

**REGULAR MEETING, TOWN OF LIVONIA**  
March 3, 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 March 3, 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:** Several Residents.

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

**PRIVILEGE OF THE FLOOR/OPEN SESSION**

Several residents spoke to the Town Board about their interest in the Jack Evans Community Center (JECC). Activities suggested were a theater group, martial arts beginners class, beekeeping, writing workshops, planning ‘tween activities, Rochester Solar Tech presentation, local history, monthly dance, Boy Scout Troup, Little League, basket weaving, knitting class/group, and community garden.

Mary Ann Thompson is spearheading the group of volunteers and Supervisor Gott directed people to contact Ms. Thompson with their ideas. There was some discussion about what would have to happen for the building to be considered a “community center.” Supervisor Gott explained that if people are teaching classes, no matter what those classes are, and they are being paid by the attendees, that is a business, not a community service. Attorney Campbell iterated that the Town cannot use public resources to support private gain. That would constitute taxpayers subsidizing private business.

Supervisor Gott stated that in order for the Town to consider keeping the building, the volunteers must come up with a viable plan to use the building as a community center along with a plan to offset some of the costs. Ms. Thompson stated that she didn’t know that the group was being tasked with addressing the financial piece as well.

Supervisor Gott stated several times that the building is still scheduled to be closed June 1 and the tenants must be out by then. The volunteers have until November 1 to come up with a viable plan in writing. Supervisor Gott stated that community use three to four

## **REGULAR MEETING, TOWN OF LIVONIA**

**March 3, 2016**

times a week would be a good start toward the “community use” requirement. November 1, the Board will decide whether to keep the building or declare it surplus in preparation of disposing of it.

Several people asked the board to keep the building open and give them more time. They feel that it will be hard to get people interested in using the building if they have to be out by June 1. They also think it would be easier to get grant money if the building were open.

There was some discussion about how people would arrange to use the building for birthday parties or Scout meetings, etc. Supervisor Gott stated that scheduling is done directly through Sheila Staley. A certificate of insurance is required for all groups and individuals who wish to use the facility. Groups usually already have this information to provide, and individuals can get a certificate by contacting their homeowner’s insurance agent.

Supervisor Gott asked if the group had contacted Bo Freeman at Cornell Cooperative Extension. They run the programming at the Chip Holt Nature Center in Lakeville and that has been very successful. He also suggested that they talk with Senator Young and Assemblyman Nojay regarding possible grant funding.

The volunteers asked if they found grant funding, what would be the next steps. Supervisor Gott answered that the County has a grant writer, and the Town of Livonia would have to request to use that service by contacting the County Administrator. If the group finds that a grant is available, they should contact Supervisor Gott.

Attorney Campbell explained that the Auditors are coming in June. The Town needs to show that they are acting in good faith as fiduciaries. Using taxpayer dollars to support tenants is not acceptable. He suggested that the volunteer group divide into three parts – one to look at immediate usage, and keep statistics of how it is being used. The second group would look at sustainability for one, three and five years from now. They could be asking people, to commit, or give a serious level of interest in writing. The third group could look at the long-term financial issue including grants.

A resident asked about the clause in the transfer agreement about giving the building back to the Evans family if the Town was no longer interested in owning it. Supervisor Gott reported that he reached out to Mitch Evans twice in the last year and the family is not interested in taking the building back, so the Town is free to do whatever they deem necessary with it.

Councilmember Grouse suggested that if an individual was interested in teaching knitting

**REGULAR MEETING, TOWN OF LIVONIA**  
**March 3, 2016**

classes, for example, they could contact Recreation Director Craig Emmerling to set up recreation programming at the JECC. We could ask attendees to pay the Town for any supplies needed for the class, but the teacher cannot collect a fee from the students. Attorney Campbell again stated that money for services is not considered a community centered activity. To be considered a community centered activity, it needs to be mostly free.

**FUND BALANCES**

Supervisor Gott reported that we were far below our anticipated expenses for 2015 and revenues were strong. The only account that was over budget was the DA Fund (\$46,000 over) due to the purchase of the International plow truck. We are very healthy financially, and he thanked the board and the department heads for their work.

