

The regular meeting of the Groveland Town Board was held on Thursday March 14, 2019 at the Town Hall.

Present: Bill Carman, Supervisor; Bill Devine, Town Councilmember & Deputy Supervisor; Ron Niedermaier, Councilmember; Amy Phelps, Councilmember

Absent: Steve Atterbury, Councilmember

Other Town Official's in Attendance: Donald "Mark" Caldwell, Deputy Highway Superintendent

Other Attendees: Tom and Mary Alice May

Supervisor called the meeting to order @ 7:50 p.m. Supervisor Carman asked Deputy Highway Superintendent Caldwell to lead the pledge to the flag.

A motion by Councilmember Niedermaier and seconded by Councilmember Devine the audited bills be paid. General Fund vouchers numbered 55-76 for \$ 3,946.22; Highway Fund vouchers numbered 44- 62 for \$15,175.33; Water District Fund Voucher numbered 1 for \$ 37,740.00.

A motion by Councilmember Devine and seconded by Councilmember Niedermaier to accept the regular meeting minutes of 02/14/2019 approved as presented. Motion carried.

Supervisor handed out copies of the Town Clerk & Supervisors monthly financial reports. The supervisor financial report with monthly statement of all money received and disbursed. Councilmember Devine and seconded by Councilmember Niedermaier to accept both financial reports. Motion carried.

Information handed out/or acknowledged:

1. Food Pantry collection box is located at the town hall – open during office hours
2. Work Place Violence and Sexual Harassment Prevention Training scheduled for 3/28/2019@ 4p.m.
3. 2nd Annual Earth Day in Groveland April 28, 2019 12pm- 2pm
4. Supervisor's newsletter mailed out 3/11/2019 and is available on website
5. LCWSA waterline letter to property owners

Old/New Business:

NOISE CONCERN WEST LAKE RD. - Tom and Mary Alice May requested privilege of the floor to discuss the noise concern that has been brought to the Board regarding their business, the Beachcomber restaurant and bar. They have provided a letter of the attempts made to resolve any noise concerns that have been brought to their attention along with a petition of support for their business. They brought noise assistive equipment they have purchase to the meeting and explained the use of the equipment. The equipment was purchased to help with any noise concern that may arise prior to Mr. Taylor as owner of his property. Mr. and Mrs. May stated that they are continually trying to make improvements to their property regarding noise and base transmission as they do understand they have neighbors and want to keep a good relationship with their neighbors.

Board Discussion:

Councilmember Phelps asked what are the hours of your DJ?

Mary Alice May answered 11p.m. until 2 a.m.

Supervisor Carman stated that to date there has not been anything in the way of a petition of complaint for noise regarding the Beachcomber Restaurant and bar. Mr. Taylor was given the recommendation to do this by the board to add support to his concerns. At this point there has not been anything further to warrant more discussion as it was stated to Mr. Taylor any law or ordinance needs to fit the whole town and not just a portion of the town.

The board thanked Mr. and Mrs. May for their time and the information that was provided.

HIGHWAY REPORT- Deputy Highway Superintendent Caldwell reported he attended the Highway Superintendent's rally against the defunding of CHIPS monies in Albany March 6- 7, 2019.

Supervisor Carman discussed with Deputy Highway Superintendent Caldwell about timing for the pipe install for Barber Hill Road. Deputy Highway Superintendent Caldwell stated the spring would be the first opportunity to look at it as it will need to be warmer before the project can begin. Deputy Highway Superintendent Caldwell wanted the Board to know that the signage for the weight restriction has been on order for a month now with the County and he still does not have it. It was stated to him that there has been a large sign project the County has been doing and unable to get to the weight restriction signage, he will continue following up with the County to get them in place as soon as possible.

The crew has been busy fixing equipment in preparation for the warmer season work. He ordered a new tripod for the weather station as the old one broke during the last windstorm. It will be installed as soon as the weather permits. He will also begin getting quotes for the salt shed roof and doors for the highway barns.

There is a Highway Superintendent school coming up in Ithaca, Deputy Highway Superintendent Caldwell inquired with the board if it was ok for him attending the training. The board all felt it was important to attend training and approved him to attend.

HIGHWAY SUPERINTENDENT POSITION- ELECTED VS APPOINTED- Supervisor Carman wanted to follow up with the board regarding the potential of changing the elected Highway Superintendent position to appointed position, and if this is what the board was still interested in pursuing.

Town Clerk Burgess emailed the research to the board they had requested prior to this board meeting.

Board discussion:

All agreed following the research to do a local law to change from appointed to and elected Highway Superintendent. This local law is subject to a mandatory referendum and will need to be on the 2019 General Election ballot. The board felt that the electorate should determine whether or not to have an appointed or elected Highway Superintendent as the board currently has no authority over an elected Highway Superintendent they only have budgetary control.

A motion by Councilmember Phelps and seconded by Councilmember Devine to have Attorney DiMatteo prepare a local law to go from elected to an appointed Highway Superintendent.

DEPARTMENT ANNUAL REPORTS – RESOLUTION 35-2019– Town Clerk previously emailed AUD reports previously.

