

# TOWN BOARD MEETING, TOWN OF LIVONIA

April 20, 2023

A 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-absent  
Hayley Anderson, Clerk  
Jim Campbell, Attorney, Town of Livonia-absent

**OTHERS PRESENT:** Several Residents.

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

## **PRIVELAGE OF THE FLOOR**

Supervisor Gott introduced two eagle scouts, Kenny Silvernail, and Jack Tebou. Jack Tebou presented photos of the Adirondack chairs and benches he built and donated, and Kenny Silvernail refurbished the benches at Hemlock Lake. The board expressed their gratitude for the work the boys did.

Supervisor Gott explains he has met with Julie Holtje about the Comprehensive Plan that needs to be updated, and Julie has found some Grant opportunities. She is looking to use C&S for writing the grant to get assistance, and the Planning board members are willing to participate and put the work in on the updated plan. This project typically takes about two years. The grant application is due at the end of July.

Councilman Breu reported that the American Legion is on board to help assist with the Hometown Hero's Program. He is still looking into prices on poles and other options, and will have quotes for everything next month.

RESOLUTION 54-2023

## **AUTHORIZE THE PLANNING BOARD TO WORK WITH C&S TO PREPARE THE GRANT APPLICATION FOR THE UPDATE TO THE COMPREHENSIVE PLAN**

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

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

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Resolved to authorize C&S to prepare the grant application for the update to the Comprehensive Plan.

RESOLUTION 55-2023

**APPROVE MEETING MINUTES FROM 3/16/2023**

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

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

Resolved to approve the meeting minutes from 3/16/2023.

RESOLUTION 56-2023

**TOWN CLERK REPORT**

Paid to Supervisor for the General Fund	\$1,323.33
Paid to County Treasurer for Dog Licenses	\$227.50
NYS Comptroller’s Office (Bingo and Games of Chance Licenses)	\$0.00
Paid to NYS Ag & Markets for the Spay/Neuter Program	\$97.00
Paid to NYS Environmental Conservation for Hunting/Fishing Licenses	\$66.13
State Health Department (marriage licenses)	\$22.50
<b>TOTAL DISBURSEMENTS</b>	<b>\$1,736.46</b>

Taxes settled with the county, with a last check written for \$1,787,147.86 and Penalties to the Supervisor written for \$7,375.35

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

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

Resolved to approve Clerk Anderson’s report.

**CENTRAL WATER DISTRICT DISCUSSION**

Supervisor Gott expressed how much work the petition passers did and what a wonderful job they did with the Central Water District. He suggested that a committee be formed to discuss the actual district from the information that was obtained throughout the petition

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passing process.

A resident asked why if there was not enough petitions collected then why are we going to keep looking at other options. He stated that fluoride in the water is poison, and we are risking the intelligence of our youth. The town board expressed their need to assist the entire community, and there is a real need for water, some residents don't even have water from their wells. Another resident spoke up and stated that the need for water in their area is grand, and not only the quality of water, but the lack of quantity is a real problem. It was decided that Eric Wies, Jim Campbell, Andy English and Matt Gascon would lead the committee to establish a plan that will be acceptable and meet the needs of as many residents as possible, if feasible.

RESOLUTION 57-2023

**2022 BUDGET TRANSFERS**

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

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

### BUDGET TRANSFERS - 2022

<b>GENERAL FUND (A)</b>	<b>ACCOUNT NAME</b>	<u>INCREASE</u>	<u>DECREASE</u>
01-25-111010	Justices Personal Services	\$ 116.20	
01-26-122010	Supervisor Personal Services	\$ 5,932.70	
01-27-132040	Auditor Contractual	\$ 1,028.75	
01-27-133040	Tax Collection	\$ 1,312.72	
01-27-135540	Assessor Contractual	\$ 5,006.90	
01-28-141010	Town Clerk Personal Services	\$ 2,304.81	
01-28-141020	Town Clerk Equipment	\$ 235.99	
01-28-142040	Attorney Contractual	\$ 7,517.70	
01-28-144040	Engineer Contractual	\$ 52,156.22	
		\$	
01-28-903080	Social Security Administration	54.22	
01-29-168040	Data Processing Contractual	\$ 5,808.07	
01-30-198940	Other Govt Support	\$ 3,500.00	
01-33-331040	Traffic Control Contractual	\$ 3,686.50	
01-40-501010	Highway Supt Pers Services	\$ 2,500.04	

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01-41-513240	Highway Garage Contractual	\$	11,114.82	
01-47-711010	Parks Personal Services	\$	10,196.50	
01-47-731040	Recreation - Baseball Program	\$	1,765.24	
01-47-903080	Social Security Administration	\$	4,360.64	
01-47-903580	Medicare	\$	1,019.48	
01-54-874540	Flood & Erosion Control - Compact D	\$	7,308.43	
01-30-199040	Contingent			\$ 15,000.00
01-41-541020	Sidewalks Equip & Capital Outlay			\$ 50,000.00
01-47-711020	Vitale Park - Improvements & Equip			\$ 57,229.37
				\$
01-47-731010	Youth Recreation Per Services			4,696.56
<b>TOTALS</b>		<b>\$</b>	<b>126,925.93</b>	<b>\$ 126,925.93</b>
 <b>GENERAL FUND (B)</b>				
02-50-801040	Building & Zoning Contractual	\$	359.89	
02-28-142040	Attorney Contractual			\$ 359.89
<b>TOTALS</b>		<b>\$</b>	<b>359.89</b>	<b>\$ 359.89</b>
 <b>HIGHWAY FUND (DA)</b>				
03-41-513040	Machinery Contractual	\$	25,011.14	
03-41-513041	Machiney - Unleaded/Diesel	\$	35,057.46	
03-41-514010	Brush/Weed Personal Services	\$	13,500.00	
03-41-513020	Machiney Equipment			\$ 67,075.13
				\$
03-41-514210	Snow Removal Pers Services			6,493.47
<b>TOTALS</b>		<b>\$</b>	<b>73,568.60</b>	<b>\$ 73,568.60</b>
 <b>HIGHWAY FUND (DB)</b>				
04-41-511220	Highway Improvements - CHIPS	\$	34,280.51	
04-41-511040	General Repairs - Contractual			\$ 34,280.51
<b>TOTALS</b>		<b>\$</b>	<b>34,280.51</b>	<b>\$ 34,280.51</b>
 <b>LIBRARY FUND (L)</b>				
05-46-741040	Library Contractual	\$	12,878.01	
05-46-906080	Medical Insurance Buyouts	\$	480.00	
				\$
05-46-741010	Library Personal Services			9,387.33
05-56-901080	NYS Retirement System			\$

