

REGULAR MEETING, TOWN OF LIVONIA

June 2, 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 Vitale Park in Lakeville, NY on June 2, 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: Miranda Reid, Livingston County Watershed Manager; Several Residents.

The Town Board meeting was called to order by Supervisor Gott at 7:00 PM. The Pledge of Allegiance was recited.

WATERSHED MANAGER REPORT

Supervisor Gott introduced Livingston County Watershed Manager Miranda Reid. Miranda reported that the 2015 Conesus Lake Annual Report Card is available on the county web site, as well as water quality studies. Her recent work includes:

- Landowner education in watershed area
- Streambank remediation grant
- Looking at storm water system in the watershed to mitigate flooding
- Watercraft steward program

Hydrilla

A resident asked about Hydrilla and whether that is a concern for Conesus Lake. Ms. Reid answered that Hydrilla has been found in a small pond in Henrietta. There is concern that it might have been spread there by waterfowl, because kayaking, canoeing and boating are not permitted in the pond. Another possibility is that someone dumped an aquarium into the pond. In addition, Hydrilla has been found in Cayuga Lake by the inlet. It is being treated with herbicides. Tubers can last 7 years underground, so treatment must continue even after there is no longer any visible Hydrilla.

Streambank Grant

Supervisor Gott added that we should have budget numbers soon from Steve Morsch for excavating work for the streambank remediation project. Work cannot start until mid-August because it will take that long to obtain the required permits.

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McPhersons Point Flooding

Supervisor Gott also reported that we continue to look for solutions to flooding problems during major storm events in the McPherson Point area.

Boat Wash / Watercraft Stewards

Gene Bolster announced that a boat wash will be installed at the boat launch by the end of June. The watercraft stewards continue to inform boaters of best practices. Mr. Bolster added that the stewards also gather data about what bodies of water boats were in before coming to Conesus Lake.

DISCUSSION REGARDING JACK EVANS COMMUNITY CENTER

Supervisor Gott explained that there is a non-profit who is interested in the Jack Evans Community Center. Richard June addressed the board and stated that his group's mission is to resurrect old buildings, and they would like to save the Jack Evans Community Center, keeping it community based. He said that there are grants available, but they cannot obtain funding unless they own the building. Applications are due July 29. After some discussion, Mr. June was advised to put together a preliminary proposal and have the group's attorney contact the attorney for the Town.

Attorney Campbell explained that there is a process that the Town must go through before it is able to divest itself of any property, and that process is not quick. Some residents asked if several non-profits were interested in the building, who would decide which one would obtain it? Attorney Campbell explained that by law, the authority lies with the Town Board to make those decisions, and that authority cannot be delegated.

RESOLUTION 80-2016
APPROVE MEETING MINUTES FROM 5/5/2016

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 meeting minutes from May 5, 2016

RESOLUTION 81-2016
APPOINT COUNCILMEMBER GASCON LIAISON FOR JACK EVANS COMMUNITY CENTER

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

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

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Resolved to appoint Councilmember Gascon as liaison for the Jack Evans Community Center.

TOWN CLERK'S REPORT – MAY 2016

Clerk Hay gave the following financial report for May 2016:

<i>Paid To</i>	<i>Amount Remitted</i>
Supervisor (General Fund)	\$3,310.12
NYS Comptroller's Office (Bingo and Games of Chance)	\$0
County Treasurer for Dog Licenses	\$252.00
NYS Ag & Mkts for Spay/neuter Program	\$98.00
NYS DECALS	\$732.20
State Health Department (Marriage Licenses)	\$45.00
Total Disbursements	\$4,437.32

TOWN CLERK UPDATES

Clerk Hay presented the following updates:

Jack Evans Reservation Line

The phone is now set up for the Jack Evans Community Center reservations. People can access it by calling 585-346-3710, ext. 8 or directly by calling 585-346-4487. This information is also available on the web site.

Bulk Clean-up

We have given out 67 free Bulk Clean-up tickets and three paid tickets so far.

Dog Census

On June 1, we mailed the first round of dog census letters. The dog census consists of an affidavit, which we are asking EVERYONE to complete and return, whether or not they own a dog or dogs. Dog licensing forms are included in the mailing, along with a flier listing free rabies vaccination clinics being offered throughout the county. The affidavit and dog licensing form are also available on the web site, through links in the News article.

Twenty-three new dogs were licensed during the last part of May because their owners saw the ads in the Livingston County News or the Penny Saver regarding the census.

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Deputy Clerk Holt is working on preparing the next mailing, which will go out later this month.

Policies – Social Media

Clerk Hay presented a draft of a Social Media Policy based on the sample policy received from NYMIR. Supervisor Gott suggested that Section 1.4 should list the Supervisor and the Town Clerk (by job title, not by name) as contact persons for questions. Attorney Campbell recommended that the wording “elected officials” be added in addition to officers, employees and volunteers. He stated that although elected officials are employees, it would be good to state that.

