

The regular meeting of the Groveland Town Board was held on Thursday, December 14, 2023 at the Town Hall, 4955 Aten Road in the Town of Groveland.

Present: Bill Devine, Supervisor; Sandra Bean, Deputy Supervisor and Councilmember, Steve Atterbury, Councilmember and John Macauley, Councilmember

Absent: Amy Hunter, Councilmember

Other Town Officials: T. Harvey, Appointed Highway Superintendent and R. Maxwell, Code Enforcement/ Zoning Officer/ Addressing Official

Others Present: R. Niedermaier

Supervisor Devine called the meeting to order at 9:00 a.m. Councilmember Atterbury led the pledge to the flag.

A motion by Councilmember Atterbury and seconded by Councilmember Bean that the audited bills be paid. General Fund vouchers numbered 283 -307 for \$20,151.69; Highway Fund vouchers numbered 184- 200 for \$37,658.11; and Capital Fund voucher numbered 15 for \$1,170.00. Motion carried.

A motion by Councilmember Bean and seconded by Councilmember Macauley to accept the regular meeting minutes of 11/09/2023. Motion carried.

Supervisor Devine forwarded copies electronically of the Town Clerk & Supervisors monthly financial reports. The supervisor financial report with monthly statement of all money received. Councilmember Atterbury and seconded by Councilmember Macauley to accept both financial reports. Motion carried.

Information handed out/or acknowledged:

Old/New Business:

HIGHWAY REPORT- Appointed Highway Superintendent Harvey reported with the assistance of the town clerk has a government account with Verizon now and has been set up, he now has a cell phone for town use. All board members have been provided with his contact information. The highway crew has been finalizing the snow fence in preparation for the winter months and the hope is a few tree projects this winter during downtime.

Appointed Highway Superintendent Harvey stated that he was able to sign back up for the Federal Surplus and get an understanding of how it works.

The crushing cost has increased significantly from the year previous but will still be covered by CHIPS monies.

Appointed Highway Superintendent Harvey wanted to go over town equipment with the board as there are issues with a few trucks.

- Bucket truck has been brought back and can't have cables certified locally as the owner is no longer able to do. Research has been done to sell/ fix and given to the board for their review.
- 1987 Mack Box is in need of replacement only used to haul water
- 1999 Mack has a box issue also that makes it difficult to utilize for much

Discussion of options-

Councilmember Bean inquired as to what the Highway Superintendent wished to do with the equipment. The appointed Highway Superintendent would like to look at Federal Surplus to see the availability of potential replacement of the two Mack trucks and to surplus them along with surplus the bucket truck. The Highway Superintendent stated that the new Peterbilt that is coming will replace one of the two trucks that have box issues currently, but it would be ideal to have a decent backup. The new Peterbilt is expected in February/ March of 2024.

Councilmember Bean stated that the board should consider surplus one of the Mack trucks and the Bucket truck and keep one of the Macks for a just-in-case moment for now.

Supervisor Devine stated the spring would be the best time to surplus vehicles but agrees with surplus equipment with a plan in place.

Appointed Highway Superintendent stated that he would like to purchase a new sander for the new truck that is coming as the sander that is available for use is from 1987 approximately, he believes. One of the trucks just had an issue with a sander and the new type of sander he presented would make fixing an issue with the sander much simpler.

Supervisor Devine inquired for more information and appointed Highway Superintendent Harvey provided quotes along with a brochure was provided to the board for their review.

Councilmember Bean asked is this equipment in stock. Appointed Highway Superintendent Harvey stated yes, it is currently available and ready to be placed in our truck.

Board stated review your budget at the end of the year if it is within the budget proceed with the purchase, ensure that all quotes are attached for procurement purposes.

Appointed Highway Superintendent Harvey also has been in contact with American Rock Salt regarding brine from their pond. It was stated the town can have as much as needed. Appointed Highway Superintendent Harvey was going to contact DEC prior to accepting or utilizing to ensure the town's compliance.

Code enforcement Officer/ Addressing Official Ron Maxwell was in attendance and addressed the board regarding a couple of requests from property owners in Groveland he received as it pertains to town highways.

