

REGULAR MEETING, TOWN OF LIVONIA

October 1, 2020

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 1, 2020.

PRESENT: Eric Gott, Supervisor
Joseph Breu, Councilmember
Peter Dougherty, Councilmember
Andy English, Councilmember
Matt Gascon, 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.
Justine Cole led the pledge.

JUSTINE COLE – DISCUSSION REGARDING EAGLE SCOUT BUDGET

Supervisor Gott introduced Eagle Scout candidate Justine Cole to report on her Eagle Scout project. Supervisor Gott explained that her project consisted of repairing and renovating the fence at Union Cemetery on Big Tree Road.

Justine shared the expense report for the project with the Town Board and requested approval for reimbursement. She explained that welding was a large part of the project. Four tree stumps needed to be cut back. The metal fence posts, which had grown into the trees, broke off when they trimmed back the stumps. The welder worked for four hours and welded new posts on. This is not something that Justine could do herself. She requested \$200 to pay the welder for the work he performed and \$373.18 to reimburse her for supplies she purchased. She added that she decided not to have the tree stumps removed, because it would cost \$500 each to remove them. Supervisor Gott asked Justine to give him the welder's name, address, and payment amount, and he will make sure it is on the Abstract for the following meeting.

Justine shared that they started the group work in early June, and the project is completed except for painting the fence, which they plan to do this weekend. So far, she and about 30 volunteers have worked on the project for about 200 hours in total.

The Town Board commended Justine for doing a great job and expressed surprise at the low cost. If the Cemetery had to pay to have the project done, it would have cost a lot more. The Board thanked Justine.

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RESOLUTION 132-2020

APPROVE 9/3/20 MEETING MINUTES

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

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

Resolved to approve the meeting minutes from 9/3/2020.

PRIVILEGE OF THE FLOOR

No one from the public wished to comment.

RESOLUTION 133-2020

ALLOW HIGHWAY DEPARTMENT TO ASSIST “SENT BY RAVENS” FOOD PANTRY

Supervisor Gott explained that Sent by Ravens food pantry has been contacted by Farmers of America with a large donation of food for the holiday season. They are requesting help to unload the truck with a forklift.

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

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

Resolved to allow the Livonia Highway Department to use a town forklift to help unload food donations from Farmers of America for Sent by Ravens food pantry.

RESOLUTION 134-2020

ALLOW SEWING ORGANIZATION TO UTILIZE EDUCATION CENTER

Supervisor Gott shared that he received a request for a sewing group to utilize the Education Center at Vitale Park. The group does charitable work, and we have allowed civic organizations to use the building in the past.

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

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

Resolved to allow sewing group to utilize the Watershed Education Center for charitable work.

TOWN CLERK POSITION

Supervisor Gott reported that recruiting is going well for the Town Clerk position. Today was last day to apply. We have had a lot of interest, and some promising applicants. He and Clerk Hay will go through the resumes Monday or Tuesday to narrow the field to 6-8 candidates for

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the committee to review. He reminded the Board that candidates must be residents of the Town of Livonia because the position is elected.

RESOLUTION 135-2020

HIRE “DO-RITE PAINTING”

Supervisor Gott reported that he received prices from two companies to do some painting on the exterior of the Town Hall, including all the hand rails, all the steel entry doors, the frames of the glass doors at the Building and Zoning entrance, the entryway, and the foundation on the old part of the building. Do-Rite’s price was \$2,500 and All-Brite’s price was \$4,150.

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

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

Resolved to hire Do-Rite Painting at a cost of \$2,500 for exterior painting at the Town Hall as detailed above.

TOWN HALL GUTTERS / ROOF

Supervisor Gott shared that Aman Roofing cleaned the gutters, swept off the vault roof, and also inspected the gutters and roof at the Town Hall. Everything was reported as being in good shape.

HEMLOCK LAKE PARK

Rocks around gazebo - Councilmember Gascon reported that someone has been moving and breaking the rocks that were placed around the new gazebo at Hemlock Lake Park. He ordered signs asking park patrons not to move the stones. If the signs do not deter people from moving the rocks, we may have to mortar them in place.

Dog Waste/Signs – Councilmember Gascon shared that dog waste is becoming a big problem at Hemlock Lake Park. He wants to order dog bag dispensers and place signs like the ones at Vitale Park. He added that there are no signs at Hemlock Lake Park that indicate it is a Carry In/Carry Out park. He has ordered signs from Sign Blazer like the ones that are at Vitale Park.

