

Village of Liverpool
Board of Trustees Meeting
February 26, 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 February 26, 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
	Matt Devendorf	Trustee
	Melissa Cassidy	Trustee
	Rachel Ciotti	Trustee
	Richard Andino	Attorney
	Mary Ellen Sims	Village Clerk

Also present was Bill Reagan, Judge LaValle, Russ Tarby (Eagle News) and approximately 7 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.

EDR Presentation

Sam Gordon, EDR, stated that EDR is working with the Town of Salina for their first Comprehensive Plan. The Village adopted their comprehensive plan in 2006. The Village plan needs to be updated. EDR presented their proposal to update to cost \$64,235.00.

Mayor Finney asked what the value of updating the plan is.

Sam Gordon replied that the Village does have a well written plan. The plan is 18 years old and the world has changed. EDR would do a review of the current plan, make recommendations and update zoning.

Trustee Cassidy asked how long the quote is valid. Sam replied that he could bring the numbers down by reducing the scope. There is funding at the State level to help finance updating the plan.

Mayor Finney stated that Onondaga County will give the Village a \$30,000 grant for the updating of the Comprehensive Plan.

Mr. Gordon will send a revised proposal by email the first week of March.

Public comment- none

Outstanding issues

Mayor Finney updated the outstanding issues as follows:

Contract drawings received from Dunn & Sgromo were forwarded to Trustee LaMontagne.

First Street Sidewalks- perhaps next year

Truck Restrictions- there are 85 % fewer trucks coming through the Village

Correspondence:

Emailed received from a Village resident on Tulip Street regarding truck traffic. They noted that there is a definite reduction in truck traffic. There are particular times of the day that there is a fair amount of truck traffic still. Sunday night through Thursday night there are numerous trucks on Tulip Street between 7:30 – 10:30 PM.

Approve Minutes January 22, 2024

Motion was made by Trustee Ciotti, seconded by Trustee LaMontagne to approve the minutes of January 22, 2024 as presented. Motion Passed. (Trustee Devendorf abstained)

Approve minutes February 1, 2024.

Motion was made by Trustee Ciotti, seconded by Trustee LaMontagne, to approve the minutes of February 1, 2024 as presented. (Trustee Cassidy abstained).

Public hearing 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.

Motion was made by Trustee Devendorf, seconded by Trustee Cassidy, to open the public hearing on Local Law A- 2024. Motion Passed. The following is the proposed local law:

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, snowblowers, 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.
 - (a) 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.”

Mayor Finney asked if there were any questions or comments on this proposed law and hearing none, asked for a motion to close the public hearing.

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

Motion was made by Trustee Ciotti, seconded by Mayor Finney, to adopt local Law A, now known as Local Law 3- 2024.

Roll Call Vote:

Trustee Cassidy	Yes
Trustee LaMontagne	Yes
Trustee Devendorf	Yes
Trustee Ciotti	Yes
Mayor Finney	Yes
Motion Passed	

Public hearing Local Law B 2024- A local law to amend Chapter 380 of the Code of the Village of Liverpool

Motion was made by Trustee Cassidy, seconded by Trustee LaMontagne, to open the public hearing for Local Law B- 2024. Motion Passed.

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.”

Mayor Finney asked if there were any comments or questions and hearing none, asked for a motion to close the public hearing.

Motion was made by Trustee Ciotti, seconded by Trustee Devendorf, to adopt Local Law B, now known as Local Law 4- 2024.

Roll Call vote:

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

Motion Passed

Public hearing 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.

Motion was made by Trustee Ciotti, seconded by Trustee Devendorf, to open the public hearing on Local Law C- 2024. Motion Passed.

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.”

Mayor Finney asked if there were any comments or questions and hearing none, asked for a motion to close the public hearing.

Motion was made by Trustee Ciotti, seconded by Trustee Devendorf, to adopt Local Law C, now known as Local Law 5- 2024.

Roll Call vote:

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

Motion Passed

Commercial Fire Inspection Fees- changes

Bill Reagan, Codes Officer, is proposing that the Village charge the building owner the fire inspection fee, rather than each individual business and that the fee is based upon what the square footage of the building is, according to the assessor, not including the basement. The codes office would subtract the square footage of any rental dwelling space as those inspections are charged separately. The fees are based on a sliding scale of square footage.

Bill Reagan also proposed that the Village waive the fees for nonprofits.

Motion was made by Trustee LaMontagne, seconded by Trustee Cassidy, to approve the changes in fees and to waive the fees for nonprofits. Motion Passed.

Introduce Local Law D- 2024- A local law overriding the tax levy limit

Mayor Finney introduced proposed Local Law No. D-2024, relating to the ability of the Village of Liverpool to override the limit on the amount of real property taxes that may be levied by the Village of Liverpool pursuant to the Municipal Home Rule Law and pursuant to General Municipal Law §3-c, and to allow the Village of Liverpool to adopt a Village budget for the fiscal year 2024 in excess of the “tax levy limit,” and made the following motion, which was seconded by Trustee Cassidy:

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 SEQR; 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 SEQR, 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 SEQR; 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 No. D-2024 at the Village of Liverpool Village Hall, 310 Sycamore Street, Liverpool, New York on March 18, 2024, 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:

Michael LaMontagne	Trustee	Voted	Yes
Matthew Devendorf	Trustee	Voted	Yes
Melissa Cassidy	Trustee	Voted	Yes

Rachel Ciotti	Trustee	Voted	Yes
Stacy L. Finney	Mayor	Voted	Yes

The foregoing Resolution was thereupon declared duly adopted.

