

REGULAR MEETING, TOWN OF LIVONIA
May 15, 2014

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 15, 2014.

PRESENT: Eric Gott, Supervisor
Andy English, Councilmember
Angela Grouse, Councilmember
Frank Seelos, Councilmember
Colleen West Hay, Clerk

ABSENT: Matt Gascon, Councilmember

ABSENT: Jim Campbell, Attorney, Town of Livonia

OTHERS PRESENT: Several Residents.

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

RESOLUTION 70-2014

DECLARE MAY 15, 2014 AS MARY C. JEWELL DAY

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

ADOPTED	BY ROLL CALL VOTE	
	Supervisor Gott	Aye
	Councilmember English	Aye
	Councilmember Gascon	Absent
	Councilmember Grouse	Aye
	Councilmember Seelos	Aye

WHEREAS, Mary C. Jewell served the citizens of the Town of Livonia as deputy town clerk beginning in 1942 under her father, Leonard B. Coykendall; and

WHEREAS, Mary became town clerk in 1959 upon the death of her father and served in this capacity until she retired in 1976; and

WHEREAS, Mary also served as village clerk, collector of Livonia School taxes, collector of water district bills, and secretary for the Livonia Park; and

WHEREAS, Mary has been a member of the Grange, Eastern Star, DAR, and the Hathaway Family Geological Society and has also been involved with other non-profit organizations for the betterment of the Livonia community and beyond;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN BOARD OF THE TOWN OF LIVONIA that the members of this body honor and commend Mary C. Jewell, who was born in

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Livonia Center on October 23, 1912 and died May 13, 2014 at the age of 101 as one of Livonia's leading citizens who served the best interests of this town with devotion for many years; and further

RESOLVED, to declare today, May 15, 2014 as Mary C. Jewell day in memory of and in honor of Mary and her contributions to the Town of Livonia, and further

RESOLVED, that this Resolution become part of the permanent record of the Town Board of the Town of Livonia, Livingston County, New York.

PRIVILEGE OF THE FLOOR

Supervisor Gott opened the floor to comments and concerns.

Betty Miles thanked the board for considering her request for funds for the Historical Society so that they can apply for a grant. She submitted the grant paperwork to Livingston County.

She also shared that the Historical Society is having a fund raiser on June 14th from 3pm - 8pm at Community Park. Everyone is asked to bring a dish to pass and an auction item. They did this last year and it was a lot of fun. They want to use this money to convert to natural gas at the museum. She asked the board to please get the word out.

Supervisor Gott added that the Historical Society is going to apply for a block grant. We have agreed that we will front the money until the funds come in based on our past resolution. He requested that Clerk Hay put the fundraiser information on the town's web site.

RESOLUTION 71-2014

ACCEPT MINUTES

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

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

Resolved to accept the May 1, 2014 minutes.

TOWN CLERK'S REPORT - APRIL 2014

Clerk Hay gave the following financial report for April 2014:

<i>Paid To</i>	<i>Amount Remitted</i>
Supervisor (General Fund)	\$1,813.80
County Treasurer for Dog Licenses	\$217.00
NYS Ag & Mkts for Spay/neuter Program	\$112.00
NYS DECALS	\$417.59
State Health Department (Marriage Licenses)	\$67.50

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Total Disbursements	\$2,627.89
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Clerk Hay also reported that the Burial and Cremation permits were picked up by NanoArk today. She recognized Deputy Clerk Holt for her work to prepare the records for scanning.

RESOLUTION 72-2014

APPROVE APRIL 2014 TOWN CLERK’S REPORT

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

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

Resolved to approve the April 2014 Town Clerk’s Report.

DISCUSS “ANYTHING THAT FLOATS” FUNDRAISER

Supervisor Gott stated that the Friends of the Chip Holt Center are proposing a fundraiser on August 23, 2014 called “Anything That Floats Race.” He asked Attorney Campbell to talk to the insurance company for advice and direction. They found out that it may not be appropriate for the town to be a co-sponsor. However, he thinks it is a great idea and wants to see how the town can support it.

Attorney Campbell prefaced his remarks by stating that he loves the idea of this fundraiser, but speaking as attorney for the town, his job is always to be concerned about liability. He spoke with Andrew Chanler, who is our agent for our insurance carrier, NYMIR. They had long discussion about the proposed event. He wants to make sure we address the concerns raised by the insurance company so that there is no disallowing of coverage in the case of a claim.

Campbell reported that the insurance company has two major concerns. The first is: should the town be an active participant as a sponsor. Both Andrew Chanler and NYMIR felt it would be better if we supported the event through permission and cooperation. He explained that it is strictly a liability issue. If there is some significant liability, the town would likely be named in a lawsuit if we were a co-sponsor. Attorney Campbell agrees that it makes sense to segregate the Chip Holt Center from the Town.

Secondly, they would like to make recommendations for the “Hold Harmless” Agreement to enhance its defensibility. They would prefer it if no participants were under the age of 18. Attorney Campbell said that if they decide to go ahead and have participants under the age of 18, then a parent or legal guardian should sign the waiver for them. Coast Guard approved life vests should be required, no alcohol should be allowed, and they should have trained personnel in the water at the time. In addition, one person should be designated to be in charge of the event to inspect the craft and determine that they are not obviously dangerous. They should have sufficient background to judge this. Attorney Campbell is happy to help the Friends of the Chip Holt Center with these recommendations.

Supervisor Gott stated that he would like the town to provide support with the legal aspect, and

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maybe help with advertisement costs. These are ways we can help without being a sponsor.

Councilmember Grouse shared that she feels the event would provide tremendous entertainment value, and would be very positive for the community. She thinks the legal review from Jim will be helpful. She would like there to be a parental waiver to allow those age 13 or 14 and up to participate. They talked about having age groups that would participate at different times throughout the day.

Matt Sanderson brought a simple map of a proposed course. He thought that they would stage and start the event on the east side of sand point. It would be easier to get into the water there. The course would then go around the point and end in the cove. He thought that some of the teams and participants could be members of sports groups, 4H, Boy Scouts, etc. They could set up a different course in completely shallow water for under 18 participants if that would help. Supervisor Gott responded that it is shallow in that whole area. He did not think a separate course would be needed.

Supervisor Gott will talk to the Sheriff's Department and the Fire Department to have support from them for safety. Matt Sanderson added that the Friends group will take care of obtaining any permits needed from the NYS Parks Department.

CORRESPONDENCE

Supervisor Gott shared a Thank You note we received from the family of Gerald Pease. Mr. Pease served on the Board of Assessment Review for years, and we sent a floral arrangement to the family. Dawn Woodburn commented that they were very pleased and very surprised that we sent it.

TEEN RECOGNITION

Councilmember Grouse reported that we have two awards to present to teens. Supervisor Gott suggested that we invite the teens to the June meeting at Vitale Park so that we can present the awards then.

RESOLUTION 73-2014

AUDIT OF CLAIMS

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

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

Resolved to pay claims 1236-1303 in the amount of \$54,649.34 from the Abstract dated 5/15/2014.

BREAK WALL AT VITALE PARK

Supervisor Gott is having a meeting next week regarding a plan of attack for the break wall at Vitale Park. He will have a report at the next meeting.

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With no further business, on a motion of Councilmember Grouse seconded by Councilmember English the meeting was adjourned at 7:28 PM. Carried unanimously.

Respectfully Submitted,

Colleen West Hay, Town Clerk