

REGULAR MEETING, TOWN OF LIVONIA

April 18, 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 April 18, 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.
Barry Shapiro led the pledge.

PRIVILEGE OF THE FLOOR

Gene Bolster introduced John Hudak, who will be leading the effort to label the storm drains in Livonia. This is all part of an outreach program to educate the public regarding water runoff. They will be getting started as soon as the weather warms sufficiently for the adhesive to hold.

RESOLUTION 52-2013

APPROVE MEETING MINUTES FROM 3/21/2013

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

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

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

RESOLUTION 53-2013

APPROVE EXTREME LAWN CARE’S BID FOR PROPERTY MAINTENANCE

Supervisor Gott reported that we received ten bids for lawn care services:

Shaffer Landscape	\$17,500
Cook’s Lawn Mowing	\$18,560
Extreme Lawn Care	\$13,175
Davis Enterprise	\$24,010
Dussett Enterprise	\$17,800

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Quality Lawn & Landscape	\$13,950
Double D Lawn Services	\$13,450
R&R Enterprises	\$29,878
Gardener Lawn Care	\$39,325
Dueppengiesser	\$14,990

He checked the references for the lowest bidder, Extreme Lawn Care, and recommends that the board award them the bid. We will be paying them on a monthly basis.

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 Extreme Lawn Care's bid for property maintenance services in the amount of \$13,175.

RESOLUTION 54-2013

DECLARE SURPLUS EQUIPMENT

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 declare the following equipment as surplus: 2002 Sterling 10-wheeler. Further resolved to instruct Highway Superintendent Dave Coty to take it to the municipal auction.

RESOLUTION 55-2013

APPROVE DISABILITY PAYMENTS FOR DEPUTY CLERK MILES

Supervisor Gott announced that Deputy Clerk Miles has been out on medical leave since Tuesday, April 9. She will probably be out another week. In the past, we have averaged a person's hours over the previous 12 months, and calculated their disability at 90% of that.

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 approve disability payments to Betty Miles at a rate of 90% of her average hours worked over the past twelve months beginning April 9, 2013 and continuing until

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she is released by her doctor to resume her work schedule.

DISCUSS “AUTUMN IN THE VILLAGE”

When Supervisor Gott last met with Mayor Lathan, Lathan asked what the Town could do for Autumn in the Village this year. Supervisor Gott reminded everyone that we used to give \$1,000 a year, but last year we stepped it up to \$2,500. At that time, we had told the Village that we would consider contributing more this year.

The Village is looking for more than \$2,500, but they did not give a number. The Village is usually short about \$10,000, not including the money the Town contributes. Supervisor Gott thinks they may be looking to split that with us. He asked the board to think about it.

Councilmember Seelos asked if it was in the budget. Supervisor Gott replied that we usually take it out of the celebrations account, but he is not sure what the total is in that budget line. He added that we can always do a budget transfer, too. He asked the board to think about what they’d like to do.

RESOLUTION 56-2013

APPOINT BARRY SHAPIRO AS AMBULANCE COMMISSIONER

Councilmembers Gascon and Seelos advertised and interviewed for an Ambulance Commissioner. They received one application from a very qualified candidate, Barry Shapiro. He is already chairman of the Board of Assessment Review. Councilmembers Gascon and Seelos would like to recommend him, and Supervisor Gott agrees that he would be an excellent commissioner.

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

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

Resolved to appoint Barry Shapiro as Ambulance Commissioner to complete the year in place of Richard Emery who resigned.

There will be an election on the second Tuesday in December to fill that position for a full term.

RESOLUTION 57-2013

ADVERTISE FOR PART-TIME PARK EMPLOYEE

Supervisor Gott announced that Lorrie Elliot is going to step down at the park. She will stay on Sunday afternoons during concerts to take care of the ladies room. We will need to advertise for a part-time employee to replace her. Supervisor Gott can work with Tom

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Vernam to put together an ad.

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 authorize Supervisor Gott to advertise for a part-time park employee to replace Lorrie Elliot.

CORRESPONDENCE

- Concert Schedule for 2013 – Supervisor Gott expressed his thanks to Tim Wahl for putting this together. Wahl kept the cost well within budget.
- Draft of letter from chairman of Conesus Lake Association to Governor Cuomo regarding the New York State “Open for Hunting and Fishing Initiative.” Councilmember Seelos explained that the initiative is a state tourism program, and the CLA feels the initiative is in conflict with the issue of invasive species being moved from lake to lake. While the CLA is not discouraging people from using the lakes, they feel that if the state is going to promote boating, they should make an equal effort to make sure that the boats are clean.

SAFETY PROGRAMS OFFERED

Councilmember Seelos reports that the Sheriff's Department will be conducting a general safety program on June 14 from 10 AM to 3 PM at the state boat launch on East Lake Rd. and June 15 from 10 AM to 3 PM at Long Point Park.

STEWARDSHIP PROGRAM

Councilmember Seelos talked about the educational initiative to educate boaters about invasive species. The money to pay for the program is coming from a Federal grant. He expressed thanks to the Watershed Council and the CLA for pledging money toward this program to enable the employees to work more hours above and beyond what the grant is paying. The employees will also perform voluntary inspections of safety equipment on boats.

BASEBALL FIELDS

Councilmember English reported that they are working on the baseball fields. Highway Superintendent Dave Coty sent a truck to Batavia for ball field dirt and the Village paid for it.