RESOLUTION 82-2016

APPROVE SOCIAL MEDIA POLICY

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 adopt the following Social Media Guidelines for the Town of Livonia:

SOCIAL MEDIA GUIDELINES FOR TOWN OF LIVONIA

1. POLICY FOR SOCIAL MEDIA USE

- 1.1 The Town of Livonia recognizes that traditional communication methods are now supplemented or replaced by use of various Social Media Technologies.
- 1.2 Using Social Media Technologies to share news about municipal events, disseminate emergency information, and promote work being done by staff and community groups, is an effective, low-cost way to inform and interact with our community.
- 1.3 The Town of Livonia has developed this policy to provide direction to elected officials, officers, employees and volunteers when engaged in using social media as methods of communication.
- 1.4 Please read this policy and these guidelines carefully before making use of social media. If you are not sure how this policy and its guidelines may apply to you, or how they might apply to new types of technology, please

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contact the Supervisor and Town Clerk before you engage social media for any municipal purpose.

- 1.5 Please be cognizant that participation in anonymous internet communications may undermine the principle that all municipal employees and officials should conduct the official business of the Town of Livonia in an open and accessible manner.
- 1.6 Information posted, blogged or tweeted by municipal staff and officials reflects on the entire community and can adversely impact our mission, goals and reputation.
- 1.7 Remember what you post is, in effect, instantaneous and permanent, and can be viewed and reposted by people not in your intended audience. Given the nature of social media, something you intend to be private may not remain private.

2. DEFINITIONS

“Devices” include, but are not limited to, computers, PCs, laptops, tablets, smartphones, and networks.

“Social Media Technologies” mean internet forums, blogs, streaming videos, social networks, podcasts, texting, email, website applications, and social sharing sites.

3. SOCIAL MEDIA GUIDELINES

- 3.1 **Prior Authorization.** All Town of elected officials, officers, employees and volunteers shall NOT maintain or participate in personal websites, blogs, social media, or chat forums in which official municipal business is discussed without proper authorization.
- 3.2 **Municipal Property.** All devices provided by the Town of Livonia are the municipality’s property, and shall only be used for municipal business. Use of such property for any other purpose is prohibited.
- 3.3 **Review and Inspection.** The Town of Livonia can and will review use of devices provided by the municipality at any time and without notice.

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There is no reasonable expectation of privacy when using municipality-provided devices or using personal devices on municipality-provided systems and networks.

- 3.4 **Confidentiality.** Confidential information or business-related information shall not be disclosed or otherwise released.
- 3.5 **Official Business Only.** Access to social media networks from the Town of Livonia computers, laptops, i-pads, mobile phones, cell phones, and other equipment and services (such as wireless networks) is limited to individuals performing official municipal business.
- 3.6 **Inappropriate Content.** Elected officials, officers, employees and volunteers are prohibited from communicating any harassing, discriminatory, defamatory, or otherwise unlawful comments in any forum --- electronic or otherwise.
- 3.7 **Consult the Employee Handbook.** All existing municipal policies remain in full force and effect in the online community as well as in the municipal workplace and during all municipal activities.
- 3.8 **Copyrights, Trademarks and Fair Use.** Follow and respect copyright laws. If you are hyperlinking to other sites, make sure that the content is appropriate.
- 3.9 **Official Capacity Speech.** When posting on personal social media sites as well as tweeting about matters of public concern make sure you are clear that the ideas and information embody your personal views and, in the absence of requisite prior authorization, does not represent the views of the Town of Livonia.
- 3.10 **Violations and Consequences.** Violations of this policy and these guidelines will be investigated by the Town of Livonia, and corrective action, including any discipline that may be appropriate, will be taken.

Policies – Web site

Clerk Hay reported she is still working on drafting a comprehensive Web Site policy statement to address Conditions of Use / Accessibility / Security / Privacy and hopes to have a draft for the board to consider at the next board meeting.

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Newsletter

Clerk Hay brought copies of the May and June newsletters for anyone who would like a copy.

RESOLUTION 83-2016

APPROVE TOWN CLERK'S REPORT FOR MAY 2016

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

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

Resolved to approve the May 2016 Town Clerk's Report.

HIGHWAY GARAGE ROOF

Supervisor Gott shared that he is getting prices for repairing/replacing the old section of the Highway Garage roof, which is currently leaking. He will bring those to the next board meeting.

HIGHWAY DEPARTMENT UPDATE

Supervisor Gott informed the Board that PJ Dwyer is filling in for a Highway employee who is taking some personal time.

RESOLUTION 84-2016

CONESUS FEST SPONSORSHIP

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 sponsor the Conesus Fest Fireworks at the \$1,000 level again this year.

BULK CLEAN-UP UPDATE

Supervisor Gott stated that he spoke with Lee Shanks, and we are all set for Bulk Clean-up Day. Mr. Shanks assured Supervisor Gott that they will be there before 7 AM to set up.

