

Village of Liverpool  
Board of Trustees  
Regular Meeting  
January 22, 2024

A Work session for the Village Board of Trustees started at 6:45 PM

A regular meeting of the Village of Liverpool Board of Trustees was held on January 22, 2024 at 7:00 PM at 310 Sycamore Street, Liverpool NY. This meeting was open to the public.

Present:	Stacy Finney	Mayor
	Michael LaMontagne	Deputy Mayor
	Melissa Cassidy	Trustee
	Rachel Ciotti	Trustee
	Mary Ellen Sims	Village Clerk

Absent:	Matt Devendorf	Trustee
	Richard Andino	Attorney

Also present was Chief Unger, Russ Tarby (Eagle News) and approximately 6 other persons.

Mayor Finney called the meeting to order at 7:00 PM and asked all those present to stand for the Pledge of Allegiance.

**Public comment:**

Mike Williams, 808 Oswego Street, asked if the Mayor received his letter regarding owner –occupied short term rentals. (This is addressed under correspondence)

Raul Huerta, 807 Oswego Street, worried about the large trucks still coming down Tulip Street and speeding cars, which make it difficult to walk in that area. He stated that the cross walks are difficult to cross in the area of Oswego Street and 6<sup>th</sup> Street. He commented that he is seeing more tickets being issued.

Chief Unger asked to speak regarding the trucks. He stated that the signs are up and that the police department has started pulling over the trucks. He stated that the police department will do the best they can, with the man power they have.

Mike Romano, 309 Sycamore Street, made the following comments:

He stated that the Christmas decorations looked great and commended the Village. He asked if the Village DPW could correct the manner in which they remove snow from his side of Sycamore Street. All the snow gets pushed into his driveway as well as the driveway next door.

Mike Romano also had some comments about the Cemetery as follows:

Mulch needs to be put down where the weeds were pulled.

There are small trees that the DPW needs to remove

Village of Liverpool  
Board of Trustees  
Regular Meeting  
January 22, 2024

The Village should consider hiring summer help to work only in the Cemetery.  
Foundations for benches need to be poured.  
Light poles need to be purchased and placed in the Cemetery.

Trustee LaMontagne received a quote for the two new poles that need to be purchased for a total amount of \$6,796.

The lights are from the same manufacturer/supplier that the existing lights are from and need to be custom fabricated, as they are no longer a stock item.

The Village board hereby waives the requirement for additional quotes in this circumstance noting the above and the fact that the Village is maintaining consistency with lights that were previously purchased for purposes of operation, maintenance and appearance.

The conduit is already in place for the electrical for the four lights. Two will be purchased from Vertex Innovative Solutions for a cost of \$6,796 and two are at the Village Hall.

Motion was made by Trustee Cassidy, seconded by Trustee Ciotti, to purchase two light poles from Vertex Innovative Solutions for a cost not to exceed \$6,796.00, with funds being used from Cemetery Restoration Project.

Roll Call Vote:

Trustee Lamontagne	Yes
Trustee Cassidy	Yes
Trustee Ciotti	Yes
Trustee Devendorf	Excused
Mayor Finney	Yes

Motion passed.

### **Outstanding issues**

Birch Street Playground- playground having flooding issues  
Budget- worksheets will be distributed last week of January

### **Correspondence:**

Letter received from Michael Williams, 808 Oswego Street, asking the Village Board to allow short term rentals by owner –occupied homes in the Village of Liverpool. Mr. Williams, owns his home at 808 Oswego Street and has an Airbnb in his home. He stated many reasons for allowing an owner-occupied Airbnb in the Village.

Mayor Finney stated that the Board is considering owner- occupied short term rentals in the Village. The process would be a local law to amend the current code. This process takes approximately three months to complete.

Village of Liverpool  
Board of Trustees  
Regular Meeting  
January 22, 2024

Village Board members are open to discussing this again.

**Approve Minutes December 11, 2023**

Motion was made by Trustee LaMontagne, seconded by Trustee Ciotti to approve the minutes of December 11, 2023 as presented. Motion Passed. (Trustee Cassidy abstained)

**Reschedule February meeting due to holiday**

Motion was made by Mayor Finney, seconded by Trustee LaMontagne to reschedule February 19<sup>th</sup> meeting to February 26<sup>th</sup> due to holiday. Motion Passed.

