

**REGULAR MEETING, TOWN OF LIVONIA**  
October 18, 2018

A regular 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 on October 18, 2018.

**PRESENT:** Eric Gott, Supervisor  
Andy English, Councilmember  
Matt Gascon, Councilmember  
Frank Seelos, Councilmember  
Peter Dougherty, 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 7:00 PM.  
Clerk Hay led the pledge.

**PUBLIC HEARINGS – 2019 PROPOSED BUDGET / WATER & SEWER UNIT CHARGES**

Supervisor Gott declared the public hearings for the 2019 Proposed Budget, and the Water & Sewer Unit Charges open at 7:00 PM.

Notices for both Public Hearings were duly published in the Livingston County News on October 11, with same being posted on the same date at the Town Hall and on the Town's web site. In addition, notices regarding the Public Hearing for the Hemlock Sewer and Cadyville Road Water unit charges were mailed to owners of property in said districts. Clerk Hay read the notices of hearings for the record.

**Comments:**

Supervisor Gott announced that the Proposed Budget fully funds the Town's obligations to employees, the Hemlock sidewalk project, the purchase of an excavator for the Highway Department with no debt, and the day-to-day operations of the Town, including the parks. Copies of the proposed budget were provided for the public. He asked if there were any questions or comments for either one of the Public Hearings.

A resident who owns property at 4389 North Main Street, Hemlock addressed the board regarding the fact that this property has no sewer hookup, despite the fact that the building existed when the sewer was installed. She reported that she is frustrated because she is paying taxes on water she cannot use because there is nowhere for the water to go. She shared that she has been to prior Town Board meetings to discuss this issue, and she

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has also talked to the water and sewer department. They say they will get back to her, but they have not yet. Supervisor Gott and Attorney Campbell will follow up with the new executive director of the Livingston County Water & Sewer Authority, Michelle Baines and get back to the property owner.

No one else wished to comment. Supervisor Gott stated that the Public Hearings would remain open until later in the meeting.

**PRESENTATION OF POSSIBLE EVENT FACILITY AND WINERY ON WEST LAKE ROAD**

Two gentlemen approached the Town Board to share their interest in creating a 15,000 square foot event facility and winery on West Lake Road called Bridge Creek Winery. They brought conceptual drawings to the meeting, which the Town Board reviewed. The proposed venue could accommodate up to 300 people for weddings, graduation parties, etc. Eventually, they hope to add villas to accommodate overnight guests.

They proceeded to answer questions about the plan:

- Access – Access will only be allowed from West Lake Road. There will not be any access from Pebble Beach Road.
- Catering – They will not be operating a restaurant, but the plan is for the facility to have facilities for caterers to prep food in-house.
- Parking – They are working with engineers to develop a parking plan.
- Noise - Strict rules will be put in place about when events end. They do not anticipate going past 10 or 10:30 PM.
- Villas – They hope to eventually build 3 villas to start with 3-4 rooms each. Once the villas are added, there will be on-site management.
- Surveys and justification – They say they have done their research and the demand is there.
- Neighbors – They invited residents from Pebble Beach Road to come to the property to view the site, and they said it is a great view. They also talked with the owners of Deer Run Winery as well. Deer Run thinks it will be great for both. If people go to one winery, they will visit the other.
- Projected opening – A projected opening date depends on how quickly they can get the necessary approvals.

Supervisor Gott shared that there are two processes that need to take place, one with the Town Board and one with the Planning Board. Zoning modifications are the responsibility of the Town Board. Attorney Campbell explained that current zoning for this parcel does not allow this as a permitted use. There are several ways this might be addressed. The Town Board asked Attorney Campbell to look into it and come up with options for consideration.

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Attorney Campbell explained that it will all come down to a Local Law process. He would have to draft it, submit it to the Livingston County Planning Board for referral, notify neighboring towns, conduct a Public Hearing, and complete SEQR documents. He estimated that it would be at least a three month process from the time he drafts the Local Law until such time as the Board can consider it.

**OPEN SESSION/PRIVILEGE OF THE FLOOR**

**Short-term Rentals**

A resident shared that at the Town Board meeting in September, she gave the Board information she obtained from the Town of Geneva regarding Short-term Rentals. She thinks Geneva's regulations are very concise. She gave Board members another copy of the documents. She requested that the Town Board review the documents and give her a "timely response." Supervisor Gott stated that the documents will become a part of the public hearing packet when we get to that point.

**Autumn in the Village**

A resident asked where she would obtain information about revenues and expenditures for "Autumn in the Village." Supervisor Gott answered that the Village should be able to give her that information. The resident asked what the Town's \$1,500 was for. Supervisor Gott replied that the Town gave a \$1,500 sponsorship donation for Autumn in the Village.

**Proposed Winery**

A resident asked if the drawings of the proposed winery that were presented to the Board tonight could be made available on the Town's web site. The applicants stated they would be happy to provide those. Clerk Hay cautioned that she cannot post anything on the web site that is copyrighted until she receives permission in writing from the creator of the document, drawings or plans.

A resident requested that runoff be considered with the winery/event center project.

**Watershed Education Center Programming**

Charlie Braun reported that there will be an event at the Watershed Education Center next Wednesday, October 24. Dorothy Wilkins and Betty Miles will be presenting the history of Lakeville at 6:30 PM.

**PUBLIC HEARINGS, CONTINUED**

A resident asked several questions about the Proposed Budget, which Supervisor Gott answered. In response to a question about funds for the Little Lakes Community Center, Supervisor Gott answered that there is \$3,000 in the budget. The Board will need a letter from Little Lakes in January requesting the funding so that those funds can be released.

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The funds will be restricted to operations.

Supervisor Gott mentioned that the Town of Livonia stayed below the 2% tax cap again.

**CLOSE PUBLIC HEARINGS**

Supervisor Gott asked if there were any further comments on either one of the public hearings. Hearing none, he declared both public hearings closed at 7:39 PM.

RESOLUTION 147-2018

**ADOPT 2019 BUDGET**

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

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

Resolved to adopt the 2019 Budget as presented. (See end of minutes.)

RESOLUTION 148 - 2018

**APPROVE MINUTES**

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

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

Resolved to approve the minutes from October 4, 2018.

RESOLUTION 149 - 2018

**AUDIT OF CLAIMS**

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

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

Resolved to pay claims 811-850 in the amount of \$255,088.23 from the Abstract dated 10/18/2018.

RESOLUTION 150 - 2018

**APPROVE MANAGEMENT, USE AND OCCUPANY AGREEMENT**

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

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

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Nays – 0

Resolved to approve the Management, Use and Occupancy Agreement with the NYS Department of Environmental Conservation (DEC) regarding the Town's use of DEC owned property for accessing Vitale Park (Contract # CA11080).

RESOLUTION 151-2018

**ENTER INTO EXECUTIVE SESSION**

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

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

Resolved that this Board enter into Executive Session with Attorney Campbell at 7:42 pm to discuss the employment history of a specific individual.

RESOLUTION 152-2018

**RETURN TO REGULAR SESSION**

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

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

Resolved to return to Regular Session at 8:13 PM.

With no further business, on motion of Councilmember Seelos seconded by Councilmember Gascon the meeting was adjourned at 8:13 PM.

Respectfully Submitted,

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Colleen West Hay, RMC, CMC  
Town Clerk