

The regular meeting of the Groveland Town Board was held on Thursday September 14, 2017 at the Town Hall.

Present: Bill Carman, Supervisor; John Driscoll, Town Councilman & Deputy Supervisor; Craig Phelps, Bill Devine, Steve Atterbury; Councilman

Absent: None

Other Town Official's in Attendance: Highway Superintendent, James Love

Other Attendees: Ron Niedermaier, Amy Phelps, Peter Dolan

Supervisor called the meeting to order @ 7:47 p.m. He asked Town Clerk, Sandra Bean to lead us in the pledge to the flag.

A motion by Councilman Phelps and seconded by Councilman Atterbury the audited bills be paid. General Fund vouchers numbered 188-208 for \$11,518.14; Highway Fund vouchers numbered 160-181 for \$93,206.38; and Conesus Lake Water District voucher number 2 in the amount of \$2,950. Motion carried unanimously.

A motion by Councilman Atterbury and seconded by Councilman Phelps to accept the regular meeting minutes of 8/10/17 as presented. Motion carried unanimously.

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 were previously emailed to give additional time for review. A motion by Councilman Phelps and seconded by Councilman Driscoll to accept both financial reports. Motion carried unanimously.

Information handed out/or acknowledged:

1. Food Pantry collection box is located at the town hall – open during office hours
2. Senator Gallivan's office @ the Town Hall rescheduled to 9/20/17 from Noon to 12:30 p.m.
3. Livingston County Ag Farm Tour is scheduled 9/29/17 – deadline to register is 9/18/17
4. Countywide Assessment is next year and our Assessor has a video link on the town's assessor page to help explain the process better – about 11-13 minutes long created from a certified Assessor
5. Voter Registration is scheduled @ our town hall on 9/26/17 from 5:00 p.m. – 7:00 p.m.
6. NYS Department of Labor inspection notice received
7. Town Clerk office will be closed Friday September 29th to attend the AG Tour

Old/New Business:

PETER DOLAN SNOW PLOW SIGN PROJECT – Pete gave a completion report and his excitement of working with the employees at the town along with his wife Mary and daughter Hanna that all worked as a Team!

Supervisor Carman presented Pete with a Certificate of Appreciation for his hard work and commitment to volunteering with this project. It looks great!

HIGHWAY – Jim reported:

He will be having some of his crew do training for forklift inside and outside which are 2 separate seminars. Also training for fuel and oil storage.

He has completed several roads with graveling, stone and oil.

Within the last 2 to 3 weeks his crew has worked on county road projects bringing in \$14k to our 2017 budget.

Councilman Atterbury inquired if Adamson Road could be repaired this year with all the pot holes, Jim said it's not worth it but it is scheduled in 2018 for repairs.

LIVINGSTON COUNTY SNOW & ICE CONTROL CONTRACT RENEWAL – RESOLUTION 51-2017

Town Clerk reported that 2017 rates are \$4,500 per mile and the 2018 proposed contract is \$4,500 per mile. The contract effective dates are 10/15/17 – 10/14/2018 and serves 16.60 miles within our township.

WHEREAS, the Town Board has met at the time and place at its regular meeting to review the County Highway Snow and Ice contract provided from the County Highway; and
RESOLVED, that pursuant to Highway Law Section 135-a providing for snow and ice control on County Roads within the Town, the Supervisor and the Town Highways Superintendent be directed to execute a contract with the County Highway Superintendent of the County of Livingston for the Town to undertake and perform snow and ice control on County Roads located in the Town for the period beginning October 15, 2017 and ending October 14, 2018 at the rates provided.

The question of the adoption of the foregoing RESOLUTION was put into vote. Motion by Councilman Driscoll and seconded by Councilman Devine and the results were carried with 0 nay 5 aye votes. Roll Call Votes: Supervisor Carman, aye; Councilman Driscoll, aye; Councilman Phelps, aye; Councilman Atterbury; aye, Councilman Devine; aye.

INSURANCE POLICY RENEWAL – RESOLUTION 52-2017 - our Agent, Jan submitted more information via email. Board stated they would like to increase the values somewhat as the cost to rebuild is far greater than the coverage we currently have. Also feel the content coverage is low, but need to have the highway do an inventory of contents by next year to consider raising the coverage.

For now all agreed to increase the Statement of Values coverage to the Town Hall/Town Barns structures another \$500,000. Be sure we are not including the OCP policy for the county as the email from county attorney states they do not require it.