**Public hearing Local Law F- 2023- A local law to amend chapter 258 of the Code of the Village of Liverpool (Noise, Prevention of)**

Motion was made by Trustee Lamontagne, seconded by Trustee Cassidy, to open the public hearing on Local Law F- 2023(noise prevention of) Motion passed.

Mayor Finney explained that this proposed local law amendments relate to commercial construction equipment. Section 3 section 258-7 is hereby amended so that section 258-7(B) reads in its entirety as follows:

Construction activities between 7:00 am through 9:00 pm. and the associated use of construction devices or the noise produced thereby, provided that such activities and such equipment and their use comply with the other provisions hereof. The use of commercial construction equipment, which must be properly maintained and operated, is only permitted between 7:00 am through 6:00 pm Monday through Saturday.

Mayor Finney explained that this will restrict use of commercial construction equipment on Sundays and prohibit use after 6:00 pm Monday through Saturday.

Trustee Cassidy stated that there are times, during a residential home improvement project, that the contractor may possibly continue later than 6:00 PM. She feels that this should be considered.

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

Motion was made by Mayor Finney, seconded by Trustee LaMontagne, to close the public hearing. Motion Passed.

Village of Liverpool  
Board of Trustees  
Regular Meeting  
January 22, 2024

Motion was made by Trustee Ciotti, seconded by Mayor Finney, to adopt Local Law F-2023, now known as Local Law 1- 2024 – a local law to amend Chapter 258 of the Code of the Village of Liverpool (Noise, Prevention of).

**Roll Call Vote:**

Trustee Lamontagne	Yes
Trustee Cassidy	No
Trustee Ciotti	Yes
Trustee Devendorf	Excused
Mayor Finney	Yes

Motion passed.

**Public hearing Local Law G- 2023- A local law to amend Chapter 380 of the Code of the Village of Liverpool relative to the Storage of Commercial Construction Equipment.**

Motion was made by Mayor Finney, seconded by Trustee Ciotti, to open the public hearing on Local Law G- 2023- A local law to amend Chapter 380 (Zoning) of the Code of the Village of Liverpool relative to approvals and requirements for accessory structures. Motion Passed.

Mayor Finney explained that this proposed local law amends the code as it relates to the square footage of an accessory structure. An accessory structure to a dwelling unit which exceeds 150 square feet in building area up to a maximum of 600 square feet. An accessory structure to a dwelling unit which exceeds the maximum of 600 square feet must obtain an area variance.

Hearing no questions or comments, Mayor Finney asked for a motion to close the public hearing. Motion Passed.

Motion was made by Mayor Finney, seconded by Trustee Ciotti, to adopt local law G 2023, now known as Local Law 2- 2024 – A local law to amend Chapter 380 of the Code of the Village of Liverpool relative to the Storage of Commercial Construction Equipment.

**Roll Call Vote:**

Trustee Lamontagne	Yes
Trustee Cassidy	Yes
Trustee Ciotti	Yes
Trustee Devendorf	Excused
Mayor Finney	Yes

Motion passed.

**Introduce Local Law A 2024- A local law to amend Chapter 380 of the Code of the Village of Liverpool relative to the Storage of Commercial Construction Equipment.**

Trustee Cassidy introduced proposed Local Law A- 2024 and Trustee Ciotti seconded the motion. The following is the proposed amendment to the code:

**SECTION 2. AMENDMENT OF §380-5 (DEFINITIONS) TO ADD NEW TERMS**

§380-5 (Definitions) of the Code of the Village of Liverpool is hereby amended to add a new definition of “Commercial Construction Equipment” to read as follows:

**“COMMERCIAL CONSTRUCTION EQUIPMENT** – Engine-powered or motor-powered equipment intended for commercial construction work and not typically utilized by homeowners. Examples of commercial construction equipment include but are not limited to skid steers, loaders, bulldozers, logging/sawmill equipment, backhoes, dump trucks, hydraulic lifts, air compressors, jackhammers, trenchers, excavators, paving rollers, augers, cranes graders and other material handling equipment, and any equipment that utilizes backup alarms. This term shall not include Homeowner’s Light Residential Outdoor Equipment.”

