

REGULAR MEETING, TOWN OF LIVONIA
February 7, 2019

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 7, 2019.

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. Attorney Campbell led the pledge.

OPEN SESSION

Supervisor Gott opened the floor for comments, but no one wished to speak.

RESOLUTION 27-2019

APPROVE MEETING MINUTES FROM 1/17/19

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

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

Resolved to approve the meeting minutes from January 17, 2019.

TOWN CLERK’S REPORT – JANUARY 2019

Paid to Supervisor for the General Fund	\$1,867.22
Paid to County Treasurer for Dog Licenses	\$259.00
NYS Comptroller’s Office (Bingo and Games of Chance Licenses)	0
Paid to NYS Ag & Markets for the Spay/Neuter Program	\$102.00
Paid to NYS Environmental Conservation for Hunting/Fishing Licenses	\$140.98
State Health Department (marriage licenses)	0
TOTAL DISBURSEMENTS	\$2,369.20

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TAX COLLECTION REPORT – JANUARY 2019

Beginning Bank Balance	\$179.97	
Total Taxes Collected	\$6,347,370.36	
Total Penalty Collected	\$0	
Total Dup/Overpayments	\$4,702.31	
TOTAL		\$6,352,252.64
Total Refunded Dup/Overpayments	\$2,303.66	
Disbursements to Supervisor	\$3,166,991.00	
Disbursements to County*	\$0	
TOTAL		\$3,169,294.66
Bank Balance 2/1/19 (includes \$179.97 starting balance)		\$3,182,957.98

Town Clerk Updates

- Workplace Violence/Sexual Harassment Prevention Training: Scheduled for 6 PM at the Livonia Town Hall on March 21, 2019.
- Clerk Hay requested a resolution to allow her to recycle the old Brother HL-6200DW printer.
- Clerk Hay announced that Earth Day awards packets are available on the table.

Tax Collection

- *On 2/4/19, Clerk Hay paid the Livingston County Treasurer \$2,000,000. The remaining funds will be turned over to the Treasurer when settling up with in April.
- Clerk Hay asked to discuss a resolution regarding extending the penalty free period for those affected by federal furlough. Attorney Campbell prepared a resolution, in case the board wanted to consider it. Clerk Hay stated that no one has asked about an extension for this. Attorney Campbell shared that 84% of the taxpayers have paid already, so this would likely impact very few people. Councilmember English asked if this would be in effect forever, or only for this tax collection period. Attorney Campbell responded that once adopted, the resolution would remain in effect. If there was another furlough in the future, it would apply. The Board decided not to take action, but agreed to reconsider it at the next meeting, if Clerk Hay receives any requests.

RESOLUTION 28-2019

DECLARE PRINTER SURPLUS

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 declare the Brother HL-L6200DW printer as surplus and authorize Clerk Hay to send it back to Brother for recycling.

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RESOLUTION 29-2019

APPROVE TOWN CLERK'S REPORT

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

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

Resolved to approve the January 2019 Town Clerk's Report.

RESOLUTION 30-2019

APPROVE TAX COLLECTION REPORT

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 approve the January 2019 Tax Collection Report.

RESOLUTION 31-2019

AUTHORIZE SUPERVISOR TO ADVERTISE FOR BIDS – HEMLOCK SIDEWALKS

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 authorize Supervisor Gott to advertise for bids for the Hemlock Sidewalk project.

DISCUSSION: POSSIBLE LOCAL LAW REGARDING SOLAR POWER MORATORIUM

Supervisor Gott shared that he spoke with Attorney Campbell regarding the moratorium on large scale solar development that lapsed last year. He wanted to know if we should re-visit it. He shared that there are large projects proposed in our county. Now, Attorney Campbell has had some experience looking at related zoning. Supervisor Gott stated that while he is not against solar development, he feels the Town needs to protect prime agricultural property. Solar projects should be located in the best place. If the Town Board wants to issue a moratorium, then they need to ask Attorney Campbell to

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draft another proposed local law.

Attorney Campbell explained that if the Town has nothing on the books, then solar developers can apply under Article X of state statute and circumvent local boards. In that case, Albany would do all the reviews and approvals without any input from local officials. If the Town Board adopts a moratorium or zoning law however, the state will honor it.

RESOLUTION 32-2019

**DIRECT ATTORNEY TO DRAFT LOCAL LAW RE: MORATORIUM ON
LARGE SCALE SOLAR DEVELOPMENT**

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

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

Resolved to direct Attorney Campbell to draft a Local Law to institute a moratorium on large scale solar development in the Town of Livonia.

The Board briefly discussed next steps. Attorney Campbell stated that the Board has an obligation during the moratorium to work for the goal, do research, and build legislation. He stated it would be a good idea to establish a committee to get input from several sectors.

RESOLUTION 33-2019

BUDGET TRANSFER - LIBRARY

Bookkeeper Mike Lawton shared that the Library installed a security system to the building and modified the entrance with an automatic door causing the contractual account to go over budget. To offset most of these costs the Library received state aid ("bullet") through Assemblyman Errigo and Senator Young.

The Library also received the balance of a project grant at the end of May. The amount (\$14,742) will not be included as a revenue for the 2018 budget report; it must be reflected as a direct adjustment to the Library fund balance for the year ending 12/31/2017. He requested a resolution to increase the 2018 Library fund budget in the amount of \$27,500.

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

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

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Resolved to approve the following budget transfers:

L3840 - State Aid	\$20,500	
L599 - Appropriated Fund Balance	\$7,000	
L7410.4 - Library Contractual		\$27,500

RESOLUTION 34-2019

BUDGET AMENDMENT - LIBRARY

The 2018 budget includes an interfund transfer to the Capital Fund in the amount of \$25,000. This will count as a payment towards the interfund loan from the General Fund.

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

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

Resolved to approve an interfund transfer to the Capital Fund in the amount of \$25,000 as a payment towards the interfund loan from the General Fund.

Correspondence

Supervisor Gott share a letter he received from an ice fisherwoman complimenting the Vitale Park crew. She stated that she appreciates that the bathrooms are open in winter and that they are clean.

RESOLUTION 35-2019

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 71-83 in the amount of \$21,086.32 from the Abstract dated 1/28/2019.

RESOLUTION 36-2019

AUDIT OF CLAIMS

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

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

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Resolved to pay claims 84-140 in the amount of \$50,049.63 from the Abstract dated 2/7/2019.

RESOLUTION 37-2019

ENTER INTO EXECUTIVE SESSION

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

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

Resolved that this board enter into Executive Session at 7:24 PM with Attorney Campbell to discuss the employment history of a specific individual.

RESOLUTION 38-2019

RETURN TO REGULAR SESSION

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 return to Regular Session at 7:58 PM.

With no further business, on a motion of Councilmember Seelos seconded by Councilmember Dougherty the meeting was adjourned at 7:58 PM. Carried unanimously.

Respectfully Submitted,

Colleen West Hay, RMC, CMC
Town Clerk