

## **TOWN BOARD MEETING, TOWN OF LIVONIA**

September 19, 2024

A 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 Livonia NY 14487

**PRESENT:** Eric Gott, Supervisor  
Joseph Breu, Councilmember  
Peter Dougherty, Councilmember  
Andy English, Councilmember  
Matt Gascon, Councilmember  
Hayley Woodruff, 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.  
Eric Wies led the pledge.

### **PRIVILEGE OF THE FLOOR**

A resident came and stated the fire commissioners told him that they reached out to Eric and the Town Board for a meeting regarding assistance with the budget. Supervisor Gott stated they did, and they will be meeting with members of the Fire Commissioners and the Fire Chief. He stated he spoke with PJ Dwyer and he is in agreement that the budget can be lowered. PJ agreed that they could run on about 300,000 a year while staying up to date on necessary equipment. They can now push out the pumper truck replacement to 23 years. Supervisor Gott gave credit to the commissioners for dropping down their budget about 26% so far. He stated It's a start for sure and the resident stated that PJ is really fighting for the residents. Another resident states "lets send the the chairman back to Greece where he belongs". Supervisor gott stated it is his opinion that everything the chairman of the fire commissioners is proposing to do with Monroe county, can be done within Livingston county. The Town Board agrees they need equipment and adequate safety but you can't fund everything in one year and cripple the tax payers, and they believe that they're moving in the right direction.

Councilman Breu reported that dan Vallone will not be seeking reappointment. Councilman Breu would like to see someone not affiliated with the fire department apply for appointment. The resident states his sincere appreciation for the Town Board showing up at the commissioners meeting and standing up for the tax payers

Another resident came and stated that she has filed multiple complaints leading to violations about a local brewery and they do not follow the guidelines the town has in

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place. Parking, food being served, parties, bands, markets. She is trying to file the complaints properly but she feels like they're just not taking the rules from the town seriously and they're just doing whatever they want. Breu stated it seems they may be finding ways to circumvent the current written rules. The resident states she believes that they're circumventing every rule throughout the season to make their money. Attorney Campbell stated that the business has retained an attorney to assist them on re-writing the site plan to submit to the planning board.

Part of the issue is that part of the approval that was given was vague, and it is critical to enforcement that the site plan is written specifically with what they want to use the location for. They have plenty of space to address the parking issue which will require an amendment to the site plan now that they own the entire property. It is Attorney Campbell's understanding that it is being prepared with engineers and attorneys currently. Now that there is an attorney involved the plan can be re-done to accommodate the usage of the property. He did state that he suspects that when the planning board reviews the site plan amendment, that the verbiage will be much tighter. She asked if there is some way they can be held accountable now, not just keep pushing it down the road. Attorney Campbell advised that they can make an admission to the fines and pay the fine and walk away and the court can't do anything other than that. They have an attorney that will fight it so it is the stance of the town attorney to meet this with solutions to how to fix it instead of spending tax dollars to fight violations. She expressed concerns about bathroom facilities and the sprinkler system and if they comply with fire codes. Attorney Campbell stated he will follow up with building and zoning and their attorney.

Jon Ellis reported that the hemlock fire district is almost done with their budget and expects it should still be less than last year. They did not raise the taxes, it was from the taxes being overcharged two years ago so last year looked less, the budgets have still been similar. Clerk Woodruff is aware on how to handle these phone calls should they be of concern.

Another resident had asked about a spicket for water last month. Supervisor Gott stated he is looking into it himself and will bring pricing to the board next month.

### **DISCUSSION:**

The Highway Superintendent is looking to replace a dump truck that is a 2012 in his 2025 budget. This truck has been the best kept truck in the fleet and was taken well care of but starting to cost money. The cost of the truck will not be billed until sometime in the 3<sup>rd</sup> quarter of 2025, however if ordered now the Town will avoid a \$39,000 increase in price. The current price is \$198,974 for the Truck and Chassis. Superintendent Dwyer is asking for permission to get it on order to save the \$39,000. Councilman English said that the amount of money we are going to lose if we don't jump on opportunities is going to be

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astronomic.

RESOLUTION 95-2024

**APPROVE HIGHWAY SUPERINTENDENT DWYER TO ORDER 2026 PETERBILT 567 DUMPTRUCK**

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

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

Resolved to authorize Highway Superintendent Dwyer to put on order a 2026 Peterbilt 567 Dump truck and chassis in an amount not to exceed \$198,974

RESOLUTION 96-2024

**ACCEPT RESIGNATION OF AUDREY WEHR FROM HISTORICAL SOCIETY**

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

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

Resolved to accept the resignation of Audrey Wehr effective June 16, 2024

RESOLUTION 97-2024

**HIRE CARIE VANAUKIN AS CLEANER**

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

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

Resolved to hire Carie VanAukin as a cleaner effective 9/20/2024 at a rate of pay of \$15.00 an hour.

