

The regular meeting of the Groveland Town Board was held on Thursday September 12, 2019 at the Town Hall.

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

Other Town Official's in Attendance: Donald "Mark" Caldwell, Deputy Highway Superintendent

Other Attendees: Steve Teeter, Chief Groveland Fire Department and residents

Supervisor called the meeting to order @ 7:29 p.m. Supervisor Carman asked Councilmember Phelps to lead the pledge to the flag.

A motion by Councilmember Phelps and seconded by Councilmember Devine the audited bills be paid. General Fund vouchers numbered 200 - 223 for \$19,325.70; Highway Fund vouchers numbered 156 – 179 for \$124,217.84; and Conesus Lake Water District Fund voucher number 2 for \$ 2,451.25. Motion carried unanimously.

A motion by Councilmember Devine and seconded by Councilmember Niedermaier to accept the regular meeting minutes of 08/08/2019 and the Special Meeting Minutes of 8/20/2019 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. Councilmember Devine and seconded by Councilmember Niedermaier 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. Public Hearing Notice for Special Assessments Roll- LCWSA district No. 1 Zone 1-5 Conesus Lake Sewer District #8, and Ext #9 Groveland Station Sewer district

Old/New Business:

WEST LAKE ROAD EROSION CONCERN- a resident requested privilege of the floor to discuss a concern following damage from a June 2019 storm. The resident provided pictures and graphs depicting the area in question along with a summary of why there is a concern created from culvert piping beginning at the State road. The area in questions is Sutton Point South which is accessed off of a State Road and private property. The residents in the area wish to have remedied the area of concern to avoid further damage to their properties. They have had conversations with NYS DOT, NYS DEC, Livingston County Watershed Inspector, Livingston County Soil and Water, and Town of Groveland Code Enforcement to assist in remedying the area of concern. It was the recommendation of the town Code Enforcement Officer to the residents to come to the board to see what assistance they can be as all other agencies state it is not within their jurisdiction. It was state by a resident that NYS DOT took multiple 10 wheel trucks of debris and material from the storm damage away from the culvert pipe and along that area of the road after the storm. The residents have requested from NYS DOT to please clean the culvert pipe prior to the storm and would like more after the storm to hope in can catch the water that comes naturally from the gully above. The residents have been told from a representative from NYS DOT engineer that all of the culverts are maintained regularly; however one resident cannot remember the last time prior to the storm the DOT came to clean the culvert.

Supervisor Carman stated that he can see the damage and understand the need for assistance, however due to the fact the culvert pipe is on private property the town cannot do any work on private property. The original area of concern began with a 5'x6' culvert pipe under State Route 256 that during the storm became plugged

and forced debris down the culvert pipe plugging the pipe due to the fact that the pipe was put there prior to any of the current owners and this is the first time for flood damage he would guess the pipe has had debris coming in for years until the last storm couldn't take the amount of rushing water and debris.

Supervisor Carman stated he will contact NYS DOT representative in the Lakeville office to get answers regarding the clean out of the culverts along State Route 256 and inquire as to the maintenance schedule. If he is not satisfied with the answers he will go further to the State representative.

The Supervisor thanked the residents for their time and will contact the resident who requested privilege of the floor his findings.

GROVELAND FIRE DEPARTMENT, FIRE HALL#2- Chief of the Groveland Fire Department, Steve Teeter was present to inform the board of the proposed new fire hall located at Groveland Hill Road and Rosebrugh Rd. This parcel was donated to the fire department by one of its members. It will be a 40' x50' pole barn with area enough for 1 firetruck only as it will not be used as a meeting room. The pole barn will have water, electric, insulation and natural gas.

Supervisor Carman stated that rumors have been for years that there was a new fire hall to be built but never came to light. What is it going to cost to build?

Chief Teeter stated they just received the material list for approximately \$30,000 and hopes to have the building built for \$60,000 total.

Supervisor Carman asked why the fire department wishes to move the truck. Chief Teeter answered that due to maintenance of the vehicle. The current bay that the truck is situated in at the town hall is shared by the highway barns also with only a ¾ wall that separates the fire truck from the highway trucks. There is a lot of moisture in the building from temperature changes as the highway doors are opened and closed multiple times during the day, along with salt dust coming in from the town truck and settling on the fire truck.

Councilmember Atterbury asked where the money is coming from for the build as your financial statements you provide to the board only shows a truck fund.

Chief Teeter stated that from donations and the truck fund, which the planned building has been being allocated into the truck fund.

Councilmember Atterbury stated that he would strongly recommend that the two funds be separated for transparency using funds not allocated properly can cause the State to want to audit the financials for the Fire Department. All other Board members agreed with Councilmember Atterbury's statement.

