

**REGULAR MEETING, TOWN OF LIVONIA**

September 5, 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 the Town Hall, 35 Commercial Street, Livonia, NY on September 5, 2013.

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

**OTHERS PRESENT:** Several Residents.

The meeting was called to order by Supervisor Gott at 7:04 PM.

John VanDerKamp led the pledge.

**PRIVILEGE OF THE FLOOR**

A resident asked if there have been any more conversations regarding extending Kinney Creek Trail. Councilmember Gascon replied that he has been in contact with a landowner in that area, but the landowner is not interested in the trail at this time.

RESOLUTION 107-2013

**APPROVE MEETING MINUTES FROM 8/15/13**

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 approve the meeting minutes from 8/15/2013.

**TOWN CLERK'S REPORT**

Clerk Hay gave the following financial report for August 2013:

<i>Paid To</i>	<i>Amount Remitted</i>
Supervisor (General Fund)	\$5,068.91
County Treasurer for Dog Licenses	\$455.00
NYS Ag & Mkts for Spay/neuter Program	\$163.00

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NYS DECALS	\$5,353.96
State Health Department (Marriage Licenses)	\$112.50
<b>Total Disbursements</b>	<b>\$11,153.37</b>

RESOLUTION 108-2013

**APPROVE TOWN CLERK’S REPORT**

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 August 2013 Town Clerk’s Report.

**EMAIL ADDRESSES**

Supervisor Gott reported that everyone who works at the town will be getting new email addresses. Clerk Hay will be setting these up with Design FM. It will be mandatory that everyone have a town email address ending in livoniany.org. The cost will be \$1 per address per month.

Clerk Hay explained that Time Warner will not allow us to add any more addresses ending in Rochester.rr.com. They have switched all their business customers to a new suffix. If we go with Design FM, the advantage will be that all email addresses will be consistent and there will be no limit to the number of email addresses that we can have.

Supervisor Gott added that he wants every address to be specific to the employee’s function, instead of using their name. That makes it much easier when we have a change of staff.

**AUDIT UPDATE**

Supervisor Gott stated that he and Bookkeeper Mike Lawton met with the auditors and they indicated that there were no adjustments, no deficiencies and no recommendations. They informed us that we could set up reserve accounts instead of keeping money in fund balance for particular projects. The auditors will be at the Town Board meeting on the 19<sup>th</sup> to give a full report.

RESOLUTION 109-2013

**FUND BALANCE POLICY**

Supervisor Gott stated that the town needs to adopt a formal fund balance policy which would basically put in writing what we are already doing.

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

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

WHEREAS, the Governmental Accounting Standards Board (GASB) has adopted Statement Number 54 (GASB 54), *Fund Balance Reporting and Governmental Fund Type Definitions*, that is effective in the fiscal year 2013, and

WHEREAS, the Town of Livonia wishes to comply with GASB 54 as required beginning with the current (2013) fiscal year;

NOW THEREFORE BE IT RESOLVED that the Town Board hereby adopts the following policy:

### FUND BALANCE POLICY

#### Purpose

The Town of Livonia has enacted this policy in an effort to ensure financial security and stability through the maintenance of healthy reserve funds/balances as well as provide a guide for clearer financial reporting of the same.

#### Definitions

Fund Balance – The excess of assets over liabilities in a governmental fund.

Nonspendable Fund Balance – Amounts that are not in a spendable form or legally/contractually required to remain intact.

Restricted Fund Balance – Amounts constrained to specific purposes (constitutional provisions or enabling legislation) or imposed by creditors or other external parties.

Committed Fund Balance – Amounts constrained to specific purposes defined and authorized by formal action of the Town Board. Modifications to these amounts also require formal action by the Town Board.

Assigned Fund Balance – Amounts *intended* for specific purposes, but are neither restricted nor committed.

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Unassigned Fund Balance – Amounts that are available for any purpose not reported in any of the foregoing classifications.

### Policy Statement

This policy shall apply to all of the Town's Governmental (General & Special Revenue) Funds.

Fund Balance measures the net financial resources available to finance expenditures of future periods. The Town's General, Highway, Library and Special District(s) Fund Balances will be maintained to provide the Town with sufficient working capital as well as a margin of safety to address unanticipated emergencies and contingencies without borrowing. The Unassigned Fund Balances may only be appropriated by resolution of the Town Board.

