

REGULAR MEETING, TOWN OF LIVONIA

March 7, 2013

A regular meeting of the Town Board of the Town of Livonia, County of Livingston and the State of New York was held at Livonia Town Hall, 35 Commercial Street, Livonia on March 7, 2013.

PRESENT: Eric Gott, Supervisor
Andy English, Councilmember
Matt Gascon, Councilmember
Angela Grouse, Councilmember
Frank Seelos, Councilmember
Colleen West, Clerk
Jim Campbell, Attorney, Town of Livonia

OTHERS PRESENT: Several Residents.

The meeting was called to order by Supervisor Gott at 7:00 PM.
Councilmember Gascon led the pledge.

PRIVILEGE OF THE FLOOR

Supervisor Gott declared the Open Session open. No one wished to comment.

TOWN CLERK'S REPORT

Clerk West gave the following financial report for February 2013:

<i>Paid To</i>	<i>Amount Remitted</i>
Supervisor (General Fund)	\$974.67
County Treasurer for Dog Licenses	\$133.00
NYS Ag & Mkts for Spay/neuter Program	\$67.00
NYS DECALS	\$113.38
State Health Department (Marriage Licenses)	\$67.50
Total Disbursements	\$1,355.55

MONTHLY TAX COLLECTION REPORT – JANUARY 2013

Clerk West gave the following report on tax collection for the month of January, 2013:

INCOME:
Balance Forward: \$35.44*
Tax Collection Principal (Received or postmarked by 1/31): \$6,248,598.61
Interest on checking: \$64.36**
Total Income: \$6,248,698.41

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DISBURSEMENTS:

Paid to Supervisor for 2013 Abstract:	\$2,982,868.00
Paid to Livingston County Treasurer:	\$ 0.00
Total Disbursements:	\$2,982,868.00

Balance Forward (Bank Balance Less \$30 paid to Supervisor on 2/1/2013)	\$3,265,830.41
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Total Disbursements plus Balance Forward:	\$6,248,698.41
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*This is for over-payments received in prior years. Refund checks have been issued and never cashed, despite several letters to the taxpayers.

**December & January interest will be paid to the Supervisor in the February report.

Clerk West also reported that about 350 second notices were sent on March 4. This is in line with prior years.

RESOLUTION 36-2013

APPROVE TOWN CLERK'S REPORT

On motion of Councilmember Seelos seconded by Councilmember Grouse the following resolution was

ADOPTED	Ayes -	5 (Gott, English, Gascon, Grouse, Seelos)
	Nays -	0

Resolved to approve the February 2013 Town Clerk's Report.

RESOLUTION 37-2013

APPROVE TAX COLLECTION REPORT

On motion of Councilmember English seconded by Councilmember Seelos the following resolution was

ADOPTED	Ayes -	5 (Gott, English, Gascon, Grouse, Seelos)
	Nays -	0

Resolved to approve the January 2013 Tax Collection Report.

RESOLUTION 38-2013

APPROVE MEETING MINUTES FROM 2/21/2013

On motion of Councilmember Gascon seconded by Councilmember English the following resolution was

ADOPTED	Ayes -	5 (Gott, English, Gascon, Grouse, Seelos)
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Nays – 0

Resolved to approve the meeting minutes from February 21, 2013.

RESOLUTION 39-2013

APPOINT KOLLEEN REDMAN AS PART-TIME COURT CLERK

On motion of Councilmember Grouse seconded by Councilmember Seelos the following resolution was

ADOPTED Ayes - 5 (Gott, English, Gascon, Grouse, Seelos)
Nays – 0

Resolved to appoint Kolleen Redman to the position of part-time court clerk effective 3/1/2013 at a rate of pay of \$14.57/hour.

DISCUSS NYS SAFE ACT

Supervisor Gott reported that Livingston County Board of Supervisors passed a resolution in support of a repeal of the NYS SAFE Act. Several towns have passed a similar resolution and forwarded the resolution to the Governor, Lt. Governor, and local representatives. Supervisor Gott stated that he is in favor of passing a similar resolution at the Livonia Town Board level. He feels the state made the decision to pass this gun control legislation overnight, yet on an equally important topic, hydrofracking, they have delayed action yet again. He asked the other board members for their thoughts.

Councilmember Grouse replied that there are portions of the law regarding reporting of psychiatric issues that she does not have a problem with. She asked if Livingston County supported a repeal or revision of the law. Supervisor Gott answered that the county is supporting a repeal. He feels that they should have looked at the issue longer and allowed time for public comment.

