

Village of Liverpool  
Board of Trustees  
Regular Meeting  
August 14, 2023

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 August 14, 2023 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
	Richard Andino	Attorney
	Mary Ellen Sims	Village Clerk

Absent:	Matt Devendorf	Trustee
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Also present was Dustin Czarny, Democratic Chairman Board of Elections and approximately 14 other persons.

Mayor Finney called the meeting to order at 7:01 PM and asked all those present to stand for the Pledge of Allegiance.

**Outstanding Issues:**

Mayor Finney updated the outstanding issues as follows:

Seventh Street Project- Mayor signed contracts – work to begin September 2023

HVAC- Mayor signed contracts- work to begin late fall/ early winter

Truck Restrictions- local law D- 2023 to amend fines for offenses is being introduced at tonight's meeting.

**Correspondence- none**

**Reschedule September meeting from September 18 to September 25<sup>th</sup>**

Motion was made by Mayor Finney, seconded by Trustee LaMontagne, to reschedule September 18<sup>th</sup> meeting to September 25<sup>th</sup> at 7:00 PM. Motion Passed.

**Approve Minutes July 10, 2023**

Motion was made by Mayor Finney, seconded by Trustee LaMontagne, to adopt the minutes of July 10, 2023 as presented. Motion Passed.

**Approve Minutes July 14, 2023**

Motion was made by Mayor Finney, seconded by Trustee LaMontagne, to adopt the minutes of July 14, 2023 as presented. Motion Passed.

**Public hearing to change the date of the annual Village election to November to co-inside with the General election and to have Onondaga County conduct the Village Elections subject to referendum.**

Motion was made by Mayor Finney, seconded by Trustee Cassidy to open the public hearing to change the date of the annual Village election to November to co-inside with the General election and to have Onondaga County conduct the Village Elections subject to referendum. Motion Passed.

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Mayor Finney requested that anyone wishing to speak limit their comments to three minutes and please do not repeat the same issue.

This public hearing has two different issues. First, is having Onondaga County run our Election and second is changing the date from June to November. Dustin Czarny, Democratic Chairman Board of Elections is here to help answer any questions and Michelle Sardo, Republican Chair Board of Elections could not make tonight's meeting.

Mayor Finney asked Dustin Czarny to speak to the residents and Board of Trustees.

Dustin stated that Onondaga County is moving to a new voting systems. There are new voting machines that will not be able to be borrowed. The inspectors will be properly trained on the new machines

Villages have a choice to hold their Elections in March, June or November. He stated that five local Villages have moved their Elections to November and that there has been no change to the makeup of the Elections. Ten local Villages have not moved their elections to November. There is a remarkable change in the numbers of voters that turn out in November.

The Village can opt for Onondaga County to run our Elections in June or change to November. If our Village election is run by Onondaga County and held in June, the cost to run the Election would be approximately \$1,500 - \$2,000. If Onondaga County runs our Village Election in November, there is no cost to the Village.

Mayor Finney asked if the Board had any questions or comments.

Trustee LaMontagne stated that the Village would have to pass a referendum for Onondaga County to run our Elections and if held in June, the cost would be \$1,500 to \$2,000. There would be no affidavit voting or early voting.

Trustee Cassidy stated if the Village runs our own Election in June, we would not have use of voting machines from the County and that we would have to have paper ballots.

Mayor Finney asked if the Public had any comments>

Christina Fadden, 118 Iroquois Lane, stated that our last Village election, which was contested drew a large turnout of voters. The Village Clerk's office did a great job and she feels that the Clerk's office can continue to do it well. She stated that the cost is very small in context. Having the Village conduct its own Election is a sign of independence for Villages. She asked that this be thought out carefully. She is opposed to changing the date of the Village Election.

Marty Ours, stated that November is when everyone votes and that changing the date needs to be a benefit to the voters, to staff and a benefit financially. There is no benefit to staying in the old way. She stated that the Village has to move forward. She is in favor of moving the date and having Onondaga County conduct our Village Election.

