

TOWN BOARD MEETING, TOWN OF LIVONIA

June 15, 2023

A 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 Road, Lakeville NY 14480.

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. Jason Molino led the pledge.

RESOLUTION 83-2023

APPROVE MEETING MINUTES FROM 5/18/2023

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

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

Resolved to approve the meeting minutes from 5/18/2023.

PRIVILEGE OF THE FLOOR

An East Lake Road resident expressed concern about safety on East Lake Road because of the speed at which drivers are traveling. He asked about things that could be done to change the behavior of the drivers and suggested that the Town Board consider partially funding a sign for East Lake Road to flash when a car is traveling faster than the speed limit. Supervisor Gott stated he will follow up with the County Highway Dept to see what they're willing to do because it is a County road.

Councilman English reported that for July 3rd Moe has almost everything taken care of but will ask for flood lights from The Highway Department again. The tree work should be done early next week and that the work was done meticulously and beautifully. New bid on replacing sidewalks was turned in.

RESOLUTION 84-2023

TOWN BOARD MEETING, TOWN OF LIVONIA

June 15, 2023

APPROVE FINO BLACKTOP TO DO SIDEWALKS AT VITALE PARK

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

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

Resolved to hire Fino Blacktop to re-do the Sidewalks at Vitale Park for a price not to exceed \$10,800

RESOLUTION 85-2023

TOWN CLERK REPORT

Paid to Supervisor for the General Fund	\$3991.35
Paid to County Treasurer for Dog Licenses	\$171.50
NYS Comptroller’s Office (Bingo and Games of Chance Licenses)	\$0.00
Paid to NYS Ag & Markets for the Spay/Neuter Program	\$61.00
Paid to NYS Environmental Conservation for Hunting/Fishing Licenses	\$923.75
State Health Department (marriage licenses)	\$45.00
TOTAL DISBURSEMENTS	\$5192.60

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

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

Resolved to approve Clerk Anderson’s report.

RESOLUTION 86-2023

SET PUBLIC HEARING FOR HEMLOCK SEWER DISTRICT IMPROVEMENT GRANT

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

ADOPTED Ayes - Gott
Dougherty
English
Gascon
Breu
Nays-

WHEREAS, it is the desire of the Town of Livonia to submit a funding application for the Program Year 2023 New York State Community Development Block Grant

TOWN BOARD MEETING, TOWN OF LIVONIA

June 15, 2023

(CDBG) program; and

WHEREAS, the process for CDBG applications involves holding one public hearing prior to submission of any CDBG grant applications to provide residents with information about the CDBG program and to discuss community development needs and priorities; and

WHEREAS, residents are invited to attend the hearing to assist the Town in defining community development priorities.

NOW THEREFORE, BE IT RESOLVED, that the Town of Livonia will hold a Public Hearing on the CDBG program at Hemlock Lake Park, 7412 Rix Hill Rd, Hemlock, NY 14466 at 7:00 p.m. on July 20, 2023; and

BE IT FURTHER RESOLVED, that the Town Clerk publish or cause to be published a Public Hearing notice in the official newspaper of the Town of said Public Hearing.

Resolved set the Public Hearing for July 20, 2023 at 7PM at Hemlock Lake Park.

RESOLUTION 87-2023

CONDUCT AND ENVIRONMENTAL REVIEW AND DESIGNATE SUPERVISOR GOTT AS CERTIFYING OFFICER FOR GRANT APPLICATION FOR HAMLET OF HEMLOCK SANITARY SEWER DISTRICT IMPROVEMENT PROJECT

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

ADOPTED Ayes - Gott
Dougherty
English
Gascon
Breu

Nays-

WHEREAS, the Town of Livonia is applying for a Community Development Block Grant (“CDBG”) Application and needs to pass a Certifying Officer Resolution; and

WHEREAS, that in accordance with the National Environmental Policy Act of

TOWN BOARD MEETING, TOWN OF LIVONIA

June 15, 2023

1069 (“NEPA”) and the related authorities listed at 24 CFP Part 58, the Town Board of the Town of Livonia announces its intent to conduct an environmental review of a project to make improvements to pump station in the Hamlet of Hemlock’s sanitary sewer district; and

WHEREAS, the Town will also be conducting an environmental review pursuant to the State Environmental Quality Review Act (“SEQR”).

