

REGULAR MEETING, TOWN OF LIVONIA
May 2, 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 May 2, 2013.

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

ABSENT: Colleen West, Clerk

OTHERS PRESENT: Several Residents.

The meeting was called to order by Supervisor Gott at 7:00 PM.
James Campbell led in the pledge.

Open Session:

Supervisor Gott commented that Leo Gottroff was moving out of the Town of Livonia and was a faithful attendee and supporter at the board meetings. He will be surely missed.

Supervisor Gott made a quick note that the Town was one third through its financial year and that the finances are looking good.

RESOLUTION 62-2013
APPROVE MEETING MINUTES FROM 4/18/13

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 April 18, 2013.

FIRE PREVENTION ASSEMBLY:

Supervisor Gott reported that there would be a meeting on the Fire Prevention Assembly Thursday, May 9, 2013 at 7:00 p.m..

AMBULANCE DISTRICT – INSURANCE:

Supervisor Gott told the board that he has contacted Chandler Agency regarding the inclusion of

REGULAR MEETING, TOWN OF LIVONIA

May 2, 2013

the Ambulance insurance with the Town's insurance. He indicated that Andrew Chanler will do some research and get back to him.

VITALE PARK SIGN:

The maintenance and repairs of the sign at Vitale Park that displays the schedule of concerts and other information pertaining to Vitale will be completed by Sign Blazer. According to Supervisor Gott they will make the necessary repairs.

“AUTUMN IN THE VILLAGE” DISCUSSION:

The Town took a look at the Town's contribution to the “Autumn In The Village” for the previous year. The Town spent \$2,500.00 last year and suggested that maybe the Town could add an additional amount of \$500.00 for the festival. The moneys come out of the celebrations account which last year (2012) was budgeted \$3,300.00. This year the celebrations account is budgeted for \$3,500.00. Supervisor Gott suggested that the Town offer the Town Highway Crew to help that weekend. On Friday prior to the festival it takes all night to get the village setup for the Saturday festival. Supervisor Gott will work it out with Dave Coty.

RESOLUTION 63-2013

APPROVE INCREASING THE TOWN OF LIVONIA'S CONTRIBUTION TO THE AUTUMN IN THE VILLAGE

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

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

Resolved to increase the Town of Livonia's contribution amount to the “Autumn In The Village Festival” from \$2500.00 to \$3000.00 for the 2013 festival.

FORTUNE PALACE CHINESE RESTAURANT:

The owners of the Fortune Palace in Lakeville are asking the Town to waive the 30 day waiting period to get their alcohol license for their restaurant. Supervisor Gott indicated the town has the ability to give this 30 day waiver and has in the past. After discussion of the board it is agreed to allow the waiver of the 30 day waiting period.

RESOLUTION 64-2013

APPROVE WAIVER OF WAITING PERIOD FOR LIQUOR LICENSE FOR FORTUNE PALACE

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

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

REGULAR MEETING, TOWN OF LIVONIA

May 2, 2013

Resolved to grant a waiver of the 30 day waiting period for the liquor license at the Fortune Palace Restaurant, located at 5818 Big Tree Road in Lakeville.

Attorney Campbell – Comments:

Attorney Campbell stated that Supervisor Gott had asked him to take a look at the Canadice/Hemlock DEC Watershed Plan. He indicated that he is in the process of examining that plan and that he will be getting back to the board with his findings.

Attorney Campbell also informed the board that the Dryden decision regarding hydrofracking for the towns was very positive. The ruling was that the towns do have a right to use zoning to protect their towns.

**RESOLUTION 65-2013
INTO EXECUTIVE SESSION:**

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

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

Resolved that the town board enter into executive session regarding remediation at 7:20pm, James Campbell Town Attorney has been asked to attend.

**RESOLUTION 66-2013
BACK FROM EXECUTIVE SESSION:**

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

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

Resolved that the town board returned from executive session at 7:35pm.

**RESOLUTION 67-2013
AUDIT OF CLAIMS**

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 pay claims numbered 172-200 in the amount of \$21,484.47 from the Abstract dated May 2, 2013.

REGULAR MEETING, TOWN OF LIVONIA
May 2, 2013

With no further business, on a motion of Councilmember English and seconded by Councilmember Seelos the meeting was adjourned at 7:35pm. Carried unanimously.

Respectfully Submitted,

Betty L. Miles, Deputy Clerk