

Village of Liverpool
Board of Trustees Regular Meeting
June 26, 2023

A regular meeting of the Village of Liverpool Board of Trustees was held on June 26, 2023 at 7:00 PM at 310 Sycamore Street, Liverpool NY.

Present:	Gary White	Mayor
	Michael LaMontagne	Deputy Mayor
	Christina Fadden	Trustee
	Matthew Devendorf	Trustee
	Dennis Hebert	Trustee
	Richard Andino	Attorney
	Mary Ellen Sims	Village Clerk

Also present was Russ Tarby Eagle News and approximately 25 other persons.

Mayor White called the meeting to order and Mayor White asked all those present to join in the pledge of allegiance.

Presentation to Mayor White

On behalf of all the Trustees of the Village of Liverpool, Trustee LaMontagne read a proclamation to Mayor White for his 26 years of service to the Village of Liverpool.

On behalf of Senator Mannion's office, Erin Mahoney read a proclamation from the Senator recognizing Mayor White achievements during his 26 years of service to the Village of Liverpool.

All in attendance stood and clapped for Mayor White's long and dedicated service to our Village. Mayor White will be missed and very deserving of his upcoming retirement.

Outstanding Issues grant updates:

Mayor White updated the current outstanding issues as follows:
Playground Birch & sixth Street- Mulch will be installed shortly

Vine Street – open issues-where to place the trees and decorative lighting

Records Management Grants- Half of the funds for the Village Clerk's office have been received and the project is moving forward. Deputy Clerk Callahan was successful in obtaining a grant in the amount of \$39,481 for the codes office to digitize their records

American Rescue Relief Act- Federal funding- Balance in account is \$ 164,995. The Village Board's intent is to use the funding to help pay for the repairs to the DPW Garage.

Cemetery plantings- working with EDR to plant a different species- Gro- low fragrant Sumac has been suggested. A three gallon installed price is \$85 each and a three gallon standalone price is \$25 each.

HVAC- bids opened Thursday June 22, 2023. Two firms bid on the job. Onondaga County awarded a reimbursable grant for this project in the amount of \$42,874.

Correspondence

Thank you letter from the Syracuse Antique Club was received.

Public comment period

Anthony LaValle, 101 Tulip Street, asked the Board how they felt about the NYS DOT's recommendation for the Onondaga Lake Parkway. NYS DOT is recommending that the Parkway be reduced to one lane in

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each direction up to the railroad bridge and from the bridge to the Village line, there would be one lane coming into the Village and two lanes coming out of the Village.

Mayor White explained that this plan has been at least three years in the planning stage. The Village Board has attended all meetings with NYS DOT regarding this plan. The Village Board held its own public hearing at the Liverpool Elementary school years ago. No one spoke in favor of this proposed lane closure to the Parkway. The Onondaga Lake Parkway is a NY State Highway.

Mayor White stated that all the Village can do is attend all future meetings and let their voices be heard.

Anthony LaValle suggested that perhaps the future Board could organize a group of citizens and bring possible legal action against the proposed plan.

Public hearing Local Law b-2023” A local law to amend the code of the Village of Liverpool to prohibit short term rentals within the Village.

Motion was made by Trustee Hebert, seconded by Trustee Fadden to open the public hearing on Local Law B- 2023 – A local law to amend the code of the Village of Liverpool to prohibit short term rentals within the Village.

Mayor White stated that at the meeting held on May 15, 2023, the Village Board declared this action a negative declaration for SEQR purposes and referred this local law to Onondaga County Planning Agency. Onondaga County Planning Board has determined that said referral will have no significant adverse inter-community or county –wide implications and can be acted upon solely by the Village board.

A short term rental is defined as follows: A dwelling unit or rooming unit and/or any accessory outdoor areas, yards, or structures that are rented, in whole or in part, to any person or entity for a period of twenty-nine (29) consecutive nights or less. This proposed law will prevent short term rentals as defined. The penalties for offenses are also included in this law.

Mayor White requested to be presented with the list of those persons who have asked to speak to the Board regarding this proposed local law.

Mayor White called on Michael Williams to speak.

