

The regular meeting of the Groveland Town Board was held on Thursday May 10, 2018 at the Town Hall.

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

Absent: None

Other Town Official's in Attendance: James Love, Highway Superintendent, Donald "Mark" Caldwell, Deputy Highway Superintendent, Justice's Jenean Love & Dave Livingston,

Other Attendees: Kathy Watkins

Supervisor called the meeting to order @ 7:48 p.m. He asked Councilmember Atterbury to lead us in the pledge to the flag.

A motion by Councilmember Atterbury and seconded by Councilmember Niedermaier the audited bills be paid. General Fund vouchers numbered 88-110 for \$8,737.02; Highway Fund vouchers numbered 76-93 for \$12,843.10. Motion carried unanimously.

A motion by Councilmember Phelps and seconded by Councilmember Atterbury to accept the regular meeting minutes of 4/12/18 approved 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 Councilmember Niedermaier and seconded by Councilmember Atterbury 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. Grievance day is set for 5/24/18 from 3-9 p.m. appointments not required
3. Board of Assessment members – Zeller & Meyer have completed retraining
4. Wayland Gravel Pit assessment was lowered \$11,000
5. Sonyea Legion Post are placing flags in cemeteries 5/24/18
6. Municipal Clerks week is May 6-12th

Old/New Business:

HIGHWAY REPORT – Jim reported:

- Prices for a new porta-potty with a monthly cleaning service quotes are for ADA compliant were reviewed. Board stated to buy a standard new one later in the fall or spring but go ahead and rent an ADA compliant one for the Ambuscade Park that is \$200 or less to include cleaning service. This should be a 5 month rental.
- Salt shed lost more shingles this winter and now leaking and in need of repairs. Board said get pricing for the next meeting.
- He provided a quote from Over Head Door to replace 3 bay garage doors as he thought the board may want to consider putting in the 2019 budget. Board suggested contacting Martin Door for an additional quote.
- After this winter David Gray Hill Road is in desperate need to be wedged and repaired which will shorten the goal to complete entire full Adamson Road, but will be able to complete the worse portion.
- We are still planning on completing our portion of Servis Road while Geneseo does theirs. We are waiting for Nationalgrid to come cut trees, then we will ditch and grind asphalt to reuse.
- It is planned to patch Abele Road.

Complaint - 6615 Groveland Hill Road – Kathy Watkins was present to follow up from her letter previously emailed. As a resident and former employee this seems very under handed and not how any resident should be treated and inquired if the town board supports such behavior. Hard to imagine one day you come home and 40 feet of hedges could be gone without any communication. If anyone at the table has her cell phone number to please contact Kathy prior to handing it out since it is a private number.

Jim denies making the complaint and all statements as the town has no intention to take out the hedges and insists the complaint came from Jason. Jim has been doing assessments from Jason's complaint.

Supervisor Carman stated this board is not privy to highway daily duties but will look into the complaints and get back to Kathy. (Complaint letter included in minute book)

HEALTH BROKER BOND FINANCIAL – Bill Carson from Bond Financial is readdressing the board since February's letter. He presented a packet "Are You Getting What Your Paying For" with the benefits of using their Company, family owned with a commitment with several new additional quality staff members. Board thanked him for his presentation.

COURT CLERK RESIGNATION – the justices received a 30 day resignation dated April 25, 2018 from Candice King. Judges have agreed to accept the notice on the date submitted of April 25, 2018 without any adverse issues. An advertisement was placed on the NYS court website and in the Livingston County News with little response. It was suggested to run another week.

A motion by Councilman Phelps and seconded by Councilman Atterbury to accept the resignation. Motion carried unanimously.

COURT CLERK HOURS – Justice Love & Livingston were present to readdress the memo with limited working hours of Monday through Friday 8:00 a.m. – 5:00 p.m. Justice Livingston started out with thanking the board for reinstating Terri to full time status, but wants flexibility with extending the hours. She is flawless at her work, mandatory depositing, month-end accountability, very productive, great at grants but she sometimes needs flexibility for children and medical appointments.

Board Discussion:

She had all the flexibility before and wasn't making 35 hours in fact if she was at 34.75 hours; she clocked in on a Saturday for 15 minutes just to get her full time hours in. Working Saturday and Sundays she is all alone if she trips or falls she is all alone.

Supervisor Carman thanked them for their time and will review the information and decide at the next board meeting.

