

The regular meeting of the Groveland Town Board was held on Thursday March 8, 2018 at the Town Hall.

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

Absent: Steve Atterbury, Councilmember

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

Other Attendees: Jamie Hy

Supervisor called the meeting to order @ 8:04 p.m. He asked Councilmember Niedermaier to lead us in the pledge to the flag.

A motion by Councilmember Niedermaier and seconded by Councilmember Devine the audited bills be paid. General Fund vouchers numbered 33–53 for \$10,812.71; Highway Fund vouchers numbered 31-60 for \$10,135.97 and Conesus Lake Water District voucher number 1 for \$32,950. Motion carried.

A motion by Councilmember Devine and seconded by Councilmember Niedermaier to accept the regular meeting minutes of 2/8/18 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 were previously emailed to give additional time for review. A motion by Councilmember Niedermaier and seconded by Councilmember Phelps 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. Groveland Fire Department Pancake breakfast has its last one for the season on March 11th
3. Advertisement out for Assessor Re-evaluation figures and Informal hearing opportunities.

Old/New Business:

HIGHWAY REPORT – Jim reported:

Truck Bid results for new Half Ton 4-wheel drive work truck

Bid opening started at 9:12 a.m. on February 22, 2018 with Jim & Sandy

Town Clerk reported that she was in receipt of 1 seal bids. Sandy opened as read as follows:

1. Wentworth Motors 139 Franklin Street, Dansville NY

Bid is for a new 2018 Chevrolet Silverado for a bid of \$28,619. It appears they meet all specs.

Resolution 32–2018

WHEREAS this Town Board does hereby acknowledges the amount of the Bid submitted does fall within the budgeted equipment fund; and

WHEREAS the bid specifications were advertised and the bid submitter did follow and meet all specs listed; and now therefore be it;

RESOLVED this board has awarded the new 2018, Half Ton 4-wheel Drive Work Truck with 143.5” Wheel Length, to Wentworth Motors, in the amount of \$28,619.

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 aye votes.

Love stated he has a quote for selling the 2016 pick up at \$24,000.

He is interested in replacing the roadside mower with a newer one with a boom and cutter blade and is looking at one that is listed at \$76,000. We have \$100,000 slated for a dump truck to purchase in 3 years and

feels this is a better choice. The board is not set on it yet but will allow Jim to bid it and go from there. The cutter blade would be added as brand new and feel best to bid that separately than the Tractor.

A motion by Councilmember Phelps and seconded by Councilmember Devine to bid the tractor without the cutter blade. Motion carried.

Jim reported he has Dave Anderson serving as his deputy.

Application for highway position – Town Clerk reported her office is in receipt of 4 applicants plus Jordan's letter of interest.

Jim reported he would like to hire Jordan Porcelli to fill the full time position if Mr. Caldwell does not return by April 2nd.

Motion by Councilmember Phelps and seconded by Councilmember Niedermaier to hire Jordan Porcelli full time @ \$19.00 effective start date April 3, 2018 if Mr. Caldwell does not return to work. He is eligible to enroll in the union; then once he reaches 6 months of full time status he then becomes eligible for health benefits per the highway union contract.

Jim would like to fill the temporary position to continue grooming for future retirements. He is considering Kevin Haywood. The board said it would only be a part time slot or a seasonal summer slot. Jim said well there is enough work for full time hours. The board said there is no other full time slots open.

A motion by Councilmember Devine and seconded by Councilmember Niedermaier to allow Highway Superintendent to fill a secondary position of part time position @ \$18/hr. not to exceed 29 hours per week or a 6 month seasonal position up to 40 hours. Motion carried.

Jim will see if Kevin would be interested.

Surplus list – Resolution 33-2018 - Highway Superintendent has given a list of items he suggests to be sent to auction with the local annual Teitsworth auction plus their municipal auction in May held in Palmyra.

WHEREAS the Town Board has met at the time and place at its regular meeting the town board has reviewed the proposed surplus list, now therefore be it;

Surplus:

- 1 - 2016 Ford 250 Truck – Town Fleet # 1 - 1FT7X2B67GEB17658
- 1 - 2013 John Deere 540 Mower - 1M0X540DKEM090262
- Misc. Army surplus shower stalls
- Army surplus copper from shower stalls
- Highway HP printer – CNOAS2M4MN

RESOLVED the items to be declared surplus as the items are no longer of use to the town, and authorize the Highway Superintendent the authority to take items to Teitsworth Auction scheduled in April & May. Any sold items must turn an itemized slip in with payment to the town.

