

REGULAR MEETING, TOWN OF LIVONIA

December 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 December 5, 2013.

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

ABSENT: Angela Grouse, Councilmember

OTHERS PRESENT: Several Residents.

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

Earl Hay led the pledge.

PRIVILEGE OF THE FLOOR

A resident stated that he checked the DEC web site for a list of boat launches on Conesus Lake, and they are listing Sand Point as a cartop boat launch. Supervisor Gott said he will check into it as there is not one at the park.

TOWN CLERK'S REPORT - OCTOBER

Clerk Hay gave the following financial report for October 2013:

<i>Paid To</i>	<i>Amount Remitted</i>
Supervisor (General Fund)	\$2,800.48
County Treasurer for Dog Licenses	\$276.50
NYS Ag & Mkts for Spay/neuter Program	\$95.00
NYS DECALS	\$1,917.16
State Health Department (Marriage Licenses)	\$67.50
Total Disbursements	\$5,190.39

REGULAR MEETING, TOWN OF LIVONIA
December 5, 2013

TOWN CLERK'S REPORT - NOVEMBER

Clerk Hay gave the following financial report for November 2013:

<i>Paid To</i>	<i>Amount Remitted</i>
Supervisor (General Fund)	\$2,540.77
County Treasurer for Dog Licenses	\$168.00
NYS Ag & Mkts for Spay/neuter Program	\$52.00
NYS DECALS	\$1,274.23
State Health Department (Marriage Licenses)	\$22.50
Total Disbursements	\$4,057.50

RESOLUTION 149-2013

APPROVE TOWN CLERK'S REPORT - OCTOBER

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

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

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

RESOLUTION 150-2013

APPROVE TOWN CLERK'S REPORT - NOVEMBER

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 November 2013 Town Clerk's Report.

DISCUSSION REGARDING POSSIBLE SOLUTIONS TO ADDRESS THE GROWING NUMBER OF CREMATION PERMITS

Clerk Hay presented the board with information she has gathered to address the growing number of cremation permits. (See handout attached.)

Clerk Hay stated that we will not be able to do an RFP for the Waferfiche solution as they are the sole source of this technology. She indicated that she solicited a quote from General Code for the scanning portion of the project and that price came in at \$5,500, which is \$1,000 more than the Nanoark quote for the entire project, including scanning.

REGULAR MEETING, TOWN OF LIVONIA

December 5, 2013

The board was generally in favor of moving forward with the Waferfiche solution. Supervisor Gott mentioned that moving forward with this project does not mean that we would not want to move forward with Laserfiche or some other Electronic Document Management Solution (ECMS) at some point in time.

Clerk Hay explained that the estimate she received from Nanoark is just that – an estimate. It is based on the presumption that we have about 21,000 records, and that the records will not take much preparation for scanning. She asked if the board could build in some “wiggle room” in approving the cost, in case we run into unforeseen circumstances, or in case her estimate of the number of records is significantly off.

She also stated that this proposal will take care of the records currently on file, but more cremation permits come in every month. As we move forward, the plan is to scan the cremation and burial permits in house, and once we have enough for a wafer (about 2,000 records), send the files to Nanoark to make a new wafer and DVD. Once the wafer is made, the paper can be destroyed.

RESOLUTION 151-2013

AUTHORIZE CLERK HAY TO SIGN AGREEMENT WITH NANOARK FOR WAFERFICHE SERVICES

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

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

Resolved to authorize Clerk Hay to sign a contract with Nanoark for the conversion of the current Burial and Cremation permits to Waferfiche. The contract includes the cost of the Waferfiche, the scanning of the documents, and storage on searchable Silver Plus DVDs for a price not to exceed \$5,500.

The board agreed that if the price exceeds \$5,500, Clerk Hay should come back to them with an explanation of why, and they will decide at that time if more money can be appropriated for this project.