RESOLUTION 40-2016  
**APPROVE MEETING MINUTES FROM 2/4/2016**

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 approve the meeting minutes from February 4, 2016

**TOWN CLERK’S REPORT – FEBRUARY 2016**

Clerk Hay gave the following financial report for February 2016:

<i>Paid To</i>	<i>Amount Remitted</i>
Supervisor (General Fund)	\$1,661.13
NYS Comptroller’s Office (Bingo and Games of Chance)	\$0
County Treasurer for Dog Licenses	\$168.00
NYS Ag & Mkts for Spay/neuter Program	\$75.00
NYS DECALS	\$94.49
State Health Department (Marriage Licenses)	\$45.00
<b>Total Disbursements</b>	<b>\$2,043.62</b>

**TOWN CLERK UPDATES**

- **Records Management Grant for Scanning and Imaging of Building & Zoning Records**
  - Grant Deadline is March 14, 2016 at 5 PM.
  - We are asking for up to \$150,000 for the project to involve:

**REGULAR MEETING, TOWN OF LIVONIA**  
**March 3, 2016**

- **Scanning:** Scanning and digitizing all Building and Zoning records using a NYSID vendor (Image Data).
    - **Staff Time:** To prepare records and verify images. I would like to use current staff and increase their hours up to full time for the 8 months we will be working on the grant project, returning them to part time hours after the grant is done. I will also be asking the grant to pay for hours I spend as Project Manager outside of my normal work schedule. The grant will only pay for hours that the current staff puts in over and above their regular hours.
    - **Software Purchase:** We will be purchasing Laserfiche Avante software from General Code including Workflow capabilities. We will be adding on ScanConnect and Records Management modules.
    - **IT Equipment and Services:** We are requesting quotes for IT equipment and services from two W/MBE vendors. Hurricane Technologies conducted a needs assessment to help with the RFQ. We are asking for a server, laptop, iPad and two scanners.
  - We want to be able to have all Building/Zoning records available electronically, and enable the staff to have access to information and create notes/upload photos while in the field.
  - We want the Village to be able to access the information from their office.
  - Resolution needed in support of grant application and authorizing Supervisor to sign the application.
- **Newsletter**
    - The March/April newsletter has been posted.

**TAX COLLECTION REPORT – FEBRUARY 2016**

Total Money Collected:	\$6,714,552.68
Total Penalty Collected:	\$2,879.06
Total Duplicate/Overpayments:	\$1,230.09
<b>TOTAL:</b>	<b>\$6,718,661.83</b>

BOUNCED CHECKS:	\$31,473.80
REFUNDED OVERPAYMENTS:	\$1,229.51
DISBURSEMENTS TO SUPERVISOR:	\$3,003,260.00
DISBURSEMENTS TO COUNTY:	\$2,000,000.00
OTHER DISBURSEMENTS (FEB PEN.)	\$2,838.47
<b>TOTAL:</b>	<b>\$5,038,801.78</b>

BEGINNING BALANCE:	\$64.06
<b>BANK BALANCE:</b>	<b>\$1,679,924.11</b>

<b>TAXES PLUS PENALTIES COLLECTED =</b>	<b>\$6,717,431.74</b>
<b>LESS BOUNCED CHECKS:</b>	<b>\$31,473.80</b>
<b>= NET TAXES COLLECTED:</b>	<b>\$6,685,957.94</b>

**REGULAR MEETING, TOWN OF LIVONIA**  
March 3, 2016

**Tax Collection, Misc.**

Second notices were sent out today for 318 bills. This is on par with previous years.

RESOLUTION 41-2016

**APPROVE TOWN CLERK'S REPORT FOR FEBRUARY 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 approve the February 2016 Town Clerk's Report.

RESOLUTION 42-2016

**APPROVE TAX COLLECTOR'S REPORT FOR FEBRUARY 2016**

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

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

Resolved to approve the February 2016 Tax Collector's Report.