WHEREAS the Town Board has met at the time and place at its regular meeting the town board has reviewed the renewal policy coverage effective 9/21/2017 through 9/20/2018, and therefore be it;
RESOLVED this Town Board does hereby accept the Selective proposal through Livingston Insurance Agency to an additional \$500,000 to the Statement of Values coverage to the Town Hall/Town Barns structures with only 1 OCP policy for the town insurance coverage and authorize Supervisor Carman to cut a check not to exceed \$22,500 to avoid a lapse of insurance coverage.

The question of the adoption of the foregoing RESOLUTION was put into vote. Motion by Councilman Phelps and seconded by Councilman Devine and the results were carried with 0 nay 5 aye votes. Roll Call Votes: Supervisor Carman, aye; Councilman Driscoll, aye; Councilman Phelps, aye; Councilman Atterbury, aye; Councilman Devine, aye.

2018 TENTATIVE BUDGET – RESOLUTION 53 – 2017- Town Clerk presents the Tentative 2018 Budget with statement from Supervisor Carman who asked to be added in the minutes, he would provide the electronic version. Board reviewed and didn't see any changes needed at this time.

Supervisor Letter:

I was amazed with how our budgets have been improving. We went into 2017 budgets about \$8,000 under the tax levy which we get to carryover. Overall, I am presenting you with the Tentative 2018 Budget of \$5,000 under the tax levy. We are really in good financial shape. It shows we are using Fund Balance but I am placing the already taxed funds to be earmarked for an Equipment Reserve. In the training seminars I have attended, the Comptroller's office will not give us an acceptable % for fund balances but I think as long as we stay within 25-30% over our expenditures we are not price gouging the taxpayers and not having the state auditors hammering us for holding too much. I have provided copies of each department that submitted estimates that represent 2-3% wage increases.

In 2015 our highway staff did excessive county road work that saved our budgets; some of those funds were received in 2016. We also received an unexpected \$25K Multi Motto funds last year. The highway expenses have been drastically down from last year and looks to be on the same trend by the end of this year. My guess is with rotating to newer equipment is keeping the repairs and supply expenses down. We have taxed our taxpayers for these funds and it seems prudent to utilize those funds to start the equipment reserve. I have budgeted \$100,000 for now and maybe if we stay on this trend, within 3 years we use it towards a new Dump Truck. If we do the Equipment Fund Reserve it is subject to a permissive referendum, which I had Sandy prepare a draft resolution.

It will look like I slashed the budgets in the highway fund but I have not taken any of the wages or positions away; we went by actual use last year and again what the trend is showing year to date even with Jordan. Craig your estimates were dead on! Jim's 2018 budget estimate sheets shows separating Jordan and seasonal staff as a new estimate but they have been in all the 2017 grand budget line item totals. I also left in the budget for the rotation of the Ford Pickup and lawn mower as Jim requested for 2018.

In the General Fund we will be utilizing some fund balance as our figures show a healthy balance; partly with changes within the code and assessor positions this year. The celebrations and park lines we budgeted with the anticipation of having the ambuscade park completed; I didn't want to tax the people again but we are essentially carrying the funds forward by using the fund balance. Let's hope we can get the pavilion completed in 2018!

I adjusted the Justice Department slightly in the total salary for the clerk positions. Their revenues are showing a huge decline for this year. Last budget we lowered their weekly hours from 55 hours per week to 50 hours based on their usage and this year they are averaging 48-49 hours per week; so I adjusted their totals to 49 hours per week. We are not taking away any wages - again going on their usage. I remain concerned on the court revenues with justifying two justices; this may need serious consideration next year.

The Fire District will show a tax "rate" increase. We are not budgeting anything different but we had excess funds in the previous years that we returned to the taxpayers and now that fund is back to funding each year to actual amounts.

Lastly, the Water Line...I continue to work on getting the water line extension from the Aten/Groveland Hill Road to the town hall. I am still working on pricing with LSWSA on this. Once figures come in I am hoping with reapplying for the Dormitory Funds if for any miracle we get the money, it can be used to offset this extension. Maybe I will have more information before the Preliminary hearing.

Let's go through it and see if any changes are necessary and decide on the Equipment Reserve before we can move to the Preliminary budget and public hearing.

Public hearing date set for October 12th @ 8:00 p.m.

