

REGULAR MEETING, TOWN OF LIVONIA

October 15, 2015

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 Street, on October 15, 2015.

PRESENT: Eric Gott, Supervisor
Andy English, Councilmember
Matt 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.
Jim Campbell the pledge.

MOVE TO SCHEDULED PUBLIC HEARINGS

Supervisor Gott declared the Public Hearings on the 2016 Budget and the Hemlock Sewer & Cadyville Road Water unit charges open at 7:00 PM.

Notice of both Public Hearings were duly published in the Livingston County News on October 8, with same being posted on the same date at the Town Hall, and on the Town's web site. In addition, notices regarding the Public Hearing for the Hemlock Sewer & Cadyville Road Water unit charges were mailed to owners of property in said districts. Clerk Hay read the notices of hearings for the record.

DISCUSSION

Supervisor Gott asked for comment on the budget and on the water and sewer unit charges. No one wished to speak.

Supervisor Gott announced that the Public Hearings would remain open until later in the meeting.

ALL-HAZARDS MITIGATION PLAN DISCUSSION

Kevin Neidermaier was present at the meeting to explain about the All- Hazards Mitigation Plan. He explained that

- In 2000, the Federal government passed a regulation that all villages, towns, counties, and states have an All-Hazard Mitigation Plan.
- The plans need to be reviewed every 5 years.
- Villages and towns can adopt the County's plan, however if they don't then they

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- have to adopt their own plan and the plan has to be approved by FEMA.
- Each town and village participated in developing the Livingston County plan, which was adopted by the county in June.
- Having an adopted plan in place helps to secure grant money for mitigation projects.

Supervisor Gott and Attorney Campbell both recommended that the Town Board adopt the County plan, rather than develop their own.

RESOLUTION 117-2015

**AUTHORIZING THE ADOPTION OF THE 2015 LIVINSTON COUNTY, NY
ALL - HAZARDS MITIGATION PLAN**

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

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

WHEREAS, all jurisdictions within Livingston County have exposure to natural hazards that increase the risk to life, environment, and the County and local economy; and

WHEREAS, pro-active mitigation of known hazards before a disaster event can reduce or eliminate long-term risk to life and property; and

WHEREAS, The Disaster Mitigation Act of 2000 (Public Law 106-390) established new requirements for pre and post disaster hazard mitigation programs; and

WHEREAS, a coalition of Livingston County municipalities with like planning objectives has been formed to pool resources and create consistent mitigation strategies within Livingston County; and

WHEREAS, the coalition has completed a planning process that engages the public, assesses the risk and vulnerability to the impacts of natural hazards, develops a mitigation strategy consistent with a set of uniform goals and objectives, and creates a plan for implementing, evaluating and revising this strategy;

NOW, THEREFORE, BE IT RESOLVED that the Town of Livonia:

1. Adopts in its entirety, the 2015 Livingston County All-Hazards Mitigation Plan (the Plan) as the jurisdiction’s Mitigation Plan, and resolves to execute the actions identified in the Plan that pertains to this jurisdiction.

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2. Will use the adopted and approved portions of the Plan to guide pre- and post-disaster mitigation of the hazards identified.

3. Will coordinate the strategies identified in the Plan with other planning programs and mechanisms under its jurisdictional authority.

4. Will continue its support of the Mitigation Planning Committee as described within the Plan.

5. Will help to promote and support the mitigation success of all participants in this Plan.

6. Will incorporate mitigation planning as an integral component of government and partner operations.

7. Will provide an update of the plan in conjunction with the County no less than every five years.

BUDGET DISCUSSION

Supervisor Gott reported that the Proposed 2016 Budget is very conservative, funds all obligations, and calls for a 2% raise for all employees and elected officials except for the Town Board and Supervisor. The budget includes:

- Replacement or rehab of the substation at Vitale Park, along with the removal of the trailer.
- \$120,000 in reserve for future highway equipment.
- An increase of \$10/ton for road salt.
- A 7.75 cent increase in the tax rate per thousand.
- Help for assessing commercial properties.

Supervisor Gott reported that we will stay within the 2% tax cap. He added that he believes we are fiscally the healthiest town in the county, and over 2/3 of the towns in Livingston County overrode the tax cap this year.

