

The regular meeting of the Groveland Town Board was held on Thursday March 14, 2013, at the Town Hall.

Present: James C. Merrick, Supervisor; Bill Carman, Town Councilman & Deputy Supervisor; John Driscoll, Craig Phelps, James Love, Councilman; Greg Adamson, Highway Superintendent

Absent: None

Other Attendees: None

Supervisor handed out the monthly financial reports.

Supervisor called the meeting to order @ 8:04 p.m.

A motion by Councilman Carman and seconded by Councilman Love the audited bills be paid. General Fund vouchers numbered 43-69 for \$13,549.86; Highway Fund vouchers numbered 46-69 for \$25,086.11. Motion carried unanimously.

A motion by Councilman Phelps and seconded by Councilman Carman to approve the minutes of the regular meeting of February 14, 2013 minutes be approved with a suggestion to reword the tax collection record in acknowledgements. Motion carried unanimously.

A motion by Councilman Driscoll and seconded by Councilman Phelps to accept the monthly financial reports as submitted. Motion carried unanimously.

Information handed out/or acknowledged:

- 1) Liv. Co. Board of Supervisors minutes
- 2) We were awarded a Livingston County Tourism Advertising Grant for \$1600
- 3) Elections this year will include a September 10th Primary & November 5th General Election
- 4) Court awarded \$4,275 under a JCAP grant – this will help improve parking lot lighting
- 5) Fire Department is holding a Car Show at the fireman's pavilion August 24,2013 – registration required
- 6) Fire Department has been approved to play Bingo and Games of Chance through NYS Gaming Commission
- 7) NYS Dept. of Taxation has secured \$50 million to prosecute those who have double dipped in the last 10 years on the Star program also those who owe back state taxes will no longer be eligible for exemption
- 8) Anniversary celebration is upon us – April 13th is the kick off date – all must attend
- 9) Town Clerk will be out of town April 11th during board meeting – Deputy will attend meeting

Old/New Business:

HIGHWAY REPORT – Greg reported the D7 Dozer has arrived and seems in good condition it only has 760 hours on it. Once the weather gets nicer a full service will be performed.

ASSESSOR POSITION DISCUSSION – CONTRACT ENDS 9/30/13 –Bruce & Brian Knapp's contract end at the same time. Supervisor Merrick asked Geneseo Supervisor, Will Wadsworth to discuss a few options. Supervisor Wadsworth expressed interest from the Town of Geneseo board in either combining with Groveland or eventually looking at going with the countywide assessor program once it is up and running. He suggested we give it a try until the county can get it up and running and show a savings. Supervisor Merrick said he is looking into grants to support a shared service. Supervisor Merrick feels the county is about 4–5 years away before able to create the countywide assessor program. Since Geneseo has not done a coordinated assessment program (CAP) with any other town before there would be a significant advantage from the state that includes a reimbursement of \$5.00 per parcel. A motion by Councilman Driscoll and seconded by Councilman Love to go forward with capping with Town

of Geneseo. Supervisor Wadsworth will put some financial numbers together based on a \$36,000 salary and present at the April 11th meeting. Town Clerk was asked to connect with the Geneseo Town Clerk, Jean Bennett to provide some advertisement and credentials for the meeting as well. It would be helpful to have both outgoing Assessor's to sit in on the interviews.

AMBUSCADE CONSTRUCTION COMMITTEE UPDATE – Supervisor Merrick stated after meeting with the Parks Rep. Lynn LeFeber, we learned that there is a great deal of paperwork along with a lock down with state agencies preparing the next round of budgets, and will not allow us enough time to have a new structure up for the September Bicentennial celebration. Councilman Carman reported on behalf of the committee: We learned that we have to bid out the engineer position by RFP; no work can be started until we have a contract commitment and design approval.

Town Clerk will check with County Planning Department to get a model engineer RFP. Also, check with park representative to see if we can go forward with installing the electric service.

This grant does have an Alienation of Dedication restriction: Upon completion of grant project we are required by law to provide good stewardship of our public funded park. In essence, this means that we are obligated to maintain a safe, clean facility for public recreational use. The project requires to be inspected every five years to ensure proper stewardship. In future, if any planned alteration must be sent to Regional Grants Office requesting the change. Our park is now considered dedicated parkland. Dedicated parkland has preferred status in NYS which protects it for general public. The Public Trust Doctrine commits the municipality to hold parkland in trust use of the public at large and cannot permit the sale, lease or alteration of use without the express permission of the NYS Legislature.

