

**The regular meeting of the Groveland Town Board was held on Thursday, August 10, 2023 at the Town Hall, 4955 Aten Road in the Town of Groveland.**

**Present:** Bill Devine, Supervisor; Sandra Bean, Deputy Supervisor, and Councilmember\* Steve Atterbury, Councilmember; Amy Hunter, Councilmember and John Macauley, Councilmember

**Other Town Officials:** D. Mark Caldwell, Highway Superintendent  
Others Present: R. Niedermaier

**Supervisor Devine called the meeting to order at 9:01 a.m.** Councilmember Atterbury led the pledge to the flag.

A motion by Councilmember Hunter and seconded by Councilmember Macauley that the audited bills be paid. General Fund vouchers numbered 176- 198 for \$12,332.58; Highway Fund vouchers numbered 122- 132 for \$15,558.15. Motion carried.

A motion by Councilmember Macauley and seconded by Councilmember Atterbury to accept the regular meeting minutes of 07/13/2023. Motion carried.

Supervisor Devine forwarded copies electronically of the Town Clerk & Supervisors monthly financial reports. The supervisor financial report with monthly statement of all money received. Councilmember Atterbury and seconded by Councilmember Macauley to accept both financial reports. Motion carried.

**Information handed out/or acknowledged:**

**Old/New Business:**

HIGHWAY REPORT- Highway Superintendent Caldwell reported the crew has placed 700 loads of gravel on Davis Road with the intention to oil and stone the road this fall. All the residents appear to be pleased as the driveways and yards were well cared for during the process. Preparations for oil and stoning the remaining roads will begin next week weather permitting.

Highway Superintendent Caldwell stated has begun the Superintendent's job training process with highway employee Harvey and it has been going well.

Highway Superintendent will be contacting the County regarding roadside mowing, as it could be used in some areas again.

The Cintas contract has been given to the Town Supervisor as it is time for the annual review, which will be placed on the agenda for next month.

Joe Snyder called with the approximate cost of the cemetery markers at \$382+ or -, he will forward the invoice to the town once the markers have been received and installed

SCOTTSBURG ROAD SPEED LIMIT COMPLAINT- TE9 RESOLUTION 56-2023-

Supervisor Devine provided to the board a letter of concern regarding the speed limit on Scottsburg Road where it turns from 40mph to 55mph and continues westerly through town line. The concern is there have been Amish that have moved into the area along with farming practices the property owner is requesting a reduction in the speed limit in that area along with no passing. Supervisor Devine stated that this is a County Road however the town can make the recommendation and then it goes from there.

Board discussion: All agreed with proceeding to send to the County Highway to move forward.

WHEREAS, the Town Board has met at the time and place at its regular meeting to review such a request to designate Kimberly Burgess, Town Clerk to address the Superintendent of Highways of the County of Livingston and request the Department of Transportation, pursuant to Section 1622.1 of the Vehicle and Traffic Law, to reduce the speed limit on Scottsburg Rd from a speed limit of 55 mph to the speed limit of 40 mph the entire length of Scottsburg Road also known as County Road 1 that is within the Town of Groveland heading in an easterly direction towards the Town of Sparta;

RESOLVED, that with the passage of this resolution, the Town Board of Groveland and the Town Highway Superintendent are in support of such request for providing a safe environment for its residents and accept the Memorandum of Understanding document TE-9 as presented and authorize the Town Clerk to sign it.

The adoption of the foregoing RESOLUTION was duly out in vote on motion of Councilmember Atterbury and seconded by Councilmember Macauley and the results were carried with 0 nay, 4 ayes. Roll Call Votes: Supervisor Devine, aye; Councilmember Hunter, aye; Councilmember Atterbury aye; Councilmember Macauley, aye. Deputy Supervisor & Councilmember Bean, not present at the time of the vote.

WORKPLACE VIOLENCE POLICY REVIEW/ UPDATES- RESOLUTION 57-2023 Town Clerk Burgess reviewed the policy and noticed there were a few items that needed updating. Presented for the Town Board review.

WHEREAS to meet the requirements of New York State Labor Law Art. 2 §27-b and highlights some of the elements that are found within our Workplace Violence Prevention Program this town board has reviewed the towns Workplace Violence Policy that is designed to identify the risks of workplace violence to which our employees could be exposed; and

RESOLVED with the Workplace Violence Program hereby designates the Town Clerk as the contact person along with the Highway Union Representative to be responsible for reporting and

filing forms along with setting up training programs; such policy being on file in the Town Clerk's office and recently amended.

The adoption of the foregoing RESOLUTION was duly out in vote on motion of Councilmember Hunter and seconded by Councilmember Atterbury and the results were carried with 0 nay, 4 ayes. Roll Call Votes: Supervisor Devine, aye; Councilmember Hunter, aye; Councilmember Atterbury aye; Councilmember Macauley, aye. Deputy Supervisor & Councilmember Bean, not present at the time of the vote.

