

REGULAR MEETING, TOWN OF LIVONIA

July 16, 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 Hemlock Lake Park, Hemlock on July 16, 2015.

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

ABSENT: Frank Seelos, Councilmember

OTHERS PRESENT: Trevor Horan, Eagle Scout Applicant; Several residents.

The meeting was called to order by Supervisor Gott at 7:00 PM. Supervisor Gott noted that there was not a flag at the park, so the pledge could not be done. He thought it might be a good idea for an Eagle Scout project.

PRIVILEGE OF THE FLOOR

Budget Update

Supervisor Gott informed the board that Bookkeeper Mike Lawton printed out budget updates for the first six months of the year. Expenses are in check and revenues are coming in.

Storm Update

Supervisor Gott again recognized Highway Superintendent Dave Coty and his crew for their work cleaning up after the storms last month. He informed the board that FEMA money will not be available because the county did not meet the minimum threshold for damage, however the cost of the damage ended up being less than he originally thought. He stated that it is on the agenda to discuss this further, later in the meeting.

Summer Recreation Update

Councilmember Grouse reported that Summer Recreation has a record number of participants at 205. This is at the same time that many other towns are experiencing decreased participation. She recognized Recreation Director Craig Emmerling and his staff for doing a fantastic job.

DISCUSSION OF ALL HAZARD MITIGATION PLAN

Kevin Neidermaier was supposed to attend this meeting to explain the All Hazard Mitigation Plan and to answer questions from the board. Supervisor Gott stated that he must have had an emergency that prevented his attendance. He will check to see if Mr. Neidermaier can attend the meeting next month. Discussion was tabled.

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RESOLUTION 84-2015

APPROVE MEETING MINUTES FROM 6/18/2015

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

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

Resolved to approve the meeting minutes from June 18, 2015.

TOWN CLERK UPDATES

Clerk Hay gave the following updates on projects she has been working on:

Public Access Defibrillation

Training has been completed, signage is up and defibrillator has been installed above the drinking fountain in the main lobby area. Supervisor Gott will be sending a thank you card to Erin and Larry Ebersold for donating the AED/CPR training for staff.

Newsletter

We currently have 15 subscribers to the newsletter. Copies are placed at doctor's offices, the pharmacy, the local banks, the village, the library, West's Shurfine, and at the Clerk's office.

Glass for Town Clerk Counter

Moran Glass (Nunda) has been out to measure and make recommendations. He called last Friday to say he has not forgotten us and is waiting for information to complete his proposal. Glass Act and Countywide Glass do residential and automotive glass. They are not equipped to do a project like ours.

Credit Cards

We took in \$774 in credit cards for the month of June 2015.

Licensing Dogs Via Web Site

Many people have asked about being able to renew their dog licenses via our web site. To add that module would cost \$500 for the first year (\$300 to purchase the module and \$200 annual hosting fee) and \$200/year after that. We have about 1,000 dogs licensed in Livonia, so the annual cost would be about \$0.20/dog. The customer would pay a \$1.75 fee per transaction directly to the credit card company. Clerk Hay asked if this something the board is interested in pursuing.

Councilmember English asked how much of the dog license fee the town keeps. Clerk Hay shared that the fee for a spayed/neutered dog is \$10.50 and the town ends up with about \$2 of that to pay for the tags, and printing and mailing of renewal notices. Councilmember Grouse added that the dog module might end up saving the town some of the follow up costs as people get used to renewing online. All were in favor of adding this service.

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Lapsed Dog Licenses

Deputy Clerk Leanne Holt has sent the list of lapsed dogs to county dog control for follow-up, after making several attempts herself to update the dog status or license. She has the list down to 65 from 118.

Banking Update

Clerk Hay has set up checking accounts for Clerk and Tax Collection at Community Bank and is working on switching the ACH for DECALS to Community Bank and also having the credit card deposits made to the Community Bank account.