ENERGY SAVING PLANS – STREET & ENERGY AUDIT – Supervisor Carman reported the Lime Company authorized through Nationalgrid is not really Nationalgrid, it is one of the million open vendors available, not to mention the representative dropped off a bid and hasn't since called or stopped back in. He has requested through Nationalgrid to get pricing for all the street lighting within our town to convert from high pressure sodium (HPS) to LED lighting. He also thinks the building lighting is not cost effective as we can replace ourselves internally as some have already have. All agreed.

NY RURAL WATER – Supervisor reviewed a program that he feels we will benefit from with many stages of getting the Filling Station and potential water line services to other roads once the Correctional Facility water line service is up and running. He passed around the brochure. He would like the board's permission to enroll into a membership. No objections from the board. The voucher was prepared for tonight and will remain within the abstract.

TOWN CLERK CONFERENCE SUMMARY – copies were handed out. She also mentioned she was a recipient of the Livingston County Town Clerk Tax Collector Association scholarship of \$250, which has been mailed to the Supervisor.

Also noted she will be attending a seminar in June for credit card services as the laws have changed somewhat and seems to be a service many residents would like.

Summary Town Clerk & Deputy Town Clerk Training: April 23-April 25, 2018 in Albany, NY

- NYS DEC – reviewed updates regarding email address requirements which is a mandatory field but reassuring they ONLY use for reminders. They promoted the use of the online Help Link; with all the updates you do not have to log into the program as it is available at the sign in field. There is a Lifetime license congratulations letter the agents can use. They are promoting the Gov. Delivery website to for Town Clerk email if different than the user computer. A big push to be sure each Decals user has their own user log in to help prevent fraudulent uses; remember anyone with access can access anywhere there is a computer.
- NYS Government on FOIL & OML - There was much discussion on fees related to Foil. If you can provide it without major issues then do so and redact if needed. The Town Attorney is not the authority to decide Foil unless the Town Clerk needs assistance. The Clerk is the legal owner of all employee emails and text. There are many case laws on Foil & OML at the DOS website www.dos.ny.gov/coog Bob Freeman recommended looking up Needle in Haystack. Remember you cannot enter Executive session for personnel reasons. Email does not violate OML as long as no instant messaging and no decisions are made; can be used for discussion only.
- Association of Towns (AOT) – a new mandatory law coming down under NYS DOL 201-g Article 7 – Health & Mental Hygiene it will require mandatory training similar to the Workplace Violence...sample model laws will be coming out soon.
Be sure your town has established all positions in line with civil service position per CSL 41 1(b); some may require to be hired off of civil service.
Town Donating Funds is prohibited unless for a public entity.
Charitable Reserve Fund (CRF) for Tax Collection is part of the Tax Reform, Tax Cut & Jobs Act – Chapter 59 of Laws 2018 – this is an opt in program. It is not yet perfected by the state and may see it roll out in June. This is a benefit for the taxpayer only with a huge paper trail for the taxing authorities. The town could only opt in if the county did and vice versa. The taxpayer could get up to 85% tax credit for his tax bill if the county passes RPL 980-a then they could get up to 95%.
- Vital Records – Funeral Directors can represent a family for up to 6 months; thereafter each eligible member are required to obtain birth/death records on their own. The form 294-a, is required to be filled for all death certificate request even Funeral Directors. This will protect the Registrar if they give out confidential causes certificates to members not entitled. A neighboring registrar can issue a burial permit but not issue the death certificates, but should take all the information in hand and delivery to the correct jurisdiction.
- Vital Death Records will go live electronically in all of Livingston County June 28th
- NYS Retirement – was doing software updates to go online but have postponed the system upgrades until spring 2019. The reports that were scheduled to be filed online in May are postponed.
- Smart LED Street Lighting – the private company RealTerm Energy is a company that has helped over 200 municipalities and utility companies upgrading their lights to energy efficient LED technology. It was suggested to have municipalities speak with their utility company and agree to convert a lamp once it requires changing. This will help with better lighting, less maintenance and lower bills.
- NY Rural Water Association – is a private company that works with the private and municipal world. Their membership includes; 24 hour emergency service, free training recertification, line locating, leak location, smoke testing, source water protection planning, assistance in applying for funding of projects and much more. There is proposed legislation creating a program called SWOP if approved it will work similar to the highway CHIPS fund.

NYS DEFERRED COMPENSATION – we had an employee inquire if or how they could enroll into this plan. Town Clerk is not aware of the town offering it and asked the accountant and were given information.

First we will need to contact the state to see if the town is already enrolled and if not the town can opt in, which we did check today and found we are not enrolled and besides all state government and several county agencies only 4 NYS towns are listed online offering the program. There are over hundreds of pages of material rules regulations and policies to follow if the town elects to offer starting with an adoption kit. Board Discussion: With the compliance factor best to stay out of it and refer to their local bank as many offer such service.