Authorization for Mayor to sign Inter municipal Agreement for providing Technology Services from CNYRIC

Motion was made by Trustee Devendorf, seconded by Trustee Ciotti, to authorize Mayor Finney to sign Inter Municipality for providing technology Services from CNYRIC. This contract increased by \$650.04 annually.

Roll Call vote:

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

Motion Passed

Resolution establishing the Standard Workday and Reporting days for certain elected Officials

Motion was made by Trustee Cassidy, seconded by Trustee LaMontagne, to adopt the resolution establishing the Standard workday and reporting days for certain elected officials. This resolution established that Mayor Finney, kept her log for three months after being elected as Mayor and that she would be credited 15 days per month for reporting purposes for the retirement system. Motion Passed.

Benches for park- Dedication Plaque, Locations and Design

Tammy Rievera, Operation Northern Comfort, approached the Board in December requesting that a bench dedicated to Norman Andrewjewski and Warren Mitchell be purchased by Operation Northern Comfort.

Mayor Finney stated that there are two benches, close to the fountain, that do not have plaques on them. She suggested that the plaque for Norman and Warren be placed on one of those benches. This would save Operation Northern Comfort money that could be used elsewhere.

The plaque should be designed and paid for by Operation Northern Comfort. To keep the plaques uniform, it should be purchased from Pen and Trophy. The design will be approved by the Board of Trustees.

Accept letter of resignation from Officer Lukins

Motion was made by Trustee Devendorf, seconded by Mayor Finney to accept the letter of resignation from Officer Lukins, with regret. Motion Passed.

The Board wished him well in his new endeavors.

Accept letter of resignation from Joshua Kastning

Motion was made by Trustee LaMontagne, seconded by Trustee Cassidy, to accept the letter of resignation form Joshua Kastning with regret. Motion Passed.

The Board wished him well in his new endeavors.

Approve amendments to employee handbook

Table to March meeting

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Authorization for Mayor to sign Inter municipal Agreement between the Village of Liverpool and Onondaga County soil and Water Conservation District

Motion was made by Trustee Devendorf, seconded by Trustee LaMontagne to authorize Mayor Finney to sign inter municipal agreement between the Village of Liverpool and Onondaga County Soil and Water Conservation District for the reimbursement up to \$5,000 for replanting of trees lost to emerald ash borer. Motion Passed.

Community Development Application ideas

Mayor Finney asked for ideas for the upcoming Community Development Application Block Grant. The following ideas were presented :

First Street Sidewalks
Restoration and Improvements to Johnson Park
Enhance the Inclusive Playground
Improvements to Wedge Park

Applications are due March 29, 2024.

Police – STATS

Trustee Devendorf presented the following STATS for the Police Department for the month of January:

182 Traffic Stops
140 Tickets issued
0 DWI arrests
10 Accidents Investigated
24 Parking Tickets issued
44 Residential Property checks
245 Business checks
617 Incidents/ Calls for Service

The Liverpool Police Department arrested a total of 27 individuals this month with 30 charges filed.

Codes STATS

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

5 New Project application reviews
17 Permits approved or extended
16 Construction inspections
3 Certificates of compliance
1 Fire Code Inspections
1 Miscellaneous Inspections
11 Violation inspections/re-inspections
17 Letters/ notices/citations
3 Signs removed from Village Property
26 Miscellaneous Recorded actions

DPW STATS

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

Yard Waste- picking up bags and Christmas Trees
UFPO Request Twelve for the month of January
Sewer Maintenance Calls- Twenty five sewer house calls were handled by the County for the month of January
Sewer Repairs- none
Tree work- 703 First Street trimmed
Road work – none

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All of the requests listed below were approved:

Approve use of Johnson Park for "the Climb"- Syracuse Sunday September 29, 2024 10AM – 1PM

Approve use of Johnson Park "Liverpool is the Place summer concert Series

Approve use of Johnson Park for Five Star Martial Arts show June 1st 12PM

Approve use of Washington Park – 261 Fearless Club Meet run- every Tuesday March 12-October 29th
from 5:30 to 6:30 PM

Historian's Report

Mayor Finney read he Historian's Annual Report and 2023 summer Report

Financial – Approve Abstracts

Motion was made by Trustee Cassidy, seconded by Trustee Lamontagne, to approve the following abstracts: General fund, claim # 546-627 in the amount of \$164,629.75; HB Birch Street Drainage Claim # 625 in the amount of \$7,159.32and TE fund claim # 624 in the amount of \$875.00

Roll Call Vote:

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

Motion Passed.

Transfers

Motion was made by Trustee LaMontagne, seconded by Trustee Cassidy, to approve transfers 1-26.

Motion Passed.

Monthly Report of Treasurer

Monthly report of current bank balances was distributed to the Board

Committee Reports

Trustee Ciotti updated the Board on Committee's actions for January.

Executive Session

Motion was made by Mayor Finney, seconde4d by Trustee Devendorf, to move into executive session for the purpose of personnel services. Motion Passed.

Motion was made by LaMontagne, seconded by Trustee Devendorf, to move out of executive session and return to regular session. Motion Passed.

Adjournment

Motion was made by Trustee Devendorf, seconded by Trustee LaMontagne, to adjourn the meeting.

Meeting was adjourned at 9:23 PM. Motion Passed.

Respectfully submitted,

Mary Ellen Sims, Village Clerk