

REGULAR MEETING, TOWN OF LIVONIA

October 2, 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 the Livonia Town Hall, 35 Commercial St., Livonia, NY on October 2, 2014.

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

OTHERS PRESENT: Several residents

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

The Pledge was led by John VanDerKamp.

PRIVILEGE OF THE FLOOR

Supervisor Gott opened the Privilege of the Floor for comments and concerns. No one wished to speak. He reminded everyone one that the meeting would remain open to comments.

TOWN CLERK'S REPORT – SEPTEMBER 2014

Clerk Hay gave the following financial report for September 2014:

<i>Paid To</i>	<i>Amount Remitted</i>
Supervisor (General Fund) *	\$2,867.37
County Treasurer for Dog Licenses	\$336.00
NYS Ag & Mkts for Spay/neuter Program	\$122.00
NYS DECALS	\$7,683.69
State Health Department (Marriage Licenses)	\$112.50
Total Disbursements*	\$11,121.56

*Clerk Hay reported that Lucinda Brock sent in a check in the amount of \$21.00 to renew her and her husband's dogs licenses, however her husband had already renewed his dog's license. Mrs. Brock requested that we refund the overage to her. Clerk Hay filled out a voucher and submitted it to the Bookkeeper, Mike Lawton, and is remitting the overage to the Supervisor with this report.

DECALS: Clerk Hay reported that the instant lottery period for Deer Management Permits ended yesterday. Last year, we took in \$12,312 for hunting and fishing licenses during August and September. This year, for the same time period, total revenue was \$12,764.

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RESOLUTION 123-2014

APPROVE SEPTEMBER 2014 TOWN CLERK'S REPORT

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 September 2014 Town Clerk's Report.

RESOLUTION 124-2014

ACCEPT MINUTES FROM MEETING ON SEPTEMBER 18, 2014

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

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

Nays – 0

Resolved to accept the September 18, 2014 minutes.

RESOLUTION 125-2014

RE-APPOINTMENT LAURIE FOE TO THE BOARD OF ASSESSMENT REVIEW

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 re-appoint Laurie Foe to the Board of Assessment Review for a five year term beginning October 1, 2014 to September 30, 2019.

SUPERVISOR COMMENTS REGARDING 2015 BUDGET PROCESS

Supervisor Gott reported that the Tentative Budget is in the board packets. This document is exactly as the department heads have presented the information, and it reflects a slight increase in the tax rate. One week from tonight, the board will conduct a budget workshop, and he anticipates that the tax rate will probably be flat when they are done. We will continue to draw down fund balances in the A Fund and the Highway Fund. The budget will fully fund our obligations, including operating and maintenance costs. There will be a Public Hearing on the budget two weeks from tonight.

A resident asked what the difference was between Town-wide and Part Town-wide. Supervisor Gott answered that Town-wide is everyone, including Village and Part Town is without the Village.

A resident asked if the budget includes funds to fix the break-wall at Vitale Park. Supervisor Gott replied that there is money budgeted this year to repair the break-wall, and also money in the Sidewalk Reserve Fund that can be used for that project.

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DISCUSS “VILLAGES PROGRAM” FEES

Supervisor Gott reminded the board that last year, the Town partnered with the Village for the “Villages Program” by splitting the cost 50/50. It is a three year plan, and this is the second year. Supervisor Gott received an invoice late yesterday for \$1,875 for the Town’s for the 50% share for this year. Supervisor Gott explained that the Village did not ask us whether we were going to participate again this year. To be fair, they could have assumed that since it was a three year program, our participation last year meant that we would participate all three years. The County is expecting our contribution. Supervisor Gott indicated that he supports the program, but he is looking for direction as to what we should do. Councilmember Seelos replied that he thinks we should continue. Councilmember Grouse stated that she feels we should participate this year and next as well. Supervisor Gott stated that no action is needed tonight. He will have Mike prepare a check for approval at the next meeting.

RESOLUTION 126-2014

SET UP COMMITTEE TO FILL VACANCY AT VITALE PARK

Supervisor Gott reported that eight people expressed interest in the vacancy at Vitale Park. He would like to assemble a four-person committee to interview candidates and make a recommendation to the board. Supervisor Gott is willing to serve on the committee, and he would like one other person from the Town Board along with Park Manager Moe Watson and Shirley Holler. Councilmember English volunteered to serve on the committee as well. Councilmembers Grouse and Gascon indicated that they may be able to serve on the committee if needed.

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 form a committee consisting of Supervisor Gott, Councilmember English, Moe Watson and Shirley Holler to interview candidates for the Vitale Park vacancy.

CORRESPONDENCE

- Thank you note from Union Cemetery regarding tree removals
- Letter from Adam Backus regarding his first year as Code Enforcement Officer
- Statement of Revenue and Expenditures Year-to-Date. Supervisor Gott noted that we are slightly under budget on revenue, but more is coming in. Expenditures are also under. He credited department heads, the board and town employees.

PRIVILEGE OF THE FLOOR

A resident asked if there has been any more talk about hydrofracking. Supervisor Gott answered that there has not been anything in Livonia. York is proposing to allow it, and they held a Public Hearing last week. They have not voted on it yet.

A resident asked for an update regarding the desalinization plant. Supervisor Gott replied that the Board of Supervisors has their attorney in Albany working on it. Attorney Campbell explained that the Town of Leicester owns the land that the facilities are on, however Akzo and Zurich own

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the facilities.

A resident asked of the plant will be left in place in case we need to re-start the desalinization process again. Supervisor Gott answered that the company is not going to pump and treat the brine any more, and the DEC is okay with that. The Town of Leicester wants the plant dismantled and removed, so that it cannot be used to process frack fluid. An offer has been made to do just that, and Supervisor Gott hopes that it goes through.

About 10,000 gallons of frack fluid from Pennsylvania was processed at the plant as a test. The state gave permission for the testing, but the towns and the county were not informed until after the fact.

RESOLUTION 127-2014

AUDIT OF CLAIMS

The board reviewed the claims and decided to hold off on paying the claim for work that was done on the Peterbilt, while Supervisor Gott researches whether the work should have been covered under warranty. We will only pay the bill if the work was not covered by the warranty.

Supervisor Gott informed the board that the invoice in the amount of \$1,785 from Seal a Deal for the parking lot sealing and striping is incorrect. They made a mistake on the bill. They will correct the invoice to reflect the quoted prices of \$895 to seal and \$185 to stripe. We will wait until we receive the corrected invoice to pay.

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 1655-1683 in the amount of \$107,609.81 from the Abstract dated October 2, 2014, with the exception of the two invoices referenced above.

With no further business, on a motion of Councilmember Grouse seconded by Councilmember Gascon the meeting was adjourned at 7:23 PM. Carried unanimously.

Respectfully Submitted,

Colleen West Hay, Town Clerk