

## REGULAR MEETING, TOWN OF LIVONIA

August 18, 2022

A regular meeting of the Town Board of the Town of Livonia, County of Livingston and the State of New York was held at Vitale Park, 5828 Big Tree Rd, Lakeville NY on August 18, 2022.

**PRESENT:** Eric Gott, Supervisor  
Joseph Breu, Councilmember  
Peter Dougherty, Councilmember  
Andy English, Councilmember-absent  
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. Supervisor Gott led the pledge.

### **AUDIT FINDINGS PRESENTED BY THE BONADIO GROUP**

Randy Shepard from The Bonadio Group presented the audit findings from the 2021 Fiscal Year Audit. All findings were presented to the board. Colleen has done a wonderful job, and the audit went very smoothly. No disagreements with the audit. The only adjustment that had been made is with the library funds under the Town Tax ID numbers, and those accounts have been transferred to the library fund. The library is going to get their own Tax ID number, and this should no longer present itself for future audits. The audit came back unmodified and clean.

### **REPORT FROM LIVINGSTON COUNTY WATERSHED MANAGER MARY UNDERHILL**

Annual report is on website  
Everyone is out at their stations working actively.  
Starry Stonewort present in the lake with a unique distribution.  
Spotted Lanternfly also present, if you should see them, please do not try to preserve.  
Solar Tour coming up for Board members, or code enforcement staff to attend if they'd like to on September 13<sup>th</sup>.

RESOLUTION 127-2022

### **APPROVE BID PROPOSAL FOR ALUMINUM WEIR GATE FROM WHIPPS, INC**

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

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ADOPTED Ayes - 4 (Gott, Dougherty, Gascon, Breu)  
Nays – 0

Resolved to accept the proposal in the amount of \$15,540 from Whipps, Inc. for the procurement of the aluminum weir gate for the Conesus Lake Gate Replacement project.

### **PRIVILEGE OF THE FLOOR**

A resident came and asked about the S. Livonia Water District process to which Supervisor Gott advised that the ball is still rolling. The resident expressed the urgency for water in the South Livonia District, and the board expressed that the process is further along than it ever has been. The district is just being formed, and unfortunately a project of this magnitude is not a quick process.

Another resident came to ask the board about a safety concern at plank road and Richmond mills road. He asked the board to petition the state to review this intersection again. Supervisor Gott advised in his opinion that a roundabout is the safest option at this point, and if it could save lives, it is worth it. Highway Superintendent Paul Dwyer is going to speak with traffic safety.

The process for Blank Rd is still moving along, but unfortunately not as quickly as we'd like.

RESOLUTION 128-2022

### **APPROVE MEETING MINUTES 7/21/2022**

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

ADOPTED Ayes - 4 (Gott, Dougherty, Gascon, Breu)  
Nays – 0

Resolved to approve the Meeting Minutes from 7/21/2022.

RESOLUTION 129-2022

### **APPROVE SPECIAL MEETING MINUTES 7/27/2022**

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

ADOPTED Ayes - 4 (Gott, Dougherty, Gascon, Breu)  
Nays – 0

Resolved to approve the Special Meeting Minutes from 7/27/2022.

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RESOLUTION 130-2022

## **UPDATE WEBSITE FOR TOWN AND VILLAGE WITH HURRICANE TECHNOLOGIES**

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

ADOPTED Ayes - 4 (Gott, Dougherty, Gascon, Breu)  
Nays – 0

Resolved to approve Clerk Anderson to update the website with Hurricane Technologies and split the cost with the Village. The Town will pay \$1,700 and the Village will pay \$1,700.

RESOLUTION 131-2022

## **TOWN CLERK REPORT**

Paid to Supervisor for the General Fund	\$3,368.97
Paid to County Treasurer for Dog Licenses	\$301.00
NYS Comptroller's Office (Bingo and Games of Chance Licenses)	0.00
Paid to NYS Ag & Markets for the Spay/Neuter Program	\$100.00
Paid to NYS Environmental Conservation for Hunting/Fishing Licenses	\$1,224.47
State Health Department (marriage licenses)	135.00
<b>TOTAL DISBURSEMENTS</b>	<b>\$5,129.44</b>

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

ADOPTED Ayes - 4 (Gott, Dougherty, Gascon, Breu)  
Nays – 0

Resolved to approve Clerk Anderson's report.

RESOLUTION 132-2022

## **EXTEND FUEL SURCHARGE FOR EXTREME LAWN CARE**

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

ADOPTED Ayes - 4 (Gott, Dougherty, Gascon, Breu)  
Nays – 0

Resolved to extend the fuel surcharge payment of \$160/month through September 20, 2022 to Extreme Lawn Care.

