

REGULAR MEETING, TOWN OF LIVONIA
December 9, 2021

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 St. Livonia, NY on December 9, 2021.

PRESENT: Eric Gott, Supervisor
Joseph Breu, Councilmember
Peter Dougherty- Not Present
Andy English, Councilmember
Matt Gascon, Councilmember
Hayley Anderson, Clerk
Jim Campbell, Attorney, Town of Livonia-Present by Phone

OTHERS PRESENT: Several Residents, the Village of Livonia Board

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

Chris Genthner called the Village Board meeting to order at 7:01PM.

Councilmember Breu stated that the committee interviewed four quality candidates for the Fire Commissioner. The committee was made up of councilmember Coon, Councilmember Gascon, Councilmember Breu and Mayor Cal Lathan. The committee unanimously decided to appoint Norbert Holderle. Norbert spoke about his experience and advised he has been a career firefighter in Gates as a Lieutenant Captain and Battalion Chief, Supervisor at Kodak, Safety Engineer, Fire and Emergency Management Consultant across the states training staff in disaster plans. He has volunteered as ski patrol at swain ski resort, he was a member of the board of directors at navy league. Norm is currently a member of the Livonia Fire Department.

RESOLUTION 172-2021

LIVONIA JOINT FIRE DISTRICT FIRE COMMISIONER APPOINTMENT

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

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

Resolved to appoint Norbert Holderle as the Livonia Joint Fire District Commissioner

RESOLUTION 173-2021

LIVONIA JOINT FIRE DISTRICT FIRE COMMISIONER APPOINTMENT

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On motion of Councilmember Coon seconded by Councilmember Kurtz the following resolution was
ADOPTED

Resolved to appoint Norbert Holderle as the Livonia Joint Fire District Commissioner.

With no further business, on a motion of Councilmember Coon seconded by Councilmember Meed the Village Board meeting was adjourned at 7:09PM. Carried unanimously.

RECOGNITION OF HIGHWAY SUPERINTENDENT DAVID COTY

**A RESOLUTION HONORING DAVID COTY FOR
SERVICE TO THE TOWN OF LIVONIA**

WHEREAS, Dave Coty has served the Town of Livonia as the Town Highway Superintendent from January 1, 2002 to December 31, 2021; and

WHEREAS, Dave served as the Motor Equipment Operator of the Highway Department for three years prior to becoming the superintendent; and

WHEREAS, Dave took the safety of the Town of Livonia residents into his own hands, working tirelessly around the clock assuring street lights were working adequately, roads were clear of snow and ice and the residents of our community were able to safely travel through our town; and

WHEREAS, Dave maintained the ever challenging water meter, colorfully unclogging it to assure clean water was readily available for residents. He has learned to crawl in and under very small spaces to get equipment fixed timely and cost effectively; and

WHEREAS, Dave has generously donated many of his own tractors and equipment throughout the years to assist the Livonia Fire Department and the Highway Department with installation of snow fencing, and road maintenance.

WHEREAS, the “Hemlock Little Worlds Fair” would not be what it is today without the dedication, hard work, and volunteer hours that Dave Coty has contributed. From maintaining the parking lots, getting fairgoers OUT of the parking lot, and being the man they call for any “fix”. Dave is reliable, and dependable.

WHEREAS, his steadfast dedication to the Town of Livonia, is immeasurable. In his

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twenty years, Dave has been known to only take a day off when he is getting his “leg cut off”, and even then, it was tough to slow him down. Dave will be remembered for his thing-of-the-past, incredible, work ethic.

WHEREAS, Dave will likely be just a phone call away, like he has always been for the Town of Livonia residents.

NOW BE IT THEREFORE RESOLVED that the Livonia Town Board hereby honors and thanks **DAVID COTY** for his outstanding service to the people of the Town of Livonia and his willingness to serve the community as an elected leader.

This Ninth day of December, 2021.

PRIVILEGE OF THE FLOOR

A resident from Pennemite road brought concern that the Livingston county supervisors passed a budget but is concerned that water is not on it. Supervisor Gott advised that the county board of supervisors doesn't handle that and the Town Board of Livonia is currently working on the project, and that a survey should be coming shortly. He assured the resident that this project is bigger, and hopefully we will be able to get grant funding after the results of the survey. The board unanimously states their hope is to get water to our residents as soon as possible.

A member of Conesus Lake Association came to answer questions about the Audio and visual equipment being requested.

Councilmember English asked where we are in the proposed solar law and if it has been sent to the county planning board yet. Attorney Campbell advised he has not yet sent proposal to the county planning board, because he's waiting on feedback from the board. Significant changes would need to be made now before sending to county planning board, minor provisions could be made before final approval. Councilmember English expressed concern about the verbiage of the farmland permitted use. Attorney Campbell advised that he could refer to planning board for their January meeting should that be the wish of the board. Currently only permitted as accessory use.

RESOLUTION 174-2021

LOCAL LAW #2-SOLAR TO COUNTY PLANNING BOARD FOR REVIEW

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

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

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Nays – 0

Resolved to authorize Attorney Campbell to send LL #2-Solar to the county planning board for review.

Councilmember Breu advised the Town Board that the Security system installation at the Firehall is underway.

TOWN CLERK’S REPORT – NOVEMBER 2021

Paid to Supervisor for the General Fund	\$5,726.03
Paid to County Treasurer for Dog Licenses	199.50
NYS Comptroller’s Office (Bingo and Games of Chance Licenses)	15.00
Paid to NYS Ag & Markets for the Spay/Neuter Program	67.00
Paid to NYS Environmental Conservation for Hunting/Fishing Licenses	4,013.97
State Health Department (marriage licenses)	22.50
TOTAL DISBURSEMENTS	\$10,044.00

Convergent has sent a promotion offer for the plan we were scheduled to upgrade to next year for our phone systems. The phones were scheduled to be updated anyway, but if we sign the contract this month, we will save \$650.00.