Councilmember Niedermaier asked when you plan on building. Chief Teeter answered this fall if we can get a contractor available to build.

Councilmember Niedermaier inquired as the siren that currently sits on the town hall if that will be moved to the new hall? Chief Teeter answered that the siren will remain at the town hall, he does not wish to remove and expose holes in the metal roofing of the town hall.

Supervisor Carman stated that it was never the board intention to not allow the build as the board cannot tell the Fire Department how they allocate their money; however when constituents ask questions regarding a project of this size the board should have been notified of the fire departments intentions rather than through rumors. Chief Teeter understood the board's area of concern and wish that when people had questions they would be asked to the fire department.

Councilmember Devine stated that the fire department needs to answer to the people and one way they do that is through the board members. Good communication could have prevented a lot rumors and allowed the opportunity to give answers at the time.

Councilmember Phelps recommended using social media or have a public hearing to inform the residents of the why of the new building,

Councilmember Atterbury stated that both the board and the fire department work for their community and it was never the board intention to be confrontational rather kept in the loop and to work together as all parties only want what is best for this community.

Supervisor Carman thanked the Chief Teeter for coming in and asked to be kept updated as it pertains to the build.

HIGHWAY REPORT- Deputy Highway Superintendent stated they have been working on finalizing some of the summer projects. They have paved our portion of Warner Road along with the Town of Geneseo paving their portion to keep consistency along the road without stops and starts at the town lines. The cost to pave Warner Road was \$17,000 which will use up the remainder of the CHIPS monies.

Deputy Highway Superintendent has been hauling gravel to Swan Hill stock pile as it will take approximately two weeks of work to place the gravel on Swan Hill Road. The tentative start date for Swan Hill Road work will be September 16, 2019.

The 1 ton went to Wentworth's dealership for warranty work. A price was given to the Deputy Highway Superintendent for trading in the truck and obtaining a new truck as has been outlined in fleet rotation. It appears that it may be the most viable option to trade the truck and purchase a new truck. The Deputy Highway Superintendent is in the process of getting quotes from Ford, Chevy and Dodge to trade 1 ton and purchase new truck.

A motion by Councilmember Devine and seconded by Councilmember Atterbury to trade the current 1 ton truck and order a new 2020 1 ton truck for the delivery in 2020.

Deputy Highway Superintendent has all the quotes back for the roof on the salt shed and it appears that Callan Construction is the lowest quote at \$17, 120.

Board discussion: Supervisor Carman asked what the warranty with the roof is. Deputy Highway Superintendent Caldwell stated there will be no warranty with any of the vendors as salt voids the warranty. The roof will be going over top of the existing shingles on the salt shed.

Board all agreed with the Deputy Highway Superintendent choosing Callan Construction.

A motion by Councilmember Atterbury and seconded by Councilmember Devine to proceed with Callan Construction for the salt shed roof. Motion carried unanimously.

The new 2020 Peterbilt update is that it is now at Viking Equipment for their portion of the build along with the new sander arriving recently. The septic tank has been serviced and no issues found at the time of the service.

Deputy Highway Superintendent stated that the new hire Tanner Harvey is working out very well and catching onto things quickly and Joe Jerome will begin his position as part time MEO on September 30, 2019.

AMBUSCADE PARK- Supervisor Carman stated he has bathrooms plans from Randy Fuller for the pavilion. He will be contacting Jon Werner to see about BOCES availability to frame the bathrooms in for us which depends on when the flooring can be finalized.

Deputy Highway Superintendent has a quote for labor only for pouring the concrete floor. The material will be purchased by the town.

Supervisor Carman has also spoken with Brian Taylor regarding the easement for the park. He has a copy of the survey and will contact me with a decision.

Councilmember Phelps looked into composite picnic tables for the pavilion and her feedback has been the long composite picnic table warp and not a good idea for the pavilion.

LOCAL LAW#? OF 2019 GRIEVANCE DATE CHANGE- the Assessor notified the Town Clerk that it will be necessary to change the date of grievance hearings, which requires the board to pass a local law to change the date of the hearing. Town Clerk emailed the board the proposed law prior to the meeting.

Board discussion: All agreed with the change

Public Hearing scheduled for October 10, 2019 at 7:30pm

INSURANCE POLICY RESOLUTION 46-2019- Supervisor Carman stated last month we had two insurance agencies present at last month's board meeting regarding insurance coverage for September 21,

2019 –September 20, 2020. One policy was for NYMIR and the other policy was Selective. Each agent asked to review the policies of the competing agents after their presentation during the meeting so they may give any additional comments regarding insurance coverage. The Town Clerk facilitated getting the policies to the agents and asked each agent to have any additional comments back to the board no later than August 23, 2019. Supervisor Carman stated that after reviewing the policies he wishes to choose abstain from the vote due to Mr. Hardie of Tompkins is his agent.