No one wished to comment. Supervisor Gott stated that the hearing would be left open.

OPEN SESSION

Town Hall Update:

- Supervisor Gott shared that the sump pump in the Town Hall basement died. There was no damage as a result, and the pump has been replaced. A back-up system is coming.
- Parts to fix the entrance lights and the flag pole light have been ordered.

RESOLUTION 118-2015

APPROVE MEETING MINUTES FROM 10/1/2015

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

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

Resolved to approve the meeting minutes from October 1, 2015.

TOWN CLERK’S REPORT AND UPDATES

DECALS

Clerk Hay reminded the board that First Come; First Serve Deer Management Permits will be available in the Town Clerk’s Office starting November 2. She has not yet heard what areas will be available.

Jury Duty

Clerk Hay informed the board that she has been called for jury duty starting October 26. She is trying to make arrangements to have coverage in the clerk’s office.

September 2015 Financial Report

Clerk Hay gave the following financial report for September 2015:

| <i>Paid To</i> | <i>Amount Remitted</i> |
|--|------------------------|
| Supervisor (General Fund) | \$4,352.13 |
| County Treasurer for Dog Licenses | \$308.00 |
| NYS Comptroller’s Office | \$33.75 |
| NYS Ag & Mkts for Spay/neuter Program | \$114.00 |
| NYS Environmental Conservation (Hunting/Fishing) | \$6,470.44 |
| State Health Department (Marriage Licenses) | \$157.50 |
| Total Disbursements | \$11,435.82 |

RESOLUTION 119-2015

APPROVE CLERK’S REPORT

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 September 2015 Town Clerk’s Report.

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RESOLUTION 120-2015

DECLARE SURPLUS PROPERTY – HIGHWAY DEPARTMENT

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 declare the Highway Department's 5500 GMC truck as surplus and authorize the Highway Superintendent to sell it at auction.

RESOLUTION 121-2015

RECOGNIZE JOHN MILES WOODRUFF AS "HONORARY HISTORIAN" OF MCPHERSON POINT

Supervisor Gott mentioned that Lore Disalvo approached him and asked if the Town Board would consider designating John Woodruff as Honorary Historian of McPherson Point to recognize him for his efforts to document the history of this area. Ms. Disalvo would like to be able to present Mr. Woodruff with a plaque to commemorate the designation.

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

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

WHEREAS, John Miles Woodruff has been a life-long resident of McPherson Point on Conesus Lake in the Town of Livonia, County of Livingston, State of New York; and

WHEREAS, he has shared his rich knowledge of the historical presence of the Woodruff Family on McPherson Point starting with his grandfather Miles A. Woodruff's purchase of the point in 1916 and continuing to his father, John "Jack" in 1947; and

WHEREAS, he has selflessly shared pictures and documents recalling the events, structures, and activities that McPherson Point visitors enjoyed; and

WHEREAS, his memories have brought to life a period when McPherson Point was the destination of thousands of vacationers and excursionists from all over New York State who visited the Livingston Inn, the largest hostelry ever built on Conesus Lake; and

WHEREAS, he created a display of historical photos and articles in his shop which he contributed to a website and eagerly shared with those who visited him; and

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WHEREAS, he created an historical map of McPherson Point with Rick Osiecki dated 1904-1961, which can be purchased at The Livonia Area Preservation & Historical Society; and

WHEREAS, he created and distributed historical booklets for residents of McPherson Point and has sent historical photos and articles to people throughout New York State; and

WHEREAS, he created and continues to create activity timelines of McPherson Point;

NOW, THEREFORE, BE IT RESOLVED, that on this fifteenth day of October in the year two thousand fifteen, the Town Board of the Town of Livonia, New York, bestows the title of “Honorary Historian of McPherson Point” upon John Miles Woodruff, in gratitude and appreciation for his dedication and commitment to preserving the history of this area for future generations; and be it further

RESOLVED, that this resolution shall become a permanent part of the official meeting minutes of the Livonia Town Board held on said day.

UPDATE ON EAGLE SCOUT PROJECT AT HEMLOCK LAKE PARK

Supervisor Gott reminded the Board that Ben Randolph has proposed to create a new sign for Hemlock Lake Park. He is also interested in landscaping the area around the sign and doing some work on the picnic tables there. He estimates that the sign will cost about \$1,600. Mr. Randolph is asking the board for a total budget figure for the sign and landscaping. After some discussion, the board agreed that the project should not exceed \$2,000.