DEPARTMENT ANNUAL AUDITS – RESOLUTION 26-2013 – The board members had time to look over department budgets and didn't see any discrepancies.

WHEREAS, the Town Board has met at the time and place at its regular meeting, to review the 2012 annual reports submitted by the Justice Court office, Town Clerk, and Code Enforcement office; at which these reports were previously submitted at the regular Town Board meeting of February 14, 2013 to take time for review, now therefore be it;

RESOLVED this Town Board does hereby accept such Annual Reports that reflects with the Town Annual Report of the Town Accounts office from Baldwin Business; fiscal year ending December 31, 2012 and that such 2013 annual reports be adopted, by this Board, be entered in the minutes of the proceedings of this Town Board.

The question of the adoption of the foregoing RESOLUTION was put into vote. Motion by Councilman Carman and seconded by Councilman Phelps and the results were carried with 0 nay 5 aye votes.

EQUAL EMPLOYMENT OPPORTUNITY (EEO) POLICY – RESOLUTION 27-2013 – As part of the EPF grant we are required to have an EEO policy in place. The policy was passed around.

RESOLVED This Town Board has read the EEO Policy and approve the policy as presented and request the policy be placed in the minutes. (Policy filed in minute book)

The question of the adoption of the foregoing RESOLUTION was put into vote. Motion by Councilman Driscoll and seconded by Councilman Phelps and the results were carried with 0 nay 5 aye votes.

TOWN ATTORNEY – Supervisor Merrick reported the State Comptroller's Office states the board may appoint and fix the salary for that position, but unless a local law is established we would be required to hire within the town. He had the town clerk go through the minute books to see if ever one was done, which

has not. Doing a local law would legally allow us to expand our search outside the town. Councilman Phelps feels we should go ahead with a local law to facilitate the process for future administrations. Town Clerk will prepare a local law based on Town of Colesville as a model law.

Supervisor stated the cemetery petition to release the funds for us to expand the surveying plots entails a lengthy process and until we get another attorney, he recommended we utilize Attorney David Morris. All agreed.

TRIBUTE TO LARRY TURNER – RESOLUTION 28-2013 – Town Clerk prepared the resolution so we have time to frame for the April 13th celebration. Once paper style is selected, Clerk will contact each member to sign the resolution.

WHEREAS, on July 15, 2012 the Town of Groveland has lost not only a faithful servant, but a wonderful friend with the passing of Lawrence R. “Larry” Turner. “Larry” as he was affectionately known by his friends who respected and appreciated him even with his ability to give his opinion served the town as an official in many capacities for over 50 years; many things he did for many people were unknown because this humble man wanted it that way but some known dedications included: assessor in the 1960’s, Board of assessment review member in 1972, starting in 1996 serving as Co-Historian through January 2002 when he assumed full duties as Historian; and

WHEREAS, a Town is only as great as those persons who demonstrate exemplary service to their community, whether through participation in voluntary programs, through unique personal achievement in their professional or other endeavors or simply through a lifetime of good citizenry; and

WHEREAS, it is with honor the Town of Groveland can recognize those within the Town of Groveland who have made strong contributions to their communities and serve as role models for their peers; and

WHEREAS, and as a citizen with deep roots in the Groveland community, that exemplifies outstanding citizenry and a heartfelt commitment to Groveland and the great State of New York;

THEREFORE, BE IT RESOLVED that the Groveland Town Board hereby expresses the deep regret felt by all of us because of the passing of this faithful servant and friend and we hereby extend to his family our sincere sympathy in their sorrow and in token thereof, and in tribute to him and direct that this Resolution be spread upon our minutes and printed as a part thereof, and that a copy be presented to his wife Mrs. Turner on April 13, 2013 during the towns Bicentennial celebration.

The question of the adoption of the foregoing RESOLUTION was put into vote. Motion by Councilman Phelps and seconded by Councilman Carman and the results were carried with 0 nay 5 aye votes.

CEMETERY SERVICE – RESOLUTION 29-2013 - Snyder Brother’s bid for renewal – They have submitted a renewal bid. The contract expires March 31, 2013. The bid shows open and closing of graves to remain the same price, with no charge for selling plots. Foundation installation costs increased from \$19.00 to \$20.00 per cubic foot. Board discussion whether to accept the contract renewal or to bid out:

Councilman Driscoll inquired when the last time we did a competitive bid on this. Town Clerk stated maybe 4 years ago. Maybe we should accept this year and consider bidding out next year. If the contract is less than \$10,000 we are not required to do competitive bids.

