

REGULAR MEETING, TOWN OF LIVONIA

October 20, 2022

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 St Livonia NY 14487

PRESENT: Eric Gott, Supervisor
Joseph Breu, Councilmember
Peter Dougherty, Councilmember
Andy English, Councilmember-
Matt Gascon, Councilmember
Hayley Anderson, 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.
Mike Dougherty led the pledge.

PUBLIC HEARING – LOCAL LAW #3 – 2022 -TAX LEVY LIMIT OVERRIDE

Following distribution of the proposed Local Law to the Town Board members on September 15, 2022 notice of said Public Hearing was duly published in the Livingston County News on October 13, 2022, with same being posted on the same date at the Town Hall, and Livonia's web site.

Clerk Anderson read the Notices of Hearing for the record.

Supervisor Gott declared the Public Hearings open at 7:04 PM.

Comments:

A resident of Branch Street asked how well this public hearing has been publicized. Supervisor Gott advised it was publicized as any other Local Law

A resident of East Lake Road asked about the county budget cap as it pertains to Livonia. Eric advised that the county plans to lower the tax rate by over a dollar per thousand and it does not have anything to do with the Town budget.

English- advised residents that this is the first time in 19 years the town has had to do this.

Assessed valuation allows the town to lower the tax rate.

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Supervisor Gott asked if anyone else from the public or the board wished to comment. Supervisor Gott stated that the public hearing would remain open and there would be another opportunity to comment before the hearing was closed.

With everyone who wished to be heard having been heard, the Public Hearing was closed at 8:04

RESOLUTION 158-2022

ACKNOWLEDGE TYPE 2 ACTION UNDER SEQR FOR LOCAL LAW #3-2022

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

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

Resolved to acknowledge the Local Law as Type II under SEQR and pass Local Law #2-2022.

RESOLUTION 159-2022

ADOPT LOCAL LAW #3-2022 TAX LEVY LIMIT OVERRIDE

On motion of Councilmember Gascon seconded by Councilmember English

Roll Call Vote-

Supervisor Gott- Aye
Councilman Dougherty- Aye
Councilman English-Aye
Councilman Gascon- Aye
Councilman Breu-Aye

Resolved to adopt Local Law #3-2022.

WATER PROJECT UPDATE

Eric Weiss from Clark Patterson Lee presented about the water district formation. Map plan report draft was completed and emailed to the board. District Boundary was also presented to the board, as well as legal description. He stated that the board should assume 40% Grant funding, and the targeted unit charge is \$1,450 a year per household. \$1000 a year would be applied to the debt charge and roughly \$450 in usage charges. Supervisor Gott expressed he would like the section of Cleary road east of federal road to

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be added to the map plan. The Map Planning Report will be voted on at the November board meeting.

Income survey may be beneficial as we are already at Market Value.

Public informational meeting to be held on December 1st at 7:00pm at a Location TBD

PRIVILEGE OF THE FLOOR

A resident asked about the testing of the town water and Councilman Gascon reported that the municipal water is tested monthly. A resident asked if using brine on the roads instead of salt would save us money. Supervisor Gotts explained that would require the purchase of all new equipment.

RESOLUTION 160-2022

APPROVE MEETING MINUTES 9/15/2022

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

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

Resolved to approve the Meeting Minutes from 9/15/2022.

RESOLUTION 161-2022

FUNDING FOR CORNELL COOPERATIVE EXTENSION FOR 2023

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

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

Resolved to allocate \$4,400 to the Cornell Cooperative Extension programs at the Chip Holt Nature Center for 2023.

RESOLUTION 162-2022

TOWN CLERK REPORT

Paid to Supervisor for the General Fund	\$8,539.14
Paid to County Treasurer for Dog Licenses	\$304.50
NYS Comptroller's Office (Bingo and Games of Chance Licenses)	0.00
Paid to NYS Ag & Markets for the Spay/Neuter Program	\$121.00
Paid to NYS Environmental Conservation for Hunting/Fishing Licenses	\$8,696.68

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State Health Department (marriage licenses)	\$157.50
TOTAL DISBURSEMENTS	\$17,818.82

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

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

Resolved to approve Clerk Anderson's report.

RESOLUTION 163-2022

SET SALARIES FOR ELECTED OFFICIALS

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 set the following 2023 salaries for certain elected officials: Justices \$15,865; Councilmembers \$8,112; Supervisor \$40,257; Town Clerk \$47,160; Highway Superintendent \$70,295.

RESOLUTION 164-2022

DECLARE SURPLUS FOR TRANSFORMER AND BUCK BOOST

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

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

Resolved for the Town of Livonia to declare the Transformer and Buck Boost for the O2 Generator as Surplus.

RESOLUTION 165-2022

APPROVE TRANSFER OF OWNERSHIP FROM THE TOWN OF LIVONIA TO LIVONIA AMBULANCE FOR TRANSFORMER AND BUCK BOOST

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

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

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Resolved to authorize ownership of the Transformer and Buck Boost for O2 Generator to be transferred from the Town of Livonia to The Ambulance District.