Councilmember English stated that he feels that the law was pushed through too fast. Councilmember Seelos agreed adding that he feels the focus of the legislation is on the law abiding citizen, yet the problem is with the people who are not law abiding. Councilmember Gascon added that he is a hunter and gun owner. He does not like the part of the legislation that would create a public registry of gun owners. Attorney Campbell remarked that people can apply to keep their name off the registry, but they have to justify why they should be exempt. The board decided to ask Attorney Campbell to draft a resolution asking for a repeal of this legislation.

RESOLUTION 40-2013

ACCEPT RESIGNATION OF RICHARD EMERY

Supervisor Gott reported that Dick Emery has resigned as Livonia Ambulance

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Commissioner effective March 31, 2013. Supervisor Gott wished to thank Dick for his service and added that he has been a great member. He brought a lot of administrative background to this volunteer position.

On motion of Councilmember English seconded by Councilmember Gascon the following resolution was

ADOPTED Ayes - 5 (Gott, English, Gascon, Grouse, Seelos)
 Nays - 0

Resolved to accept the resignation of Richard Emery as Livonia Ambulance Commissioner effective 3/31/13.

Supervisor Gott asked Councilmember Seelos to place advertisements for the position and to put a committee together to interview candidates. The Board will approve the interview team at a future meeting.

DISCUSS VACANCY ON BOARD OF ASSESSMENT REVIEW

Supervisor Gott announced that John Haak Jr.'s term on the Board of Assessment Review ended 9/30/2012. Assessor Lisa Bennett has been trying to get in contact with him and has had no response. Supervisor Gott asked Assessor Bennett to solicit another candidate.

Kevin Lopez has sent a letter of interest. Has been in construction business for many years (since 1986) and is a village resident. He is a cousin of our assessor. Supervisor Gott feels comfortable recommending him, but wanted to make sure that it is not a problem that he is related to the assessor. Attorney Campbell stated that he sees no issue with it. If he were more closely related, then it might be an issue.

The board discussed whether or not they should advertise the vacancy. They felt that there was not enough time to advertise, interview and hire someone in time for them to take the required training. They must attend training before they are able to assume the position. They decided to appoint Kevin Lopez.

RESOLUTION 41-2013

APPOINT KEVIN LOPEZ TO BOARD OF ASSESSMENT REVIEW

On motion of Councilmember Grouse seconded by Councilmember English the following resolution was

ADOPTED Ayes - 5 (Gott, English, Gascon, Grouse, Seelos)
 Nays - 0

Resolved to appoint Kevin Lopez to the Board of Assessment Review effective 3/7/13 for the term expiring 9/30/2017.

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AUDITORS

Supervisor Gott mentioned that the auditors will be here May 20th. He thanked Bookkeeper Mike Lawton for his work negotiating with software vendors for a new program, which is saving the town money. Today, the board was presented the first Abstract completed with the new program. He finds it easier to read. Councilmember Grouse stated that she likes the itemization on the report and the fact that it shows a deducting balance.

DRUG TESTING UPDATE

Supervisor Gott reported that the new drug testing company will be here this week to test a couple of highway workers, but we do not know who will be tested. We have terminated the other company effective 3/1/13.

HIGHWAY EQUIPMENT - LOADER

Supervisor Gott informed the board that the contract for the loader has been revised. The loader will be replaced every two years, not every year. The rest of the deal is the same.

HIGHWAY SALT

Supervisor Gott advised that salt storage is going to be an issue again. The Highway Superintendent cut back the request for this year, but so little salt has been used that it is going to be tough to store more.

RESOLUTION 42-2013

AUDIT OF CLAIMS

On motion of Councilmember Seelos seconded by Councilmember Grouse the following resolution was

ADOPTED Ayes - 5 (Gott, English, Gascon, Grouse, Seelos)
Nays - 0

Resolved to pay claims numbered 7-48 in the amount of \$42,476.44 from the 2013 Abstract dated March 7, 2013.

RESOLUTION 43-2013

ENTER INTO EXECUTIVE SESSION

On motion of Councilmember Grouse seconded by Councilmember Gascon the following resolution was

ADOPTED Ayes - 5 (Gott, English, Gascon, Grouse, Seelos)
Nays - 0

Resolved to enter into Executive Session with Clerk West and Attorney Campbell at 7:25

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PM to discuss the employment history of a particular person.

RESOLUTION 44-2013

RESUME REGULAR SESSION

On motion of Councilmember Seelos seconded by Councilmember English the following resolution was

ADOPTED Ayes - 5 (Gott, English, Gascon, Grouse, Seelos)
Nays - 0

Resolved to resume Regular Session at 7:31 PM.

With no further business, on a motion of Councilmember Seelos seconded by Councilmember Gascon the meeting was adjourned at 7:31PM. Carried unanimously.

Respectfully Submitted,

Colleen M. West, Town Clerk