DISCUSSION REGARDING- LOCAL LAW PROVIDING A PARTIAL TAX EXEMPTION FROM REAL PROPERTY TAXES TO CERTAIN ELIGIBLE VOLUNTEER FIREFIGHTERS AND VOLUNTEER AMBULANCE WORKERS- Supervisor Devine stated the County has previously adopted this exemption; however the volunteer must choose either the property tax exemption or the income tax exemption they are not eligible for both. The supervisor feels it is important to make it available and let the volunteer choose. An example of what savings would be like was given. The supervisor provided a draft Local Law for the board review along with figures of approximate tax impact provided by Livingston County.

Board discussion: Councilmember Hunter noted a word missing in Section 4. Town Clerk Burgess stated she took this from the County's Law however it was typed from the County's and can get the Word document and forward it for the Board review at next month's meeting to note no further grammatical errors. All agreed as this is something that is can be processed in the next few months.

\*Deputy Supervisor & Councilmember Bean entered the meeting at 9:20 a.m.

REISSUE OF CHECKS-Town Clerk was notified by the Supervisor and the Supervisor's Secretary that two checks have not been cashed by two town employees and will need to be reissued to the employees as these checks are still outstanding and the employees are unsure where the checks are.

The checks in question are check # 10195 to Fred Ingalls in the amount of \$26.25 and the other check #10167 issued 3/10/23 in the amount of \$88.94 to Ron Maxwell.

A motion by Councilmember Bean and seconded by Councilmember Hunter to reissue check #10195 and #10167. Motion carried.

Other Communication: R. Niedermaier had an event at Ambuscade Park and stated they had difficulty with the bathroom locks and utilizing the code.

Supervisor Devine described how to use the code again and stated that the town would check to ensure that this was how it was being used and that the town would create a laminated instruction for the

bathroom door to ensure this is being done. Supervisor Devine thanked Mr. Niedermaier for coming in today.

**SUPERVISOR DISCUSSION:**

- Ambuscade Park Rock- Supervisor Devine was emailed by the Sons of the American Revolution and asked if the town had the ability to obtain a 2'x 3' rock to place a plaque they would provide for the rock in memory of a member that passed away. Highway Superintendent Caldwell stated they he would keep an eye out and let the Supervisor Know once he finds a rock.
- Livingston County IDA is close to finalizing the purchase of the closed correctional facility. Livingston County IDA will be requesting to be placed on the Planning Board's agenda soon for the Zoning Law update that will be necessary.
- Supervisor Devine asked if there had been any updates to the union contract. Councilmember Atterbury and Councilmember Hunter stated they attempted prior to this meeting however the union representative for the Highway crew had become ill and was unable to meet. They have been reviewing other municipality's contracts and will hope to have an update at the next meeting.

Councilmember Hunter made a motion to go into executive session for matters relating to proposed, pending, or current litigation, seconded by Councilmember Atterbury.

Executive session entered at 9:21 a.m. Town Board requested the Town Clerk remain.

A motion by Councilmember Atterbury and seconded by Councilmember Macauley to close the executive session with no action taken. Motion carried.

The executive session closed at 9:50 a. m.

**INCIDENT REPORT-** A board member raised concern with the newest sign located towards the end of Groveland Hill Road closest to Scottsburg Road and interprets the sign as threatening towards our Code Enforcement Officer, Ronald Maxwell. It appeared to the board member the word "fire" and following the Code Officer's name with what appeared to be a bullseye. All of the board members witnessed such signage and followed the protocols of the Workplace Violence Policy and filed an incident report to include the Code Officer as well as members of the town board. The sign does include members but not all of the town board. It was also stated that if Mr. Maxwell felt he needed to file a complaint directly with the Sheriff's Office, the board would be in support of him.

The sign may be due in part to current litigation, the newest sign size appears to be in violation of the Town Zoning Law; however, no complaints have been filed to the Code Office. The board will continue to support Code Officer Maxwell in the ability to do his job and request that he do

so without in-person contact with the resident associated with these signs. The board would like to have Sheriff Dougherty notified of the Workplace Violence Incident Report along with the photo of the sign.

A motion by Councilmember Atterbury to send a copy of the Workplace Violence Incident Report directly to Sheriff Dougherty with a photo of the sign, seconded by Councilmember Macauley. Motion carried.

A motion by Councilmember Hunter and seconded by Councilmember Bean to adjourn the meeting. Motion carried. The meeting adjourned at 10:08 a.m. The next meeting will be the special meeting on September 6, 2023, @ 6:00 p.m. at the Town Hall and is open to the public. Motion carried.

Kimberly Burgess, Town Clerk  
Town of Groveland  
Dated: August 10, 2023