Board discussion- All in agreement that NYMIR was the lowest Bid.

WHEREAS the Town Board has met at the time and place at its regular meeting the town board has reviewed the policy coverage effective 9/21/2019 through 9/20/2020, and therefore be it;

RESOLVED this Town Board does hereby accept the NYMIR proposal through Tompkins Insurance Agency and authorize Supervisor Carman to prepare and send a check not to exceed \$19,529.70 to avoid a lapse of insurance coverage.

The question of the adoption of the foregoing RESOLUTION was put into vote. Motion by Councilmember Devine and seconded by Councilmember Atterbury and the results were carried with 0 nay, 4 aye votes and 1 abstain. Roll Call Votes: Supervisor Carman, abstain; Councilmember Devine, aye; Councilmember Atterbury, aye; Councilmember Phelps, aye; Councilmember Niedermaier, aye.

TENTATIVE 2020 BUDGET RESOLUTION 47-2019- Town Clerk presents the Tentative 2020 Budget with statement from Supervisor Carman who asked to be added in the minutes, he would provide the electronic version.

Supervisor Carman tentative budget statement- I have met with the accountant and reviewed all the department estimates which are included in the tentative budget. We are under the tax cap and our tax levy has increase minimally which is due to the contracted amount for the Groveland Fire Department along with a decrease in the water district. We are using less overall fund balance this year however we are using more from the highway fund balance to allow for a part-time highway MEO position as previously discussed with the board, along with known fleet maintenance cost. My hope is that we will be finalizing the Ambuscade Park project, to include the septic, well pump, build bathrooms and accessories necessary to allow resident use in the pavilion for 2020. Any unused balance at the end of 2019 for the Ambuscade Park equipment line from the 2019 budget that we have been utilizing for the pavilion build will be placed back into the general fund balance. It is my intent to use the remainder from 2019 Ambuscade Park equipment line in the 2020 budget year, as GV BOCES have to finalize the pavilion this year.

I have increased the building equipment fund to include file cabinets to match the new modular desk that are being installed to the Town Clerk/ Supervisor/ Code Enforcement/ PB and Zoning Board Office. The main copier for the town hall that is used by multiple departments will no longer be able to receive maintenance or supplies after December 31, 2019, therefore we will need to replace it.

There was a decrease in the 2019 PILOT program revenue due to a tax rate change; which may occur yearly as the figures from the county for worker's comp come after our budget is approved. I have been told that we can expect a decrease in workers comp.

The Highway fund projected amount for machinery equipment of \$44,000 was budgeted in 2020, this will be to purchase a new 1 ton as has been discussed by the board. Following the previous years I have planned for \$100,000 in a reserve fund for 2020 to allow for the purchase of a new truck/ loader in the future. There was a request for a secretary for 8 hours a week for the Highway Department and after reviewing the budget I felt it prudent to go with only a part time MEO position for now. My hope is that the Highway Superintendent will have more time available to do office work with having a full crew and a part time employee.

Overall the combined levy between General and Highway is the same dollar amounts distributed in 2019 of \$584,000. The total levy for 2019 is \$1807 greater than last year due to an increase in fire district and a decrease of \$440 in the water district.

Board discussion: agreed with the Supervisors outline as presented with no changes.

WHEREAS, the Town Board has met at the time and place and the Town Clerk presented the 2020 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 Councilmember Devine and seconded by Councilmember Atterbury and the results were carried with 0 nay 5 aye votes. Roll Call Votes: Supervisor Carman, aye; Councilmember Devine, aye; Councilmember Atterbury, aye; Councilmember Phelps, aye; Councilmember Niedermaier, aye.

Public Hearing scheduled for Thursday October 10, 2019 at 7:45 p.m.

BUDGET LINE TRANSFERS- RESOLUTION 48-2019- Board members reviewed the proposed resolution to transfer funds that was prepared based on the monthly budget expenses.

RESOLVED: That the Groveland Town Board members do hereby authorize LaDelfa Schoder & Walker PC to make the account transfers within the adopted budget with additional amendment line items mentioned.