Michael Williams, 808 Oswego Street stated that he has been renting his property short term for a few years. He did have long term renters at one time; however they damaged his property so he decided to start renting short term. He has found that short term renters provide for a great experience, he has over 452 reviews on his property that are wonderful comments. He has safety inspections regularly and he has been very successful with short term rentals.

Mr. Williams stated that perhaps, instead of prohibiting short term rentals, the Village could limit the number of homes being rented short term and if the owner is not adhering to the rules, their permit could be revoked.

Mackenzie Hafner, 806 Oswego Street, owns two homes in the Village that she rents short term. She started short term rentals for her properties several years ago. She stated that she had a terrible long term tenant and decided to rent short term. She does not live in either home in the Village. She commented that any profit she makes from her rentals goes back into updating her homes. She asked where the idea of prohibiting short term rentals came from.

Rose Hayes, 810 Oswego Street, has three rental properties in the Village of Liverpool. She rents mostly to traveling nurses.

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Francine LaValle, 705 First Street, stated that she owns three homes in the Village. She rents to long term renters; however she thinks that short term rentals are a great idea.

Bill Reagan, Codes Officer stated that short term rentals are not an approved use according to Code.

Attorney Andino stated that our current law prohibits short term rentals. He commented that he questioned the legality of limiting the number of rentals. The purpose of this proposed law is to clarify what is not permitted and to impose penalties for violating the law. Attorney Andino commented that there are a number of examples from NYCOM to regulate short term rentals.

Mayor White asked if the Board members would like to comment on this proposed law.

Trustee Hebert commented that the Village could regulate short term rentals and put certain restrictions on it. He commented that perhaps the Village could enact a sixty- ninety day moratorium.

Trustee LaMontagne stated the issue is, with short term rental, how it complies with building code. He stated that the proposed language for prohibiting short term rentals states that “the Village Board of the Village of Liverpool finds and determines that the public health, safety and welfare of current and future Village residents will be adversely affected by the unregulated short term rental of all or a portion of dwelling units.” He questioned why they should be permitted if public health, safety and welfare is an issue with short term rentals. He stated that short term rentals are not permitted by the current code.

Trustee Fadden stated that the Mayor’s Association talked about getting ahead of possible problems with short term rentals and should clarify the code.

Trustee Devendorf stated that this is a very tough decision. He understands the benefits of the proposed law. He believes that short term rentals are not healthy for Village environment. He did state that the persons that are here tonight, that do rent short term, do a very good job.

Mayor White stated that the Board could leave the public hearing open.

Attorney Andino stated that a moratorium requires a local law. He stated that the Village could introduce the local law at the next meeting.

Michael Williams, 808 Oswego Street, commented that he would volunteer his time to put together some regulations and solutions for short term rentals. He could get a committee together.

Trustee Devendorf stated that short term rentals are not supposed to be allowed. Perhaps, the future Board can find solutions.

Hearing no more questions, Mayor White asked for a motion to either leave the public hearing open or close it.

Motion was made by Trustee Devendorf, seconded by Trustee Fadden, to close the public hearing. Motion passed.

Motion was made by Trustee Devendorf, seconded by Trustee Fadden, to adopt Local Law B- 2023, now known as Local Law 2-2023 “A local law to amend the code of the Village of Liverpool to prohibit short-term rentals within the Village.”

Roll Call vote:

Trustee Hebert	No
Trustee Devendorf	Yes
Trustee Fadden	Yes

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Trustee LaMontagne	Yes
Mayor White	Yes

Motion Passed.

Introduction Local Law C- A local law to amend Article VIII of Chapter 368 of the code of the village of Liverpool. Article VIII “Truck Route and Truck Exclusions” of Chapter 368 shall be renamed “Truck Travel and Truck Exclusions.”

Trustee Fadden introduced proposed Local Law No. C-2023, “A Local Law to Amend Article VIII of Chapter 368 of the Code of the Village of Liverpool” and made the following motion, which was seconded by Trustee LaMontagne:

WHEREAS, Local Law C-2023 is being proposed because, recently, it has been recognized that there is an increase in the levels of heavy truck traffic through the Village and that the Village is vested with the statutory powers to regulate and control land use, and to protect the health, safety and welfare of its residents, as well as the integrity of Village thoroughfares; and