- Mrs. Stewart, contacted Mr. Maxwell to inquire about the town-taking road dedication of Crab Apple Drive which is owned by Harold Stewart. There have been previous requests made to the board and have been denied.

Board discussion- the original Hawthorn Hills subdivision Phase 2 was never completed and the town has no interest in taking over the road.

- The second request was from Mr. Justin Koschara to receive a numerical address on Bennett Hill Road as he is in the process of a potential build on his parent's property. The

property will need to go through subdivision but NYS Fire Code states that for fire protection service he cannot legally allow as that is a seasonal use road. The address will have to be on the State Road. The same issue happened when the town closed David Gray Hill Road with a property owner, and why a portion of the road had to remain open. Appointed Highway Superintendent Harvey stated it would not be a good idea to plow a small portion of the area as there is not a good safe turnaround for this to happen.

The board was in agreement with the concern and supported the Code Officer/Addressing Official and appointed Highway Superintendent in their decision. They are meeting with Mr. Koschura at the end of the month and will update him.

CODE OFFICE UPDATES: Code Officer Maxwell stated that he currently has 4 new builds going on West Lake Road that are demolition to new builds. Code Officer Maxwell updated the board on the State Variance request that he attended and that there may be a second appearance coming.

Union Contract Resolution 63-2023- Councilmember Hunter forwarded the updated contract for the board's review as she was unable to attend the meeting.

WHEREAS, the Town Board has met at the time and place at its regular meeting, to review the procedures of the collective negotiations as fair and orderly conducting its relations with the highway full-time employees; and

RESOLVED, that the Town Board of the Town of Groveland in consideration of the mutual covenant and agreements to the union contract effective January 1, 2024, through December 31, 2025.

The question of the adoption of the foregoing RESOLUTION was put into vote. Motion by Councilmember Bean and seconded by Councilmember Macauley and the results were carried with 0 nay 4 aye votes. Roll Call Votes: Supervisor Devine, aye; Councilmember Bean, aye; Councilmember Atterbury, aye and Councilmember Macauley, aye. Councilmember Hunter absent.

SURPLUS RESOLUTION 64-2023 Appointed Highway Superintendent Harvey notified the board of items that are no longer in use or has been traded in as they no longer have value.

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-Plasma cutter 900-012342
- 1-Pressure Washer 26739

RESOLVED the items to be declared surplus as the items are no longer of use to the town, and authorize the sale or disposition if no monetary value. Any sold items must turn an itemized slip in with payment to the town.

The question of the adoption of the foregoing RESOLUTION was put into vote. Motion by Councilmember Atterbury and seconded by Councilmember Bean and the results were carried with 0 nay 4 aye votes. Roll Call Votes: Supervisor Devine, aye; Councilmember Bean, aye; Councilmember Atterbury, aye and Councilmember Macauley, aye. Councilmember Hunter absent.

INTERMUNICIPAL MACHINERY TOOLS SHARED SERVICES – RESOLUTION 65-2023 - the contract is extending for 1 year for 2024. No changes other than updated equipment and wages as listed in the contract.

WHEREAS, the Town Board has met at the time and place at its regular meeting, to review the Extension Intermunicipal Agreement with Livingston County Highway of sharing machinery, tools, equipment and services with each other; and

WHEREAS, the Town may enter into this type of Machinery, Tools, Equipment and Services Sharing Agreement to NYS Highway Law Section 142-b and Section 142-d; and

WHEREAS, the County enter into this type of Machinery, Tools, Equipment and Services Sharing Agreement to NYS Highway Law Section 133-a; and

WHEREAS, the Town Board agrees with such contract and authorizes Supervisor William Devine to sign the 1-year contract to expire December 31, 2024; and

THEREFORE BE RESOLVED; that the Highway Superintendent will possess such powers and authority to determine the needs and availability of such equipment and labor and the rates are variable based on union contract rates.

The question of the adoption of the foregoing RESOLUTION was put into vote. Motion by Councilmember Bean and seconded by Councilmember Macauley and the results were carried with 0 nay 4 aye votes. Roll Call Votes: Supervisor Devine, aye; Councilmember Bean, aye; Councilmember Atterbury, aye and Councilmember Macauley, aye. Councilmember Hunter absent.