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NO SMOKING SIGNS

Supervisor Gott announced that all of the “No Smoking” signs are up on all of our properties.

PEBBLE BEACH ROAD PROJECT

Supervisor Gott stated that Highway Superintendent Dave Coty is planning to grind and resurface Pebble Beach Road this year.

VITALE PARK SIGN

Councilmember Grouse asked if someone could look at the sign at Vitale Park that is used to display information about the summer concerts. Supervisor Gott replied that he is working on it. He and Tom Vernam are going to do a walk-thru of the park and make a list of what needs to be done. They hope that they are able to get inmates to help with some of the work.

BACKGROUND CHECKS

Councilmember Grouse reported that background checks are underway for the recreation workers. The process is working well, and the checks are very fast. Craig Emmerling is pleased. They have only had one person who was concerned about the data that was requested to do the background check. Councilmember Grouse stated that if someone elects not to participate in the background check, they cannot volunteer.

BRIDGE AT HEMLOCK PARK

Supervisor Gott has been told through the state Historical Preservation Society that the historic bridge has found its final resting place at Hemlock Park. He thought it would work great at Vitale Park. The Town is willing to refurbish the bridge and use it to go over the Conesus Lake outlet. He thought it would make a beautiful addition to Vitale Park. It is registered as a historical monument so the Historical Preservation Society thinks it must just sit there. Supervisor Gott has sent a letter to our Assemblyman and Senator and would like to send one to Mayor Richards as well. Councilmember Gascon said that right now, it is a bridge to nowhere. He thinks it is ludicrous that we cannot use it.

AMBULANCE DISTRICT – MEDICARE AND MEDICAID REIMBURSEMENT RATES

Councilmember Seelos informed the board that at the last Ambulance District meeting they mentioned that Medicare and Medicaid have changed their reimbursement rate. They have lowered what they pay per claim and made the difference a co-pay. The current policy is that residents of Livonia and Conesus do not have to pay for ambulance service – the District just accepts the insurance reimbursement. He added that if this continues, something will have to give somewhere.

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Councilmember Seelos mentioned that the Ambulance District is looking into ways to save costs. They currently have their own insurance and pay for their own yearly audit. He wondered if they could save money by rolling their insurance into the Town's insurance and having the audit done at the same time as the Town's audit.

CHANGES COMING TO HUNTING AND FISHING SALES

Clerk West stated that the DEC is changing software vendors for the sale of hunting and fishing licenses. The change will go into effect January 1. At that time, the DEC will no longer provide a computer or printer. Furthermore, they will not allow the software to be loaded onto more than one computer. This could cause problems with being able to help customers in a timely fashion. She suggested that they install the software on the laptop and purchase an inexpensive printer for printing receipts. She is checking with Hurricane Technologies to make sure that the laptop meets the system requirements. Supervisor Gott added that he gave Clerk West the go-ahead to do this, as selling these licenses here is a real convenience to the people of Livonia.

DISCUSSION REGARDING DEC PLAN FOR HEMLOCK AND CANADICE WATERSHEDS

Attorney Campbell remarked that the Town Board had asked him to review the resolution passed by the Town of Canadice relative to the DEC plan for Hemlock and Canadice Watersheds. He reminded everyone of the public comment session that was conducted in March. Part of the concern is that the plan itself calls for the possibility of gas leasing and extraction in the watershed. Communities are asking for changes to the plan. If the board is in favor of passing something similar, he will make changes to the Canadice resolution to reflect the Town of Livonia and will bring it to the next meeting for review. The Town Board was in favor of that.

DISCUSSION REGARDING LIVINGSTON COUNTY WATER AND SEWER AUTHORITY RATES

Supervisor Gott stated that the DEC is requiring the Livingston County Water and Sewer Authority to make upgrades which will have the potential to cause an increase in water and sewer rates. The project is estimated to cost five million dollars, which the DEC refers to as a "small project." The DEC does not have any facts or figures that would tend to indicate that this project is necessary. There have been several meetings and phone calls about this, and he hopes it will not become a reality. He thinks it will raise rates by 50% at least. So far, he has received at least 200 emails about this. If anyone wants to email him, he will pass them along.

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FEDERAL ROAD PROJECT

A resident stated that he heard about the work that is to be done to Federal Rd. this year. He thought that they rebuilt it last year. Supervisor Gott explained that they ditched it last year, and this year the county is going to pave it. It was a two-year project.

RESOLUTION 58-2013

AUDIT OF CLAIMS

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 pay claims numbered 91-118 in the amount of \$71,312.04 from the 2013 Abstract dated April 8, 2013.

RESOLUTION 59-2013

AUDIT OF CLAIMS

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 pay claims numbered 119-171 in the amount of \$68,972.43 from the 2013 Abstract dated April 18, 2013.

RESOLUTION 60-2013

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 that this board enter into Executive Session at 7:40 PM to discuss the employment history of one particular person.

RESOLUTION 61-2013

RESUME REGULAR SESSION

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

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

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Nays – 0

Resolved that this resume Regular Session at 8:47 PM.

With no further business, on a motion of Councilmember Grouse seconded by Councilmember Gascon the meeting was adjourned at 8:47 PM. Carried unanimously.

Respectfully Submitted,

Colleen M. West, Town Clerk