, to adjourn the meeting. Meeting was adjourned at 9:02 PM. Motion Passed.

Respectfully submitted,

Mary Ellen Sims
Village Clerk Treasurer