§380-5 (Definitions) of the Code of the Village of Liverpool is hereby amended to add a new definition of “Homeowner’s Light Residential Outdoor Equipment” to read as follows:

**“HOMEOWNER'S LIGHT RESIDENTIAL OUTDOOR EQUIPMENT** -- All engine-powered or motor-powered garden or maintenance tools intended for repetitive use in residential areas, typically capable of being used by a homeowner. Examples of homeowner's light residential outdoor equipment are lawn mowers, garden tools, riding tractors, snow blowers, snowplows, leaf blowers, etc.”

**SECTION 3. AMENDMENT OF §380-94(A)(6)(a) TO AMEND CERTAIN TERMS**

§380-94 (Parking area design standards) of the Code of the Village of Liverpool is hereby amended so that §380-94(A)(6)(a) will read as follows:

“(6) Commercial vehicles and commercial construction equipment.

Other than for customary delivery of goods and services to the premises, no residential property in any residential use district shall provide parking, storage or a base of operations for commercial vehicles, commercial construction equipment, and support equipment, as defined herein.

Village of Liverpool  
Board of Trustees  
Regular Meeting  
January 22, 2024

The Village Board determined that this action shall be declared a negative declaration. Public hearing will be held February 26, 7:01 Pm.

The forgoing resolution was duly put to a vote and upon roll call the vote was as follows:

Trustee Lamontagne	Yes
Trustee Cassidy	Yes
Trustee Ciotti	Yes
Trustee Devendorf	Excused
Mayor Finney	Yes

Motion passed.

**Introduce Local Law B- 2024- A local law to amend Chapter 156 of the Code of the Village of Liverpool relative to Outdoor Illumination.**

Trustee Cassidy introduced proposed Local Law B- 2024, which was seconded by Trustee Ciotti. The following are the proposed amendments:

**SECTION 2. AMENDMENT OF §380-109(A)(DEFINITIONS SPECIFIC TO OUTDOOR ILLUMINATION)**

§380-109(A) (Definitions specific to outdoor illumination) of the Code of the Village of Liverpool is hereby amended to delete the definition of “Temporary Outdoor Lighting” in its entirety, and add a new definition of “Temporary Lighting” to read as follows:

**“TEMPORARY LIGHTING** -- Lighting intended for uses which by their nature are of limited duration, such as civic events, filming, theatrical, television or performance activities, or construction projects.”

§380-109(A) (Definitions specific to outdoor illumination) of the Code of the Village of Liverpool is hereby amended to add a new definition of “Construction Lighting” to read as follows:

**“CONSTRUCTION LIGHTING** – Exterior lighting used primarily to illuminate highway or building construction areas.”

**SECTION 3. AMENDMENT OF §380-109(B)(1) (INTENT)**

§380-109(B)(1) (Intent) of the Code of the Village of Liverpool is hereby amended to read as follows:

“(1) This section is intended to reduce problems created by improperly designed and installed outdoor lighting including temporary and construction lighting. It is intended to reduce or eliminate problems of glare,

minimize light trespass on adjoining properties and reduce energy consumption by establishing regulations that limit the types of acceptable outdoor lighting fixtures and their illumination levels. By regulating outdoor lighting, community character and aesthetics will be enhanced and excessive lighting that can become a distraction of the traveling public and an annoyance to occupants of neighboring properties caused by improper lighting can be avoided.”

**SECTION 4. AMENDMENT OF §380-109(D)(5) TO ADD NEW SUBPARAGRAPHS ADDRESSING CONSTRUCTION LIGHTING AND TEMPORARY EVENT LIGHTING**

§380-109(D)(5) (Temporary Outdoor Lighting) of the Code of the Village of Liverpool is hereby amended to add new subparagraphs (c) and (d) to read as follows:

“(c) Construction lighting. Residential property and public rights-of-way shielding is required to prevent obtrusive light and nuisance and disability glare; to minimize light trespass to residential properties; and to prevent nuisance and disability glare onto public rights-of-way and properties.

(d) Temporary event lighting and lighting equipment for filming theatrical, television, and performance areas. Residential property and public rights-of-way shielding is required to prevent obtrusive light and nuisance and disability glare; to minimize light trespass to residential properties; and to prevent nuisance and disability glare onto public rights-of-way and properties.”