AMBULANCE DISTRICT PROPOSED 2021 BUDGET

Councilmember Breu shared the proposed 2021 budget for the Ambulance District. If the Town Board has questions, they will come to the budget meeting.

HEMLOCK FIRE COMMISSIONERS PURCHASED UTV WITH GRANT

Councilmember Breu reported that he met with the Hemlock Fire Commissioners and they brought up a concern about the July Town Board meeting minutes. They would like it on record that they purchased the UTV with a grant that Senator Young helped them secure.

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HOLIDAY BANNERS

Councilmember Breu will have information regarding the Holiday Banners at the next meeting. He shared that some towns have banners for military members as well. A company called Hometown Heroes makes the military banners.

VITALE PARK UPDATES

Councilmember English reported that he met with Park Manager Mo Watson and his assistant, John Meyers, at Vitale Park recently about the following concerns:

- Trees – there are a lot of dead limbs on both sides of the park that should be removed. Councilmember English broke the park down into sections and asked several companies to provide prices for removing the dead branches by section, and then an overall price. He has had a hard time getting anyone to return his calls, because the businesses are so busy. Liberty has come down and will do up pricing. Cousins Tree Service has agreed to take a look as well. He has tried to reach Brian Galbraith, but he is so busy that he is hard to reach. He would like to get prices from at least three vendors.
- Sidewalks - the trees have heaved the blacktop in a lot of spots. Mo was going to paint all the spots with orange paint. He has contacted T&L and Valley Asphalt but has not heard back. Supervisor Gott added that the path by the break wall also needs to be fixed. Councilmember Dougherty added that there are pavers that need fixing also. Supervisor Gott shared that \$42,000 is budgeted each year for any contractual work in Vitale Park. He shared that we also need to treat the ash trees, and seal the blacktop walkways. Councilmember English remarked that we should repair the walkways first, then seal them. Supervisor Gott said that he would like to see the walkways ramped over the tree roots, rather than cutting the roots out. Councilmember English shared that those are anchor roots, and most trees have many anchors. Cutting one is not going to kill the tree.
- Gazebo roofs: Councilmember English added that the Lions gazebo and the gazebo in Freedom Point need new roofs. Mo has reached out to Larry VanNorman for prices on doing metal roofs.
- RG&E hookup to new building – Councilmember English shared that Mo reported RG&E has not hooked up to the new building because they say the connection is not there. Supervisor Gott indicated that RG&E now admits it is there, so that should get taken care of soon.
- Saw for Trimming – Councilmember English informed the Board that he purchased a long saw for \$549 so that Mo and John could trim the high branches.
- Park help – Councilmember English reminded the Board that Mo and John will not be at the park for much longer. They do a good job, and we have not found anyone yet to replace them.
- Playground – Councilmember English asked if the county grant writer could look for grant money for the playground. He would like to replace the chains and bolts, remove the stones and resurface the area under the play equipment, and frame and square it off. Supervisor Gott answered that he will check with the grant writer, but grants are very slim this year. Even ones that have been approved are threatened.
- Lion Water Fountain – Councilmember English reported that Mo would like to get rid of the lion water fountain. It is constantly plugged from kids putting rocks and garbage in it.

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The Board agreed to allow Mo to remove the fountain and plug it off.

Speed Limit on Wilkins Tract

Councilmember Breu asked if we had heard back on the speed limit for Wilkins Tract. Supervisor Gott reported that according to the NY State Department of Transportation (DOT) the speed limit has never been studied, therefore it is currently recognized at 55 MPH. He will complete a request to reduce the speed limit and take it to Traffic Safety. He asked the Board what speed limit they would like to request. Board members suggested 30 MPH. Traffic Safety will do the paperwork and send it to the DOT, then the DOT will complete a study and give us the determination. Once we have the determination, we can ask the Highway Superintendent to put up speed limit signs. Councilmember Gascon asked if there were speed limits for Grayshores, Camp Run Drive, and Thomas Drive. If not, he would like to see the Town request speed limits for those as well. Supervisor Gott will find out.

POOL WAGES

Supervisor Gott reminded the Board that at the last meeting they discussed having the Town sponsor the Hydrofit and Early Bird Swimming at the school. He reported that the agreement is not to exceed \$2,500. He reported that it has been averaging \$1,200 to \$1,300 so we should be well within budget even with the extra programming.

