

REGULAR MEETING, TOWN OF LIVONIA
February 21, 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 21, 2019.

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

ABSENT: Matt Gascon, Councilmember; 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.
Dawn Woodburn led the pledge.

OPEN SESSION

Councilmember English reported that Mo and John would like to rebuild some picnic tables at Vitale Park. The supplies will cost about \$200. The board gave the go-ahead.

The board discussed drainage at the park and the proposed development across the street, next to Smith Lumber. The Town proposed that United Refining pay for and install the drainage. Supervisor Gott added that there must be a public benefit in order for us to grant a drainage easement on public property.

A kayak and canoe group contacted Mo about having a race that they would like to start at Vitale Park. They anticipate that there would be 25 trucks and trailers in the park, and the race would run from 7 AM to 3 PM. We decided that we cannot handle that type of crowd as it would basically shut down the park for the day. We recommended that they look into Canandaigua Lake. Mo did offer that if they were able to find offsite parking it might work.

Clerk Hay announced that the Town of Livonia received an award from the NYS Department of Environmental Conservation for selling Habitat Stamps. Out of almost 1,200 license sales outlets in New York State, the Town of Livonia came in tenth in overall sales of stamps. Money from stamp sales goes into a special fund that is used to protect and conserve fish and wildlife habitat and to improve public access for outdoor recreational opportunities. In recognition of our accomplishment, we received a certificate, a habitat mug and a pin.

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Charlie Braun reminded everyone that there will be a presentation at the Education Center at Vitale Park on February 27 at 6:30 PM. The topic will be the History of Ice Harvest on Conesus Lake. Registration is highly recommended.

RESOLUTION 39-2019

APPROVE MEETING MINUTES FROM 2/7/19

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

ADOPTED Ayes - 4 (Gott, English, Seelos, Dougherty)
Nays – 0

Resolved to approve the meeting minutes from February 7, 2019.

DISCUSS TOWN HALL FLOORING

Supervisor Gott reported that there are two areas in the Town Hall main hallway where tiles continue to crack. This is happening where the transition takes place from the old floor to the new floor. He spoke with Tim Collins about it. We can put solid sheet goods in there or a vinyl plank. He would like permission to get some proposals to bring back to the board. The board was in agreement.

DISCUSS MOWING FOR 2019

Supervisor Gott reported that we have the option to go one more year with the current lawn mowing company. If we went with them again, it would be the 3rd year and the price would be the same. He asked the board what they wanted to do. There was some discussion about the quality of work they do. Supervisor Gott indicated that we have had better and we have had worse. They are somewhere in the middle.

Dawn Woodburn shared that she is very concerned as to who will do sidewalk maintenance. This is a busy time of year when lots of senior citizens come to pay their taxes and file their exemption forms. She does not feel that the current company maintains the sidewalks well. She reported that Clerk Hay and Code Enforcement Officer Adam Backus often shovel and salt the sidewalks.

Councilmember Seelos suggested combining sidewalk maintenance to the lawn maintenance to make it one proposal. The Board discussed this and thought it was a good idea. They also discussed including more details about weeding, removing dead grass, etc. Supervisor Gott and Councilmember English will work together to create the proposal.

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RESOLUTION 40-2019

ADVERTISE FOR PROPERTY MAINTENANCE PROPOSALS

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

ADOPTED Ayes - 4 (Gott, English, Seelos, Dougherty)
Nays – 0

Resolved to advertise for property maintenance (mowing/shoveling/salting etc.) proposals.

RESOLUTION 41-2019

BLACKTOP SEALING PROPOSALS

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

ADOPTED Ayes - 4 (Gott, English, Seelos, Dougherty)
Nays – 0

Resolved to advertise for blacktop sealing proposals.

TOWN HALL MAINTENANCE ITEMS

Supervisor Gott talked about the need to have someone clean the gutters at the Town Hall and do some painting. The railings by Adam's entrance and the metal over the main entry are peeling. They need to be scraped and painted. The Board gave Supervisor Gott permission to verbally ask for quotes.

RESOLUTION 42-2019

APPOINT DON RAY AS FIRE COMMISSIONER

Don Ray was appointed fire commissioner for the Livonia Joint Fire District at the joint Town Board/Village Board meeting in December. He failed to file his Oath of Office within the 30 day window, so he must be re-appointed.

