

REGULAR MEETING, TOWN OF LIVONIA

July 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 Hemlock Park in Hemlock on July 18, 2013.

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

ABSENT: Colleen West, Clerk

OTHERS PRESENT: Tom Vernam, Vitale Park Overseer

The meeting was called to order by Supervisor Gott at 7:00 PM.

PRIVILEGE OF THE FLOOR

Tom Vernam wanted to address the board regarding the issue of bikes being allowed in Vitale Park. He is concerned that someone will get hit, run into, or bumped, possibly getting hurt. There are many people, young, seniors, and children who walk in the park on a daily basis. There was an incident where gentleman at the park last Sunday (July 14th) had ridden his bike to the park for the concert. When he got to the park, he got off his bike and walked it out near the band so he could keep track of it. Tom's concern is that if the town allows adults to have bikes in the park during the concerts, it will encourage more individuals to have and even ride their bikes in the park all the time and someone might get hurt. Supervisor Gott stated that there seems to be an increased number of people using bikes as their transportation and using these bikes to get to the concerts on Sundays. Several solutions were suggested; Councilmember Gascon suggested getting a portable bike rack with some sort of lock system. Councilmember English suggested letting them walk their bikes back to where they are sitting and lay the bikes down next to them. Maybe it would be a good idea to try it and see how that works. Tom Vernam is afraid that if the town starts allowing bikes into the park that it will get out of hand. Supervisor Gott noted that some of the bikes people are riding are very expensive and the owners do not want them left unattended or with some bike chain wrapped around their bike. The town board will review the existing bike policy and make a decision.

RESOLUTION 85-2013

APPROVE MEETING MINUTES FROM 6/20/2013

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

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ADOPTED Ayes - 4 (Gott, English, Gascon, Seelos)
Nays – 0

Resolved to approve the meeting minutes from June 20, 2013

TOWN CLERK'S REPORT

Clerk Miles gave the following financial report for June, 2013:

<i>Paid To</i>	<i>Amount Remitted</i>
Supervisor (General Fund)	\$2,630.08
County Treasurer for Dog Licenses	\$374.50
NYS Ag & Mkts for Spay/neuter Program	\$147.00
NYS DECALS	\$322.14
State Health Department (Marriage Licenses)	\$67.50
Total Disbursements	\$3,541.22

We also had 135 free tickets used at the Bulk Cleanup on Saturday July 13, 2013 and there were 10 2nd tickets for a total of \$100.00.

RESOLUTION 86-2013

APPROVE TOWN CLERK'S REPORT

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

ADOPTED Ayes - 4 (Gott, English, Gascon, Seelos)
Nays – 0

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

STREAMBANK REMEDIATION GRANT PROJECT

Supervisor Gott asked Attorney Campbell to bring everyone up to speed on the Streambank Remediation Project. Attorney Campbell explained that this is a cooperative project which includes other towns in Livingston County. Livonia has offered to take the lead in this project and at the last meeting (June 20th) a resolution was passed for the Town of Livonia to claim lead. He also explained that this project is classified as a "Type I Action" which requires a resolution to be written to address the "Type I Action" as defined by the (SEQRA) State Environmental Quality Review Act. Attorney Cambell's office has put together a resolution to handle the SEQRA process. Supervisor Gott and the Town Board Members will need to sign this resolution. Supervisor Gott is

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being authorized to make sure that the SEQRA process is met. It was explained that the resolution needs to be adopted by a roll vote and signed by all town board members. Once signed and certified this resolution will be forwarded on the Heather Ferrero at Livingston County Planning Department.

RESOLUTION 87-2013

RESOLUTION TOWN OF LIVONIA TO BE LEAD AGENT FOR STREAMBANK REMEDIATION PROJECT

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

ADOPTED BY ROLL CALL VOTE:

E. Gott	Aye
A. English	Aye
M. Gascon	Aye
F. Seelos	Aye

WHEREAS, the Town of Livonia (Town) is progressing the Conesus Streambank Remediation Project (Project) with the Towns of Conesus, Geneseo and the Village of Livonia; and

WHEREAS, the Project has been classified as a “Type I Action” as defined by the State Environmental Quality Review Act (SEQRA) in 6 NYCRR Part 617.4; and

WHEREAS, it is the intent of the Town of Livonia Town Board to assume the role of “Lead Agency” for purposes of conducting a SEQRA/SERP review of the Project; and

WHEREAS, a Full Environmental Assessment Form (FEAF) must be completed and circulated to all Involved Agencies for purposes of establishing the Town Board as “Lead Agency” in accordance with 6NYCRR Part 617.6; and

WHEREAS, at the direction of the Town Board, Barton & Loguidice, P.C. and Conservation Connects (Consultants) have been authorized to proceed with engineering services associated with the Project, including assistance in compliance with the State Environmental Quality Review Act (SEQRA).