RESOLUTION 136-2020

APPROVE PURCHASE OF MOWING TRACTORS

Supervisor Gott shared that the Highway Department will need to replace both mowers next year. Highway Superintendent Dave Coty would like to order them now, because they take six months to get. They are on state bid.

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

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

Resolved to approve the purchase of the following from LandPro in Avon: John Deere boom mower and tractor as follows: John Deere 6105E Cab Tractor at \$62,261.38, and a 2020 Allied Alamo Samurai 22' Boom Mower at \$66,174.78 for an equipment total of \$128,436.16; less trade in of 2003 John Deere 6615 in the amount of \$24,200 **for a final price of \$104,236.16**; and John Deere tractor loader and bush hog as follows: John Deere 5090E Utility Tractor at \$57,620.86, John Deere 540 M Loader at \$6,445.56, and John Deere MX8 Pull-type center at \$7,208.60 for an equipment total of \$71,275.02; less trade-in of 2005 John Deere 5525 in the amount of \$27,100 and 2008 John Deere MX8 at \$2,200 for a total trade-in value of \$29,300; **for a final price of \$41,975.02.**

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RESOLUTION 137-2020

SET BUDGET WORKSHOP MEETING & PUBLIC HEARING ON 2021 BUDGET

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

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

Resolved to set the Budget Workshop Meeting for Thursday, October 8 at 7 PM at the Livonia Town Hall. Resolved to set the Public Hearing for the 2021 Budget for Thursday, October 15 at 7 PM at the Livonia Town Hall.

HEMLOCK SIDEWALK PROJECT

Supervisor Gott updated the Town Board on the Hemlock Sidewalk project. Supervisor Gott spoke with Millennium Construction. They explained that to stay in our budget, they had asked to complete the work by the end of June, so they could avoid the hot water charges. (We had asked for the project to be completed by the end of May.) Now that we are back into cold weather, they would have to pay hot water charges, so they cannot stay in our budget. Another option would be removing the requirement for them to remove any spoils, mix with a nutrient based product, and reapply. Removing that requirement would save us about \$14,000 and he could hold his price. We would just have to wait on grass seed until next year. Supervisor Gott is waiting to hear back from our engineers, Clark Patterson Lee, to see if that would be acceptable.

RESOLUTION 138-2020

SET PUBLIC HEARING FOR WATER & SEWER UNIT CHARGES

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

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

Resolved to set the Public Hearing for the Water & Sewer Unit Charges for Thursday, October 15 at 7 PM at the Livonia Town Hall.

RESOLUTION 139-2020

EXECUTIVE SESSION

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

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

Resolved that this Board enter into Executive Session to discuss the employment history of a specific individual at 7:45 PM.

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RESOLUTION 140-2020

RETURN TO REGULAR SESSION

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

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

Resolved to Return to regular session at 8:02.

BUDGET UPDATE

Supervisor Gott pointed out that copies of the 2021 Preliminary Budget are available at this meeting and will continue to be available from the Livonia Town Clerk. The Preliminary Budget calls for a six cent increase in the tax rate (to \$4.52). At the Budget Workshop they will whittle it down. He pointed out that in 2005, the rate per thousand was \$4.95. The 2020 tax rate is \$4.46. The Preliminary Budget fully funds obligations for health care, NYS Retirement, etc. and allows for giving a 3% raise to employees.

RESOLUTION 141-2020

SET SALARIES FOR ELECTED OFFICIALS

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

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

Resolved to set the following 2021 salaries for certain elected officials: Justices \$15,403; Councilmembers \$7,876; Supervisor \$39,084; Town Clerk \$40,500; Highway Superintendent \$70,296.

RESOLUTION 142-2020

AUDIT OF CLAIMS

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

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

Resolved to pay claims 754 through 779 in the amount of \$36,582.28 from the Abstract dated September 17, 2020.

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RESOLUTION 143-2020

AUDIT OF CLAIMS

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

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

Resolved to pay claims 780 through 789 in the amount of \$2,254.57 from the Abstract dated September 23, 2020.

RESOLUTION 144-2020

AUDIT OF CLAIMS

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

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

Resolved to pay claims 790 through 818 in the amount of \$274,031.10 from the Abstract dated October 1, 2020

With no further business, on a motion of Councilmember Dougherty seconded by Councilmember Breu the meeting was adjourned at 8:07 PM. Carried unanimously.

Respectfully Submitted,

Colleen West Hay, RMC, CMC
Town Clerk