

A regular meeting of the Town Board of the Town of Livingston, County of Columbia, and the State of New York was held at the town hall, 119 County Route 19, Livingston, NY on the 12th day of June, 2014.

Present: Supervisor James Guzzi
Deputy Supervisor Will Yandik
Councilman Phil Massaro
Councilwoman Kelly McDonald
Councilman William Bender

Supervisor Guzzi opened the meeting with a moment of silence, and the pledge to the flag at 7:00 P.M.

Resolution # 85

Motion to approve monthly minutes

A motion was made by Councilwoman McDonald, seconded by Councilman Bender, to approve the minutes of the April 10th meeting as amended with the following changes: Councilman Bender recused himself from the vote for resolution # 81 not abstained. Also, Deputy Supervisor Yandik noted that he was unable to post the May town board minutes on the website due to technical glitches but that they were submitted on time by the Town Clerk.

Votes 5 Ayes

Communications:

Supervisor Guzzi read a letter that was sent from the Town of Livingston to Hudson Police Chief Edward Moore, congratulating him on his permanent appointment to the position of Police Chief in the City of Hudson.

Monthly Town Reports

The following reports were read:

Town Supervisor

Town Clerk

Dog Control- report for both April and May were read

Highway

Building inspector

Resolution #86

Motion to approve the monthly reports as read

A motion was made by Deputy Supervisor Yandik, seconded by Councilman Massaro, to approve the monthly reports as read

Votes 5 Ayes

New Business

Arlene Sweeny spoke on the Yellow Dot Program being done by the Sheriff's Dept throughout NYS. A yellow dot is placed on the car bumper, leading emergency respondents to the person's glove box in the car where their pertinent medical information will be found. She handed the town board members flyers on the program.

Town resident Robby Dunn came before the board to ask for permission to work on his eagle scout badge by building a new Rec Park sign at the entrance to the Rec Park on Lockwood Rd. and installing 2 practice pitching mounds as well.

Old Business

Discussed the new proposed fee schedule for the building department.

Resolution #87

Motion to adopt updated fee schedule for the building dept.

A motion was made by Deputy Supervisor Yandik, seconded by Councilwoman McDonald to adopt a new fee schedule for the town building department.

Votes 5 Ayes

A meeting for town employees on the deferred compensation program that was brought up at the last board meeting, will be held on Tuesday, June 24th at 6 pm at the town hall.

New Business (continued)

The work being done on the Vosburgh bridge on Cty Rt 19(closed for the repairs) was discussed due to complaints by area residents as to a lack of signage for travelers till they got close to it. The signs were going to be moved to accommodate people but had not been done yet. The board will be establishing a 5 ton weight limit on White Oak rd. to prevent large trucks from using the rd as an alternate route while the bridge is closed. The town of Germantown is loaning the town of Livingston, its lighted speed signaling sign to use as well.

Resolution # 88

Motion to establish a 5 Ton weight limit on White Oak Rd for the time period of June 13,2014 through October 31,2014

**TOWN OF LIVINGSTON
COLUMBIA COUNTY, NEW YORK**

RESOLUTION NO. _____

At a meeting of the Town Board of the Town of Livingston, Columbia County, New York, duly held on the 12th day of June 2014, at the Livingston Town Hall, 119 County Route 19, Livingston, New York, the following Resolution was proposed and seconded:

Resolution by: _____

Seconded by: _____

WHEREAS, the Town of Livingston recognizes that road utilization by vehicles of excessive weight can cause unnecessary wear and damage to roadways causing undue cost and expense to taxpayers for maintenance of the town's rural roads. The use of local roadways by vehicles of an excess weight can also cause a health and safety risk to persons utilizing said roadways; and

WHEREAS, the County of Columbia is undertaking bridge repair work to the county maintained bridge located on County Route 19. Due to this bridge work, County Route 19 is temporarily closed to traffic, and it is anticipated that traffic will utilize the Town Road of White Oak Road as a temporary route; and

WHEREAS, White Oak Road is a Town road that could be damaged if large heavy vehicles utilize the road upon a regular basis; and

WHEREAS, the Town Board of the Town of Livingston has the authority pursuant to New York State Vehicle and Traffic Law section 1660 to impose a temporary town weight limit upon town roadways;

Votes by roll call:

Supervisor Guzzi-Aye

Deputy Supervisor Yandik-Aye

Councilwoman McDonald-Aye

Councilman Massaro-Aye

Councilman Bender-Aye

Discussed the speed zone that the town has been working on with the DOT for a reduction in the CTY Rt 19/Cty Rt 2 area of Livingston to 30 MPH.

Resolution # 89

Motion to request reduction of speed limit in the CR 19/CR2 area to 30 MPH

A motion was made by Councilman Bender, seconded by Deputy Supervisor Yandik, to ask for a reduction in speed for the areas of CR 19/CR 2 as described below:

Regional Traffic Engineer
Region No. _____
Department of Transportation

The Town Board of the Town of Livingston, by a resolution adopted 6/12/14 (Date), and the County Superintendent of Highways of the County of Columbia, hereby request the Department of Transportation, pursuant to Section 1622.1 of the Vehicle and Traffic Law, to establish a lower maximum speed at which vehicles may proceed on County Rtes. 7/19 (combined), a County Road Town Highway (Circle One) between the town of Livingston to the intersection of Co. Rte. 2, Co. Rte. 19 and Co. Rtes. 7/19 (combined).

Upon receipt of the notice that the regulation herein requested has been established, the _____ of _____, will provide, install and maintain signs in accordance with the Vehicle and Traffic Law and conforming to the Manual of Uniform Traffic Control Devices of the Department of Transportation.