DECALS

We have not received the new license paper or hunting guides for 2015/2016 hunting license sales and we have not heard a date for when the new licenses will go on sale. Wal-mart and other retailers are not able to sell at this time, and not all municipalities are selling licenses, so our business has really increased, especially in the last two weeks. Here is a comparison chart:

	2014	2015	% change
May 1-31	\$682	\$828	+21%
June 1-30	\$621	\$1,207	+94%
July 1-15	\$339	\$1,000	+195%

Village Tax Collection

The cost to add village tax collection to BAS would be \$300/year, which is just the cost of uploading the file from the county. There would be no additional software or training costs.

Veterans Memorial Highway

A representative from Senator Young's office called to inform us that a bill to designate Route 15A as a Veterans Memorial Highway passed the Senate and Assembly this year. He wanted to offer us the opportunity to send a letter of support to the governor encouraging him to sign the legislation. The Board was in favor, and Supervisor Gott stated that he will send a letter.

Library Expansion

Cal Lathan dropped off a letter of support of the proposed Library Expansion Project. Copies were distributed to the Board.

Village Share Web Hosting Fee?

Clerk Hay informed the Board that Mayor Lathan is interested in participating in the web site more. He asked if the Town wants the village to contribute for the hosting fee. Clerk Hay explained that we discussed this when the web site was created 10 years ago, and the board decided at that time not to ask the Village to contribute to the cost.

After further discussion with Becky Price from Design FM, Clerk Hay learned that the Village wants to create a "separate" small site for the village within the livonian.org site. The thought was to create a landing page with the option to go to either the town or the village sites.

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The Board discussed this and expressed that they are not in favor of these changes. Supervisor Gott will talk with Mayor Lathan about this and let him know that the web site as it currently exists is available for the Village to place information, meeting minutes, etc. Clerk Hay can perform the updates at no cost to the Village, they just need to email her the information.

Easements for Streambank Grant

Clerk Hay reported that she received the easement for property owned by Erica and Robert Edwards (North Gully). These have been signed and returned to the County Planning Department for filing.

Attorney Campbell remarked that one of the property owners has questions about the easement they received. He asked if the Board was okay with him talking with the property owners. He will be sure to make it clear that he is not giving them legal advice. The Board expressed that they were fine with Attorney Campbell speaking to the property owners.

June 2015 Financial Report

Clerk Hay gave the following financial report for June 2015:

<i>Paid To</i>	<i>Amount Remitted</i>
Supervisor (General Fund)	\$2,353.04
County Treasurer for Dog Licenses	\$322.00
NYS Ag & Mkts for Spay/neuter Program	\$157.00
NYS DECALS	\$1,140.44
State Health Department (Marriage Licenses)	\$45.00
Total Disbursements	\$4,017.48

RESOLUTION 85-2015

APPROVE CLERK'S REPORT

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

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

Resolved to approve the June 2015 Town Clerk's Report.

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RESOLUTION 86-2015

APPROVE PURCHASE OF HIGHWAY TRUCK

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

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

Resolved to approve purchase of an International truck via state bid pricing and Tenco equipment based on Onondaga County bid price at a total cost of \$146,247.

RESOLUTION 87-2015

APPROVE WILKINS CREEK STUDY

Supervisor Gott reported there are grant funds available for an engineering study to address mitigation of storm water runoff in the Wilkins Creek area. Clark Patterson Lee will be conducting the study, and they plan to start immediately.

The total cost of the study will be \$30,000. Grant funding will cover 75% of the cost, the County and the Village will participate, and the Town of Livonia's share of the cost will be \$3,000. The study is the first step and has to be completed before any work can be done to address the flooding issues.

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

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

Resolved to approve an expense of \$3,000 as the Town's share for an engineering study of Wilkins Creek to address storm water runoff.

