

REGULAR MEETING, TOWN OF LIVONIA
February 1, 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 Livonia Town Hall, 35 Commercial Street, Livonia on February 1, 2018.

PRESENT: Eric Gott, Supervisor
Andy English, Councilmember
Matt Gascon, Councilmember
Frank Seelos, Councilmember
Peter Dougherty, Councilmember
Colleen West Hay, Clerk

ABSENT: 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. Deputy Phyllis Applin led the pledge.

DEPUTY APPLIN – WORKPLACE VIOLENCE TRAINING

Deputy Phyllis Applin of the Livingston County Sheriff's Office conducted Workplace Violence Training for the Board and employees in attendance.

OPEN SESSION / PRIVILEGE OF THE FLOOR

Watershed Presentation

Councilmember English shared that he attended the watershed presentation at the Chip Holt Nature Center. He said there was a good turnout and he learned a lot.

Councilmember English Remarks About Discussion at Last Meeting

Councilmember English announced that he wished to comment about what Councilmember Dougherty said at the last meeting. He explained that Councilmember Dougherty took him off guard, and he took it as a personal attack. Councilmember English mentioned that he has been on the Town Board for 15 years. When he started, he and Supervisor Tim Wahl were like oil and water, but they hashed it in executive sessions. They never confronted each other in open session.

Councilmember English explained that he doesn't think this board turned their backs on Councilmember Dougherty. He thinks it is a "very high conflict of interest" for Councilmember Dougherty to serve on the short term rental committee. He added that he doesn't think Councilmember Grouse was attacking Councilmember Dougherty's

REGULAR MEETING, TOWN OF LIVONIA

February 1, 2018

integrity (when she stated she didn't think Councilmember Dougherty should be on the committee). He shared that she has been on a lot of boards and committees and was sharing her opinion based on her experience.

Councilmember English added that he feels Councilmember Dougherty has one agenda. He pointed out that Councilmember Dougherty didn't know that the committee meetings would be open to the public. He stressed that Councilmember Gascon's role on the committee will be to bring information back to the board. There will be a public session for everyone who wishes to speak.

Councilmember English admitted that the reason he ran for Town Council was because of the public housing issue, but at the end of the day every board member has to remember that they have people to represent. Councilmember English also took exception to Councilmember Dougherty's assertion that Supervisor Gott "runs the town." Councilmember English stated that that is his job. The Board doesn't have to take Supervisor Gott's advice. The Board talks about it. He added that the Town Clerk, Supervisor and Board members all have a role to play. He ended by saying that he hopes we can all get along moving forward.

Councilmember Dougherty responded that he is here to represent the taxpayers. He added that he has integrity.

Automatic Doors for Town Hall

Supervisor Gott reported that he is going to contact Felluca Door to look at installing an automatic door at the entrance to the Town Hall. He will get an estimate if they do that type of work.

Presentation on Downtowns in Livingston County

Supervisor Gott reminded everyone about the presentation titled "What's Next for Your Downtown" that will be held Tuesday, February 6 from 6-9 PM at the Genesee River Restaurant & Reception Center in Mount Morris. Larisa Ortiz will present her findings that are a result of the market research she has done in Livingston County about our downtown districts. Supervisor Gott encouraged people to make a reservation to attend this free event.

Supervisor Gott Clarifies Remarks Made at Last Meeting

Supervisor Gott stated that he wished to clarify that he is a managing partner of Gott Holdings, which does own rental properties in Livonia and Geneseo, however none of the

REGULAR MEETING, TOWN OF LIVONIA
February 1, 2018

properties are short term rentals. In fact, all of the properties have a minimum one year lease. He added that we all potentially own a short-term rental property - our own homes. With the popularity of AirBnB, people are renting their homes for overnight stays, weekends, etc. At the last meeting, Councilmember Dougherty stated that Supervisor Gott should recuse himself from the short term rental discussions because he owns rental properties, and to take part in the discussion constitutes an ethics violation. Supervisor Gott advised that he takes exception to those remarks.

Traffic Safety

Councilmember Gascon asked for a progress report regarding our request for stop signs at the intersection of VanZandt and Pennemite Roads. Supervisor Gott answered that he is taking it to the next Traffic Safety Committee meeting, and he will make a request for a case. The Town cannot make the decision – it is up to the NYS Department of Transportation.

RESOLUTION 22-2018
APPROVE MEETING MINUTES FROM 1/18/2018

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

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

Resolved to approve the meeting minutes from January 18, 2018.

