

The regular meeting of the Groveland Town Board was held on Thursday April 10, 2014 at the Town Hall.

Present: Bill Carman, Supervisor; John Driscoll, Town Councilman & Deputy Supervisor; Craig Phelps, James Love, Bill Devine, Councilman; Greg Adamson, Highway Superintendent

Absent: Sandra Bean, Town Clerk

Guests: Tim Sullivan

Supervisor handed out the Town Clerk & Supervisors monthly financial reports.

Supervisor called the meeting to order @ 8:15 p.m.

A motion by Councilman Phelps and seconded by Councilman Driscoll the audited bills be paid. General Fund vouchers numbered 77-108 for \$12,487.25; Highway Fund vouchers numbered 63-84 for \$19,727.54; Cemetery Fund vouchers numbered 3-4 for \$314.02; Fire and Ambulance Fund voucher number 1 for \$88,144.66. Motion carried.

A motion by Councilman Driscoll and seconded by Councilman Phelps to accept the minutes of the regular meeting of February 13, 2014 as written. Motion carried.

A motion by Councilman Phelps and seconded by Councilman Devine to accept the monthly financial reports as submitted. Motion carried.

Information handed out/or acknowledged:

- 1) Payroll available for review
- 2) Town fundraiser May 31st to benefit community picnic/fire department 75th anniversary
- 3) Community Picnic planned for August 3rd to include FD 75th celebration
- 4) Supervisor has reached out to the 5 parcels listed in the upcoming County foreclosure auction
- 5) BAN 1-2014 was renewed April 2, 2014 for Conesus Lake Water District @ 1.15% for \$478,000.00 – Attorney is working on converting to a 12 year BOND before next renewal
- 6) Tax Collection closed out successful with 45 unpaid parcels
- 7) Groveland has 3 youths that will be honored 4/30/14 through Liv. Cty Teen Recognition Awards
- 8) NYS Auditor recently requested additional information for their audit of the town
- 9) Tim Sullivan letter received 4/3/14 in Town Clerk office for review

Old/New Business:

HIGHWAY REPORT – Greg reported that the State has granted the Town an additional \$12,500 in CHIPS monies.

Councilman Phelps inquired how overtime was with the harshness of this winter? Greg stated that the overtime was not bad as he was also out working on the roads as well. Greg had stated that this winter was comparable to winters in the 1980's. Supervisor Carman had stated that February was a very hard winter month, and to add to that we have gotten the bad storm in March it was defiantly a trying winter for everyone including our highway department.

HIGHWAY SURPLUS LIST – RESOLUTION 33-2014 – Greg provided a list for review.

Councilman Driscoll inquired if there was a time limit some of the items must be kept as some were purchased on surplus. Greg stated no as the items were either past there time limit or not purchased on surplus.

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:

2001 International Dump Truck – VIN #1HTGLAET81H392519 – to be sold to T/Conesus

Tarco 8 Ft Pickup Sander – to be sold to T/ Mt. Morris

Items scheduled for Teitsworth Auction 4/26/14:

John Deere GX345 Riding Mower – Ser#MOG345E122399

John Deere 245 Riding Mower Ser# MOO245B160331

Gravely walk behind self propelled mower

Portable military air compressor

Small military generator

Jumping Jack Tamper

RESOLVED the items listed to be declared surplus as the items are no longer of use to the town, and authorize the Highway Superintendent to authority to sell the items and auction as he has described.

The adoption of the foregoing RESOLUTION was duly out in vote on motion of Councilman Phelps and seconded by Councilman Driscoll and the results were carried with 0 nays 5 aye votes.

AMBUSCADE PARK – RESOLUTION 34-2014-RFP AWARD – Committee members; John Driscoll & Bill Devine reviewed the 2 bids of the 9 requests sent out. The company BERO Architecture LLC did send a letter stating our time and fee schedule does not work for them at this time.

John's Review:

Review of the 2 RFP's received from Mossien Associates and Homes, King, Kallquist and Associates After reviewing each applicant's proposal I feel that either firm would be more than qualified to represent the Town of Groveland. I believe the board should have further discussion before an official recommendation is given. I have included a few comments on each to serve as a starting point for this discussion. Neither firm provided a fee proposal.

Mossien Associates;

- Appears to have visited the site
- Small firm, possibly more attention by senior staff
- Ability to be "on site" faster possibly more often due to location of firm, (Rochester)
- Extensive Client list, Avon among local Township utilizing this firm

Homes, King, Kallquist and Associates;

- Multiple Park and visitor center references
- Very diverse in construction costs (small projects \$38,000 to multi million)
- Design background with visitor centers and children (possibly a future field trip location with needs for children)
- High emphasis on budget and scheduling

Bill's Review:

Councilman Devine agrees with Councilman Driscoll's findings. He stated that he did like the one of the firms was in Rochester and that the closeness of the firm may have more ease of accessibility to the Town Board if there is a need to do a visit at the firm's place of business.

Discussion:

Councilman Driscoll: Both firms are very comparable, should we go with the lowest bid to choose which firm? Supervisor Carman stated that the lowest bid may not be best choice as having ease of accessibility to the firm may be an important factor. Supervisor Carman stated with out having a fee structure from the firms he felt that the Town Board should give the authority to Councilman Driscoll and Councilman Devine to make a decision on which firm was the best option for the Town and this project once all the figures are received.

