

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 Park in Hemlock, NY on July 15, 2021.

**PRESENT:** Eric Gott, Supervisor  
Joseph Breu, Councilmember  
Peter Dougherty, Councilmember  
Andy English, Councilmember  
Matt Gascon, Councilmember  
Hayley Anderson, Clerk  
Jim Campbell, Attorney, Town of Livonia

**OTHERS PRESENT:** Several Residents

The Town Board meeting was called to order by Supervisor Gott at 7:00 PM.  
Councilmember Breu led the pledge.

### **PRIVILEGE OF THE FLOOR**

Maryanne Thompson presented and stated that the water issue she previously emailed about has subsided at Little Lakes Community Center. She then asked if the highway department could patch a few holes with leftover asphalt and help with the drainage. Supervisor Gott stated the town does not have the equipment for the drainage and subcontracts that out. Mrs. Thompson went on and stated the farmers market and gift shop is open on Saturdays 10-1. First Golf Tournament is planned, and scholarships are coming in. The golf tournament is scheduled for Friday August 20, 2021, and the deadline for teams is August 1, 2021. She stated the website has been revamped with new features. Johnna Ann is picking up the communications role and are currently a 9-person board. One room is currently available for rent for \$350.00 a month which includes air conditioning and wifi. Councilmember Breu provided Fine Line Pipe's contact information to Mrs. Thompson. Supervisor Gott stated he will speak to Dave Coty about the asphalt to see about any possibilities of fixing the parking lot.

Supervisor Gott reported that a young man will be approaching the board for his eagle project to replace the benches in Hemlock Park with composite benches as opposed to the wooden benches.

Councilmember English stated that John and Moe at the park started at 5:30am cleaning up the tree that went down in Vitale Park. Supervisor Gott stated Liberty Tree will have the tree and stump removed by the weekend. Supervisor Gott reported he got two quotes for the service. Cousins Tree LLC quoted \$2,800.00 and would not be able to begin work until Saturday 7/17/21. Liberty Tree Service quoted \$2,200.00 and will have removed by this weekend.

Councilmember Breu reports Livonia Fire Department just got custody of their new fire truck, and it is beautiful. Hemlock is now in the process of obtaining their new truck as well. Ambulance crew is all set for the Fair.

RESOLUTION 97-2021

**TOWN CLERK'S REPORT – JUNE 2021**

Paid to Supervisor	\$3,747.83
Paid to County Treasurer for Dog Licenses	\$332.50
NYS Comptroller's Office (Bingo and Games of Chance Licenses)	\$0
Paid to NYS Ag & Markets for the Spay/Neuter Program	\$107.00
Paid to NYS Environmental Conservation for Hunting/Fishing Licenses	\$1,135.17
State Health Department (marriage licenses)	\$90.00
<b>TOTAL DISBURSEMENTS</b>	<b>\$5,412.50</b>

Clerk Anderson reports that she sent out the Sexual Harassment Training. So far only a few in the office have completed the training. Clerk Anderson is available for all employees struggling to complete this.

Clerk Anderson reported that she received a quote from Sunking for an electronics event. While dates were available, this event would be extremely costly, and the budget does not have the funds available to do so this year. Sunking stated that for an event in Avon in October, that has not been advertised except for their website, already has over 50 people registered. With this information, the manpower needed, the equipment and space needed to do an event like this, it is Clerk Anderson's opinion this is not feasible this year. Rather than putting the event on alone, Clerk Anderson is going to be in contact with Marjorie Byrnes in hopes to work together for an event of this size.

Clerk Anderson reports she will set up another shredding event in late August or Early September.

Clerk Anderson reports she is currently enrolled and attending IIMC classes to obtain credit towards her CMC. The content of the classes is so beneficial, but the contacts and personal relationships that are being built will further drive Clerk Anderson's confidence and success in her role.

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

ADOPTED Ayes - 5 (Gott, English, Gascon, Breu, Dougherty)  
 Nays – 0

Resolved to approve.

RESOLUTION 98-2021

**APPROVE MEETING MINUTES FROM 6/17/2021**

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

ADOPTED Ayes - 5 (Gott, English, Gascon, Breu, Dougherty)  
 Nays – 0

Resolved to approve the meeting minutes from 6/17/2021.

RESOLUTION 99-2021

**REQUEST STATE ASSISTANCE FOR REASSESSMENT PROJECT**

RESOLUTION REQUESTING STATE ASSISTANCE FOR A  
REASSESSMENT PROJECT FOR THE TOWN OF LIVONIA

ADOPTED \_\_\_\_\_

**WHEREAS**, the Town of Livonia has undergone the revaluation of real properties within the Town, the Town feels that it is necessary to conduct a reassessment project of all properties for the 2022 assessment roll to maintain a uniform standard of assessment for the Town; and

**NOW, THEREFORE**, it is hereby

**RESOLVED**, by the Town Board of the Town of Livonia, New York, that the Town of Livonia hereby requests State assistance, specifically from the NYS Office of Real Property Services, to do a reassessment project to maintain a uniform standard of assessment in accordance with Section 305 of the Real Property Tax Law; and it is further

**RESOLVED**, that the Supervisor is hereby authorized and directed to expend the necessary funds for the preparation of said plan and the establishment and maintenance of the Real Property Improvement Program.