WHEREAS, the Village Board of Trustees has determined it is necessary to establish certain regulations for the use of Village thoroughfares by trucks, tractors and tractor-trailer combinations and the Village Board of Trustees has also recognized the potential for dangerous and unsafe conditions for its residents as a result of trucks, tractors and tractor-trailer combinations utilizing certain streets, roads and highways located in the Village; and

WHEREAS, as part of its consideration of this issue, the Village procured a Truck Traffic Study by Barton & Loguidice, D.P.C., in order to investigate the heavy vehicle traffic travelling through the Village (said study is attached hereto and made a part of this Resolution); and

WHEREAS, the Truck Traffic Study documents existing heavy vehicle traffic patterns; identified applicable traffic regulations and engineering design standards; and identified signage improvements and traffic regulations that would reduce truck traffic within the Village which has the potential to endanger

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the public health, safety and welfare of residents and the integrity of streets, roads and highways located in the Village; and

WHEREAS, proposed Local Law C-2023 has been drafted to be tailored to the results of the Truck Traffic Study and to address the recognized potential impact to the safety of Village residents, as well as air quality within the Village, and integrity of Village streets, roads and highways from these specific types of vehicles; and

WHEREAS, proposed Local Law C-2023 has been introduced and will be considered for enactment pursuant to the provisions of the Municipal Home Rule Law; and

WHEREAS, Volume 6 N.Y.C.R.R., Sections 617.3 and 617 of the Regulations relating to Article 8 of the New York Environmental Conservation Law of New York (SEQRA), requires that as early as possible after submission of a completed application, an involved agency shall make a determination whether a given action is subject to the aforementioned law; and

WHEREAS, no other agency has the legal authority or jurisdiction to approve or directly undertake the enactment of Local Laws in the Village of Liverpool, such that there are no other involved agencies within the meaning of the New York State Environmental Quality Review Act (SEQR) with respect to the proposed enactment of said Local Law, with the result that the Village Trustees shall act as lead agency in this matter; and

WHEREAS, the adoption to said Local Law is an unlisted action for purposes of environmental review under SEQRA; and

WHEREAS, the Village Board has determined that a short environmental assessment form (EAF) shall be required in connection with this matter; and

WHEREAS, the said EAF has been prepared and has been reviewed by the Village Board; and

WHEREAS, the Village Board has considered the adoption of said Local Law, has considered the criteria contained in 6 N.Y.C.R.R. Part 617.7 and has compared the impacts which may be reasonably expected to result from the adoption of said Local Law against said criteria.

NOW, THEREFORE, IT IS

RESOLVED AND DETERMINED that the enactment of this proposed local law is an unlisted action under SEQRA, that there are no other involved agencies and the Village Board shall act as lead agency; and it is further

RESOLVED AND DETERMINED, the Village Board has determined this action shall have no significant adverse impact on the environment; that, accordingly, an environmental impact statement (EIS) shall not be required; and that this resolution shall constitute a negative declaration under SEQRA; and it is further

RESOLVED AND DETERMINED that the Village Board of Trustees shall conduct a public hearing as to the enactment of proposed Local Law C-2023 at the Village of Liverpool Village Hall, 310 Sycamore Street, Liverpool, New York on July 10, 2023, at 7:01 p.m. or as soon thereafter as the matter can be heard, at which time all persons interested on the subject shall be heard.

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. Michael LaMontagne	Trustee	Voted	Yes
Hon. Matthew Devendorf	Trustee	Voted	Yes
Hon. Christina Fadden	Trustee	Voted	Yes
Hon. Gary C. White	Mayor	Voted	Yes

The foregoing Resolution was thereupon declared duly adopted.

HVAC bid results

Mayor White stated that two bids were received for this project on June 22, 2023. EMCOR services Betlem bid was in the amount of \$117, 000 and Airside Technology bid was in the amount of \$194,900. Dunn & Sgromo Engineers evaluated the bids for the Liverpool Village Hall HVAC upgrades- Rooftop units replacement which consists of four existing rooftop units, along with associated exterior duct work, insulation and new air scrubbers. Dunn & Sgromo’s evaluation of EMCOR Services Betlem Rochester indicates that they are capable of completing the work required. Therefore, Dunn & Sgromo recommend the award of a contract for Liverpool Village Hall to EMCOR Services Betlem in the amount of \$117,000.