Bill Sanford, 105 Iroquois Lane, asked where did the idea of changing the date and having the County conduct our Election come from. He asked Mayor Finney if the Board of Elections approached her or did she ask them. Mr. Sanford stated that there is a lot of tradition in holding our own Village Elections. A village election is almost like a family gathering. Mr. Sanford asked if Michelle Sardo supported the idea of the county running the election and changing the date. Dustin Czarny stated that she did support the idea.

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Joe Ostuni, 715 First Street, stated that he was surprised that there was confusion with the June election. The election date was changed from March to June in the 1980's. He stated that Villages are unique and our own Village election is a sign of independence and identity. He sees no problem if we had to use paper ballots and the voter turnout is usually not large. He is not in favor of changing the date or having the County run our elections. He feels that the Village will be swallowed up in the November election.

Sarah Alamond, 103 Sixth Street, stated that she did not know that the Village elections were in June. She is all for moving to November and having the County run the Elections.

Raul Huerta, 807 Oswego Street, commented that he feels that tradition is very important. That government needs to run as cheaply and inexpensively as possible. Government needs to always think of the taxpayers. He is in favor of moving it to November and having the County run our elections as it is less expensive.

Mark Spadafore, 824 Second Street, commented that one of the biggest points is the time of the Elections. Village elections run from noon to 9:00 PM. If the Village election is in November, the times would be 6:00 AM to 9:00 PM. He is in favor of the county conducting the Election and moving the date to November.

Hearing no more comments or questions, Mayor Finney moved to close the public hearing and Trustee Cassidy seconded the motion. Motion Passed.

Mayor Finney stated that the idea came from when she was campaigning and Village residents thought that the June Election Date was confusing

**Introduction to amend Local Law 368-35 "Penalties for Offenses."  
Call public hearing for September 25, 2023 at 7:01 PM**

**(A Local Law to Amend Article XI of Chapter 368 of the Code of the Village of Liverpool)**

Mayor Finney introduced proposed Local Law No. D-2023, "A Local Law to Amend Article XI of Chapter 368 of the Code of the Village of Liverpool" and made the following motion, which was seconded by Trustee Cassidy:

**WHEREAS**, Local Law D-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 that a higher penalty scheme is warranted to deter such heavy truck traffic; and

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**WHEREAS**, proposed Local Law D-2023 has been drafted to implement a higher penalty scheme for violations of the new laws pertaining to heavy truck traffic within the Village; and

**WHEREAS**, proposed Local Law D-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 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 D-2023 at the Village of Liverpool Village Hall, 310 Sycamore Street, Liverpool, New York on September 25, 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:

Michael LaMontagne	Trustee	Voted	Yes
Matthew Devendorf	Trustee	Voted	Excused
Melissa Cassidy	Trustee	Voted	Yes
Rachel Ciotti	Trustee	Voted	Yes
Stacy Finney	Mayor	Voted	Yes

The foregoing Resolution was thereupon declared duly adopted.

#### **Award Truck Sign Installation**

Three quotes were received for installation of the Truck Signs. Phelps Guiderail' quote was incomplete. A new quote has not been received to date. Next lowest quote was from EMI Guide Rail for a total of \$23,375.38. Elderlee Inc quote was in the amount of \$23,701.00. Barton & Loguidice recommended EMI Guide Rail.

Motion was made by Mayor Finney, seconded by Trustee LaMontagne to award the truck sign quote to EMI Guide Rail for a cost not to exceed \$23,375.38, conditioned upon Attorney Review. This quote is being awarded under public works contract.

Roll Call Vote:

Trustee Cassidy	Yes
Trustee LaMontagne	Yes
Trustee Ciotti	Yes
Trustee Devendorf	Absent

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Mayor Finney                      Yes  
Motion Passed

**Authorization for Mayor to sign Cooperative Agreement between the Village of Liverpool and Town of Salina for fuel.**

Motion was made by Mayor Finney, seconded by Trustee LaMontagne, to authorize Mayor Finney to sign the Cooperative Agreement between the Village of Liverpool and Town of Salina for fuel.