Supervisor Merrick stated we can get around that by adding in the contract that either party may terminate this agreement within a written notice to the other party within 90 days said to prior end of said contract; otherwise said contract will renew automatically if no price changes.

WHEREAS the Town Board has met at the time and place at its regular meeting the town board has reviewed the proposed 2013-2014 Snyder Brothers Cemetery Service contract; and
WHEREAS, the Town Board is desirous of cemetery service for taking calls, selling plots, mapping plot owners, grave opening and closing and grading and seeding; and; now therefore be it
RESOLVED, this Town Board does hereby accept the Snyder Brothers Cemetery proposal to service Lake View Cemetery from March 31, 2013 and expires March 31, 2014 with Grave pricing to include open and closing: Adult \$275, Child \$275, Stillborn \$100, Cremated remains \$100, Welfare \$275 and now therefore further be it;
THEREFORE FURTHER BE IT RESOLVED, that either party may terminate this agreement within a written notice to the other party within 90 days said to prior end of said contract; otherwise said contract will renew automatically if no price changes.

The question of the adoption of the foregoing RESOLUTION was put into vote. Motion by Councilman Carman and seconded by Councilman Driscoll and the results were carried with 0 nay 5 aye votes.

DOG LAW – Town Clerk reported our local dog law allows for us to charge a flat fee of \$2.00 for a replacement tag which is currently costing us \$10.00. The state agriculture & markets law says we cannot issue a new license number for a lost one as once a license number is assigned it must remain with the dog for its life. We have tried stamping blank tags ourselves, without success. She suggested we amend the local to \$10.00 for a replacement so we burden only the tax payer that it applies to. Board agreed we should amend the local law. Councilman Love suggested if we are making changes we look at other concerns at the same time such as, limiting how many dogs can be licensed in a single home. Town Clerk will email the entire law for members to review and come back with suggestions at the April meeting.

BREACH NOTIFICATION/ IT POLICY – Town Clerk reported she has read some of the state comptroller’s municipal audits and has found that they are hitting on Technology. I have read under NYS General Business Law Section 899-aa and NYS Technology Law Section 208, every business is required to have a Breach Notification policy of which we do not. Other policies that have been mentioned in many of the audits are: acceptable use, computer security, data backup and disaster recovery policies. Despite we may do or have some of these operating in offices, we may not have them well documented. I have been working with the Supervisor from Town of Troupsburg who was audited and required to make the policy corrections and have provided me with theirs. Sample copies were passed around from Town of Conesus and Town of Troupsburg. I spoke with our IT guy, Tony who suggested we implement some kind of IT policy.
Board discussion: all feel the Town of Troupsburg appears to be well documented and hits all the areas in the audit.

Motion by Councilman Driscoll and seconded by Councilman Phelps to have Town Clerk prepare one with using the model of Town Troupsburg and have ready for review for next meeting. Motion carried unanimously.

RETIREMENT STANDARD WORK DAY RESOLUTION – We were notified that we are to list all employees that are reported in the retirement system must be included in our resolution even those who are paid through vouchers for example the planning and zoning board members. This will require getting forms to all those who are not paid through payroll. Town Clerk reported that at her annual conference there will be a class on this which she will attend. In June we will need to have the revised resolution prepared to list all staff members who are reported in the retirement system, whether from our town or through their other employments.

Communications:

Councilman Carman asked if there was any update on the correctional facility water line. Supervisor Merrick stated yes but only that the state has put the attorney back on reviewing the paperwork.

Councilman Driscoll reported he and Mark Caldwell attended the Bond Financial insurance seminar. They provided great information despite the class was geared for 50 or more employees. He suggested we have our representative Bill Carson attend a board meeting to give us a review based our size and options.

Anniversary update: Town Clerk reported things have been busy but coming together. The April event has 2 more meetings to coordinate final preparation. The American Rock Salt Mine has increased the number of people to tour from 40 to 80 people splitting into 2 time slots. The tours will last approximately 3 hours. We will have the sign up sheets at the April event. Much help will be needed and all members should attend. We have obtained the local history (re-enactors) for the September event. We continue to have great community support and helpers.

A motion by Councilman Carman and seconded by Councilman Phelps to adjourn the meeting. Motion carried unanimously. Meeting adjourned at 9:50 p.m. The next regular meeting will be on Thursday April 13, 2013 @ 7:30 p.m. at the town hall.

Dated March 14, 2013
Town of Groveland

Sandra Bean, Town Clerk