**SECTION 5. AMENDMENT OF §380-109(D)(6)(g) RELATED TO TEMPORARY HOLIDAY LIGHTING**

§380-109(D)(6)(g) of the Code of the Village of Liverpool is hereby amended to read as follows:

“(g) Temporary holiday lighting; provided that individual lamps are 130 lumens or less (10W incandescent, 2.5W LED) and the lighting does not pose a visual hazard for drivers on public rights-of-way.”

The Village Board determined this action shall be declared a negative declaration and that the Village Board shall conduct a public hearing on February 26<sup>th</sup> at 7:02 PM.

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

Village of Liverpool  
Board of Trustees  
Regular Meeting  
January 22, 2024

Trustee Lamontagne	Yes
Trustee Cassidy	Yes
Trustee Ciotti	Yes
Trustee Devendorf	Excused
Mayor Finney	Yes

Motion passed.

**Introduce Local Law C- 2024- A local law to amend Chapter 156 of the Code of the Village of Liverpool relative to building permit time limits**

Mayor Finney introduced proposed Local Law C- 2024 and Trustee Cassidy seconded it. The following is the proposed amendment:

**SECTION 2. AMENDMENT OF §156-5(I) (TIME LIMITS)**

§156-5 (Building Permits) of the Code of the Village of Liverpool is hereby amended so that §156-5(I) will read in its entirety as follows:

“Time limits. Building permits shall become invalid unless the authorized work is commenced within six months following the date of issuance. Building permits shall expire 12 months after the date of issuance. A building permit which has become invalid or which has expired pursuant to this subsection may be renewed upon application by the permit holder, payment of the applicable fee, and approval of the application by the Code Enforcement Officer. If the applicant is seeking a second renewal, the Code Enforcement Officer may decide to renew the building permit a second time themselves or, if the project has started and is not substantially complete at the time of expiration, the Code Enforcement Officer may send the application to the Zoning Board of Appeals to decide whether the building permit should be renewed a second time and what conditions, if any, to place on said permit extension.”

The Village Board determined that this action shall be declared a negative declaration. Public hearing will be held February 26, 7:03 Pm.

The forgoing resolution was duly put to a vote and upon roll call the vote was as follows:

Trustee Lamontagne	Yes
Trustee Cassidy	Yes
Trustee Ciotti	Yes
Trustee Devendorf	Excused
Mayor Finney	Yes

Motion passed.



Village of Liverpool  
Board of Trustees  
Regular Meeting  
January 22, 2024

**Permission to add unpaid rental registration fee of \$50 to tax bill – 714 Second Street**

Motion was made by Trustee Cassidy, seconded by Trustee LaMontagne, to grant permission to add unpaid rental registration fee of \$50.00 to the next Village tax bill for 714 Second Street. Motion Passed.

**Commercial fire inspection fees- changes**

Table to February meeting

**Review proposed revision to short term rental law**

This was discussed under correspondence

**Authorization for Mayor to sign the Cooperative Agreement with Town of Salina for fuel**

The Cooperative Agreement with Town of Salina for fuel is the same as previous years. No increases in the price for fuel were noted. This agreement takes effect January 1, 2024 and expires on December 31, 2024.

Motion was made by Trustee LaMontagne, seconded by Trustee Cassidy to authorize Mayor Finney to sign the Cooperative Agreement with Town of Salina for fuel. Motion Passed.

**Appoint Committee to review RFQ's for Engineering Services**

Mayor Finney appointed the following persons to the committee to review RFQ's for Engineering Services:

- Mayor Finney
- Trustee LaMontagne
- Mike Neverette/Mike Davison
- Bill Reagan
- Robert Bradt- Planning Board Chairman
- Steve Race- Zoning Board Chairman

**Benches for park- dedication plaque, locations and design plans**

This will be on February Agenda

**Accept letter of resignation from James Stever, Fire Inspector**

Motion was made by Mayor Finney, seconded by Trustee LaMontagne, to accept the letter of resignation, regrestfully, from James Stever effective December 27<sup>th</sup>, 2023. Motion Passed.