RESOLUTION 85-2016

LETTER FOR HEMLOCK FAIR ASSOCIATION

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

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

Resolved to authorize Supervisor Gott to sign a letter to the state Division of Alcoholic Beverage Control stating that the Town of Livonia gives permission for the serving of alcohol at Hemlock Fair.

CLERK PRINTER

Clerk Hay mentioned that her department needs a new printer. The cost is \$200, but there is only \$100 in her equipment budget. The board approved the purchase.

HEMLOCK LAKE PARK UPDATES

Councilmember Gascon reported that the flag will be installed at Hemlock Lake Park on Friday. He would like to see a walkway installed between the parking lot and the flag pole. Supervisor Gott suggested that that might be a good project for an Eagle Scout candidate. He stated that the Town would purchase the materials if the Scout would do the work.

Supervisor Gott added that the grills continue to be on back order, so he cancelled the order and purchased them from Woodson's in Rochester, instead. They should be here this coming week. He also stated that the bench is done, and the boat launch road has been oiled and stoned.

OPEN SESSION

Complaint Regarding Town Hall Flag and Grounds

A resident addressed the Board regarding the condition of the grounds at the Town Hall. She stated that there were weeds in the gardens and around the Town Hall sign, and it looked bad on Memorial Day. She asked if the Garden Club could be approached about weeding and planting flowers.

She was also upset that no one lowered the flag to half-mast on Memorial Day. She would like to see someone designated to make sure that the flag is lowered and raised when it is supposed to be. She wondered if someone at the American Legion would be willing to take that on.

Supervisor Gott answered that he talked to the lawn care people this week. He was very upset about the condition of the Library and Town Hall grounds. He was assured that it will be taken care of.

Jack Evan Community Center

A resident reported that volunteers filled the planters at the Jack Evans Community

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Center in time for Memorial Day. She also said that Paul Marshall replaced the flag, which was getting tattered. She wondered whose job it was to replace the flag. Supervisor Gott indicated that Paul Marshall and Sheila Staley have always taken care of the flag, and they get the new ones from Mike Lawton at the Town Hall.

A resident asked if the Town gifts the Jack Evans Community Center to a not-for-profit, could they stipulate that it be used as a community center for a number of years, similar to what was done when Mr. Evans donated the building to the Town. Supervisor Gott replied that the Town could consider doing that.

Solar Panels

A resident shared that he feels the Town should install solar panels on Town properties.

Jack Evans Community Center (JECC)

- **Rental Agreement** - A resident gave the Town Board a draft of a rental agreement that she created to be used for the JECC. She wanted to know if it would be feasible. Attorney Campbell advised the board that the presented draft rental agreement is not adequate for their use. He asked the Board if they wish to move forward with trying to rent space at the JECC. If so, he would work to draft a lease agreement. After some discussion, the Board reached a consensus that they do not wish to enter into new lease agreements at this time.
- **Committee Use of Room** – The volunteer committee that is working on the JECC issue requested to use a room at the JECC. Supervisor Gott responded that they have been using it.
- **Sheriff's Office at JECC** - A Boy Scout group is interested in using the room at the JECC that the Livingston County Sheriff's Office no longer uses. Supervisor Gott will talk with the Sheriff to see if the room can be cleaned out.
- **Deciding Who Gets Building** – A resident asked: if there are two or more not-for-profits interested in taking ownership of the JECC, who makes the decision which not-for-profit it would go to? Attorney Campbell responded that by law, the Town Board is required to make that decision, and that authority cannot be delegated. Any not-for-profit that is interested in the building should have their attorney contact the attorney for the Town – Jim Campbell. Members of the Town Board expressed their willingness to keep people informed and their intent to listen to residents' concerns, to the extent that is feasible. Attorney Campbell added that there is a process that the Town Board must go through before they can divest the Town of a property. It cannot happen overnight, and it will not be able to happen by the July 29 grant deadline.

Vitale Park

- **No Swimming Signs** – Park employee John Meyers asked if the Town Board

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could change the wording on the “No Swimming” signs, because he is getting complaints from people. Attorney Campbell answered that the Town Board would have to talk with the insurance company. They are the ones who suggested the wording for the signs.

- **Mow Area for Parking** – Mr. Meyers also asked if he could mow the area on the other side of the park for additional parking. Supervisor Gott stated that he will look at the mowing contract to see if the lawn care company is supposed to do it.

Hemlock Lake Park

- Clerk Hay asked if the Town could solicit donations for bricks and plantings for Hemlock Lake Park, like we do for Vitale Park. Supervisor Gott replied that that is a large undertaking. The Board would have to consider that carefully.

RESOLUTION 86-2016

AUDIT OF CLAIMS

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 pay claims 352-405 in the amount of \$69,290.30 from the Abstract dated 5/19/2016.

RESOLUTION 87-2016

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 406-440 in the amount of \$32,231.87 from the Abstract dated 6/2/2016.

With no further business, on a motion of Councilmember Grouse seconded by Councilmember Seelos the meeting was adjourned at 8:30 PM. Carried unanimously.

Respectfully Submitted,

Colleen West Hay, Town Clerk