

REGULAR MEETING, TOWN OF LIVONIA
April 7, 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 April 7, 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: Chief Jason Yasso, Corrections Division, Livingston County Sheriff's Office; Heather Ferrero, Livingston County Deputy Planner; Several Residents.

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

SHERIFF'S DEPARTMENT INITIATIVES

Supervisor Gott introduce Chief Jason Yasso, from corrections division at the Sheriff's Office. Supervisor Gott remarked that Chief Yasso secured the metal detector for the court room, and recently helped us by providing the work crew to paint the dugouts at Bowen Park. Chief Yasso shared that the Sheriff's Department has started a new initiative, where a representative will come to meetings twice a year to meet the board members and residents and to answer questions. He stated that if the Town has any problems, such as traffic concerns, or if the Town needs the work crew, let him know. He added that the work crew is scheduled to paint the Lakeville Fire Hall at the end of next month. The Sheriff's Office also is responsible for providing court security.

STREAMBANK REMEDIATION PROJECT

Supervisor Gott introduced Deputy County Planner Heather Ferrero, who came to discuss the stream bank remediation scheduled for Wilkins Creek this year. Supervisor Gott explained that Ms. Ferrero has spent an enormous amount of time on the stream bank grant projects. Last year, we completed a very successful project on North Gully with the Town and the County working together. Supervisor Gott reported that the County Highway Department has indicated that they are not available this summer to complete the Wilkins Creek project. Supervisor Gott presented a handout to the board members which showed three different options for the costs associated with this project. The first option is for the Town to provide all equipment and labor, the second option is for the Town and the County to share the costs of equipment and labor, and the last option shows the costs if the County were to provide all the equipment and labor.

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Ms. Ferrero reported that the North Gully Project worked very well. All that is left is for the Town to finish erosion control and then it will be completed. She explained that the way the grants work is that that it is a 50/50 match. The grant covers the costs of materials and rental equipment, and the local government must provide labor and their equipment.

She expressed that the Wilkins Creek project has been a challenge for several reasons:

- This is a heavy up-front engineering project
- Work needs to be completed by September 30
- One landowner does not want to be a part of this project, which is well within their rights, but this means that only the north side of the bank can be worked on. Because of this, the project will be more of a stabilization project than a reshaping project.
- An access road will need to be built

Ms. Ferrero added that the goal of the project is to protect infrastructure and water quality. Easements will be set up once they are ready to start the project.

Supervisor Gott reviewed the handout, which explains costs for the different options. Supervisor Gott will follow up with the Highway Superintendent. He feels that Mr. Coty has the equipment, manpower and knowledge to complete this project. Supervisor Gott described a project that Mr. Coty completed on Wilkins Tract when wing walls on the bridge fell into the creek. Mr. Coty put up safety devices, contacted the County Highway Department and put a plan in place. Supervisor Gott said that residents are suffering seriously from flooding. The work on the North Gully made a difference in the last instance of flooding, and he looks forward to work being completed on Wilkins Creek.

Discussion followed. The board expressed that they would like to work with Highway Superintendent Dave Coty first and see if he is willing to do all the work. If not, perhaps the County and Town could share the work. The board felt that because the Town of Livonia led the grant process, if we don't hold up our end of the bargain it doesn't look good. Ms. Ferrero clarified that while the total project cost for the "Town Only" option looks like the more expensive option on paper, but part of those costs would be Town labor, which the Town has to pay anyway. The actual out of pocket expense – to cover deficit and contribute to engineering - is more expensive if the County does it. Supervisor Gott will contact Highway Superintendent Coty tomorrow to get a commitment or a no, then he will talk to the County.

Ms. Ferrero advised that after the decision is made as to who is doing the work, the next step is the permitting process by the Army Corps of Engineers and obtaining easements. She estimates that that process will take about three months, which only leaves August

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and September for construction.

VITALE PARK UPDATE – NEW BUILDING AND CHIP HOLT CENTER

Supervisor Gott shared that he and Councilmember Seelos attended a meeting last night regarding educational partnerships and grant opportunities for the Chip Holt Center. They also discussed the proposed new structure, which is going to replace the double-wide building that continues to flood. He stated that there is a need for lab stations in the Chip Holt Nature Center. At the meeting, an idea was presented to shift the Chip Holt Nature Center into a full time education facility and to move meetings to the new building. We will have to slow down on new construction to better gauge the need. We might have to increase the size of the meeting room somewhat.