RESOLUTION 175-2021

APPROVE TOWN CLERK’S REPORT

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

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

Resolved to approve the November 2021 Town Clerk’s Report.

RESOLUTION 176-2021

PHONE SYSTEM UPGRADE PROMOTION

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

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

Resolved to authorize Supervisor Gott to sign the contract with Convergent in December 2021 to upgrade phone system at the Town Hall in 2022.

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RESOLUTION 177-2021

HIGHWAY SUPERINTENDENT SALARY

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

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

Resolved to set Superintendent Dwyer’s salary at \$66,796

RESOLUTION 178-2021

PURCHASE HOT SPOT FOR EMERGENCY BACKUP

Should there be an extended electricity or internet outage, this will allow the payroll to still be processed, and the bills to still be paid. The Clerk’s office will be able to function, and it would be money well spent to have peace of mind that we can still function in case of an outage.

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

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

Resolved to authorize bookkeeper Hay to purchase a hot spot for a one-time price of \$99.00 and \$38.00 monthly fee.

RESOLUTION 179-2021

ELECTRONIC PAYMENTS POLICY

WHEREAS, Section 118.2 of Town Law (TWN) permits the town board to authorize by resolution the payment in advance of audit of claims for public utility services such as electric, gas, water, sewer, fuel oil, and telephone services; and

WHEREAS, due to postal delays, the Town of Livonia has not been receiving invoices from utility vendors in a timely manner, and these vendors have also not been receiving their check payments before the payments are due; and

WHEREAS, the Town Board of the Town of Livonia acknowledges that the timely posting of payments is imperative to avoid penalties and negative credit consequences; and

WHEREAS, said Board wishes to facilitate timely payments by authorizing electronic payments for utilities;

NOW, THEREFORE, be it

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RESOLVED: That the Town of Livonia does hereby authorize the electronic payment of public utilities referenced above as set forth in the following procedures:

1. Each utility bill will be reviewed by the Supervisor before it is paid in advance of an approval of an Abstract of Claims.
2. After review by the Supervisor, the bookkeeper is then authorized to initiate an electronic payment for the utility bill.
3. After payment, each bill will be presented to the approving officer/department head for approval and will be included in the subsequent Abstract of Claims presented to the Town Board.
4. Because of the required review process, automatic payments are prohibited.

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

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

Resolved to pass this resolution to be able to electronically pay bills and the software necessary to do so.

RESOLUTION 180-2021

APPROVE 11/18/2021 MEETING MINUTES

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

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

Resolved to approve the meeting minutes from 11/18/2021.

RESOLUTION 181-2021

REMOVAL OF KEVIN MULVANEY

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

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

Resolved to remove park Employee Kevin Mulvaney effective 9-23-2021.

RESOLUTION 182-2021

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RESIGNATION OF JESSICA PURVIS

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

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

Resolved to accept the resignation of Clerk Jessica Purvis effective 12/19/2021.

RESOLUTION 183-2021

EMPLOYEE RATE OF PAY INCREASE

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

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

Resolved to make applicable wage increases for 2022 effective 12/27/2021.

RESOLUTION 184-2021

RESIGNATION OF PART TIME CLERK JOAN BURCH

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

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

Resolved to accept the resignation of Joan Burch as Part Time Clerk effective 12/1/2021.

RESOLUTION 185-2021

APPOINTMENT OF PART TIME CLERK BETTY PRIBANICH

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

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

Resolved to hire Betty Pribanich as part time clerk at a rate of \$12.50 per hour effective 12/2/2021.

RESOLUTION 186-2021

APPOINTMENT OF SUBSTITUTE PAGE KRISTY SHAFER

On motion of Councilmember Breu seconded by Councilmember English the following

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resolution was

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

Resolved to hire Kristy Shafer as Substitute Page at the Livonia Library effective 12/10/2022 at a rate of pay of 13.50 an hour with and increase to 14.20 an hour effective 1/1/2022.

RESOLUTION 187-2021

2022 ORGANIZATIONAL MEETING

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

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

Resolved to schedule an organizational meeting at the regular town board meeting on 01-20-2022 at Livonia Town Hall, 35 Commercial Street, Livonia NY 14487.

EDUCATION CENTER EQUIPMENT DISCUSSION

CLA Wants to get new audio and visual equipment at the education center on Conesus Lake. Covid has created demand for more zoom meetings. This will provide drop microphones and speakers for the meetings. There is between 25 and 60 people in attendance in watershed education center for these meetings. The total cost is 18,200, with some funding already available. The remaining need is \$10,505.00. Supervisor Gott advised the budget is already passed, and the town has already given a lot of money for this organization. The cause is wonderful, and the partnership is valued. Councilmember Breu suggested fundraising. Supervisor Gott suggested to check fund balances and if there are any funds available to help then the board could consider a donation at that time. The resident thanked the board for their partnership and consideration.

RESOLUTION 188-2021

AUDIT OF CLAIMS

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

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

Resolved to pay claims 960-990 in the amount of \$21,416.72 from the Abstract dated December 2, 2021.

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RESOLUTION 189-2021

**ENTER EXECUTIVE SESSION TO DISCUSS AN INDIVIDUAL'S
EMPLOYMENT HISTORY**

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

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

Resolved enter executive session at 8:00 PM

RESOLUTION 190-2021

RETURNED TO OPEN SESSION

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

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

Resolved to return to open session at 8:09PM

With no further business, on a motion of Councilmember Breu seconded by Councilmember English the meeting was adjourned at 8:09PM. Carried unanimously.

Respectfully Submitted,

Hayley Anderson
Town Clerk