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

ADOPTED Ayes - 5 (Gott, English, Gascon, Breu, Dougherty)  
Nays - 0

Resolved to approve the request for state assistance in the 2022 reassessment project.

RESOLUTION 100-2021

**DEFERRED COMPENSATION FOR TOWN EMPLOYEES**

Bookkeeper Hay completed extensive research into a deferred compensation plan after Frank Sykes brought this request to the board. In her research she found the following:

- The town board would need to adopt a resolution to adopt the plan.
- The town completes the administration checklist and a W-9 form
- The state assigns us an ID#
- Once our plan is set up (it takes about 2-3 weeks) employees can enroll. Both full-time and part-time employees are eligible.
- When an employee enrolls, I receive a report telling me how much they want deducted from each payroll.
- Employees can choose between a traditional pre-tax 457(b) plan or a Roth 457(b) (With the Roth plan, you pay taxes on the money now, but withdrawals may be tax-free during retirement). In addition, employees manage their own investments. (The town does not have to do anything for that.)
- We can remit those funds to the state via check or secure online pay
- Through the plan, employees save for retirement and can save up to \$19,500 per year (pre-tax), and those over 50 have even higher limits
- Money can be withdrawn early without penalty

Adoption Of The State of New York Deferred Compensation Plan

WHEREAS, the Town of Livonia wishes to adopt the Deferred Compensation Plan for Employees of the State of New York and Other Participating Public Jurisdictions (the “Plan”) for voluntary participation of all eligible employees; and

WHEREAS, the Town of Livonia is a local public employer eligible to adopt the Plan pursuant to Section 5 of the State Finance Law\* and

WHEREAS, the Town of Livonia has reviewed the Plan established in accordance with Section 457 of the Internal Revenue Code and Section 5 of the State Finance Law of the State of New York; and

WHEREAS, the purpose of the Plan is to encourage employees to make and continue careers with the Town of Livonia by providing eligible employees with a convenient and tax-favored method of saving on a regular and long-term basis and thereby provide for their retirement;

---

\* A local public employer eligible to adopt the Plan pursuant to Section 5 of the State

Finance Law includes: a county, city, town, village or other political subdivision as defined in Section 131 of the retirement and Social Security law or civil division of the State; a school district or other governmental entity operating a public school, college, or university; a public improvement or special district, a public authority, commission , or public benefit corporation; or any other public corporation, agency or instrumentality or unit of government which exercises governmental powers under the laws of the State.

**REGULAR MEETING, TOWN OF LIVONIA**  
July 15, 2021

NOW, THEREFORE, it is hereby:

RESOLVED, that the Town of Livonia hereby adopts the Plan for the voluntary participation of all eligible employees; and it is further

RESOLVED, that the appropriate officials of the Town of Livonia are hereby authorized to take such actions and enter such agreements as are required or necessary for the adoption, implementation, and maintenance of the Plan; and it is further

RESOLVED, that the Administrative Services Agency is hereby authorized to file copies of these resolutions and other required documents with the President of the State of New York Civil Service Commission.

Adopted the 15 day of July, 2021, at a meeting of the Livonia Town Board.

I hereby certify that the Town of Livonia is a local public employer within the meaning of Section 5 of the State Finance Law and that the adoption of the Plan has received all required approvals of any local governing body or officer and otherwise complies with local law.

Witnesseth by:

(Name of Local Public Employer)

By:

Consent of The Deferred  
Compensation Board of the  
State of New York to  
Local Public Employer's  
Participation

On motion of Councilmember Breu seconded by Councilmember Dougherty the following resolution was

**REGULAR MEETING, TOWN OF LIVONIA**  
July 15, 2021

ADOPTED    Ayes -            5 (Gott, Gascon, Breu, Dougherty, English)  
              Nays –            0

Resolved to offer the Deferred Compensation Plan through New York State Deferred Compensation Plan as an added benefit to Town Employees.

RESOLUTION            101-2021

**NEW RECREATION AIDE EMPLOYEES**

The following individuals have been recommended for hire by Recreation Director Craig Emmerling

Olivia Parker  
Paige Ryan  
Lincoln Garwood  
Jackson Trubia  
Megan Tumminelli

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

ADOPTED    Ayes -            5(Gott, English, Gascon, Breu, Dougherty)  
              Nays –            0

Resolved to hire the above employees as Recreation Aides effective 7/23/2021 at a rate of pay of \$12.50/hour.