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

ADOPTED Ayes - 4 (Gott, English, Seelos, Dougherty)
Nays – 0

Resolved to appoint Don Ray as Fire Commissioner for the Livonia Joint Fire District.

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RESOLUTION 43-2019

APPROVE 2019 INTERMUNICIPAL AGREEMENT WITH CORNELL COOPERATIVE EXTENSION FOR CHIP HOLT NATURE CENTER

Supervisor Gott reported that it is time to renew the Intermunicipal Agreement with Cornell Cooperative Extension for programming at the Chip Holt Nature Center. The cost has increased \$200 over last year for a total of \$3,900 due to increases in the minimum wage.

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

ADOPTED Ayes - 4 (Gott, English, Seelos, Dougherty)
Nays – 0

Resolved to approve the 2019 Intermunicipal Agreement with Cornell Cooperative Extension for programming at the Chip Holt Nature Center at a cost of \$3,900.

WORKPLACE VIOLENCE AND SEXUAL HARASSMENT PREVENTION TRAINING

Councilmember English asked if we are still having Workplace Violence and Sexual Harassment Prevention Training here on the 21st of March. Clerk Hay answered yes, it will start at 6 PM for all employees and board members. She added that the Sheriff's Department is working with the County IT Department to make their internal online training available for towns. She will keep the Board posted.

RESOLUTION 44-2019

EXECUTIVE SESSION

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

ADOPTED Ayes - 4 (Gott, English, Seelos, Dougherty)
Nays – 0

Resolved to enter into Executive Session at 7:26 to discuss contract negotiations.

RESOLUTION 45-2019

RETURN TO REGULAR SESSION

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

ADOPTED Ayes - 4 (Gott, English, Seelos, Dougherty)
Nays – 0

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Resolved to return to Regular Session at 7:32 PM.

RESOLUTION 46-2019

APPROVE TOWN TO ASSIST HEMLOCK FIRE DISTRICT WITH PAYING BILLS

Supervisor Gott explained that for the last several weeks, Hemlock Fire Department has experienced a number of resignations and it has been discovered that a number of fire commissioners for the Hemlock Fire District have been elected on the wrong cycle, making them ineligible to serve in that capacity. Attorney Campbell has been working with the Attorney General and other counsel as to how to handle the situation. In the meantime, the Fire District has continued to receive invoices for services and materials and there is no one to approve or pay those bills. Attorney Campbell has spoken with Randy Shepard from Bonadio, who is our town auditor. The recommendation is that the Town of Livonia pay those bills in the short term and have the town bookkeeper, Mike Lawton, take care of the accounting for those invoices. When the issue with the Fire Commissioners is resolved, the Town would invoice the Hemlock Fire District for reimbursement. This would be for things like the electric bill, insurance, and diesel fuel. The big concern is to maintain public safety.

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

ADOPTED Ayes - 4 (Gott, English, Seelos, Dougherty)
 Nays – 0

Resolved to approve the Town of Livonia taking over the payment of invoices for the Hemlock Fire District until such time as they are able to resume the approval and payment of invoices; and further

Resolved, that the Town of Livonia shall keep an accurate, separate, up-to-date accounting of all such invoices; and further

Resolved, that the Town of Livonia shall invoice the Hemlock Fire District for reimbursement once the issue is resolved with the Hemlock Fire District Commissioners.

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RESOLUTION 47-2019

AUDIT OF CLAIMS

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

ADOPTED Ayes - 4 (Gott, English, Seelos, Dougherty)
Nays – 0

Resolved to pay claims 141-183 in the amount of \$56,993.34 from the Abstract dated 2/21/2019.

HEMLOCK FIRE DISTRICT DISCUSSION CONTINUED

Dawn Woodburn asked about the status of the property that is across from Hemlock Fire House that they want to use as a parking lot. Supervisor Gott answered that he does not know how it will move forward. They are trying to get one commissioner that is on the correct schedule to stay on while this gets resolved. He added that they cannot hold a special election, and there is only one day in the year when these elections can be held. Councilmember Seelos remarked that Fire Commissioners are required to take training, which can be completed in person or online. Clerk Hay reminded everyone that the commissioners need to file Oaths of Office. It is their responsibility to do so, and if they do not, it constitutes abandoning of the position.

With no further business, on a motion of Councilmember Seelos seconded by Councilmember Dougherty the meeting was adjourned at 7:39 PM. Carried unanimously.

Respectfully Submitted,

Colleen West Hay, RMC, CMC
Town Clerk