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Livonia will conduct both NEPA and SEQR environmental reviews of the pump stations improvement project; and

BE IT FURTHER RESOLVED, that the Town Board designates Eric Gott, Town Supervisor, as the Certifying Officer, responsible for all activities associated with the environmental review process to be completed in conjunction with the NYS CDBG application.

BLANK ROAD GARBAGE REMOVAL DISCUSSION

Superintendent Dwyer will reach out to Casella about why they’re not picking up the residents garbage, as this is presenting as a new issue.

RESOLUTION 88-2023

2023 SUMMER RECREATION POSITIONS

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

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

1. Aubrie Albany, \$14.25/hr
2. Alexander Benitez, \$14.25/hr
3. Connor Benitez, \$14.25/hr
4. Jackson McEnerney, \$14.50/hr
5. Lucas Ray, \$14.25/hr
6. Paige Ryan, \$14.85/hr
7. Jackson Trubia, \$14.50/hr
8. Megan Tumminelli, \$14.50/hr
9. McKenzie Wright, \$14.25/hr

TOWN BOARD MEETING, TOWN OF LIVONIA

June 15, 2023

Resolved to approve all the above hires effective 6/28/2023 at the above rates of pay.

RESOLUTION 89-2023

HIRE LUCAS RUCCI AS LABORER AT VITALE PARK

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

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

Nays -

Resolved to hire Lucas Rucci as a laborer effective 5/23/2023 at a rate of pay of \$15.76 an hour.

RESOLUTION 90-2023

HIRE MORGAN CENDOMA AS LIBRARY SUBSTITUTE

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

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

Nays – 0

Resolved to hire Morgan Cendoma as a Library Substitute at a rate of pay of \$14.63 an hour.

RESOLUTION 91-2023

HIRE CONNOR MARS LAND AS MUSEUM ASSISTANT

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

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

Nays – 0

Resolved to hire Connor Marsland as Museum Assistant effective 5/27/2023 at a rate of pay of \$15.00 an hour.

RESOLUTION 92-2023

USE OF ARPA FUNDS FOR HIGHWAY DEPARTMENT

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

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

Nays – 0

TOWN BOARD MEETING, TOWN OF LIVONIA

June 15, 2023

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 expected to receive \$627,485.28 in funding; such funding to be received in two tranches, with approximately one half within 60 days of the plan passage, and the remaining funding approximately 12 months later; and

WHEREAS, the Town has received the first tranche of ARPA funds from the United States Department of Treasury via transfer from the State of New York in the amount of \$313,742.64; and

WHEREAS, the Town previously allocated \$156,871.32 for the purchase of Ambulance Equipment on April 21, 2022 leaving a balance received of \$156,871.33; 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 \$195,758 to Utica General for Highway Equipment and \$105,768.00 to Tenco for Highway Equipment and authorizes an interfund transfer from the Town's (A) 691 Deferred Revenues Account (where the ARPA funds are being held) to the 03-41-513040, Machinery, contractual line.

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

RESOLUTION 93-2023

USE OF ARPA FUNDS FOR AMBULANCE

On motion of Councilmember Breu seconded by Councilmember English the following

TOWN BOARD MEETING, TOWN OF LIVONIA

June 15, 2023

resolution was

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

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 expected to receive \$627,485.28 in funding; such funding to be received in two tranches, with approximately one half within 60 days of the plan passage, and the remaining funding approximately 12 months later; and

WHEREAS, the Town has received the first tranche of ARPA funds from the United States Department of Treasury via transfer from the State of New York in the amount of \$313,742.64; and

WHEREAS, the Town previously allocated \$156,871.32 for the purchase of Ambulance Equipment on April 21, 2022 leaving a balance received of \$156,871.33; 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 \$74,371.72, \$15,989.40, \$468.82, \$11,806.40, \$2,216.16, \$21,720.86 to Stryker Sales, LLC for ambulance equipment and authorizes an interfund transfer from the Town’s (A) 691 Deferred Revenues Account (where the ARPA funds are being held) to the 01-37-4540401, Ambulance District.