Resolution 53-2017:

WHEREAS, the Town Board has met at the time and place and the Town Clerk presented the 2018 Tentative Budget that was prepared by Supervisor Carman in conformance with NYS Town Law Section 106, and RESOLVED, that upon the completion of such review, the tentative budget and any modifications thereof is approved by this town board and shall become the Preliminary Budget pursuant to NYS Town Law 106(4).

The question of the adoption of the foregoing RESOLUTION was put into vote. Motion by Councilman Driscoll and seconded by Councilman Devine and the results were carried with 0 nay 5 aye votes. Roll Call Votes: Supervisor Carman, aye; Councilman Phelps, aye; Councilman Driscoll, aye; Councilman Devine, aye. Councilman Atterbury, aye.

EQUIPMENT FUND - RESOLUTION 54 – 2017- Supervisor Carman stated again this is being started with funds that have already been taxed to place \$100,000 this year with hopes of adding \$50,000 each year

thereafter. If the board agrees to this, Sandy will need to publish a notice in the paper since it is subject to a permissive referendum.

Resolved that pursuant to Section 6-c of the General Municipal Law, as amended, there is hereby established a capital reserve fund to be known as the “Equipment Reserve Fund.” The purpose of this Reserve Fund is to accumulate moneys to finance the cost of a specific 10 Wheel Dump Truck. The specific equipment is to be financed from the Reserve Fund is acquisition of. The estimated maximum cost of such item of equipment is \$300,000, starting with \$100,000 in 2018.

The chief fiscal officer is hereby directed to deposit and secure the moneys of this Reserve Fund in the manner provided by Section 10 of the General Municipal Law. The chief fiscal officer may invest the moneys in the Reserve Fund in the manner provided by Section 11 of the General Municipal Law, and consistent with the investment policy of the town of Groveland. Any interest earned or capital gains realized on the moneys so deposited or invested shall accrue to and become part of the Reserve Fund. The chief fiscal officer shall account for the Reserve Fund in a manner which maintains the separate identity of the Reserve Fund and shows the date and amount of each sum paid into the fund, interest earned by the fund, capital gains or losses resulting from the sale of investments of the fund, the amount and date of each withdrawal from the fund and the total assets of the fund, showing cash balance and a schedule of investments, and shall, at the end of each fiscal year, render to the Board a detailed report of the operation and condition of the Reserve Fund.

Except as otherwise provided by law, expenditures from this Reserve Fund shall be made only for the purpose for which the Reserve Fund is established. No expenditure shall be made from this Reserve Fund without the approval of this governing board and such additional actions or proceedings as may be required by Section 6-c of the General Municipal Law and any other law.

This resolution is subject to permissive referendum pursuant to subdivision 4 of Section 6-c of the General Municipal Law.

The question of the adoption of the foregoing RESOLUTION was put into vote. Motion by Councilman Driscoll and seconded by Councilman Atterbury and the results were carried with 0 nay 5 aye votes. Roll Call Votes: Supervisor Carman, aye; Councilman Phelps, aye; Councilman Driscoll, aye; Councilman Devine, aye. Councilman Atterbury aye.

PFL NOT REQUIRED FOR MUNICIPALITIES – currently we do not offer paid disability insurance within our employee handbook. If we so choose to we have to decide before December 1st 2017 and are required to notify the Union if we so choose to add it. The Paid Family Leave (PFL) is still optional for the government and not mandatory.

Board is opted not to add at this time.

REAPPOINTMENT BOARD OF ASSESSMENT – Town Clerk reported the term position of Doug Meyer ends 9/30/17; he is willing to be reappointed to a 5 year term. A motion by Councilman Phelps and seconded by Councilman Driscoll the term is effective 10/01/17- 9/30/2022.

LAKE VIEW CEMETERY RULES – the town received a request to put a monument in that exceeds the cemetery rules.

Our cemetery regulations do not get to specific on the different sizes of monument/headstone but do give general information in the June 2017 rules Section B #9 & #11 to layout some basics. Snyder Brothers felt the boat hoist wheel was not the normal and wanted to make sure the town was good with it before he went forward with it.

Board discussion:

Board reviewed the cemetery rules and information provided. The concept seems lovely. The size and materials do not conform to the overall look along with the rules in place. All agreed not to accept the request.