RESOLUTION 98-2024

**AUTHORIZE SUPERVISOR GOTT TO SIGN LETTER AUTHOURIZING HEMLOCK SPORTSMANS CLUB TO SELL ALCOHOL AT THE 2024 FALL FUNDRAISER**

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

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

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Resolved to Authorize Supervisor Gott to sign letter approving the sale of alcohol at the 2024 Fall Fundraiser at the Hemlock Sportsman’s Club on November 9<sup>th</sup>, 2024

## **DISCUSSION**

Patty Gray spoke about purchasing a memorial bench for Hemlock Park in honor of Bob Nilsson to be placed in Hemlock Park. Supervisor Gott stated he has no objection, and he would like her to work with Matt Gascon as he is the liaison. If she orders the bench the Town will have it installed. Councilman Gascon stated he will get with Mrs. Gray to get the bench taken care of.

RESOLUTION 99-2024

## **APPROVE MEETING MINUTES FROM AUGUST 15, 2024**

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

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

Resolved to approve the Meeting Minutes from August 15, 2024

Supervisor Gott reported that Jack at the community center is looking for work on the parking lot. Supervisor Gott said he did not think it is appropriate for the Town to be doing work on private property. The board agreed.

Supervisor Gott explained he has worked on the budget worked with Tessa, and it looks good. He would like to ask Attorney Campbell to draw up the Local Law to override the tax levy as done previously. While that will likely be unnecessary, it is better to be prepared and to build an adequate and responsible budget. The introduction of the budget will take place at the October Board Meeting on October 17, 2024.

RESOLUTION 100-2024

## **SET BUDGET WORKSHOP FOR 2025 BUDGET**

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 set the Budget Workshop for the 2025 Budget on Thursday October 24, 2024 at 6PM at the Livonia Town Hall, 35 Commercial St. Livonia NY 14487

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RESOLUTION 101-2024

## **SET PUBLIC HEARING FOR 2025 BUDGET**

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 set the Public Hearing for the 2025 Budget for November 21, 2024 at 7pm at the Livonia Town Hall

**Attorney Campbell introduced Local Law#1-2024** - A local law to override the tax levy limit established in General Municipal Law 3-C

Eric Wies from Clark Patterson Lee came and presented the Draft of the Map plan and Report. This essentially takes into account everything from the committee and would like feedback from the board in the next two weeks so that in the next meeting they can present the final map plan and report for approval to stay on track. Looked into splitting into smaller districts but the committee wanted to do it all in one, so this is the all in one approach. Not much interest from Conesus to be involved in this project but anticipates them approaching the Town after water main goes in. Unit definition was reviewed and the unit definition is any facility will be considered one unit, every single family dwelling is one unit and one service connection but if the property owner wants a connection to multiple dwellings on a property then would be a unit for each. Vacant developable land would be considered half of a unit. Nonresidential, commercial, would all go into the definition of a unit.

This Map plan and report has Eliminated a storage tank but will still need a pump station. From a cost standpoint-\$14,530,000.00 is the total anticipated cost for the project. Eric estimated for two grants with a total grant estimation of \$8,150,000.00 bring the net cost for the project to an estimated \$6,380,000.00. These are projections, not guarantees. The district actually had pipe added but were able to reduce the price because of eliminating the storage tank. He feels comfortable this is realistic. If funding isn't received then a re-formation of the district would be needed.

RESOLUTION 102-2024

## **AUDIT OF CLAIMS**

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

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

Resolved to pay claims 691-717 in the amount of \$466,738.30 from the Abstract dated August 29, 2024.

RESOLUTION 103-2024

## **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 718-736 in the amount of \$15,089.48 from the Abstract dated September 5, 2024.

RESOLUTION 104-2024

## **AUDIT OF CLAIMS**

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

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

Resolved to pay claims 737-776 in the amount of \$54,553.11 from the Abstract dated September 19, 2024

Councilman Breu stated the fire commissioners budget hearing will be October 14<sup>th</sup>, 2024 and that the Town of Conesus portion of funds for recreation is in the mail. Councilman English reported that Moe would like to look into replacing the 20 year old riding mower for Vitale Park.

RESOLUTION 105-2024

## **AUTHORIZE 30 DAY WAIVER FOR TWIN SILOS, LLC**

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

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

Resolved to authorize Clerk Anderson to sign the 30 Day waiver for the NYS Liquor License for Twin Silos, LLC located at 6758 Big Tree Road, Livonia NY 14487

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RESOLUTION 106-2024

**ENTER EXECUTIVE SESSION TO DISCUSS CONTRACT NEGOTIATIONS**

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 enter Executive Session as 8:18PM

RESOLUTION 107-2024

**RETURN TO OPEN SESSION**

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

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

Resolved to return to Open Session at 9:04pm

RESOLUTION 107-2024

**AUTHORIZE SUPERVISOR GOTT TO SIGN ENGAGEMENT LETTER WITH PINSKY LAW GROUP LLC**

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

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

Resolved to authorize Supervisor Gott to sign the Engagement Letter with Pinsky Law Group LLC.

With no further business, on a motion of Councilmember Gascon seconded by Councilmember Dougherty the meeting was adjourned at 9:05PM. Carried unanimously.

Respectfully Submitted,

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Hayley Woodruff  
Town Clerk