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			3,299.68
	05-57-971070	Interest - Serial Bonds	\$ 191.00
<b>TOTALS</b>			<b>\$ 12,878.01</b>
			<b>\$ 12,878.01</b>

Resolved to approve the above budget transfers for 2022.

RESOLUTION 58-2023

**AUTHORIZE HIGHWAY SUPERINTENDENT DWYER TO GO TO BID ON BLANK ROAD PROJECT**

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

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

Resolved to authorize Superintendent Dwyer to open the bid process for the Blank road project.

RESOLUTION 59-2023

**DECLARE HIGHWAY EQUIPMENT AS SURPLUS**

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

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

Resolved to declare the 1960 Haywagon Frame, the 2011 Kenworth Ten Wheeler, the 2010 ford f450, the 1960 wagon, and 3 pallets of misc. sterling parts and hydraulic hoses as surplus and be taken to palmyra municipal auction.

RESOLUTION 60-2023

**BEGIN UNION NEGOTIATIONS FOR HIGHWAY DEPARTMENT**

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

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

Resolved to assign Councilman Breu and Councilman Dougherty to sit in on Highway Department Union Negotiations.

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RESOLUTION 61-2023

### **TREE ESTIMATE FOR VITALE PARK AND HEMLOCK PARK**

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

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

Resolved to hire Berghof Tree to complete the Tree Work at Hemlock Park and Vitale Park in the amount of \$18,519.42

RESOLUTION 62-2023

### **INCREASE SALARY FOR CHILDHOOD EDUCATION DIRECTOR AT LIBRARY**

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

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

Resolved to increase the salary for the position of Childhood Education Director from \$26,000 to \$32,000 Annually.

RESOLUTION 63-2023

### **HIRE ALEXANDRA DIMATTEO AS TECHNOLOGY AND YOUTH SERVICES DIRECTOR**

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

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

Resolved to hire Alexandra DiMatteo with the Title Technology and Youth Services Director effecting March 21, 2023 at a rate of pay of \$39,011 annually.

RESOLUTION 64-2023

### **HIRE STEPHEN MORSCH AS SUBSTITUTE AT THE LIBRARY**

On motion of Councilmember Dougherty seconded by Councilmember Breu the

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following resolution was

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

Resolved to hire Stephen Morsch as a Library Substitute at a rate of pay of \$14.63 an hour effective April 17, 2023

RESOLUTION 65-2023

## **ACCEPT RESIGNATION OF PAM HELLER FROM LIBRARY**

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

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

Resolved to accept the resignation of Pam Heller from the Library effective 3/31/2023

RESOLUTION 66-2023

## **AUDIT OF CLAIMS**

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

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

Resolved to pay claims 260-314 in the amount of \$144,883.30 from the Abstract dated April 6, 2023.

RESOLUTION 67-2023

## **AUDIT OF CLAIMS**

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

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

Resolved to pay claims 315-360 in the amount of \$65,014.05 from the Abstract dated April 20, 2023.

RESOLUTION 68-2023

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### **ENTER EXECUTIVE SESSION TO DISCUSS EMPLOYMENT HISTORY OF AN INDIVIDUAL**

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

ADOPTED Ayes - 4 (Gott, Dougherty, English, Breu)

Resolved to enter executive session at 8:00 to Discuss the employment history of a specific individual

RESOLUTION 69-2023

### **RETURN TO OPEN SESSION**

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

ADOPTED Ayes - 4 (Gott, Dougherty, English, Breu)

Resolved to return to Open Session at 8:36pm

RESOLUTION 70-2023

### **INCREASE ASSESSOR CLERK RATE OF PAY**

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

ADOPTED Ayes - 4 (Gott, Dougherty, English, Breu)

Resolved to increase the hourly wage of the Clerk to the Assessor from \$18.13 an hour to \$20.00 an hour.

RESOLUTION 71-2023

### **AUTHORIZE TOWN ATTORNEY TO PRESENT TO AND TOWN SUPERVISOR GOTT TO EXECUTE AND DELIVER A PROPOSED EMPLOYMENT SEPARATION AGREEMENT**

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

ADOPTED Ayes - 4 (Gott, Dougherty, English, Breu)

Resolved to authorize the Attorney for the Town to present to and Town Supervisor Gott to execute and deliver a proposed Employment Separation Agreement with the Confidential Secretary to the Town Supervisor, which is in the mutual best interest of the Town and the separating employee. Upon full execution, Supervisor Gott shall thereafter be authorized to take all actions necessary to effect the terms of the Agreement.

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

Respectfully Submitted,

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Hayley Anderson  
Town Clerk