Roll Call Vote:

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

Motion Passed.

**Authorization for Mayor Finney to attend NYCOM Fall School September 18-19<sup>th</sup> for a cost not to exceed \$960.00.**

Motion was made by Mayor Finney, seconded by Trustee Ciotti, to authorize her attendance at the NYCOM fall Training School for a cost not to exceed \$960.00.

Roll Call Vote:

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

Motion Passed.

**Discussion- Appointing Hon. David Gideon as Associate Judge**

Judge LaValle requested that Hon. David Gideon be appointed Associate Judge for the Village of Liverpool. Hon Gideon has offered his services as Associate Judge at no cost to the Village.

Motion was made by Mayor Finney, seconded by Trustee Ciotti, to appoint Hon. David Gideon as Associate Judge for the Village of Liverpool. Motion Passed

**Authorization to pay Real Term Energy full year for 5% discount**

Motion was made by Mayor Finney, seconded by Trustee Cassidy, to authorize to pay Real Term energy for LED Street Light Maintenance in full for one year, at a 5% discount.

Roll Call Vote:

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

Motion Passed.

**Accept resignation of Officer Robert Marshall effective August 18<sup>th</sup>, 2023**

Motion was made by Mayor Finney, seconded by Trustee Ciotti, to accept the letter of resignation of Robert Marshall effective August 18, 2023. Motion Passed

**Authorization for Joshua Kasting to go off probation and become permanent employee**

Motion was made by Mayor Finney, seconded by Trustee Cassidy, to take Joshua Kasting off probation effective August 15, 2023. Motion Passed.

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**Authorization to hire Stephen Davis in the position of Public Maintenance worker at a starting salary of \$20.00 an hour, with a 6 month probation period.**

Motion was made by Mayor Finney, seconded by Trustee Cassidy, to hire Stephen Davis as Public Maintenance Worker at a starting salary of \$20.00 per hour, 6 month probation period.

Roll Call Vote:

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

Motion Passed.

**Authorization to add \$1,000 to existing contract for Onondaga County Soil & Water Conservation District for young tree maintenance and tree risk assessment.**

Motion was made by Mayor Finney, seconded by Trustee Ciotti, to add \$1,000 to existing contract with Onondaga County Soil and Water Conservation district.

Roll Call Vote:

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

Motion Passed.

**PBA Contract – to be discussed in executive session**

**Committees**

Motion was made by Mayor Finney, seconded by Trustee Cassidy to establish the following committees:

Communications Committee- Chair Sarah Almond

Cemetery Restoration – Chair Mike Romano

Pedestrian Safety- Chair- Aaron McKeon

Appoint Liaison to above committees- Rachel Ciotti

Motion Passed.

**Appoint Nathan Holiday – full term member Planning Board to fill unexpired term of James Taft-term to expire 2025**

Motion was made by Mayor Finney, seconded by Trustee Cassidy to appoint Nathan Holiday as full term member Planning Board to fill unexpired term of James Taft- term to expire 2025. Motion Passed.

**Garage Sale weekend is September 8, 9 and 10<sup>th</sup>**

**Approve tree and plaque for a cost not to exceed \$510.00**

Mike Romano addressed the Board regarding planting a tree and plaque honoring Dorianne Gutierrez, Village Historian. Dorianne has been a vital asset to the Village of Liverpool, with a vast knowledge of its history. She has written three books about the history of the Village of Liverpool.

The Village board agreed that a tree and plaque in Dorianne's honor is a wonderful idea.

Mike Romano has a tree on hold at a local nursery and will plant it in the Cemetery.

