

## REGULAR MEETING, TOWN OF LIVONIA

January 21, 2016

A regular meeting of the Town Board of the Town of Livonia, County of Livingston and the State of New York was held at Livonia Town Hall, 35 Commercial Street, Livonia on January 21, 2016.

**PRESENT:** Eric Gott, Supervisor  
Andy English, Councilmember  
Matt Gascon, Councilmember  
Angela Grouse, Councilmember  
Frank Seelos, Councilmember  
Colleen West Hay, Clerk  
Jim Campbell, Attorney, Town of Livonia

**OTHERS PRESENT:** Several Residents.

The Town Board meeting was called to order by Supervisor Gott at 7:01 PM. Councilmember Gascon led the pledge.

### **PRIVILEGE OF THE FLOOR**

No one wished to speak.

RESOLUTION 15-2016

### **APPOINT LIAISON AND APPROVE MEETING MINUTES FROM 1/7/2016**

Councilmember Grouse commented that the appointment for the Chip Holt Nature Center liaison was not in the minutes from the last meeting. Supervisor Gott asked Clerk Hay to add that appointment.

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

ADOPTED Ayes - 5 (Gott, English, Gascon, Grouse, Seelos)  
Nays – 0

Resolved to appoint Councilmember Grouse as liaison for the Chip Holt Nature Center and approve the meeting minutes from January 7, 2016.

### **DISCUSS KINNEY CREEK TIMBER PROPOSAL**

Supervisor Gott reported that Trathen Logging Company approached him about removing trees from Kinney Creek Trail. They provided a proposal to take down sixty-six trees, which would still leave a substantial number of trees there. Supervisor Gott talked to Attorney Campbell about how to move forward, if it was the pleasure of the Town Board.

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Attorney Campbell suggested talking to the Munsons (Finger Lakes Timber Corp.) to see if they are interested in providing a proposal as well. Supervisor Gott will provide the number of trees and the board foot measurements, but not share the amount of the proposal from Trathen. The Board agreed and asked Supervisor Gott to go ahead with contacting Finger Lakes Timber.

### **DISCUSS LIBRARY PROJECT NEXT STEPS**

Supervisor Gott reminded the Board that the issue at hand regarding the Library Expansion and Renovation Project was how to take advantage of the grant dollars without increasing the total amount we are borrowing. Attorney Campbell spent time talking to Charlie Schachter regarding this. He shared with Mr. Schachter that the Town of Livonia has healthy fund balances, and the Town is willing to pay for the grant part of the project out of fund balance until such time as the Town can be reimbursed with the grant money.

Based on that, Attorney Campbell should have a Bond Resolution to introduce at the meeting in February. He indicated that the Town can move forward with the State Environmental Quality Review tonight, if the Board chooses to move forward. If something were to happen and the grant money doesn't materialize, we would then have to figure out how to finance that long term. It would require a new funding action and a new bond resolution.

Councilmember English asked if the grant money is still available at this time. Supervisor Gott replied that it is. Councilmember Grouse added that we are approved by the Finance Committee, and just have to provide the documents.

The Board was comfortable with moving forward. Supervisor Gott remarked that this is a monumental night in that this Board has not borrowed money before.

RESOLUTION 16-2016

### **AUTHORIZE ATTORNEY CAMPBELL TO WORK WITH BOND COUNSEL TO PREPARE RESOLUTION**

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

ADOPTED Ayes - 5 (Gott, English, Gascon, Grouse, Seelos)

Nays - 0

Resolved to authorize Attorney Campbell to work with Charlie Schachter to prepare a bond resolution for the Library Expansion and Renovation Project for consideration at the next Town Board meeting in February.

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RESOLUTION 17-2016

**ADOPT FINDINGS OF SHORT FORM ENVIRONMENTAL ASSESSMENT  
FORM (EAF)**

Attorney Campbell explained the Short Form EAF and reviewed the questions with the Board. The Board answered no to each of the eleven questions.

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

ADOPTED Ayes - 5 (Gott, English, Gascon, Grouse, Seelos)  
Nays – 0

Resolved to adopt the findings of the short form EAF for the Library Expansion and Renovation Project.