The adoption of the foregoing RESOLUTION was duly out in vote on motion of Councilmember Devine and seconded by Councilmember Phelps and the results were carried with 0 nay 4 aye votes.

FOIL COMPLAINT APPEAL – Town Clerk was in receipt of a complaint regarding informal hearings requests for the Comparable properties from Assessor who has stated he will not provide. Mr. Hy was at the board meeting to appeal to the board under the FOIL process.

The Town Clerk is the FOIL officer in our town under the Freedom of Information Law and governs under the records per Section 89. Sandy stated she had emailed Augie to see if he will be releasing comparable sheets upon request and his email response dated 2/23/18 was “no not ever.”

Town Clerk provided NYS opinions.

Board review:

NYS Department of State FOIL Opinion’s #15519 & 15744 due state the items requested could be denied under Section 87 (2) for inter or intra agency. The board recognizes comparables represent an opinion of the assessor evaluations. However, these rulings were opinioned in 2005 & 2006, but feel in 2018 we are in a more diversified and transparent environment and do not see any reason that they should be withheld. This is a practice that previous Assessors have produced in our town and feel it is a reasonable request. We do realize the position of Assessor is not the most popular and we do support his efforts to making fair assessments.

A motion by Councilmember Phelps and seconded by Councilmember Niedermaier under the Appeal process the town board are directing Augie to provide the comparable sheet(s) for Mr. Hy property located at 6671 Barber Hill Road, Groveland NY 14462 within 10 days of today’s date. Motion carried.

HIGHWAY SUPERINTENDENT - ELECTED VS APPOINTED – board will discuss when Councilmember Atterbury is in attendance. All agreed.

JUSTICE’S 1 VS 2 POSITIONS – Supervisor Carman stated this has been a topic going back to 2016. He also has stated his opinion would be to maintain the two justice positions and consider upon a new term to reduce the salary as it was never adjusted when they went from tow court nights a month per justice down to one per month.

Justices Love & Livingston were present. They have been told the Troopers have dedicated a person in our area on 390 and it seems to be showing in the ticket downloads which were 100 just this week alone as it was about 20 per week previously. Keeping two justices has proven to be effective for flexibility. The workload has not decreased especially with an increase of DWI and criminal cases which creates more written work.

Board discussion:

All seemed to agree it does seem to be working and are incline to maintain and consider a budget revision upon next term election. Supervisor recommends to review in September to see if numbers are showing improvement.

DEPARTMENT ANNUAL REPORTS – RESOLUTION 34-2018 – Town Clerk previously emailed all 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 2017 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, 2017 and that such 2017annual 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 aye votes.

ASSET LISTS – REVIEW FOR APPROVAL - Town Clerk presented updated lists for each department. These 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.

NATIONALGRID ENERGY SAVINGS PLAN BID – a representative with the Lime Company authorized through Nationalgrid has prepared an energy bid as he did a few years back but says there are better programs for municipalities than before. Board will take home and review to discuss at the April meeting.

AMBUSCADE PARK– Supervisor Carman stated the letter was sent on February 12th, no response thus far. He spoke with BOCES representative Tim Fleck who says the kids will be building a small house on the lake and feel the pavilion would be the perfect size to handle both projects. More information to come.

Supervisor Communication:

- ✓ Water line update for Correctional Facility is waiting for pump parts.
- ✓ We have received all the contract paperwork from Gallivan's office for the \$61k filling station project. Our attorney will be reviewing it before sending it back.
- ✓ Assessor contract – no updates or signed contract back.
- ✓ VFW Monument donation request for the Geneseo Village Park from both Groveland & Geneseo. A motion by Councilmember Devine and seconded by Councilmember to authorize a \$50 to the VFW monument project. Motion carried.

Other Communications:

Councilmember Niedermaier inquired if inmates can be used for cleaning around fire hydrants once fully functional. Supervisor Carman stated he didn't think so but would check into it.

Town Clerk reported the court is in receipt of the grant funds and will be doing improvements to the multipurpose room and the board room table.

A motion by Councilmember Devine and seconded by Councilmember Niedermaier to adjourn the meeting. Motion carried. Meeting adjourned at 8:25 p.m. The next meeting will be the regular meeting April 12, 2018 @ 7:30 p.m. at the town hall.

Dated: March 8, 2018
Town of Groveland

Sandra L. Bean, Town Clerk