WHEREAS, per General Municipal Law Section 35 the Town Board has met at the time and place at its regular meeting, to review the 2018 annual reports submitted by the Justice Court office, Town Clerk, Code Enforcement and Supervisor's; and

WHEREAS, the Town Clerk stated the Town Annual report was advertised in the official publication;

RESOLVED this Town Board does hereby accept such Annual Reports that reflects with the Town Annual Report of the Town Accounts office from LaDelfa & Associates; fiscal year ending December 31, 2018 and that such 2018 annual reports be adopted, by this Board, be entered in the minutes of the proceedings of this Town Board, except for the AUD will be filed separately in the Town Clerk's office due to its size.

The adoption of the foregoing RESOLUTION was duly out in vote on motion of Councilmember Niedermaier and seconded by Councilmember Devine and the results were carried with 0 nay, 4 ayes. Roll Call Votes: Supervisor Carman, aye; Councilmember Devine, aye; Councilmember Phelps aye; Councilmember Niedermaier aye. Councilmember Atterbury, absent.

ASSET LISTS – REVIEW FOR APPROVAL - Town Clerk presented updated lists for each department. This are helpful for tracking purchases or if ever an insurance claim needed to be filed. Each department has reviewed and signed them. Board reviewed and made no changes.

AUTHORIZATION FOR ACCOUNTANT TO VOID VENDOR CHECKS ISSUED 2016-2017- Supervisor Carman provided a list to the board of checks that have been issued to vendors that have never been cashed. The checks are considered past the cashing date and should be voided by our accountant. Some of the checks may have been checks that were lost in the mail and have been reissued but the board needs to approve the checks be voided. The checks to be considered to void are:

Highway Fund:

Check#6452 4/18/16 to Tractor Supply Credit Plan \$9.99 (account closed)

General Fund:

Check#7563 07/13/15 to Sandra Bean, Town Clerk \$36.80

Check#7691 11/13/15 to Kim Burgess, Petty Cash \$6.25

Check#8150 02/11/17 to Copy Town Enterprise \$55.00

Check#8278 07/17/17 to NYSAMCC. INC. \$40.00

A motion by Councilmember Devine and seconded by Councilmember Niedermaier to void the listed checks. Motion carried.

LIGHTING AT INTERSTATE 390 AND STATE ROUTE 408 INTERSECTIONS- Traffic Safety board has brought up the lighting concern for 390 and State Route 408 to the Supervisor again. It was stated the salt mine would pay for the install and would like the town to pay the monthly charge. Supervisor Carman contacted Paul Gister the National Grid representative regarding the cost associated monthly for the lighting. At the time of the meeting Mr. Gister had not contacted him back in regards to this. Supervisor will have information at the next meeting and stated that the town may have to do another lighting district as well.

EXECUTIVE SESSION-Supervisor Carman made a motion to go into executive session, seconded by Councilmember Phelps for matters regarding proposed, pending or current litigation. Motion carried.

The board asked Town Clerk to attend.

Board entered executive session at 8:51p.m.

A motion by Councilmember Phelps, seconded by Councilmember Devine to close the executive session with no action taken. Motion carried.

Returned to regular session at 9:23p.m.

Supervisor Communication:

AMBUSCADE PARK– Supervisor had set up an appointment with Jon Werner, Ron Maxwell, and Mark Caldwell today so they could discuss Ambuscade Park pavilion project. Jon Werner was thinking a potential build start of May. BOCES building trade will order the material and have it billed to the Town.

Livingston Insurance agency is inquiring if we want have builders insurance on the pavilion while it is being built. It would cover the building if it was damaged during the build. The approximate premium cost for this would be \$375 at an estimate of build cost of \$30,000.

Board discussion: It was asked if it covered stolen material as well? Supervisor was not sure but would inquire. All agreed that it made good sense to have the coverage but did not want the policy to begin until the build started. Town Clerk will follow up with the agent regarding the policy coverage.

Trees for the parks that are available to plant following the removal of the ash trees have been given to the highway department to see what trees are the best fit for the park. Deputy Highway Superintendent Caldwell contacted Bob Striker to notify him of the trees they would like to see planted to replace the ash trees. The highway crew will begin the removal of the ash trees beginning next week.

Linda Shea stopped up to the Town Hall to inquire about Ambuscade Park and potential areas for memorials in honor of a family member have been discussed. Her family has considered doing something in memory of her parents Seymour and Phyllis Linsner Town Clerk stated to Mrs. Shea she would bring it to the Supervisor to discuss with the board.

Councilmember Phelps stated she liked the idea however it would be better to get the pavilion built and revisit the idea once it has been in built.

Supervisor Carman agreed with Councilmember Phelps, without a building it is premature to attempt to make plans need to have the park more settled prior to making any decision. Felt the board should revisit once pavilion has been built.

National Grid – Following up from last meeting I have reviewed our usage and it appears we are saving; however I have contacted Paul Gister regarding the bill to confirm questions I have on last year's bill wattage cost vs this year's wattage cost. Once I have all information I will pass along to the board as he did not return my call prior to the board meeting.

Other Communications:

Councilmember Niedermaier stated that this year's Groveland Seniorama recipients are Jim and Jenean Love.

A motion by Supervisor Carman and seconded by Councilmember Niedermaier to adjourn the meeting. Motion carried. Meeting adjourned at 9:35 p.m. The next meeting will be the regular meeting April 11, 2019 @ 7:30 p.m. at the town hall.

Kimberly D. Burgess, Town Clerk
Town of Groveland
Dated: March 14, 2019