RESOLUTION 18-2016

**SEQRA RESOLUTION**

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

ADOPTED BY Roll Call Vote  
Supervisor Gott, Aye  
Councilmember English, Aye  
Councilmember Gascon, Aye  
Councilmember Grouse, Aye  
Councilmember Seelos, Aye

**WHEREAS**, the Town Board of the Town of Livonia has determined that there is a need to renovate and expand the existing Livonia Public Library, a chartered tax supported library facility located at 2 Washington Street in the Village and Town of Livonia, County of Livingston and State of New York; and

**WHEREAS**, the Town Board has authority to undertake such actions pursuant to New York State Town Law §64; and

**WHEREAS**, the Town Board of Livonia has conducted a review of the proposed action pursuant to 6 New York Code Rules and Regulations §617, the New York State Environmental Quality Review Act (hereafter “SEQRA”); and

**WHEREAS**, the Town Board specifically identified the following relevant information with regard to the proposed application for which the SEQRA review was being conducted:

Lead Agency: Livonia Town Board Project # (if any) none

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Address: Livonia Town Hall  
35 Commercial Street  
Livonia, New York 14487

**Title of Action: Renovation and expansion of current public library facilities located at 2 Washington Street, Livonia, NY 14487**

**SEQR Status:** Type 1         
Unlisted   X  

**Description of Action:**

The action involves the renovation of approximately 2,400 square feet of interior space and the addition of approximately 5,000 square feet of new interior space, along with making the facility fully ADA compliant and providing additional public parking, and

**NOW THEREFORE BE IT RESOLVED**, after due deliberation and consideration of all information received concerning the proposed project and after a thorough review of the regulations contained in 6 New York Code Rules and Regulations §617.4(b)(9) and after completing the Short Environmental Assessment Form, the Town Board of the Town of Livonia hereby RESOLVES:

**FIRST:** The Livonia Town Board designates itself as lead agency for purposes of reviewing the project/action in accordance with SEQRA;

**SECOND:** The Livonia Town Board finds and determines that the project/action is an unlisted action pursuant to 6 New York Code Rules and Regulations §617.4(b)(9);

**THIRD:** The Livonia Town Board finds and determines that the project/action will not have a significant effect on the environment for the following reasons:

1. The action authorizes renovation and expansion of current public library facilities in such a way that will be in harmony with the area in the immediate vicinity and which will not cause any negative impact on the environment; and
2. The action will help preserve and enhance the health, safety and welfare of the public by preserving and increasing the ability of the Town to provide public library services to the inhabitants of the Town; and

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**FOURTH:** The Livonia Town Board directs that a negative declaration be prepared consistent with this resolution and in accordance with the requirements of SEQRA.

RESOLUTION 19-2016

**AUTHORIZE SUPERVISOR TO SIGN SEQRA FORMS**

On motion of Councilmember Seelos seconded by Councilmember Grouse the following resolution was

ADOPTED Ayes - 5 (Gott, English, Gascon, Grouse, Seelos)

Nays – 0

Resolved to authorize Supervisor Gott to sign the SEQRA forms for the Library Expansion and Renovation Project.

RESOLUTION 20-2016

**AUTHORIZE EXPENDITURE OF FUNDS FOR LIBRARY PROJECT**

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

ADOPTED Ayes - 5 (Gott, English, Gascon, Grouse, Seelos)

Nays – 0

Resolved to authorize the expenditure of funds for the Library Expansion and Renovation Project up to the maximum amount of the grants that have been committed (\$350,000), with such funds being disbursed from Fund Balance until such time as they are reimbursed by the grant money.

RESOLUTION 21-2016

**ACCEPT METAL DETECTOR FROM MONROE COUNTY**

Supervisor Gott reminded the Board that Monroe County has a metal detector available, and the Sheriff's Department would like the Town of Livonia to have one for court nights due to volume of cases handled here. He reported that the metal detector is free, and the Town of Livonia would just have to arrange to have it picked up from Monroe County and have it delivered to the Town Hall. The detector is functioning at this time, and usually when they stop working they are replaced. The OCA does not think that is cost effective to repair broken ones. The detector can be moved, if needed, by unbolting it from the floor and unplugging it. The Officer who works court nights would operate it.

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

ADOPTED Ayes - 5 (Gott, English, Gascon, Grouse, Seelos)

Nays – 0

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Resolved to move forward with accepting the metal detector from Monroe County and work with the corrections department to coordinate its delivery to the Town.