RESOLUTION 166-2022

APPROVE USE OF ARPA FUNDS FOR ADDITIONAL AMBULANCE EQUIPMENT

RESOLUTION OF THE TOWN BOARD OF THE TOWN OF LIVONIA, NEW YORK, ACCEPTING FUNDING FROM THE AMERICAN RESCUE PLAN ACT AND AMENDING THE TOWN'S ADOPTED BUDGET FOR THE FISCAL YEAR ENDING DECEMBER 31, 2022 SO AS TO APPROPRIATE THE FUNDS RECEIVED BY THE TOWN FROM THE AMERICAN RESCUE PLAN ACT

WHEREAS, on March 11, 2021, Joe Biden, the President of the United States of America, signed into law the American Rescue Plan Act (ARPA) which provides financial assistance to assist in the continued relief from the impact of the Covid-19 pandemic; and

WHEREAS, approximately \$350 billion of The ARPA funding was allotted to assist the United States' state, local, tribal, and territory governments in responding to the coronavirus pandemic; and

WHEREAS, Sections 602(b) and 603(b) of the Social Security Act as added by section 9901 of the American Rescue Plan Act, Pub. L No. 117-2 (March 11, 2021) authorized the Department of the Treasury to make payments to certain recipients from the Coronavirus State Fiscal Recovery Fund and the Coronavirus Local Fiscal Recovery Fund; and

WHEREAS, the Town of Livonia (the Town) is has received \$627,485.28 in funding; and

WHEREAS, the Town previously allocated \$156,871.32 for the purchase of Ambulance Equipment on April 21, 2022, and \$10,966.30 for the Blank Road project, leaving a balance received of \$459647.66; and

WHEREAS, the Town Board recognizes that periodic modifications to the adopted budget for the fiscal year are necessary for fiscal management purposes and to implement changes to the Town Board's fiscal policy which have occurred after the adoption of the Fiscal Year 2022 Budget;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN BOARD OF THE TOWN OF LIVONIA, NEW YORK :

SECTION 1. The Town Board hereby amends the Town's adopted Budget for Fiscal Year 2022, to allocate ARPA funds in the amount of \$410.00 to Novair for a transformer and buck-boost for the O2 Generator and authorizes an interfund transfer from the Town's (A) 688 Deferred Revenues Account (where the ARPA funds are being held) to (A) 4089 Federal Aid – ARPA and to increase the appropriations for (A) 454040 Ambulance District Taxes line by the same amount.

SECTION 2. This Resolution shall become effective immediately upon execution.

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

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

Resolved to allocate ARPA funds in the amount of \$410.00 to Novair for a transformer and buck-boost for the O2 Generator and authorizes an interfund transfer from the Town's (A) 688 Deferred Revenues Account (where the ARPA funds are being held) to (A) 4089 Federal Aid – ARPA and to increase the appropriations for (A) 454040 Ambulance District Taxes line by the same amount.

RESOLUTION 167-2022

APPOVE PROMOTION OF JIM SMITH TO DEPUTY HIGHWAY SUPERINTENDENT

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

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

Resolved to approve the promotion of Jim Smith to Deputy Highway Superintendent effective 9/19/2022 with an increase in pay of one dollar an hour.

RESOLUTION 168-2022

APPOINT JAMES MCGREGOR TO POSITION OF MEO

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

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

Resolved to appoint James McGregor as an MEO effective 10/17/2022 at a rate of pay of \$23.00 an hour.

RESOLUTION 169-2022

INCREASE RATE OF PAY FOR EMPLOYEE MARK BARTLES

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

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

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Resolved to increase the rate of pay for employee Mark Bartles by \$2.00 an hour effective 9/5/2022.

RESOLUTION 170-2022

RESIGNATION OF BETTY PRIBANICH AS PAGE

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

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

Resolved to accept Betty Pribanich's resignation as Page effective 9/26/2022.

RESOLUTION 171-2022

MEMORIAL FOR JOHN MEYERS

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

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

Resolved to authorize Conesus Lake Walkers Club to place a plaque in John Meyer's memory at Vitale Park.

RESOLUTION 172-2022

DECLARE PRINTER AS SURPLUS

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

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

Resolved to declare the printer from the Assessor's office as surplus to allow such equipment to be disposed of.

RESOLUTION 173-2022

PURCHASE OF COMPACT TRACTOR FOR VITALE PARK

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

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

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Resolved to authorize Moe to explore option for the purchase of a compact tractor for \$17,032 for Vitale Park.

RESOLUTION 174-2022

AUDIT OF CLAIMS

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

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

Resolved to pay claims 928-937 in the amount of \$18,364.84 from the Abstract dated September 22, 2022.

RESOLUTION 175-2022

AUDIT OF CLAIMS

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

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

Resolved to pay claims 938-987 in the amount of \$52,750.37 from the Abstract dated October 6, 2022.

RESOLUTION 176-2022

AUDIT OF CLAIMS

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

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

Resolved to pay claims 988-1031 in the amount of \$47,375.26 from the Abstract dated October 20, 2022.

RESOLUTION 177-2022

ENTER EXECUTIVE SESSION TO DISCUSS EMPLOYMENT HISTORY OF A PARTICULAR PERSON

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

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

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Resolved to enter Executive session at 8:08PM.

RESOLUTION 178-2022

RETURN TO OPEN SESSION

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

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

Resolved to open session at 8:42PM

With no further business, on a motion of Councilmember Breu seconded by Councilmember English the meeting was adjourned at 8:42PM. Carried unanimously.

Respectfully Submitted,

Hayley Anderson
Town Clerk