Motion was made by Trustee LaMontagne, seconded by Trustee Devendorf to award the HVAC bid to EMCOR Services Betlem in the amount of \$117,000.

Roll Call Vote:

Trustee Fadden	Yes
Trustee Devendorf	Yes
Trustee Hebert	Yes
Trustee LaMontagne	Yes
Mayor White	Yes

Motion Passed.

Birch Street & Seventh Street Drainage Improvements

Mayor White stated that the bids for this project were opened on April 27th, 2023 at 1:00 PM. Five bids were received. Paul Vitale was the low bidder with an amount of \$238,294 and high bid was WD Malone with an amount of \$337,666.

Dunn & Sgromo evaluated the bids which consists of installation of approximately 230 lineal feet of 12-inch storm sewer along Seventh Street and reconstruction of approximately 450 feet on Seventh Street, including new pavement, concrete gutters and 6 inch underdrains. They evaluated the bids to see why they exceeded the \$200,000 budget and options available to bring the cost to within the previous estimate. It was determined that the high cost is due to the cost of crushed stone in the Syracuse area.

Dunn & Sgromo evaluated the experience, reputation and financial condition of Paul Vitale Inc.and indicated that they are capable of completing the work required. Recommendation from Dunn & Sgromo is to award the bid to Paul Vitale Inc in the amount of \$238,294.

Motion was made by Trustee LaMontagne, seconded by Trustee Hebert to award the Birch & Seventh Street Drainage Improvement project to Paul Vitale Inc. in the amount of \$238,294.

Roll Call vote:

Trustee Fadden	Yes
Trustee Devendorf	Yes
Trustee Hebert	Yes
Trustee LaMontagne	Yes
Mayor White	Yes

Motion Passed.

Recommendation from Planning Board for sidewalks on the 700 Block of First Street towards Birch Street

The planning board has made a recommendation to the Village Board to install sidewalks in the 700 block of First Street, with priority on the lake side of the Street. The planning board is concerned with the safety of those walking in that area.

The Future Board will decide on the installation of sidewalks in that area.

Discussion Bonadio Audit

Motion was made by Trustee Hebert, seconded by Trustee Devendorf, to authorize Bonadio to perform a snapshot review audit of the books of the Village of Liverpool for a cost not to exceed \$5,000.

Roll Call vote:

Trustee Fadden	Yes
Trustee Devendorf	Yes
Trustee Hebert	Yes
Trustee LaMontagne	Yes
Mayor White	Yes

Motion Passed.

Tall grass removal and cleanup charges authorized to be added to next tax bill

Motion was made by Trustee Hebert, seconded by Trustee Devendorf, to authorize tall grass removal and cleanup charges be added to the following tax bills, if not paid by the owner:

714 Second Street, 416 Oswego Street, 106 Sargent Lane, 306 Balsam Street and 1119 Oswego Street.

Motion Passed.

Quotes for repair to outside Village Hall

Two Quotes were received for the work on the outside of Village Hall. The work includes repair of the bottom front window, paint trim on front and north sides, paint dormer, scrape and caulk, apply oil primer an apply finish coat. Rufino Ramos quote was \$17,500 and Joe Romano quote was in the amount of \$7,700.00

Motion was made by Trustee Devendorf, seconded by Trustee Hebert, to award the work for the repair to the outside of Village Hall to Joseph Romano in the amount of \$7,700.

Roll Call Vote:

Trustee Fadden	Yes
Trustee Devendorf	Yes
Trustee Hebert	Yes
Trustee LaMontagne	Yes
Mayor White	Yes

Motion Passed.

Quotes for Village Hall Kitchen update

Two quotes were received for the replacement of 5 cabinets, toe kick, fillers ,countertops, new sink and faucet in the kitchenette.

Joseph Romano's quote was in the amount of \$3,000 and AC Rank construction quote was in the amount of \$ 6,520.00

Motion was made by Trustee Devendorf, seconded by Trustee Hebert to award the work for the kitchenette to Joseph Romano in the amount of \$3,000.

Roll Call Vote:

Trustee Fadden	Yes
Trustee Devendorf	Yes
Trustee Hebert	Yes

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Trustee LaMontagne Yes
Mayor White Yes

Motion Passed.