RESOLUTION            102-2021

**NEW RECREATION AIDE EMPLOYEE**

Jackson McEnerney has been recommended for hire by Recreation Director Craig Emmerling.

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

ADOPTED    Ayes -            5(Gott, English, Gascon, Breu, Dougherty)  
              Nays –            0

Resolved to hire Jackson McEnerney as Recreation Aide effective 06/29/ 2021 at a rate of pay of \$12.50/hour.

RESOLUTION            103-2021



**REGULAR MEETING, TOWN OF LIVONIA**  
July 15, 2021

**RETURNING RECREATION AIDE EMPLOYEES**

The following individuals have been recommended for re-hire by Recreation Director Craig Emmerling

- a. Anthony Davin - \$13.50/hour
- b. Kennedy Neckers - \$13.25/hour
- c. Erin Kress - \$13.00/hour
- d. Mackenzie Garger - \$13.00/hour
- e. Sarah O’Neil - \$13.00/hour
- f. Thomas Ryan - \$13.50/hour
- g. Marcus Lewis – increase from \$12.50/hour to \$13.50/hour effective 7/1/2021

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

ADOPTED   Ayes -           5 (Gott, Breu, Dougherty, English, Gascon)  
              Nays –            0

Resolved to hire the above employees as recreation aides at the rate of pay listed, all effective 06/29/2021.

RESOLUTION       104-2021

**RECREATION LEADER**

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

ADOPTED   Ayes -           5 (Gott, English, Gascon, Breu, Dougherty)  
              Nays –            0

Resolved to hire Alyssa Plane-Albany as Recreation Leader effective 06/29/2021 at a rate of pay of \$14.00/hour.

RESOLUTION       105-2021

**VITALE PARK EMPLOYEE**

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

ADOPTED   Ayes -           5 (Gott, English, Gascon, Breu, Dougherty)  
              Nays –            0

Resolved to hire Cara Stewart as Cleaner, effective 7/1/2021 at a rate of pay of \$15.00/hour.

**REGULAR MEETING, TOWN OF LIVONIA**  
July 15, 2021

RESOLUTION 106-2021

**WATERSHED EDUCATION LETTER OF SUPPORT**

On motion of Councilmember Dougherty seconded by Councilmember Breu the following resolution was

ADOPTED Ayes - 5 (Gott, English, Gascon, Breu, Dougherty)  
Nays – 0

Resolved to grant permission for Supervisor Gott to sign the letter of support to the Watershed.

**DISCUSSION ABOUT LETTER REGARDING FIREWORKS**

Supervisor Gott reported that a resident expressed concerns about illegal firework displays because of agricultural concerns. Supervisor Gott states that it is not the responsibility of the Town Board to hold people accountable for illegal activity, that is the responsibility of Law Enforcement Officers. Unfortunately the Town Board is unable to assist with matters such as these.

Resolution 107-2021

**INCOME SURVEY DISCUSSION**

Previously the town was quoted between six and eight thousand dollars to complete an income study to begin expanding water into the town. The survey came back at \$9,790.00 plus postage. Supervisor Gott needs permission to sign this contract. The board agreed that we need to get this moving and sign so our residents can be closer to receiving town water.

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

ADOPTED Ayes - 5 (Gott, English, Gascon, Breu, Dougherty)  
Nays – 0

Resolved to sign into contract with G+G Municipal Consulting to complete the Income Survey.

Supervisor Gott also reported the village agreed to a 40 year lease with the water authority.

**REGULAR MEETING, TOWN OF LIVONIA**  
July 15, 2021

RESOLUTION 108-2021

**AUDIT OF CLAIMS**

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

ADOPTED Ayes - 5 (Gott, Breu, Dougherty, English, Gascon)  
Nays – 0

Resolved to pay claims 536-573 dated 07-01-2021 in the amount of \$33,121.15.

RESOLUTION 109-2021

**AUDIT OF CLAIMS**

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

ADOPTED Ayes - 5 (Gott, Breu, Dougherty, English, Gascon)  
Nays – 0

Resolved to pay claims 574-577 dated 07-08-2021 in the amount of \$5,211.16.

RESOLUTION 110-2021

**AUDIT OF CLAIMS**

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

ADOPTED Ayes - 5 (Gott, Breu, Dougherty, English, Gascon)  
Nays – 0

Resolved to pay claims 578-622 dated 07-15-2021 in the amount of \$50,150.07.

With no further business, on a motion of Councilmember Breu seconded by Councilmember Gascon the meeting was adjourned at 7:36. Carried unanimously.

Respectfully Submitted,

---

Hayley Anderson  
Town Clerk