RESOLUTION 122-2015

CLOSE PUBLIC HEARING ON 2016 BUDGET & WATER AND SEWER UNIT CHARGES

Supervisor Gott then asked if there were any further comments regarding either one of the public hearings. There were none.

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

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

With everyone wishing to be heard having been heard, resolved to close the public hearings on the water and sewer unit charges and the 2016 budget at 7:22 PM.

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RESOLUTION 123-2015

ADOPT 2016 BUDGET

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 adopt the 2016 Budget as presented. (See ADOPTED BUDGET at the end of the minutes.)

Supervisor Gott recognized Mike Lawton for all the work he does on the Budget every year.

RESOLUTION 124-2015

ENTER INTO EXECUTIVE SESSION

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 enter into Executive Session with Attorney Campbell at 7:25 PM to discuss contract negotiations.

RESOLUTION 125-2015

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 8:06 PM.

STREAMBANK REMEDIATION PROJECTS

Supervisor Gott stated that the Highway Superintendent is not willing to complete the jobs associated with the Streambank Remediation Project. It is important that this work be completed soon because we are well into our last 12-month extension. He feels that we need to move forward without the Highway Superintendent.

Supervisor Gott spoke with Don Higgins at the County Highway Department, and he indicated that they will adjust their schedule to help us out. Work on the North Gully needs to start immediately. We have a property owner who wants to see the construction

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project before he will give his permission to do the work on his property. Therefore, it is imperative that they start now.

Highway Superintendent Coty will provide a loader and an operator for the project, however we will still need to pay the county \$25,000 to \$30,000 for this work. This work was supposed to be done by the Town as our in-kind contribution in order to receive the grant money.

RESOLUTION 126-2015

DIRECT SUPERVISOR GOTT TO AUTHORIZE THE COUNTY HIGHWAY DEPARTMENT TO COMPLETE STREAMBANK WORK

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 direct Supervisor Gott to authorize the County Highway Department to complete Streambank work on behalf of the Town of Livonia.

Councilmember English stated that he wanted it to go on record that he is disappointed with our Highway Superintendent because the Town of Livonia is lead agent on this project and the Highway Superintendent is not completing the work. He added that he is upset that taxpayers will have to pay for this.

RESOLUTION 127-2015

LIBRARY PROJECT CHANGE ORDER

Councilmember Grouse reported that Passero Associates have proposed additional services to the Architecture Contract for the Livonia Public Library. They sent a memo to Supervisor Gott outlining the proposed changes for additional work and Design Services not originally anticipated in the initial scope of work due to overall project scope.

This includes assisting the Town in receiving State Historic Preservation Office (SHPO) approval, including providing schematic design documents, contacting and coordinating with SHPO representative, and preparing reports as necessary to complete the approval process. The additional fee for these services is \$4,000.

The additional Design Services includes the creation and full development of two separate final design concepts. (The original proposal included 3 alternates and 1 final design.) Additional fee for these services is \$9,600.

On motion of Councilmember English seconded by Councilmember Grouse the

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following resolution was

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

Resolved to approve an additional fee to Passero Associates not to exceed \$13,600 for SHPO submissions and approvals and additional Design Services for the Livonia Public Library.

RESOLUTION 128-2015

AUDIT OF CLAIMS 10/15/2015

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

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

Resolved to pay claims 2674-2713 in the amount of \$64,678.75 from the Abstract dated 10/15/2015.

JACK EVANS COMMUNITY CENTER UPDATE

Supervisor Gott shared with the board that we can expect to spend \$30,000 to \$35,000 on the Jack Evans Community Center next year. We have lost Merlin Speakers as a tenant. He reported that the building will continue to cost the town \$40,000 a year. Tenants only offset a small part of the overall cost. We have had a couple of inquiries and hope that we can get some more tenants.

With no further business, on a motion of Councilmember Grouse seconded by Councilmember Seelos the meeting was adjourned at 8:14 PM. Carried unanimously.

Respectfully Submitted,

Colleen West Hay, Town Clerk