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Motion was made by Trustee LaMontagne, seconded by Trustee Cassidy to approve the purchase of the tree and plaque honoring Dorianne Gutierrez for a cost not to exceed \$510.00 pending review from the Tree Committee as to location approval for tree and plaque.

Roll Call vote:

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

**DPW STATS**

Trustee LaMontagne gave the following STATS for the month of July:

Yard Waste continues

UFPO Request 22

Sewer Maintenance Calls- 4 were handled by the County

Sewer Repairs- none

Sign requests – none

Banner Requests- none

Tree work- 102 Balsam, 100 Third, 609 fourth, 401 Sixth and 100 Sixth Street – all take downs.

Road work- 400 Block of Fourth Street, 200 Block Fifth Street and 200 Block Sixth Street – Paving and milling completed.

**Police – STATS**

Trustee LaMontagne presented the following STATS for the Police Department for the month of July:

113	Traffic Stops
92	Tickets issued
1	DWI arrests
07	Accidents Investigated
2	Parking Tickets issued
39	Residential Property checks
162	Business checks
480	Incidents/ Calls for Service

The Liverpool Police Department arrested a total of 17 individuals this month with 21 charges filed.

**Codes STATS**

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

8	New Project application reviews
6	Permits approved or extended
12	Construction inspections
07	Certificates of compliance
10	Complaint inspections
07	Fire Code Inspections
04	Miscellaneous Inspections
1	Rental dwelling inspections
66	Violation inspections/re-inspections
53	Letters/ notices/citations
8	Signs removed from Village Property
8	



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101 Miscellaneous Recorded actions

**Financial – Approve Abstracts**

Motion was made by Trustee Cassidy, seconded by Trustee Ciotti, to approve abstract # 3 General Fund, claim #103-178 and # 182 in the amount of \$ 189,189.34, PN fund claim # 181 in the amount of \$499.00, HP fund claim # 179 in the amount of \$63.10, HL fund claim # 180 in the amount of \$1,225.00.

Roll Call Vote:

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

Motion Passed.

**Transfers**

Motion was made by Trustee Cassidy, seconded by Trustee Ciotti, to approve transfers 1-5. Motion Passed.

Monthly Report of Treasurer for the month of July was distributed to the Board of Trustees for their review.

**Public Comment Period**

Mayor Finney asked if there was anyone in the public that wishes to speak.

Joe Ostuni, 712 First Street asked what the status of the proposed new sidewalk on the 700 block of First Street. The planning board sent a recommendation to the Village Board to install sidewalks on that section of First Street, on both sides but preference, if only one side can be installed, would be the odd side of the street. Mr. Ostuni stated that that section of the street is a safety hazard.

Trustee LaMontagne stated that the Village is waiting to hear from the village Engineer

Mr. Ostuni asked why the agenda has correspondence listed first and public comment at the end of the meeting.

Christina Fadden, 116 Hiawatha Trail, agreed that safety is very important in that area of First Street. The installation of sidewalks on the odd side would possibly require the takedown of one or two trees. She suggested that the arborist look at the possibility of saving the trees.

Ms. Fadden commented that the committees remember that transparency is important. She was a member of the cemetery committee for years and that there was a record kept of what was happening. She stated that every person on any committee of the Village was appointed by the Mayor.

Mayor Finney asked if there were any other persons wishing to speak and there were none. She closed the public comment period.

**Executive Session**

Motion was made by Mayor Finney, seconded by Trustee Ciotti, to move into executive session for the purpose of contract negotiations. Motion Passed.

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

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Motion was made by Mayor Finney, seconded by Trustee Ciotti to schedule a special meeting for August 28<sup>th</sup> at 8:00 AM for the purpose of approving PBA contract. Motion Passed.

**Adjournment**

Motion was made by Mayor Finney, seconded Trustee LaMontagne, to adjourn the meeting. Meeting was adjourned at 9:08 PM. Motion Passed.

Respectfully submitted,

Mary Ellen Sims, Village Clerk