PUBLIC HEARING SIGNS – RESOLUTION 55 – 2017 - The question has been raised again on how neighboring residents are notified when their neighbor is constructing something that requires a variance or special use permit. The town currently places the ad in the LCNews and on the town website. We use to place the Public hearing sandwich sign board up but it was too heavy and bulky to lift despite they were stolen on several occasions with a price tag of \$150 per sign. The county sign guy provided a draft sign with an estimate of less than \$20 to include the sign and stakes. They will be corrugated similar to an election/real estate sign.

Board Discussion:

All agreed this a cost effective solution. They like the size of about 2x3 with Black on White as the sample provided. The heavy duty stakes are included in the price. Board suggested to start with 3 signs.

WHEREAS, the Town Board has met at the time and place at its regular meeting to review the need for public hearing signs for planning and zoning applications to expand our quality communication to our community; and

RESOLVED, has established this policy for each planning and zoning board application that requires a public hearing to have the town code enforcement officer place such sign on the property at least 7 business days that pertains to such hearing and be removed within 3 business days after such hearing date; and

FURTHER RESOLVED, the town has agreed to purchase through the county sign company; 3 signs to be approximately 6 square feet with black on white print to go in effect once the signs are received and to be replaced as the code enforcement department requires.

The question of the adoption of the foregoing RESOLUTION was put into vote. Motion by Councilman Phelps and seconded by Councilman Driscoll and the results were carried with 0 nay 5 aye votes. Roll Call Votes: Supervisor Carman, aye; Councilman Driscoll, aye, Councilman Phelps, aye; Councilman Atterbury, aye, Councilman Devine, aye.

COMPLAINT LETTER – Town Clerk is in receipt of a complaint letter regarding behavior and language from a town employee to a resident. The board reviewed the letter and agreed it was unacceptable and referenced Sections 903 & 1003 of the employee handbook that prohibits such behavior. The board has opted to send these sections along with the letter to our town attorney to determine course of action.

AMBUSCADE PARK – Supervisor Carman decided we need to do our due diligence and attempt to rebid the project out. Sandy reported the advertisement was placed in the Livingston County News and emailed to the empire certified companies which the list did not have the same contractors as last year; and only found 4 that listed construction capabilities in our area. She also included Wolcott Contracting on the email list. She has had a few request for plans already, so maybe something positive is to come. Bids are due by September 25th.

Supervisor communication:

- ✓ Water line update for Correctional Facility: WSA will be holding a meeting here at the town hall on Wednesday September 27th @ 5:30 p.m. for those who fall in the route. They will be sending letters on Monday. The piping may start next week to be installed but there will be no hookups until sometime in the spring. There are no line extensions to be considered until 2018-2019 once the project is up and running which would require the town to form districts and funding. WSA and the contractors may utilize our building to review progress.
- ✓ As for waterline coming down to the town hall I met with Director Baines earlier this week and we mapped out the project with a 6 inch line and it sounds doable for them with doing a simple

Intermunicipal Agreement. More information to come with the hopes of using the Dormitory Funds to offset fees to start a water filling station.

- ✓ NYS Dept. of Labor list from inspections is actively being worked on, he asked Councilman Devine to oversee the report and on any follow up inspections.
- ✓ We are working on bringing the main town hall entrance in line for handicap accessibility and fixing some of the cracked sidewalk in the coming weeks weather permitting. Jim will head the project with Mr. Maxwell making sure we do within the ADA compliances. We will have Sandy update all departments when obstruction of the front entrance will take place
- ✓ with the alternate path into the building. It is this boards wish to replace any broken sidewalk all at one time and not to break it in stages, especially prudent with the minimum 3 yard cement requirements. This project must be completed prior to the November elections.
- ✓ How are union contract negotiations going – do you think our budgets are in line thus far? Councilman Phelps indicated it is all moving along slow but well.
- ✓ I will be attending a Supervisor’s Part 2 Accounting & Procedures training in Batavia Oct 3rd – 5th.

Other communications:

Ron Niedermaier checked with the Groveland Correctional Facility to see if they do any outside construction projects which he found they do but very limited duties. We would need the town to send a letter on town letterhead to the Facility Superintendent listing the duties required relating to the Ambuscade Park pavilion. Supervisor Carman stated we will consider that once we see if bids are submitted after September 25th.

A motion by Councilman Driscoll and seconded by Councilman Phelps to adjourn the meeting. Motion carried. Meeting adjourned at 9:49 p.m. The next meeting will be the regular meeting October 12, 2017 @ 7:30 p.m. at the town hall.

Dated: September 14, 2017
Town of Groveland

Sandra L. Bean, Town Clerk