Councilman Phelps stated that a special meeting in the month of May separate from the regular Town Board meeting may be necessary to approve design criteria so we can stay with the set schedule. The Town Board members will notify the Town Clerk so it may be properly advertised.

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

RESOLVED once the final prices are obtained that we authorize the RFP committee to make the decision based on the final architectural prices and accessibility of the firm as their proposals were both compatible between Mossien Associates and Homes, King, Kallquist and Associates.

The adoption of the foregoing RESOLUTION was duly out in vote on motion of Councilman Phelps and seconded by Councilman Love and the results were carried with 0 nays 5 aye votes.

TIME WARNER FRANCHISE – We have been notified that Time Warner is being bought out by the company named Comcast. Our town Franchise contract is due to expire April 2015. Comcast has acquired legal guidance through the firm Cohen Law Group to help review and handle a franchise transfer at no charge to the municipal.

Discussion:

Councilman Driscoll asked how the franchise fees work for the Town. Supervisor Carman stated the he would research this and report back to the Board.

Councilman Phelps stated that we should contact our attorney and discuss the information we have received from Cohen group and get his opinion.

Councilman Devine stated that we should find out what other Towns are doing as part of our research before a decision should be made.

Supervisor Carman stated that he will contact our attorney and discuss this with other Town Supervisors to see how they are proceeding. He also stated that an email has been sent to Cohen group to see who they are representing and how this would benefit our Town. Once all information has been received he will notify the Board members of his findings.

REVIEW LOCAL LAW 1-2005 – JUNK LAW – the last meeting the Code Enforcement Officer, Ron Maxwell written a letter for the board read the letter and wanted clarity to if it was required to be reviewed if more or less restrictive. Mr. Maxwell provided an updated letter to clarify and stated the bottom line of it all is the law should have at the time whether more or less restrictive was required to be reviewed by NYS Fire Prevention and Building Code Council without their approval it can provide legal challenges if we would cite a violation. Ron's opinion would be to rescind the law as the Property Maintenance Code is used when there is a violation.

Discussion:

Councilman Driscoll stated that the current law is close to the state law. He agrees that the law needs to be updated to meet the agricultural needs that are not specified currently. He also likes our current law because the accessibility for our residents on our Town website is easy to retrieve. He feels that the law should be sent to the Planning and Zoning Boards to review and possibly amend. Once the Boards have reviewed it then the law can be sent to NYS Fire Prevention and Building Code Council for their review and approval.

A motion by Councilman Driscoll and seconded by Councilman Devine to have the Town of Groveland Planning and Zoning Board review current Local Law #1- 2005 Junk Law and make suggestion to amend the current law. Motion carried.

Communications:

Supervisor Carman is in receipt of a letter dated from Mr. Smith who owns property on Hunt Hill Rd. in the Town. The letter is a follow up response from the phone conversation that he had with the Supervisor. The letter

discusses water runoff onto his property. Mr. Smith had contacted Supervisor previously due to the letter he received from Highway Superintendent originally and stated that he was in contact with DEC to discuss the situation when the Supervisor originally spoke with him, which there was no mention of it in this letter. The Supervisor would like to meet with Mr. Smith in person to discuss the best possible action for all concerned. Supervisor will keep the Board informed of how the situation progresses.

Supervisor Carman has been in contact with Catherine VanHorne, Director of Public Works for the Water and Sewer Authority approximately every 2 weeks to discuss the potential water line to the Correctional facility. Ms. VanHorne told Supervisor that paperwork is at the Department of Corrections. They need to sign off on the paperwork before it can be forwarded to the other departments.

Supervisor stated BAN is locked in at 1.15%. He spoke with the attorney and thinks that we may be able to lock into a bond for 2.5%. Councilman Phelps thought the rate was good idea for our Town. He felt it was fiscally responsible to lock into a rate, especially how the rates are currently. Councilman Driscoll agreed that locking a rate in is a good idea as well. Councilman Phelps stated that we should get clarification on our responsibility financially from the Livingston County Water and Sewer Authority if a catastrophe should occur. How much we are to provide for and then adjust our monies accordingly. Supervisor Carman wants to review the agreement with Livingston County Water and Sewer Authority to get the figures necessary so he may discuss it with the attorney. This will allow them to move forward towards the Bond.

Councilman Phelps reported on the CLA meeting he attended. The discussion involved an update to the volunteer boat inspections that was funded by a grant last year looking at preventing and transport of the invasive species of Hydraphilla in lakes. There are no grants to fund this program in the 2014; the lake association felt that this was a positive way to preventing Hydraphilla in Conesus Lake, that the association along with another agency will fund the program for Conesus Lake this year. It will be a voluntary inspection for boat owners again however it will only potentially run Tuesdays, Friday, Saturday, and Sundays as this was the highest boating traffic days.

Supervisor informed the Board members that he has been contacted by ARC Kidstart to be potentially a lead agency in a project they are looking to begin. Supervisor stated that he did not have enough information to provide to the Board other than he had been contacted. He has more research to do and will continue to update the Board.

A motion by Councilman Phelps and seconded by Councilman Driscoll to adjourn the meeting. Motion carried. Meeting adjourned at 9:18 p.m. The next regular meeting will be on Thursday May 8, 2014 @ 7:30 p.m. at the town hall.

Dated: April 10, 2014
Town of Groveland

Kimberly Burgess, Deputy Town Clerk