RESOLUTION 152-2013

AUTHORIZE CLERK TO SIGN 2014 TAX COLLECTION AGREEMENT WITH FIVE STAR BANK

Clerk Hay presented the board with the Five Star Bank tax collection agreement. The agreement is the same as last year, and the cost to process per bill remains at 20 cents. Attorney Campbell has reviewed the contract and did not find anything of concern.

REGULAR MEETING, TOWN OF LIVONIA

December 5, 2013

Supervisor Gott shared that the county's IT Director Dale Nieswiadomy was working on having the 2014 Town and County Tax Bills barcoded. He asked Clerk Hay what they bank will charge if the bills are barcoded. Clerk Hay responded that Five Star Bank has said that there would be no charge for processing if the bills were barcoded. She promised to follow up on this with Dale and Five Star Bank.

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

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

Resolved to authorize Clerk Hay to sign the 2014 Tax Collection Agreement with Five Star Bank at a cost of twenty cents per bill.

RESOLUTION 153-2013

**AUTHORIZE CLERK TO DISPOSE OF RECORDS PRE THE RECORDS
DISPOSITION AUTHORIZATION FORM DATED 12/5/2013**

Clerk Hay stated that as part of the ongoing records management program, she and Deputy Clerk Holt have identified records that have met or exceeded their legal retention. Attorney Campbell has been consulted and he is comfortable with destroying the records identified on the Records Disposition Authorization Form dated 12/5/2013. Clerk Hay asked the board to authorize their destruction. Anything that is confidential will be shredded.

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

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

Resolved to authorize Clerk Hay to dispose of Town Clerk records per the Records Destruction Authorization Form dated 12/5/2013.

RESOLUTION 154-2013

APPROVE MEETING MINUTES FROM 11/21/13

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

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

Resolved to approve the meeting minutes from 11/21/2013.

REGULAR MEETING, TOWN OF LIVONIA

December 5, 2013

RESOLUTION 155-2013

APPROVE POOL AGREEMENT WITH LIVONIA CENTRAL SCHOOL

Supervisor Gott mentioned that it is time to re-formalize the pool agreement with Livonia Central School. The agreement lays out the cost (not to exceed \$5,000), what is required of both parties and the hours of operation. Attorney Campbell, the school, Councilmember Grouse and Craig Emmerling have reviewed the agreement and are in favor of approving it.

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 Pool Agreement with Livonia Central School dated: 7/1/2013 – June 30, 2014.

RESOLUTION 156-2013

BUDGET AMENDMENT – LAKEVILLE WATER DISTRICT

The District had outstanding serial bonds (District Improvements, 1998) totaling \$265,300 as of 1/1/2013. Because this money was borrowed from/through U.S. Rural Development, we are permitted to make additional principal payments when available.

The District has unassigned unappropriated fund balance of \$110,799. The East Lake Road Water District continues to pay down its “Due to other funds” balances (i.e. the Lakeville District.

For our annual principal payment due 11/1/2013, Bookkeeper Mike Lawton did remit an additional \$50,000 to Rural Development for a total payment of \$100,300.

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

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

Resolved to increase the Lakeville Water District budget \$50,000 for 2013; WL915-Assigned/Appropriated Fund Balance & WL9710.6-Serial Bonds, Principal.

RESOLUTION 157-2013

BUDGET AMENDMENT – LIBRARY FUND

Effective January 1, 2013 a dependent was added to an employee’s single medical insurance policy. The net (85% Town share) increase for the additional premium was

REGULAR MEETING, TOWN OF LIVONIA

December 5, 2013

\$3,998 (\$392 x 85% x 12 months). Also, by changing from a single policy to a 2-person, the Town contributed an additional \$1,275 to the employee's Health Savings Account.

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

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

Resolved to increase the Library Fund budget \$5,275 for 2013; L915- Assigned/Appropriated Fund Balance & L9060.8-Hospital & Medical Insurance.

RESOLUTION 158-2013

BUDGET AMENDMENT – HIGHWAY FUND (DB) PART-TOWN

NYS "revised" its fiscal 2013-2014 C.H.I.P.S allotment for the Town to include an additional \$24,475, for a total disbursement of \$121,841.

