

A special meeting of the Village of Liverpool Board of Trustees was held on May 9th, 2016 at 5:30 PM at 310 Sycamore Street, Liverpool NY.

Present: Gary White Mayor
Nick Kochan Deputy Mayor
Dennis Hebert Trustee
Christina Fitch Trustee
Mary Ellen Sims Village Clerk /Secretary
Richard Andino Attorney (standing in for John Langey)

Absent: James Rosier Trustee

Also present: Anthony LaValle Judge
Russ Tarby Eagle News
Matt Devendorf Resident
Other residents of Village of Liverpool (5)

Mayor White called the meeting to order at 5:30 PM and all those present joined in the pledge of allegiance.

Mayor White stated that the purpose of this meeting is a result of the action of the Board of Trustees on April 14th, in which they passed a resolution to abolish the office of Village Court Justice and to dissolve the Village Justice Court and to provide for a permissive referendum.

Mayor White commented that Judge LaValle has made an effort to obtain signatures on the petition for the resolution to abolish the office of the Village Court Justice and to dissolve the Village Justice Court. The petition is signed by voters in the Village of Liverpool requesting that the resolution be put to a vote. The petition would need 20 % of the registered voters to be able to put forth the proposition at the general election to be held on June 21, 2016 to abolish the office of the Village Court Justice and to dissolve the Village Justice Court.

The exact number of signatures required on the petition was not defined until last week. Based on this, the Village Board is considering a resolution to amend the resolution of April 14th to provide for a mandatory referendum relative to the abolition of the office of Village Court Justice and the dissolution of the Village Justice Court.

Attorney Richard Andino read the following resolution:

**A RESOLUTION AMENDING THE APRIL 14, 2016 VILLAGE BOARD RESOLUTION
("A RESOLUTION TO ABOLISH THE OFFICE OF VILLAGE COURT JUSTICE AND TO
DISSOLVE THE VILLAGE JUSTICE COURT") TO PROVIDE FOR A MANDATORY
REFERENDUM RELATIVE TO THE ABOLITION OF THE OFFICE OF VILLAGE COURT
JUSTICE AND THE DISSOLUTION OF THE VILLAGE JUSTICE COURT**

The following resolution was offered by Trustee Fitch, who moved its adoption, seconded by Trustee Kochan , to wit:

WHEREAS, on or about April 14, 2016, the Village of Liverpool Board of Trustees adopted a resolution pursuant to Section 3-301(2)(a) of the Village Law of the State of New York to abolish the office of Village Justice and to further dissolve the Village Justice Court; and

WHEREAS, pursuant to Section 3-301(2)(a) of the Village Law of the State of New York said resolution was adopted subject to a permissive referendum; and

WHEREAS, Section 9-908 of the Village Law of the State of New York authorizes the Board of Trustees, on its own motion and without the filing of a petition, to submit an act or resolution of the Board of Trustees for the approval of the qualified electors of the Village; and

WHEREAS, the Board of Trustees has determined that the best interests of the Village will be served by amending the April 14, 2016 Board of Trustees resolution (“A Resolution to Abolish the Office of Village Court Justice and to Dissolve the Village Justice Court”), which was adopted subject to a permissive referendum, by requiring that the resolution to abolish the office of Village Court Justice and to further dissolve the Village Justice Court be subject to a mandatory referendum as authorized by Section 9-908 of the Village Law of the State of New York; and

NOW, THEREFORE, BE IT RESOLVED that pursuant to Section 9-908 of the Village Law of the State of New York, the Village of Liverpool Board of Trustees hereby amends its April 14, 2016 resolution in order to provide for a mandatory referendum, rather than a permissive referendum, on the abolition of the office of Village Court Justice and the dissolution of the Village Justice Court; and

BE IT FURTHER RESOLVED the Village Clerk is hereby authorized and directed to publish and post a notice of such adoption of this resolution containing the language of the proposition to be submitted to the qualified voters of the Village and an abstract in accordance with law and to perform any actions necessary to effectuate this resolution; and

BE IT FURTHER RESOLVED that the language of the proposition shall be as follows:

“Shall a resolution adopted by the Board of Trustees of the Village of Liverpool, County of Onondaga, entitled “A Resolution to Abolish the Office of Village Court Justice and to Dissolve the Village Justice Court,” be approved, thereby abolishing the position of elected Village Court Justice, effective upon the expiration of said office’s current term, and further dissolving the Village of Liverpool Justice Court, resulting in court matters arising in the Village of Liverpool hereafter being adjudicated by the Town of Salina Justice Court”; and

BE IT FURTHER RESOLVED the proposition for the resolution to abolish the office of Village Justice and dissolve the Village Justice Court shall be submitted to the qualified voters of the Village of Liverpool at the next Village of Liverpool general election to be held on June 21, 2016; and

BE IT FURTHER RESOLVED the abolition of the office of Village Justice and the dissolution of the Village Justice Court shall only be effective following the expiration of the current term of the Office of Village Justice ending on or about July 4, 2016 upon the affirmative vote of a majority of the qualified electors of the Village voting on such proposition.

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

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

The foregoing Resolution was thereupon declared duly adopted.

Trustee Hebert stated that he does not support this resolution.

Anthony LaValle, Judge, stated that the language of the proposition is confusing. He asked if the Board of Trustees would consider a simpler language for the proposition, such as " Do you want a Village court and a Village Judge. "

Mayor White agreed that the language of propositions can be confusing.

Attorney Andino commented that he would need to check on the language of the proposition and report back to the Board.

Hearing no more questions or comments, Mayor White asked for a motion to adjourn.

Motion was made by Trustee Fitch, seconded by Trustee Kochan, to adjourn the meeting. Meeting adjourned at 5:45 PM. Motion Passed.

Respectfully submitted,

Mary Ellen Sims, Village Clerk