Authorize DPW Rehab of Garage to go to bid

Dunn & Sgromo proposal for engineering services for the Miscellaneous Highway Garage repairs includes the design, specifications, and preparation of bid documents and bidding for engineering related to the following scope of work:

Anticipated scope of repairs:

Window replacement, garage door and opener replacement, structural repairs at garage doors, replacement of metal siding, flooring, bollards, painting interior, resurfacing of garage floor, replacement of trench drain in garage area and miscellaneous work associated with above scope of work for a not to exceed cost of \$12,500.00

Motion was made by Trustee LaMontagne, seconded by Trustee Devendorf, to accept the proposal from Dunn & Sgromo for engineering services for the DPW garage repairs for a cost not to exceed \$12,500.00

Roll Call Vote:

Trustee Fadden Yes
Trustee Devendorf Yes
Trustee Hebert Yes
Trustee LaMontagne Yes
Mayor White Yes

Motion Passed.

Police STATS

Trustee Devendorf gave the following STATS for the Police Department for the month of May:

180 Traffic Stops
164 Tickets issued
2 DWI arrests
10 Accidents Investigated
0 Parking Tickets issued
56 Residential Property checks
156 Business Checks
493 Incidents/ Calls for service/ Incidents

The Liverpool Police Department arrested a total of 24 individuals this month with 32 charges filed. The Police department took part in NYS clicket or Ticket campaign. During this campaign officer's issued a total of 75 tickets with included 14 for no seatbelt and 9 for cell phone use.

DPW STATS

Trustee LaMontagne presented the following STATS for the DPW Department for the month of May:

Yard Waste-Began April 3rd. Yard waste will be picked up the first and third Monday each month through October.

25 UFPO's for month of February

11 Sewer Maintenance calls

Sewer Repairs – None

Tree work-302 and 403 Hickory Street and 800 Oswego Street

Park Requests

The following park requests were approved:

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Syracuse Climb out of the Darkness Event October 15th 10:00 AM to 2PM Johnson Park
Team RWB Yoga Washington Park June 12 and 27, July 10 and 24th, August 14 and 28, September 11
and 25th

CODES REPORT

Trustee Hebert read the following STATS for the month of May:

- A. New Project Application Reviews 21
 - B. Permits Approved or Extended 9
 - C. Construction Inspections 21
 - D. Certificates of Compliance 9
 - E. Complaint Inspections 11
 - F. Fire Code Inspections 14
 - G. Miscellaneous Inspections 11
 - H. Rental Dwelling Inspections 14
 - I. Violation Inspections/ Re-inspections 132
 - J. Letters / Notices / Citations 108
 - K. Signs Removed From Village Property 19
 - L. Miscellaneous Recorded Actions 74
- Total: 443

Total Construction Project Values: \$ 72,791

Financial – Approve Abstracts

Motion was made by Trustee Fadden, seconded by Trustee Devendorf to approve Abstract # 13 General fund claims # 754-807 in the amount of \$162,159.06 General Fund Abstract # 1 Claims 1-58 and 60 in the amount of \$193,529.60 and PN fund Abstract # 1, claim # PN-59 in the amount of \$100.00

Roll Call Vote:

Trustee Fadden	Yes
Trustee Devendorf	Yes
Trustee Hebert	Yes
Trustee LaMontagne	Yes
Mayor White	Yes

Motion Passed.

Monthly Report of Treasurer

Clerk Sims presented the Board with the monthly report for May, 2023.

Transfers

Motion was made by Trustee Fadden, seconded by Trustee Devendorf, to approve the transfers 1-67
Motion Passed.

Approve Minutes May 15, 2023

Motion was made by Trustee Fadden, seconded by Trustee Hebert to approve the minutes of May 15, 2023, with the correction of the spelling of Bambacht. Motion Passed.

Approve Minutes May 22, 2023

Motion was made by Trustee Devendorf, seconded by Trustee Hebert, to approve the minutes of May 22, 2023. Motion Passed (Trustee Fadden and Trustee LaMontagne abstained)

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Adjournment

Motion was made by Mayor White, seconded by Trustee Devendorf, to adjourn the meeting. The Meeting was adjourned at 9:13 PM. Motion Passed. All present wished Mayor White the best on his retirement.

Respectfully submitted,

Mary Ellen Sims, Village Clerk