**Police – STATS**

Chief Unger presented the following STATS for the Police Department for the month of December:

Village of Liverpool  
Board of Trustees  
Regular Meeting  
January 22, 2024

138 Traffic Stops  
116 Tickets issued  
2 DWI arrests  
13 Accidents Investigated  
22 Parking Tickets issued  
55 Residential Property checks  
150 Business checks  
489 Incidents/ Calls for Service

The Liverpool Police Department arrested a total of 25 individuals this month with 34 charges filed.

### **Stats for 2023**

1,112 Traffic Stops  
1476 Tickets issued  
28 DWI arrests  
103 Accidents Investigated  
45 Parking Tickets issued  
1072 Residential Property checks  
2512 Business checks

The Liverpool Police Department arrested a total of 271 individuals in 2023 with 352 charges filed.

Chief Unger also presented the 2022 and 2023 comparison numbers. All the numbers for 2022 were higher than the 2023 STATS. Total number of individuals arrested in 2023 was down by 257 and total charges filed were down by 348.

Chief Unger stated that 2023 was a challenge. Staffing was down by 50 % and only one officer was on per shift. Chief Unger stated that the department is hiring and recruiting at this time..

### **Codes STATS**

Trustee Cassidy read the following Codes Stats for the month of December:

7 New Project application reviews  
2 Permits approved or extended  
21 Construction inspections  
33 Certificates of compliance  
4 Complaint inspections  
22 Fire Code Inspections  
0 Miscellaneous Inspections

Village of Liverpool  
Board of Trustees  
Regular Meeting  
January 22, 2024

- 29 Rental dwelling inspections
- 24 Violation inspections/re-inspections
- 24 Letters/ notices/citations
- 8 Signs removed from Village Property
- 48 Miscellaneous Recorded actions

**DPW STATS**

Trustee LaMontagne read the following STATS for the month of December  
:

- Yard Waste – Bagged leaves and Christmas Trees are being picked up
- Sewer Maintenance Calls- 17 were handled by the County
- Sewer Repairs- None
- Sign requests – None
- Banner Requests- None
- UFPO request-Fourteen for the month
- Road Work – None
- Tree Work- 102 Balsam, 102 Sixth and 106 Aspen all removed

**Financial – Approve Abstracts**

Motion was made by Trustee Cassidy, seconded by Trustee Lamontagne, to approve the following abstracts: General fund, claim # 472-543 in the amount of \$259,539.20; Sewer fund Claim # 544 in the amount of \$ 19,512.50;HB Birch Street Drainage Claim # 545 in the amount of \$212,887.40 and Capital Village Trees, claim # 496 in the amount of \$6,877.50

Roll Call Vote:

Trustee LaMontagne	Yes
Trustee Cassidy	Yes
Trustee Devendorf	Excused
Trustee Ciotti	Yes
Mayor Finney	Yes

Motion Passed.

**Transfers**

Motion was made by Trustee LaMontagne, seconded by Trustee Cassidy, to approve transfers 1-17. Motion Passed.

**Monthly Report of Treasurer**

Monthly report of current bank balances was distributed to the Board

Village of Liverpool  
Board of Trustees  
Regular Meeting  
January 22, 2024

## **Contingency Plan**

### **Future Budget discussions**

#### **Review of current salaries and future salary increases**

Trustee Cassidy feels that the Village needs a contingency plan for the future. She suggested that during the budget process, the department head and the assistant participate. Both persons should know the process of budgeting.

Trustee Cassidy suggested that the Village consider hiring a part time person for the Clerk's office to start learning the job in the event that the current clerk's resign or retire.

Review of current salaries and future salary increases will be done during the budget process.

## **Committee Reports**

Trustee Ciotti distributed the Pedestrian safety committee report dated January 9, 2024. This committee is primarily focused on how to make it less dangerous to cross the village's busiest streets. Next meeting is February 9<sup>th</sup> 2024.

### **Tree Committee report dated January 10, 2024**

Activity for both trees and the committee slows down in winter. No meeting scheduled for January. Committee is working to provide useful information for the development of the Village website.

## **Adjournment**

Motion was made by Trustee LaMontagne, seconded by Trustee Cassidy, to adjourn the meeting. Meeting was adjourned at 8:57 PM. Motion Passed.

Respectfully submitted,

Mary Ellen Sims, Village Clerk