NOW, THEREFORE, BE IT

RESOLVED AND DETERMINED, that the Supervisor of the Town of Livonia hereby is authorized to sign Part 1 of the Full Environmental Assessment Form (page 10); and it is further

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RESOLVED AND DETERMINED, that the Town of Livonia Supervisor and Town Board will circulate said Part 1 of the Full Environmental Assessment Form to the attached list of “Interested and Involved Agencies” under cover of the attached “Notice of Intent to Establish Lead Agency” letter for purposes of establishing Lead Agency status under the SEQRA/SERP; and it is further

RESOLVED, that the Town of Livonia Supervisor and Town Board, together with the Town of Livonia Attorney, and Consultants are hereby authorized to take all actions, serve all notices, and complete all documents in order to give full force and effect to this determination.

HIRE VITALE PARK EMPLOYEE TARA SMELT

Supervisor Gott stated that the town has interviewed Tara Smith to work at Vitale Park. Supervisor Gott, Councilmember Grouse and Tom Vernam interviewed her and they feel she will be a great addition to the park. She is replacing Eric Panipinto, who has taken a full time position. She will be working approximately 30 hours a week and working with Tom Vernam.

RESOLUTION 88-2013

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

ADOPTED Ayes - 4 (Gott, English, Gascon, Seelos)
Nays – 0

Resolved to approve hiring Tara Smelt to work at Vitale Park in Lakeville at a rate of \$10.61 per hour for approximately 30 hours per hour.

NEW BUSINESS

Supervisor Gott was approached today at 4:00 PM by Julie Marshall and Carolyn Baker Scott of Livingston County Economic Development with an interesting chain of events. Julie has been in contact with John Hooker of Sweeteners Plus. Sweeteners Plus wants to submit for a \$750,000 grant for a new project which will expand their buildings and could have the potential of 50 new jobs to the area through NYS Small Cities. Supervisor Gott would like to meet with Lisa Bennett, Julie Marshall and Carolyn Baker Scott to discuss this project and the PILOT Agreement. Supervisor Gott indicated that this project is time sensitive so there needs to be a public hearing August 1, 2013 at 7 PM.

RESOLUTION 89-2013

On motion of Councilmember Gascon and seconded by Councilmember English the following resolution is

ADOPTED Ayes - 4 (Gott, English, Gascon, Seelos)

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Nays – 0

Resolve to approve having a Public Hearing that will be held on August 1, 2013 at 7:00 PM at the Livonia Town Hall regarding Sweeteners Plus new development project in Lakeville.

RESOLUTION 90-2013

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

ADOPTED Ayes - 4 (Gott, English, Gascon, Seelos)

Nays – 0

Resolve to give Supervisor Gott the authority to sign the application for the Sweeteners Plus PILOT agreement for their new project in Lakeville.

UPDATED CREDIT CARD POLICY

Supervisor Gott asked if everyone has reviewed the updated credit card policy. Need a motion to accept.

RESOLUTION 91-2013

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

ADOPTED Ayes - 4 (Gott, English, Gascon, Seelos)

Nays – 0

Resolved to approve the updated credit card policy submitted on July 18, 2013.

LISA BENNETT TO DISCUSS 2014 UPDATE

Lisa informed the board that there were three properties in Livonia that have had their STAR Exemption revoked because of not paying their State Income Tax. Changes have been made to the STAR program. The first change is any STAR Tax Payer who has earned more than \$500,000 annually is not eligible for the STAR Exemption. The second change for 2014 is the income limit using 2012 Federal Gross Adjusted has increased from \$79,050 to \$81,900.

The Agricultural Exemption will go up approximately 8% and the Total Taxable will go down approximately 8%.

Lisa indicated that the county is all for staying unified; therefore towns need to look at reassessments more often. Lisa needs a motion to approve a reassessment update for 2014.

RESOLUTION 92-2013

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On motion of Councilmember English and seconded by Councilmember Gascon the following resolution is

ADOPTED Ayes - 4 (Gott, English, Gascon, Seelos)
Nays – 0

Resolve to approve conducting a revaluation project on all properties in the Town of Livonia for the 2014 Assessment Roll to maintain a uniform standard of assessment.

RESOLUTION 93-2013

AUDIT OF CLAIMS

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

ADOPTED Ayes - 4 (Gott, English, Gascon, Seelos)
Nays – 0

Resolve to pay claims numbered 396-420 in the amount of \$25,831.48 from the 2013 Abstract dated July 5, 2013.

RESOLUTION 94-2013

AUDIT OF CLAIMS

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

ADOPTED Ayes - 4 (Gott, English, Gascon, Seelos)
Nays – 0

Resolve to pay claims numbered 421-470 in the amount of \$299,625.20 from the 2013 Abstract dated July 18, 2013.

INTO EXECUTIVE SESSION

RESOLUTION 95-2013

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

ADOPTED Ayes - 4 (Gott, English, Gascon, Seelos)
Nays – 0

Resolved that the town board enter into executive session at 7:57 PM, James Campbell Town Attorney has been asked to attend

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BACK FROM EXECUTIVE SESSION:

RESOLUTION 96-2013

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

ADOPTED Ayes –4 (Gott, English, Gascon, Seelos)
 Nays - 0

Resolved that the town board returned from executive session at 8:27 PM.

With no further business, on a motion of Councilmember Gascon seconded by Councilmember English the meeting was adjourned at 8:27 PM. Carried unanimously.

Respectfully Submitted,

Betty L. Miles, Deputy Town Clerk