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

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

Resolved to increase the Highway DB Fund budget \$24,575; DB3501-NYS Consolidated Aid & DB5112.2-Highway Improvements.

RECREATION FEE CHANGE

Councilmember English shared that Craig Emmerling talked about increasing the suggested donation for baseball registrations in 2014. It has been \$25 and \$35 per player for a long time. He would like to increase it by \$5 across the board per player. The board was in favor and no motion was needed. They will advertise the increase.

DISCUSSION REGARDING BID FOR DUMP TRUCK

Supervisor Gott reported that we received one bid from Peterbilt for the purchase of a new dump truck. He was disappointed that there were not more bids. The board decided to table any action until after the first of the year.

CORRESPONDENCE

No correspondence was received.

FIRE COMMISSIONER OPENING UPDATE

Councilmember Seelos stated that we are re-advertising the opening for a Fire Commissioner because no applications were received by the deadline. The deadline was

REGULAR MEETING, TOWN OF LIVONIA
December 5, 2013

extended by two weeks and there are two applicants so far.

DISCUSSION REGARDING “RIGHT TO FARM” LAW

Attorney Campbell reminded that board that they asked him two meetings ago to look at area “Right to Farm” laws. He reported that these laws run a fairly wide range in terms of what they do. The idea behind them is to place another layer of protection for agriculture above and beyond what the state law does. It is a zoning law that basically restricts other types of uses that might impact agriculture negatively. He stated that if the board is interested, he can come up with a draft for their review but he would like to know how restrictive they want to be.

After brief discussion, the board decided that they were interested, and they instructed Attorney Campbell to construct something that would be considered middle of the road.

DISCUSSION REGARDING PLANNED ABANDONMENT OF SWEETENERS PLUS BLVD

Supervisor Gott reported that he received comments from the Livingston County Water and Sewer Authority stating that if we abandon Sweeteners Plus Blvd, they want an easement that would allow them to maintain their facilities. Supervisor Gott is waiting to hear back from Sweeteners Plus.

COUNCILMEMBER GROUSE’S ABSENCE

Supervisor Gott shared that the reason Councilmember Grouse is absent from this meeting is that there was a death in her family.

RESOLUTION 159-2013

AUDIT OF CLAIMS DATED 12/5/2013

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

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

Resolved to pay claims #798-835 in the amount of \$165,204.65 from the Abstract dated December 5, 2013.

DISCUSSION REGARDING PICK-UP TRUCK FOR HIGHWAY SUPERINTENDENT

Supervisor Gott stated that he will speak to Highway Superintendent Dave Coty regarding the board’s decision regarding his pick-up truck. Supervisor Gott reported that Superintendent Coty uses the snow plow for a lot more than the town board realizes, such as cul de sacs, the town hall parking lot and Vitale Park. Superintendent Coty is not

REGULAR MEETING, TOWN OF LIVONIA

December 5, 2013

happy with the decision to purchase a truck without a plow, however the board still wants to move forward with that plan.

PETERBILT BID

Supervisor Gott stated that we have to do something so that more than one vendor can bid on a truck. He is not comfortable when there is only one bid. The board will talk more about it after the first of the year.

OATH OF OFFICE FOR ELECTED OFFICIALS

Supervisor Gott reported that Deputy Clerk Leanne Holt will come to the first meeting of the year to administer the Oath of Office to Clerk Hay. Clerk Hay will then administer the Oath of Office to the remaining officials who have been elected or re-elected to a new four-year term.

RESOLUTION 160-2013

CANCEL MEETING FOR DECEMBER 19

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

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

Resolved to cancel second town board meeting for December and instruct Clerk Hay to post that fact.

With no further business, on a motion of Councilmember English seconded by Councilmember Gascon the meeting was adjourned at 7:47 PM. Carried unanimously.

Respectfully Submitted,

Colleen West Hay, Town Clerk