6/12/14
Dated

T. M. Lusk
Town Clerk

Dated

County Superintendent

Comments by County Superintendent:

The zoning book revisions were reviewed by the town attorney and are ready to go. They were sent to the County for review. The new laws were added and the book was organized better to be more efficient when reading.

Resolution #90

Motion to set Public Hearing on adopting updated zoning book

A motion was made by Supervisor Guzzi, seconded by Councilwoman McDonald, to set a public hearing for 6:45 on July 10th on adopting the updated zoning book.

Votes 5 Ayes

Discussed the request for proposals on the new website design that were sent out.

Resolution # 91

Motion to approve Technology 4 All RFP

A motion was made by Councilwoman McDonald, seconded by Councilman Bender to approve the RFP submitted by Technology 4All, Inc. to redesign the town of Livingston website.

Votes 5 Ayes

Discussed the EPA and Army Corp of Engineers possible expansion of rules in regards to wetland areas via the Clean Water Act.

Resolution # 92

Motion to have the EPA withdraw the Clean Water Act Expansion Rules

A motion was made by Councilman Bender, seconded by Councilman Massaro, to adopt a resolution urging the EPA and Army Corp of Engineers to withdraw the proposed Clean Water Act regulation

WHEREAS the Town of Livingston affirms its commitment to environmental stewardship and the protection of our natural resources; and

WHEREAS the Clean Water Act was not intended to protect ditches and other channels through which water flows intermittently nor was it intended to capture seeps, wet areas in fields, isolated man-made ponds and other watercourses not currently subject to the Clean Water Act; and

WHEREAS, the Environmental Protection Agency (EPA) and the United States Corps of Engineers (Corps) have developed a proposed regulation on 'Definition of "Waters of the United States" Under the Clean Water Act to clarify EPA and Corps' understanding and definition of the CWA that will inform all of EPA's regulatory programs and policy actions; and,

WHEREAS, this proposed regulation creates greater uncertainty rather than clarity and would negatively affect a significant number of public works and agricultural activities and greatly expand the number of projects subject to jurisdictional determination or Clean Water Act permitting which do not currently require such oversight at great expense; and,

WHEREAS, the Town of Livingston believes that the standards for making jurisdictional determinations under the Clean Water Act and clarification or definition of the intent of the Clean Water Act should be accomplished only through the U.S. Congress, and limited by the decisions of the U.S. Supreme Court;

NOW, THEREFORE BE IT RESOLVED THAT the Town of Livingston urges the EPA and Corps to withdraw the proposed Clean Water Act regulation immediately and urges its congressional and state representatives to intercede with EPA and request that EPA report to them on their response and adaptations regarding the aforementioned concerns,

Adopted by a majority of the Town Board of Livingston on 12 June 2014,
Affirmed,

Tammy Molinski,
Clerk, Town of Livingston.

Votes 5 Ayes

Resolution # 93

Motion to appoint John Ross as full time Planning Board Member

A motion was made by Councilman Bender, seconded by Deputy Supervisor Yandik, to appoint alternate Planning Board member John Ross, to a full time position on the Planning Board

Votes 5 Ayes

Supervisor Guzzi met with Matt's Signs, to discuss possible changes to the signage outside the Town Hall building. The town is getting some design ideas and prices to update the exterior signage.

Discussed access to the town billing records and ways for the residents to have access to the information. The town clerk's office will have copies of the monthly abstracts for review and anyone wishing to see more in depth information on the billing, can make an appointment with the town bookkeeper during her normal business hours.

Councilman Bender presented a draft of the plans for the repairs/updates to the town hall facilities. Board members received copies to review for next month's meeting.

Committee Reports

Buildings- covered under Councilman Bender's draft plan

Citizens Advisory- looking into replacing the large town map on the board at the front of the meeting space with an updated and enlarged version

Resolution # 94

Motion to approve expenditure for map replacement

A motion was made by Deputy Supervisor Yandik, seconded by Councilwoman McDonald, to approve the advisory committee-thru member James McFarland- to get an updated map for the town hall.

Votes 5 Ayes

Senior Council-nothing to report

Planning and zoning- nothing to report

Ethics- No report

Highway- No report

Communications- under web design proposal in meeting

Office Support- The new technician switched the DEC computer to the 2nd work station and installed the donated County computer as the new DEC designated one. Everything is working fine.

Historian- No report

Special Projects- No report

County Environmental Management Council: Discussed the idea of ditching and the pros and cons of it. Member Michael Hamilton asked about his appointment and if it was coming up for renewal.

Audit Committee:

Resolution # 95

Motion to pay bills

A motion was made by Councilman Bender, seconded by Councilwoman McDonald, to pay the bills as presented.

59-71 Highway

150-183 General

Vote 5 Ayes

Public Comment

Discussed the possible re opening of the Bingham's Mill bridge and the pros and cons of it. Discussed work on the CR 19 bridge by Lynk's Rd and when it will be done. Possibly in 2015. Discussed Mid-Hudson Cablevision and the lack of their services in parts of the town.

Resolution # 96

Motion to go into Executive Session

A motion was made by Deputy Supervisor Yandik. Seconded by Councilman Bender, to go into executive session to discuss potential litigation on an assessment.

Votes 5 Ayes

Resolution # 97

Motion to re- open the town meeting

A motion was made by Councilman Bender, seconded by Supervisor Guzzi, to re-open the monthly meeting.

Votes 5 Ayes

Resolution # 98

Motion to Adjourn

A motion was made by Councilman Bender, seconded by Councilwoman McDonald, to adjourn the monthly meeting.

Votes 5 Ayes

Respectfully Submitted,

Tammy Molinski

Town Clerk

DRAFT MINUTES