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

TOWN BOARD MEETING, TOWN OF LIVONIA

June 15, 2023

RESOLUTION 94-2023

USE OF ARPA FUNDS FOR BLANK ROAD PROJECT

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

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

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 DECMBER 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 expected to receive \$627,485.28 in funding; such funding to be received in two tranches, with approximately one half within 60 days of the plan passage, and the remaining funding approximately 12 months later; and

WHEREAS, the Town has received the first tranche of ARPA funds from the United States Department of Treasury via transfer from the State of New York in the amount of \$313,742.64; and

WHEREAS, the Town previously allocated \$156,871.32 for the purchase of Ambulance Equipment on April 21, 2022 leaving a balance received of \$156,871.33; 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 \$7,029.53, \$3,220, \$35,940.39, \$1,796.70 to Clark Patterson Lee for engineering fees associated with Blank road and authorizes an interfund transfer from the Town’s (A) 691 Deferred Revenues Account (where the ARPA funds are being held) to the (A) 1440.4 Engineer Contractual line.

TOWN BOARD MEETING, TOWN OF LIVONIA

June 15, 2023

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

RESOLUTION 95-2023

APPROVE PAYMENT OF 2023 BASEBALL COMMISSIONERS

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

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

1. Jamie Kull, T-Ball & Shirts- \$450
2. Jamie Kull, Rookies - \$450
3. Sandy Vogt, Majors - \$450
4. Sandy Vogt, Minors - \$450
5. Frank Sykes, Girls Softball - \$450

Resolved to Authorize the above individuals to be paid as noted above.

RESOLUTION 96-2023

THIRD OF JULY DJ AT VITALE PARK

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

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

Resolved to Authorize Moe Watson to hire a DJ for Vitale Park for the Third of July

RESOLUTION 97-2023

THIRD OF JULY FIREWORKS DONATION

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

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

Resolved to Authorize the Town of Livonia to Donate \$2000 to the Firework display for the Third of July

RESOLUTION 98-2023

TOWN BOARD MEETING, TOWN OF LIVONIA

June 15, 2023

AUTUMN IN THE VILLAGE DONATION

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

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

Resolved to Authorize the Town of Livonia to donate \$5000 to Autumn in the Village.

RESOLUTION 99-2023

AUTHORIZE SUPERVISOR GOTT TO SIGN LETTER FOR ALCOHOL TO BE SERVED AT THE WEEKEND OF BLUES

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

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

Resolved to Authorize Supervisor Gott to sign the letter giving permission for alcohol to be served at the Weekend of Blues Festival at the Hemlock Fair Grounds on July 8th and 9th, 2023.

RESOLUTION 100-2023

AUTHORIZE SUPERVISOR GOTT TO SIGN LETTER FOR ALCOHOL TO BE SERVED AT THE VETERANS BENEFIT

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

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

Resolved to Authorize Supervisor Gott to sign the letter giving permission for alcohol to be served at the Veterans Benefit at Hemlock Sportsman's Club on July 15, 2023.

RESOLUTION 101-2023

AUTHORIZE SUPERVISOR GOTT TO SIGN LETTER FOR ALCOHOL TO BE SERVED AT THE HEMLOCK FAIR

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

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

TOWN BOARD MEETING, TOWN OF LIVONIA

June 15, 2023

Resolved to Authorize Supervisor Gott to sign the letter giving permission for alcohol to be served at the Hemlock Fair at the Hemlock Fair Grounds from July 18-21, 2023.

RESOLUTION 102-2023

END CONTRACT WITH READY RIGHT CLEANING COMPANY

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

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

Resolved to end the contract with Ready Right Cleaning at the Library effective July 6th, 2023.

RESOLUTION 103-2023

AUDIT OF CLAIMS

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

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

Resolved to pay utilize the remaining \$10,400 in the Library Fund to pay in-house employees to clean the Library for the remainder of the year.

RESOLUTION 104-2023

AUDIT OF CLAIMS

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

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

Resolved to pay claims 449-451 in the amount of \$20,047.77 from the Abstract dated May 30, 2023.

RESOLUTION 105-2023

AUDIT OF CLAIMS

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

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

TOWN BOARD MEETING, TOWN OF LIVONIA

June 15, 2023

Resolved to pay claims 452-492 in the amount of \$81,128.79 from the Abstract dated June 1, 2023.

RESOLUTION 106-2023

AUDIT OF CLAIMS

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

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

Nays – 0

Resolved to pay claims 493-537 in the amount of \$284,543.16 from the Abstract dated June 15, 2023.

With no further business, on a motion of Councilmember Gascon seconded by Councilmember Dougherty the meeting was adjourned at 7:48PM Carried unanimously.

Respectfully Submitted,

Hayley Anderson
Town Clerk