2019 Budget Amendment as follows:

Increase A2705- \$5,000
Increase A8810.4- \$5,000

Budget Transfer GF Budget as follows:

From A7110.2 (Parks Equipment) \$2,316.00 proportioned as:
\$2,316.00 to A7110.4 (Parks Contr)

A1990.4 (Contingency) \$1,542.00 proportioned as:
\$1,197.00 to A8810.4 (Cemetery Contr-Lakeview)
\$50.00 to A7510.4 (Historian Contr)
\$295.00 to A8090.41 (Watershed Inspector)

A 3620.11(Safety Insp Sec) \$360.00 proportioned as:
\$360.00 to A8010.11 (Zoning Services – Secretary)

Reclassification of 2019 GF Budget as follows:

2019 General Fund Voucher #180- \$11,279.00 A1620.4 (Building Contractual) to A1620.2 (Building Equipment)

The adoption of the foregoing RESOLUTION was duly out in vote on motion of Councilmember Atterbury and seconded by Councilmember Niedermaier and the results were carried with 0 nay, 5 ayes. Roll Call

Votes: Supervisor Carman, aye; Councilmember Devine, aye; Councilmember Atterbury, aye; Councilmember Phelps aye; Councilmember Niedermaier aye.

LIVINGSTON COUNTY SNOW & ICE CONTROL CONTRACT RENEWAL – RESOLUTION 49-2019

Town Clerk reported that 10/15/2019- 10/14/2020 rates are \$4,600 per mile, 10/15/2020- 10/14/2021 rates are \$4,650 per mile, 10/15/2021- 10/14/2022 rates are \$4,700 per mile, 10/15/2022- 10/14/2023 rates are \$4,750 per mile, 10/15/2023- 10/14/2024 rates are \$4,800 per mile. The contract effective dates are 10/15/19 – 10/14/2024 and serves 16.60 miles within our township.

Deputy Highway Superintendent Caldwell stated that he has a different figure for mileage of 17.03 miles. He has gone to the county highway to confirm what figure is the correct one prior to signing the contract.

Supervisor Carman stated that is good to have him check as we just received the contract. Once the mileage amounts are confirmed he will sign as long as the board agrees.

Board discussion: All in agreement

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, 2019 and ending October 14, 2024 at the rates provided.

The adoption of the foregoing RESOLUTION was duly out in vote on motion of Councilmember Niedermaier and seconded by Councilmember Atterbury and the results were carried with 0 nay, 5 ayes. Roll Call Votes: Supervisor Carman, aye; Councilmember Devine, aye; Councilmember Atterbury, aye; Councilmember Phelps aye; Councilmember Niedermaier aye.

EXECUTIVE SESSION- Supervisor Carman made a motion to go into executive session, seconded by Councilmember Atterbury 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; Motion carried.

The board asked Town Clerk to attend.

Board entered executive session at 9:26 p.m.

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

Returned to regular session at 9:46 p.m.

Supervisor Communication:

- A boil water advisory was received on August 16, 2019 from LCWSA for the new DOCCS waterline from Dennison Road tank south. This affected 6 properties on this line with the town hall being one of them. Supervisor Carman has reiterated to LCWSA to please make sure he receives notification personally this way he may help inform the residents affected by the advisories. The information came in on Friday at 4:30 pm when offices are closed at the town

hall. The advisory lasted 7 days, and LCWSA did send emails of updates after my conversation with the Director.

- Supervisor has signed the contract with G & G Municipal Consulting for the income study for the potential water districts.
- Supervisor would like to order from a fruit tray from Wegmans for Sam Sanderson's memorial. Sam's memorial service will be at Woodlynn Hills Country Club on Sunday October 6, 2019 at 1pm. Sam was past planning board member and the husband of our retired town clerk, Betty. Supervisor asked Town Clerk to contact the country club to facilitate the request. Board Members all in agreement.
- Supervisor Carman is in receipt of a letter from Mr. Thornton, Harold Stewart's engineer for Crab Drive. His intent is for the board to reconsider the dedication of the road and has provided his inspection report for review. Our Attorney has already addressed the road dedication previously this year with a letter to Mr. Stewart is this anything the board is interested in reopening? Board members responding they do not wish to reconsider the road dedication.

Other Communication:

Councilmember Devine received a letter regarding the Jon White's farm from the Conservancy that the farm is transitioning from dairy to crop farming.

Councilmember Phelps stated the Conesus Lake Association will be hosting their annual dinner at the Genesee River Hotel on September 19, 2019 for anyone that wishes to attend.

Town Clerk notified the board that the new carpet and modular desk will be installed at the end of next week and into the following week.

A motion by Councilmember Niedermaier and seconded by Councilmember Atterbury to adjourn the meeting. Motion carried unanimously. Meeting adjourned at 9:46 p.m. The next meeting will be the regular meeting October 10, 2019 @ 7:30 p.m. at the town hall.

Kimberly D. Burgess, Town Clerk
Town of Groveland
Dated: August 8, 2019