**DISCUSS ANNUAL CONTRACT WITH CORNELL COOPERATIVE
EXTENSION**

Supervisor Gott stated that he received a request from Cornell Cooperative Extension (CCE) to renew the Intermunicipal agreement for programming at the Chip Holt Nature Center. The amount is \$3,700 again this year. The contract is the same as last year, just with new dates. He stated that he thinks they do a good job.

Charlie Braun asked if scheduling for the new education center should be added to the contract, or if it would make sense to have the Town do the scheduling for both buildings. Supervisor Gott stated that the Board does not have to make a decision on this tonight. Supervisor Gott added that the new education center is going to be used as a meeting facility as well as for education, and he doesn't think CCE allows that. He would like to have Attorney Campbell review the contract when he gets back in town. The Board decided to table the matter.

REGULAR MEETING, TOWN OF LIVONIA
February 1, 2018

DISCUSS SHORT TERM RENTAL COMMITTEE

Supervisor Gott reported that he spoke with Mayor Cal Lathan about the Short Term Rental Committee, and the Mayor shared that the Village Board is excited to participate. Rick Bennett and MaryAnn Rzeszutek have agreed to serve from the Planning Board and Zoning Board of Appeals. Supervisor Gott mentioned that Brian Every is still interested in serving on this committee, and says his work schedule will not be a problem.

Councilmember Dougherty presented the rest of the Board with a list of names of people from the Pebble Beach Road area who are interested in serving. Some discussion followed, with the Board deciding that one person from the Pebble Beach Road area should serve on the committee. Out of the four names presented by Councilmember Dougherty, they decided on Sandra Fraser.

Councilmember Gascon asked how many short term rentals are in the town. Dawn Woodburn, who works in the Assessor's Office, said she will see if she can find out.

RESOLUTION 23-2018

APPROVE COMMITTEE TO LOOK AT SHORT-TERM ISSUE

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

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

Resolved to approve the following to serve on the committee to look at the Short-term Rental issue and make a recommendation to the Board: one member from the Village Board (TBD), Councilmember Gascon, Julie Smith, MaryAnn Rzeszutek, Rick Bennett, and Sandra Fraser. Further resolved that Building and Zoning Director Adam Backus and Attorney Campbell will be part of the committee as non-voting members.

Supervisor Gott will ask Mr. Backus to begin scheduling meetings. He encouraged the Town Board and public to participate. Meetings will be advertised and open to the public. He also wants the committee to be made aware that we have packets of information for them.

RESOLUTION 24-2018

APPROVE TWO NEW STREET LIGHTS

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

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

REGULAR MEETING, TOWN OF LIVONIA
February 1, 2018

Resolved to approve the addition of two new street lights at the request of Highway Superintendent Dave Coty. They will be located at Shoreless Acres/East Lake Road and the intersection of Marrowback and Niver Roads. Further resolved to request that these be LEDs.

**DISCUSS NYS DEPARTMENT OF TRANSPORTATION FINDINGS
REGARDING PEBBLE BEACH ROAD SPEED LIMIT REQUEST**

Supervisor Gott advised that the NYS Department of Transportation (DOT) did a speed limit study of Pebble Beach Road and reported that the current 30 MPH speed limit is sufficient. They do recommend adding some speed limit signs, and raising the existing signs to be at the current standard height to improve their visibility. Supervisor Gott will talk to the Highway Superintendent about the recommendations and ask him to make the recommended changes.

RESOLUTION 25-2018

**ALLOW ROCHESTER BASSMASTERS TO SELL RAFFLE TICKETS IN
TOWN OF LIVONIA**

Clerk Hay reported that Rochester BassMasters has asked for permission to sell raffle tickets in our community for a fundraiser. They are a not-for-profit located in Monroe County, but one of their members lives in Livonia and would like to be able to sell raffle tickets to family and friends. Proceeds from the raffle will go toward Rochester BassMasters Youth Club, a youth scholarship program and youth education with a strong emphasis on conservation of natural resources. According to NYS law, they must ask permission to sell the tickets outside of their own municipality. The Board expressed appreciation that they would ask for permission.

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

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

Resolved to give permission to Rochester BassMasters to sell raffle tickets in the Town of Livonia.

**DISCUSSION REGARDING PURCHASE OF 10-WHEEL DUMP TRUCK FOR
HIGHWAY DEPARTMENT**

Supervisor Gott reported that funds to replace the Highway Department's 10-wheel dump truck were included in the 2018 Budget. Highway Superintendent Dave Coty submitted pricing for a Peterbilt and an International, with the Peterbilt coming in at \$6,700 more than the International. Mr. Coty highlighted some differences between the two trucks to justify his request to purchase the more expensive truck. Supervisor Gott mentioned that