LIVINGSTON COUNTY WORKFORCE AGREEMENT – This is a county program that we have utilized in the past and worked out fairly well with no out of pocket cost to the town. Sometimes you get paired with some great workers, we are not obligated to use or keep anyone that is sent to us. The projects we are thinking of using the services for highway department for mowing and up keep of the town hall bushes, plants, mowing and light painting. Inner office would be to organize all the historical memorabilia with the direction of our Historian. Nothing is set in stone and open to other efforts.

Board discussion:

Motion by Councilman Devine and seconded by Councilman Niedermaier to allow Supervisor Carman to fill out and sign the agreement with LC Workforce. Motion carried unanimously.

LIVONIA VITALE PARK SUNDAY NIGHT CONCERT – donation request with a list of the concert schedule was passed around. All agreed a nice program and feel our residents do attend.

A motion by Councilmember Phelps and Councilmember Atterbury seconded the motion to be a gold sponsor with a \$100 donation. Motion carried. The voucher was prepared for tonight and will remain within the abstract.

CELL BOOSTER OPTIONS – between the highway and town hall cell phone reception is minimal due to the metal building and gets worse the farther back of the building. We have looked into some options with our IT Department and they have a few recommendations. There is a vast range of equipment that seems difficult to bid out but could cost \$300-800 for the equipment.

Board Discussion: board agrees an area to improve and would like to see more quotes.

AMBUSCADE PARK– Supervisor Carman stated the letter was sent on February 12th, no response other than the return receipt card they received the letter. An updated discussion this week with BOCES representative Tim Flack provided a Memorandum of Understanding which he signed so Tim can take to their board for final approval. We will want to start plumping and concrete this year. It seems best if we do not try and utilize the grant that has expired and budget for expenses in 2019 as it will cost us much less than the grant process as long as we use the approved SHPO plans. All agreed. In the meantime we should add Ron Maxwell to the committee with Bill Devine to facilitate all code compliances.

Supervisor Communication:

- ✓ Water line update for Correctional Facility – the WSA is progressing with the nicer weather and hopeful for residential hook ups still start potentially in June. They will send letters with pricing to all residents on the direct line once they are confident with their timeline. I met with them again regarding the Filling Station and their commitment to the project and will be listing in the Intermunicipal Agreement; which we will send to our attorney once they present it to us. In the meantime, I have reached out to our Engineer to get the project going on the parts the WSA cannot fulfil. The Dormitory Funds still have not been received.
- ✓ The town newsletter is complete with being printed and mailed out early next week.
- ✓ Mossien Letter received from attorney was handled by our Attorney
- ✓ We received final confirmation of the ZBA Article 78 is closed
- ✓ Livingston County is going to central arraignment judges, OCA to pay \$125 per rotation 7:00 a.m. – 7:00 p.m. only if arraignment occurred with no court clerk compensation allowed, this requires all

Livingston County Town & Village Justices to participate in the rotation pending Board of Supervisors final vote.

EXECUTIVE SESSION – Supervisor Carman made a motion to go into executive session, seconded by Councilmember Devine for matters relating to medical, financial, credit or employment history of a particular person or corporation, or relating to appointment, promotion, demotion, discipline or removal. Supervisor Carman asked the Town Clerk to join. Motion carried unanimously.

Board entered executive session at 10:30 p.m.

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

Returned to regular session at 10:43p.m.

Other Communications:

Councilmember Niedermaier provided a list of deficiencies at the Ambuscade Park to help get it presentable for the season, since the grounds and maintenance falls under highway he gave a copy to the Highway Superintendent who handed it to Caldwell to take care of. Caldwell says he will take care of things all before Memorial Day weekend. Board suggested putting 1 picnic table there until all construction is complete.

Councilmember Phelps mentioned that 2 years ago the utility company cut the telephone poles in half and told the cable company was to come remove the rest of the poles. Supervisor Carman stated the cable company does not have anyone to remove them; the only thing to consider is to file a PSC complaint.

Town Clerk mentioned the Federated Parish reached out today inquiring if we could house their display auctions quilts from May-August; the auction is to help with their roofing fundraising. It was suggested they take pictures and create a flyer and happy to place the flyer up but we need to be mindful to have separation of church & state.

A motion by Councilmember Atterbury and seconded by Councilmember Phelps to adjourn the meeting. Motion carried. Meeting adjourned at 10:55 p.m. The next meeting will be the regular meeting June 14, 2018 @ 7:30 p.m. at the town hall.

Sandra L. Bean, Town Clerk
Town of Groveland
Dated: May 10, 2018