Supervisor Gott expressed that he appreciates our partnerships with Cornell Cooperative Extension and the Conesus Lake Association. He thinks that education goes a long way to protecting Conesus Lake, just as preserving Hemlock Lake Park helped Hemlock Lake.

Supervisor Gott announced that he is looking for a board member to volunteer to be the new liaison for the Chip Holt Nature Center. With the library project coming up, Councilmember Grouse will not have the time to devote to it. Right now, the Chip Holt Nature Center meetings start at 3:30 in the afternoon, but they might be willing to change the time. He asked Councilmembers Gascon and English to think about it.

PRIVILEGE OF THE FLOOR/OPEN SESSION

Jack Evans Community Center

Mary Ann Thompson reported that there is a new sign at the Jack Evans Community Center for advertising events. She reported the following:

- The group has started a calendar and have more events scheduled.
- They held a pot luck dinner with music that 36 people attended.
- Assemblyman Bill Nojay is interested in ideas and wants to walk through the building.

Ms. Thompson again brought up that the people of Hemlock were not told that the building was going to be closed, and she again asked the board for more time. Supervisor Gott asked her if she was asking that they extend the deadline for the committee to come up with a plan past November, and Councilmember English asked her if she is asking that the renters be allowed to stay until November, to which she responded yes to both. She added that she wants a year. She reported that the group had someone offer to do an energy audit.

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Supervisor Gott responded that the Board has been talking about closing the JECC for ten years.

Councilmember Grouse revealed that the tipping point was when the Town unexpectedly lost its most significant tenant, which resulted in an additional loss of \$20,000 per year. This happened after the meeting that Ms. Thompson attended last year. The plan to close the JECC has been discussed in a public forum for her entire ten-year tenure on the Board. Councilmember Grouse added that the Town Board is elected to be responsible to the taxpayers, and when Ms. Thompson failed to come back to the Board last year, the Board thought that the level of interest was not there. She remarked that she is excited to see events on the calendar, but the Board still needs a written plan of action or business plan.

Mary Grace Krest addressed the Board. She has her own not-for-profit, and she also partners with other not-for-profits. She presented a proposal to use the building as a multi-purpose venue. She stated that there would need to be someone who would serve as a coordinator, and she suggested that a fee schedule be set up at various levels, with not-for-profits and community groups using the facility during the week at no charge, while businesses would be charged for events. She thought that the building would be perfect for holding craft shows, or a Christmas bazaar, and the Town could charge per booth/table. Other ideas she presented were Holistic Health Fair, private parties, and wedding receptions.

Ms. Krest also asked the Board what “declaring the building surplus” means. Supervisor Gott explained that the Town Board must declare the building as surplus before it can be sold or donated. The building could be sold at a public auction, or the Town could solicit sealed bids. Supervisor Gott also expressed that he would be in favor of donating the building to a not-for-profit if such an organization was interested.

RESOLUTION 46-2016
APPROVE MEETING MINUTES FROM 3/3/2016

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 approve the meeting minutes from March 3, 2016

TOWN CLERK’S REPORT – MARCH 2016

Clerk Hay gave the following financial report for March 2016:

<i>Paid To</i>	<i>Amount Remitted</i>
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Supervisor (General Fund)	\$2,008.95
NYS Comptroller's Office (Bingo and Games of Chance)	\$0
County Treasurer for Dog Licenses	\$199.50
NYS Ag & Mkts for Spay/neuter Program	\$61.00
NYS DECALS	\$288.14
State Health Department (Marriage Licenses)	\$0
Total Disbursements	\$2,557.59

TOWN CLERK UPDATES

Records Management Grant for Scanning and Imaging of Building & Zoning Records

We asked for \$119,307.00, as follows:

- Professional Services (Project Director) \$3,112
- Support Staff Salaries (Imaging Clerks) \$20,708
- Purchased Services (Scanning installing software, installing IT) \$73,829
- Supplies and Material (Software, iPad, laptop, 2 scanners, UPS) \$9,390
- Employee Benefits \$2,543
- Equipment (Server) \$9,725

We will most likely hear in October.