### **SECURITY UPDATE**

Supervisor Gott reported that the security company is installing cameras, panic buttons and a keypads for the Town Hall entrances this week. Everyone who has access to the building will have their own access code. He stated that he okayed funds for the added expense of mounting the monitor on the wall, so that it is not accidentally knocked over and so that the table in the copy room can remain a work surface.

He shared that Kolleen Redman has added a voice monitoring system, which will report every time a door is opened and identify which door it is. Supervisor Gott agrees that that is an important feature.

### **WORKPLACE VIOLENCE COMMITTEE UPDATE**

Supervisor Gott updated the Board on the work that has been done by the Workplace Violence Committee. While there are still several items to address, we are ready to adopt a policy. He reported that Clerk Hay has spearheaded this effort and has prepared a draft policy for the Board's consideration. The Committee named Court Clerk Kolleen Redman as the contact person should there be an incident.

Councilmember Seelos asked if the policy should specify that it applies to elected officials as well. Attorney Campbell answered that elected officials are employees and all employees are covered by the policy.

Clerk Hay reported that Phyllis Applin from the Sheriff's Department conducted training for the employees last week. Handouts have been provided to a few employees who were not able to attend the training session. In addition, forms for reporting an incident have been given to each Department head and are also available in the mail room by the time clock. In order to comply with the law, we only have to adopt a policy and post it at the Town Hall.

RESOLUTION 22-2016

### **ADOPT WORKPLACE VIOLENCE POLICY**

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

ADOPTED Ayes - 5 (Gott, English, Gascon, Grouse, Seelos)  
Nays - 0

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Resolved to adopt the Workplace Violence Policy as submitted, a copy of which is included at the end of these minutes.

Supervisor Gott asked Clerk Hay to see if Phyllis Applin will come to a board meeting to administer Workplace Violence Training. He also asked her to check to see if employees must take the training yearly.

RESOLUTION 23-2016

**APPROVE INTERMUNICIPAL AGREEMENT BETWEEN THE TOWN OF LIVONIA AND CORNELL COOPERATIVE EXTENSION OF LIVINGSTON COUNTY INCLUDING THE FACILITIES USE AGREEMENT**

Supervisor Gott announced that it is time to renew our contract with Cornell Cooperative Extension for programming at the Chip Holt Nature Center. The contract is exactly the same as last year, only the cost has been increased from \$3,000 to \$3,200. The Board discussed this and agreed that the Town benefits greatly from this partnership and the cost is reasonable. Councilmember Grouse remarked that the programs are well attended and about 1,500 attended the Summer Programs last year.

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

ADOPTED Ayes - 5 (Gott, English, Gascon, Grouse, Seelos)  
Nays – 0

Resolved to approve the Intermunicipal Agreement between the Town of Livonia and Cornell Cooperative extension of Livingston County as attached at the end of these minutes; and further resolved to approve the Facilities Use Agreement effective January 1, 2016.

RESOLUTION 24-2016

**DIRECT NIAGARA MOHAWK POWER CORPORATION TO INSTALL STREET LIGHT FIXTURE ON KENSINGTON COURT**

Supervisor Gott shared that it is time to put another street light in the Cambridge Heights Subdivision. The annual cost will be \$295.

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

ADOPTED Ayes - 5 (Gott, English, Gascon, Grouse, Seelos)  
Nays – 0

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Resolved to authorize and direct Niagara Mohawk Power Corporation to do the following work in the Town of Livonia, CSS reference #24138-80101. Install: One- 100 watt high-pressure sodium coach lamp street light fixture on a sixteen foot embedded (black) pole and direct buried cable at Kensington Court in Cambridge Heights Subdivision, Phase IV.

RESOLUTION 25-2016

### **ADOPT MEETING SCHEDULE FOR 2016**

Supervisor Gott presented a proposed meeting schedule for the year.

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

ADOPTED Ayes - 5 (Gott, English, Gascon, Grouse, Seelos)  
Nays – 0

Resolved to adopt the following meeting schedule for the remainder of the year: February 4, March 3, April 7 and 21, May 5, June 2, July 7, August 4, September 1, October 6 and 20, November 3 and 17 and December 1. All meetings will start at 7 PM and be held at the Town Hall with the exception of: June 2 at Vitale Park, Lakeville; July 7 at Hemlock Lake Park, Hemlock; and August 4 at Vitale Park, Lakeville.