Cleaning Services Contract- Resolution 66-2023- Supervisor Devine stated that this is an annual contract the town has had with the staff of FLDDSO and enjoy working with the clients.

WHEREAS, the Groveland Town board has opted to renew the existing cleaning contract with This That and More Co.; now therefore be it

RESOLVED, the Groveland Town Board authorize Town Clerk, Kimberly Burgess to renew a one year contract expiring December 31, 2024 for monthly cleaning of \$49.50/ week.

The question of the adoption of the foregoing RESOLUTION was put into vote. Motion by Councilmember Bean and seconded by Councilmember Macauley and the results were carried with 0 nay 4 aye votes. Roll Call Votes: Supervisor Devine, aye; Councilmember Bean, aye; Councilmember Atterbury, aye and Councilmember Macauley, aye. Councilmember Hunter absent.

LEGAL AGREEMENT FOR PUBLIC WATER SUPPLY RESOLUTION 67-2023- Supervisor Devine was notified by Municipal Solutions and Attorney DiMatteo's office that a new Legal Services Agreement would need to be signed as Attorney DiMatteo bills for the water district to date has exceeded the \$15,000 amount as previously signed. This is a requirement for the USDA Loan process as well. The supervisor stated he felt the town has done this before and to hopefully not go beyond another figure he chose to increase by \$10,000 more.

WHEREAS the Town Board has met at the time and place at the town board meeting the town board has reviewed the updated Legal Services Agreement with David DiMatteo on December 14, 2023; and

WHEREAS, the Town Board has reviewed the Legal Service Agreement Public Water Supply District known as the town's Groveland Water District Number 1 and now therefore be it;

RESOLVED this Town Board does hereby accept the updated Legal Service Agreement with David DiMatteo, and authorizes Supervisor Devine to sign the agreement.

The question of the adoption of the foregoing RESOLUTION was put into vote. Motion by Councilmember Bean and seconded by Councilmember Macauley and the results were carried with 0 nay 4 aye votes. Roll Call Votes: Supervisor Devine, aye; Councilmember Bean, aye; Councilmember Atterbury, aye and Councilmember Macauley, aye. Councilmember Hunter absent.

BUDGET AMENDMENT AND LINE TRANSFER RESOLUTION 68-2023- Town Accountant, Terri McKerrow recommended doing a specific line transfer for the Capital Water Fund at this meeting to finalize prior to year-end.

Increase/ Decrease 2023 Budget Revenues & Expenditures GF as follows

Increase GF Revenue – A4089 (Federal Aid- other) \$65.00
Increase GF Expenditure- A9901.9. (Interfund Transfer) \$65.00
Decrease GF Expenditure- A8810.41 (Cemetery Contractual-Glenwood) \$65.00

Increase 2023 Budget Revenues Capital Project as follows

Increase Capital Revenue – H2770 (Misc.) \$65.00

The question of the adoption of the foregoing RESOLUTION was put into vote. Motion by Councilmember Bean and seconded by Councilmember Atterbury and the results were carried with 0

may 4 aye votes. Roll Call Votes: Supervisor Devine, aye; Councilmember Bean, aye; Councilmember Atterbury, aye and Councilmember Macauley, aye. Councilmember Hunter absent.

Other Communication: Town Clerk received next year's term of office to be filed from the Board of Elections along with the possibility of a town proposition. Are there any propositions for the ballot in 2024? Board stated none that they wish.

Town Clerk was notified that a bill is being signed into law by Governor Hochul forcing local elections to be held with state and federal elections years. The information was passed along by NYSTCA to all town clerks to inform their town boards. Is this something this board wishes to address? The board all agreed that they wish a resolution to be prepared to veto the signing of this into legislation

A motion by Councilmember Atterbury and seconded by Councilmember Bean to adjourn the meeting. Motion carried. The meeting adjourned at 10:05 a.m. The next meeting will be the yearend meeting on December 28, 2023, @ 9:00 a.m. at the Town Hall and is open to the public. Motion carried.

Kimberly Burgess, Town Clerk
Town of Groveland
Dated: December 14, 2023