A resident reminded Supervisor Gott that Claire Sandrock has a five-acre parcel that would be perfect for a retention pond. Supervisor Gott replied that the engineers will look at it, but they are not sure at this point that retention ponds will reduce peak flow. The study really needs to be done first to determine the best solution.

Supervisor Gott added that he reached out to the Colwells and they had many good photos of the last storm that will be very useful.

The resident reported that there is a sizable tree stump that was washed down in the storm. He waiting for the property to dry out so that he can get the stump out to the road. Supervisor Gott told the property owner to call him when he has it at the side of the road and Supervisor Gott will arrange to have the stump removed.

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RESOLUTION 88-2015
INTERMUNICIPAL AGREEMENT FOR FUEL DEPOT – APPROVE CONTRACT

Supervisor Gott reminded the Board that we have never had an official agreement for the fuel depot. Historically, entities that use the depot were supposed to contribute one cent a gallon, but that is not nearly enough to cover the costs. This agreement:

1. Increases share of costs to four cents a gallon for entities that use the fuel depot.
2. Holds the entity that damages something responsible for paying for the damage.
3. Provides that upgrades and replacements will be shared on the basis of percentage of use.

After some brief discussion, it was decided that Attorney Campbell will change the wording in the agreement to clarify that damage from misuse will be paid for by the entity that damages it, while normal wear and tear costs will be shared based on percentage of use.

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

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

Resolved to approve the Intermunicipal Agreement regarding the Fuel Depot with the change noted above.

RESOLUTION 89-2015
JUSTICE COURT AUDIT – APPROVE RESPONSE

Supervisor Gott reported that he has seen the audit of the Justice Court that was performed by the Comptroller's Office. This audit included Justices Kemp, Mahoney and Lemen. He reminded the board that Justice Kemp never made his records available to the Town Board to audit, so we had no idea what the Comptroller's Office would find. He was very pleased that no funds were missing, but the Comptroller's Office did make some recommendations. He and the judges agree with the findings and formulated a response. He reviewed the findings and response with the Board and asked them to approve the response.

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

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

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Resolved to approve the Audit Response and allow Supervisor Gott to complete and send it to the Comptroller's Office.

Supervisor Gott mentioned that Bonadio was at the Town this week performing the Annual Audit, which will include the Court.

COMMUNITY SERVICE AWARDS

Councilmember Grouse reminded everyone that the Community Service Awards would be presented right before the concert at Vitale Park this Sunday.

WEED EATING

Councilmember Grouse asked if the lawn care company was weed eating as the contract says they should. Supervisor Gott indicated that he already spoke to them about it. They are supposed to weed eat every other time they cut the grass.

EAGLE SCOUT PROJECT – CLAY STREET CEMETERY

Supervisor Gott introduced Trevor Horan, who is working for his Eagle Scout designation. The project he chose was to restore the Clay Street Cemetery. He explained that the cemetery was overgrown, full of holes and many headstones were broken, toppled and buried. His goal was to bring the cemetery to a point where it could be more easily maintained. He also put up a new gate and has ordered a sign. He estimates that he and his volunteers spent a total of about 200 hours on the project.

Supervisor Gott remarked that Trevor did a fantastic job. He invited everyone to go to the cemetery after the meeting so that they could see the work that has been done.

RESOLUTION 90-2015

AUDIT OF CLAIMS 7/2/2015

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

ADOPTED Ayes - 4 (Gott, English, Gascon, Grouse)

Nays – 0

Resolved to pay claims 2397-2434 in the amount of \$84,970.01 from the Abstract dated 7/2/2015.

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RESOLUTION 91-2015

AUDIT OF CLAIMS 7/16/15

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

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

Resolved to pay claims 2435-2490 in the amount of \$178,978.44 from the Abstract dated 7/16/2015.

With no further business, on a motion of Councilmember Grouse seconded by Councilmember Gascon the meeting was adjourned at 7:54 PM. Carried unanimously.

Respectfully Submitted,

Colleen West Hay, Town Clerk