Fund Balances of the Town may be committed for a specific source or purpose by formal action (resolution) of the Town Board. All amendments or modifications to the committed fund balance must also be approved by board resolution of the Town Board. Committed fund balances shall remain in effect until otherwise designated by formal action of the Town Board.

The Livonia Town Board authorizes the Chief Fiscal Officer (Supervisor) to assign fund balances for specific purposes.

For purposes of fund balance classification, expenditures/appropriations are to be spent from restricted fund balances first, followed by unrestricted fund balances. As expenditures are incurred, unrestricted fund balances shall be reduced first from committed fund balances, followed by assigned and unassigned fund balances, respectively.

The Livonia Town Board recognizes that sound fiscal management and oversight comprise the foundational support of the Town. To this end, the Town Board intends to maintain minimum fund balances of 12% of the Town's total operating budget (appropriations) of the following fiscal year.

### **DISCUSSION REGARDING REQUEST TO DESIGNATE ROUTE 15A AS "VETERAN'S MEMORIAL HIGHWAY"**

Supervisor Gott mentioned that the town has received a request to designate the portion of Route 15A that is in the Town of Livonia as "Veteran's Memorial Highway." The request is being made of other towns as well. The board will continue to discuss this request, but no action was taken at this meeting.

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RESOLUTION

110-2013

**RE-APPOINT SUSAN BELL TO LIVINGSTON COUNTY YOUTH BOARD**

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 re-appoint Susan Bell to the Livingston County Youth Board for a two year term.

**DENNIS TIEPPO DISCUSSES POTENTIAL ICE FISHING DERBY AT VITALE PARK**

Dennis Tieppo addressed the board regarding using the CLA building while his church (Victory Church) uses Vitale Park for an ice fishing derby. They have had 50-70 people in the past and are hoping to attract even more participants.

Supervisor Gott informed him that the CLA building cannot accommodate that many people, but he may be able to use the pavilions and/or gazebo. They could wrap them with tarps and use portable heaters. Dennis will make a visit to the park and see if he thinks it is big enough.

They want to have the derby on January 25, 2014 from 6:30 AM to 1 PM. Supervisor Gott informed him that if they decide to use town pavilions or the CLA building, then the church will need to provide a certificate of insurance naming the Town of Livonia as additional insured for that day. He also informed Dennis that the signage advertising the event should not list the Town of Livonia as a sponsor, as they will not be sponsoring the event. They can, however, list Vitale Park as the location of the event.

Dennis will get back to Supervisor Gott after making a visit to the park.

**DISCUSSION REGARDING RV RALLY AT HEMLOCK PARK**

Supervisor Gott let the board know that Dick Randall has requested to use Hemlock Park for an RV rally. Approximately 8-10 RVs would camp at the park for a couple of days and then go home. Supervisor Gott would like the club president to come to a board meeting, but he wanted the board to think about it in the meantime.

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RESOLUTION 111-2013

**APPROVE SNOW AND ICE CONTRACT AND ALLOW SUPERVISOR TO SIGN**

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

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

Resolved to approve the renewal of the Snow and Ice Contract with the county for the contract period 10/15/2013 to 10/14/2014. Further resolved to authorize the Town Supervisor to sign the contract.

**HIGHWAY EQUIPMENT INVENTORY AND REPLACEMENT SCHEDULE**

Councilmember Seelos distributed a spreadsheet that shows the Highway Department equipment inventory and scheduled replacement. Three trucks are due for replacement this year: the 1998 Sterling 6 Wheel Dump Truck; the 2006 GMC 6 Wheel Dump Truck; and the 2010 Ford F-350 1 Ton Pick-up. It will cost almost \$200,000 to replace the Sterling or about \$60,000 to refurbish it. The board will discuss this more at the next meeting.

RESOLUTION 112-2013

**AUDIT OF CLAIMS DATED 9/5/13**

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 557-590 in the amount of \$50,756.77 from the Abstract dated September 5, 2013.

RESOLUTION 113-2013

**EXECUTIVE SESSION**

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

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

Resolved to enter into Executive Session at 7:34 PM with Attorney Campbell to discuss ongoing litigation.

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RESOLUTION 114-2013

**RETURN TO REGULAR 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 return to Regular Session at 8:10 PM.

With no further business, on a motion of Councilmember Seelos seconded by Councilmember English the meeting was adjourned at 8:10 PM. Carried unanimously.

Respectfully Submitted,

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Colleen West Hay, Town Clerk