RESOLUTION 43-2016

**AUTHORIZE SUPERVISOR TO SIGN GRANT APPLICATION**

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

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

WHEREAS, the Town and the Village of Livonia entered into an agreement as of January 1, 2005 to share services for zoning, planning, building, and fire code enforcement and administration and related services; and

WHEREAS, all zoning, planning, building and fire code enforcement records for all of our combined 3,664 parcels are currently in paper format only; and

WHEREAS, the Town and the Village desire to safeguard this valuable information, facilitate access, and improve workflow between departments; and

WHEREAS, the Town and the Village currently do not have the resources in terms of staff time, expertise or funding to undertake a project of this size and complexity without assistance; now be it therefore

**REGULAR MEETING, TOWN OF LIVONIA**  
March 3, 2016

RESOLVED to authorize Supervisor Gott to sign an application requesting up to \$150,000 for a Local Government Records Management Improvement Fund Shared Services Grant in the Document Conversion and Access category for the purchase of records management software, document imaging services, staff salaries and IT equipment and services.

**KINNEY CREEK TIMBER PROPOSAL UPDATE**

Supervisor Gott reported that Trathan is done cutting down trees on Kinney Creek Trail. We will have to arrange for the removal and disposal of the tree tops.

**UPDATE ON RECENT FLOODING**

Supervisor Gott updated the Board regarding recent flooding on McPherson Point. Warming temperatures caused ice jamming in a couple of areas. Unfortunately, the problem was occurring on private property, so the Town and County could not help. The fire department was able to pump the crawl space of the home. One family did not have a secondary source of heat, which was a cause for concern. The homeowner contacted Travis Wester and he was able to clear the debris and get the water flowing again.

Supervisor Gott has a meeting scheduled to discuss the current situation. There is a serious debris problem on private property.

Supervisor Gott added that he was pleased that the streambank work that was recently completed held up very well with some serious flows. He shared that the County is unable to do Wilkins Creek this year. We are trying to get figures for private contractors.

Supervisor Gott reported that there was some serious ice damming at south end of Conesus lake also.

RESOLUTION

44-2016

**INTRODUCE PROPOSED LL # 1-2016 – TO INCLUDE A NEW USE PERMITTED UPON APPROVAL OF A CONDITIONAL USE PERMIT AND SET PUBLIC HEARING**

Attorney Campbell reminded the Board that they had asked him to draft a proposed local law to allow for accessory residential occupation, which would be subordinate to the primary Commercial or Limited Industrial Use to be used for security and/or maintenance/monitoring. He read the proposed law and asked the Board if they would like to move forward with scheduling a Public Hearing.

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

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

**REGULAR MEETING, TOWN OF LIVONIA**  
March 3, 2016

Nays – 0

Resolved to introduce proposed Local Law #1-2016, To Include a New Use Permitted Upon the Issuance of a Conditional Use Permit, submit the proposed law to the County Planning Board, and schedule the Public Hearing for April 21 at 7:05 PM at the Livonia Town Hall.

Attorney Campbell stated that he will have the SEQR documents prepared for the meeting on April 21 as well.

**SURPLUS TRUCK**

Supervisor Gott reported that we received \$22,500 for the truck that was taken to municipal auction.

**CORRESPONDENCE**

- Letter from Mitch Evans
- Letter sent to JECC Tenants

**PROPOSED BUILDING AT VITALE PARK**

Supervisor Gott has seen a rough sketch of the proposed new building at Vitale Park. He is scheduled to meet with the others between now and our next Board meeting.

**SWEETENERS BOULEVARD**

Councilmember Gascon asked if there was an update on Sweeteners Blvd. Attorney Campbell replied that we have received the paperwork back from Mr. Hooker containing the releases from adjoining property owners. He is hoping that we will have the transfer completed in April.

RESOLUTION 45-2016

**AUDIT OF CLAIMS**

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

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

Resolved to pay claims 97-134 in the amount of \$21,800.66 from the Abstract dated 2/18/2016.

RESOLUTION 46-2016

**AUDIT OF CLAIMS**

On motion of Councilmember English seconded by Councilmember Seelos the following

**REGULAR MEETING, TOWN OF LIVONIA**  
March 3, 2016

resolution was

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

Resolved to pay claims 135-170 in the amount of \$91,588.45 from the Abstract dated 3/3/2016.

With no further business, on a motion of Councilmember Seelos seconded by Councilmember Grouse the meeting was adjourned at 8:39 PM. Carried unanimously.

Respectfully Submitted,

---

Colleen West Hay, Town Clerk