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RESOLUTION 133-2022

### **APPROVE USE OF ARPA FUNDS FOR CLARK PATTERSON LEE ON BLANK ROAD PROJECT**

#### **RESOLUTION OF THE TOWN BOARD OF THE TOWN OF LIVONIA, NEW YORK, ACCEPTING FUNDING FROM THE AMERICAN RESCUE PLAN ACT AND AMENDING THE TOWN'S ADOPTED BUDGET FOR THE FISCAL YEAR ENDING DECEMBER 31, 2022 SO AS TO APPROPRIATE THE FUNDS RECEIVED BY THE TOWN FROM THE AMERICAN RESCUE PLAN ACT**

**WHEREAS**, on March 11, 2021, Joe Biden, the President of the United States of America, signed into law the American Rescue Plan Act (ARPA) which provides financial assistance to assist in the continued relief from the impact of the Covid-19 pandemic; and

**WHEREAS**, approximately \$350 billion of The ARPA funding was allotted to assist the United States' state, local, tribal, and territory governments in responding to the coronavirus pandemic; and

**WHEREAS**, Sections 602(b) and 603(b) of the Social Security Act as added by section 9901 of the American Rescue Plan Act, Pub. L No. 117-2 (March 11, 2021) authorized the Department of the Treasury to make payments to certain recipients from the Coronavirus State Fiscal Recovery Fund and the Coronavirus Local Fiscal Recovery Fund; and

**WHEREAS**, the Town of Livonia (the Town) is has received \$627,485.28 in funding; and

**WHEREAS**, the Town previously allocated \$156,871.32 for the purchase of Ambulance Equipment on April 21, 2022, and \$410.00 for the Blank Road project, leaving a balance received of \$470,203.96; and

**WHEREAS**, the Town Board recognizes that periodic modifications to the adopted budget for the fiscal year are necessary for fiscal management purposes and to implement changes to the Town Board's fiscal policy which have occurred after the adoption of the Fiscal Year 2022 Budget;

#### **NOW, THEREFORE, BE IT RESOLVED BY THE TOWN BOARD OF THE TOWN OF LIVONIA, NEW YORK :**

SECTION 1. The Town Board hereby amends the Town's adopted Budget for Fiscal Year 2022, to allocate ARPA funds in the amount of \$8,812.30 to support the repairs of Blank Road by engaging Clark Patterson Lee to coordinate and execute the soil boring exploration and provide a summary of findings along with a field survey and base mapping and authorizes an interfund transfer from the Town's (A) 688 Deferred Revenues Account (where the ARPA funds are being held) to (A) 4089 Federal Aid – ARPA and to increase the appropriations for (A) 1440.4 Engineer Contractual line by the same amount.

SECTION 2. This Resolution shall become effective immediately upon execution.

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

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ADOPTED Ayes - 4 (Gott, Dougherty, Gascon, Breu)  
Nays – 0

Resolved to use \$8,812.30 to support repairs of Blank Rd by engaging Clark Patterson Lee.

RESOLUTION 134-2022

### **TOWN CREDIT CARD POLICY**

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

ADOPTED Ayes - 4 (Gott, Dougherty, Gascon, Breu)  
Nays – 0

Resolved to authorize Supervisor Gott to sign the updated Credit Card Policy effective August 2022.

RESOLUTION 135-2022

### **SET BUDGET WORKSHOP FOR 2023**

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

ADOPTED Ayes - 4 (Gott, Dougherty, Gascon, Breu)  
Nays – 0

Resolved to set the budget workshop for the 2023 budget on 10/13/2022 at Livonia Town Hall at 6:00pm

RESOLUTION 136-2022

### **SET AND PUBLIC HEARING FOR 2023 BUDGET**

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

ADOPTED Ayes - 4 (Gott, Dougherty, Gascon, Breu)  
Nays – 0

Resolved to set public hearing for the 2023 budget on 10/20/2022 at Livonia Town Hall at 7:00pm

### **PRESENTATION OF LOCAL LAW #2-2022-DEPUTY HIGHWAY SUPERINTENDENT**

Proposed Local Law #2-2022 was presented by Attorney Campbell to allow a deputy highway superintendent to be appointed so long as they live in a bordering municipality to Livonia.

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RESOLUTION 137-2022

**SET PUBLIC HEARING FOR LOCAL LAW #2-2022**

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

ADOPTED Ayes - 4 (Gott, Dougherty, Gascon, Breu)  
Nays – 0

Resolved to set the public hearing date for 9/15/2022 at 7:00pm at the Livonia Town Hall.

RESOLUTION 138-2022

**AUDIT OF CLAIMS**

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

ADOPTED Ayes - 4 (Gott, Dougherty, Gascon, Breu)  
Nays – 0

Resolved to pay claims 716-769 in the amount of \$47,98070 from the Abstract dated August 4, 2022.

RESOLUTION 139-2022

**AUDIT OF CLAIMS**

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

ADOPTED Ayes - 4 (Gott, Dougherty, Gascon, Breu)  
Nays – 0

Resolved to pay claims 770-823 in the amount of \$79,070.10 from the Abstract dated August 18, 2022.

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

Respectfully Submitted,

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Hayley Anderson  
Town Clerk

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