Newsletter

The newsletter has 35 subscribers. Deputy Clerk Holt continues to mail newsletters with the dog renewals. Many people also pick up hard copies at the office, and they are encouraged to subscribe at that time. Clerk Hay did ask the school to send an email to staff about the newsletter and how to subscribe. Diane was going to forward the email to Robbin Carll. Clerk Hay has not heard from Robbin. Now that taxes are done, Clerk Hay will follow up with her.

Conference

Clerk Hay reported that she had not planned on going to the Town Clerk Conference because her daughter was due to have a baby at around the same time, however, the baby came early. Councilmember Seelos felt it was important for Clerk Hay to go and approved the cost. Clerk Hay will be sharing a room with another clerk, and carpooling to save money. Deputy Clerk Holt will cover the office and take care of any last minute Presidential Primary tasks. The costs for registration, lodging and meals will total about \$950. The conference is April 17-20 in Saratoga Springs.

TAX COLLECTION REPORT – FINAL 2016

TOTAL SUPERVISOR RECEIPTS:	\$3,003,260.00
COLLECTED BY TREASURER:	\$213,541.76
ADVANCES TO TREASURER	\$3,000,000.00
ADJUSTMENTS	\$1,999.71

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RETURNED, UNPAID TAXES	\$486,600.46
UNPAID PENALTIES (178 x \$2)	\$356.00
CASH SETTLEMENT	\$915,096.02
TOTAL TAX ROLL	\$7,620,853.95

The balance in the checking account is \$5,275.88 (I owe Supervisor) plus \$64.64 (balance in account carried over, consisting overpayments that were refunded but the checks were not cashed). Clerk Hay will wait until later in the month to write the check to the Supervisor, to give time for all the checks to clear.

Clerk Hay mentioned that she has all the back-up documentation consisting of reports and the bank statement if the board would like to review them.

RESOLUTION 47-2016
APPROVE TOWN CLERK'S & TAX COLLECTION REPORTS FOR MARCH 2016

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 approve the March 2016 Town Clerk's and Tax Collection Reports.

RESOLUTION 48-2016
LAWN MAINTENANCE FOR 2016

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

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

Resolved to contract Quality Lawn Care for the 2016 lawn maintenance season at the same cost as last year.

RESOLUTION 49-2016
APPOINTMENTS FOR BUILDING & ZONING OFFICE

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

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

Resolved to appoint James Kier (Zoning Inspector) and Alison Houk (Clerk, Part-time) at a rate of pay of \$14/hour effective February 16, 2016.

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RESOLUTION 50-2016

SUPPORT REGATTA

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 support the Chip Holt Center’s “Anything that Floats Regatta” again this year.

RESOLUTION 51-2016

AUTHORIZE SUPERVISOR TO SIGN LIBRARY LEASE

Attorney Campbell reported that because the library building and grounds are owned by the library, in order for the Town of Livonia to fulfill the legal requirements for the library project grant, we must enter into a lease agreement with the library.

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

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

Resolved to authorize Supervisor Gott to sign a five-year, renewable lease agreement with the library.

VITALE PARK

Councilmember English mentioned that at the next meeting, he will have figures for Vitale Park sealing and taping.

TRASH DUMPING ON RIX HILL ROAD

Councilmember Grouse reported that a resident approached her about garbage being dumped on Rix Hill Road, including electronics and deer carcasses. Chief Yasso agreed to do a cleanup and a property check. Supervisor Gott will also mention the problem to Dave Coty to see if he can keep an eye on it.

RESOLUTION 52-2016

AUDIT OF CLAIMS

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

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

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Resolved to pay claims 171-217 in the amount of \$77,020.78 from the Abstract dated 3/17/2016.

RESOLUTION 53-2016

AUDIT OF CLAIMS

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

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

Resolved to pay claims 218-284 in the amount of \$82,569.03 from the Abstract dated 4/7/2016.

RESOLUTION 54-2016

ENTER INTO EXECUTIVE SESSION

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

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

Resolved to enter into Executive Session at 8:15 PM with Attorney Campbell to discuss the employment history of a particular individual.

RESOLUTION 55-2016

RETURN TO REGULAR SESSION

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 return to Regular Session at 8:46 PM.

With no further business, on a motion of Councilmember English seconded by Councilmember Seelos the meeting was adjourned at 8:46 PM. Carried unanimously.

Respectfully Submitted,

Colleen West Hay, Town Clerk