### **CORRESPONDENCE**

- Supervisor Gott reported that we received the Semi-annual Dog Control Report.
- Councilmember Seelos gave board members a copy of a letter from the Conesus Lake Association to the Town of Conesus regarding steep slope protection.

### **Shoveling & Salting at Town Hall and Library**

Councilmember Grouse remarked that she appreciates that Extreme Lawn Care is doing a great job shoveling and salting the sidewalks at the Town Hall and the Library, but thinks that \$70 per trip is very expensive. She wanted to know if there was a plan to do something else. Councilmember English stated that they are the only people that will be around to do it all the time.

RESOLUTION 26-2016

### **AUDIT OF CLAIMS**

On motion of Councilmember Grouse seconded by Councilmember Seelos the following resolution was

ADOPTED Ayes - 5 (Gott, English, Gascon, Grouse, Seelos)  
Nays – 0



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Resolved to pay claims 31-65 in the amount of \$33,302.61 from the Abstract dated 1/21/2016.

### **PRIVILEGE OF THE FLOOR**

#### **Question Regarding Adding an Entrance for Cambridge Heights Subdivision**

A resident who lives on Kensington Court stated that there have been several serious accidents at the intersection of Longview Blvd. and Big Tree Road. He shared that traffic cannot get into or out of the subdivision while emergency crews work the scene. He feels that this could pose a problem if someone in the subdivision had an emergency while the entrance/exit was blocked. He asked if there is a plan to develop an alternate entrance/exit. Attorney Campbell answered that the Town does not own any property where it could make another road. He also stated that if there were another entrance, it could create a situation where people drive through the subdivision as a short cut, which could increase traffic dramatically. Councilmember Grouse asked if the intersection could be made a three way stop. Councilmember Seelos replied that that won't happen on a state road.

#### **Ambulance District Organizational Meeting**

Councilmember Seelos reported that the Ambulance District had their organizational meeting last night, and Joe Breu was elected chair.

With no further business, on a motion of Councilmember Gascon seconded by Councilmember Seelos the meeting was adjourned at 7:59 PM. Carried unanimously.

Respectfully Submitted,

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Colleen West Hay, Town Clerk

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**WORKPLACE VIOLENCE PREVENTION POLICY STATEMENT**  
**Adopted: 1/21/2016**

**The Town of Livonia** is committed to the safety and security of our employees. Workplace violence presents a serious occupational safety hazard to our agency, staff, and clients.

Workplace Violence is defined as any physical assault or act of aggressive behavior occurring where a public employee performs any work-related duty in the course of his or her employment including but not limited to an attempt or threat, whether verbal or physical, to inflict physical injury upon an employee; any intentional display of force which would give an employee reason to fear or expect bodily harm, intentional and wrongful physical contact with a person without his or her consent that entails some injury, or stalking an employee with the intent of causing fear of material harm to the physical safety and health of such employee when such stalking has arisen through and in the course of employment.

Acts of violence against any of our employees where any work related duty is preformed will be thoroughly investigated and appropriate action will be taken, including involving law enforcement authorities when warranted. All employees are responsible for helping to create an environment of mutual respect for each other as well as clients and visitors, following all policies, procedures and practices, and for assisting in maintaining a safe and secure work environment.

This policy is designed to meet the requirements of New York State Labor Law Art. 2 §27-b and highlights some of the elements that are found within our Workplace Violence Prevention Program. The process involved in complying with this law includes a workplace evaluation that is designed to identify the risks of workplace violence to which our employees could be exposed. Authorized Employee Representative, will, at a minimum, be involved in:

- evaluating the physical environment;
- developing the Workplace Violence Prevention Program; and
- reviewing workplace violence incident reports at least annually to identify trends in the types of incidents reported, if any, and reviewing the effectiveness of the mitigating actions taken.

All employees will participate in the annual Workplace Violence Prevention Training Program. The goal of this policy is to promote the safety and well-being of all people in our workplace. All incidents of violence or threatening behavior will be responded to immediately upon notification. All personnel are responsible for notifying the contact

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person designated below of any violent incidents, threatening behavior, including threats they have witnessed, received, or have been told that another person has witnessed or received.

**Designated Contact Person: Kolleen Redman**

**Title: Court Clerk**

**Department: Justice Court**

**Phone: (585) 346-0221 (office)**

**E-mail: courtclerk@livonianv.org**