

**The regular meeting of the Groveland Town Board was held on Thursday May 8, 2014 at the Town Hall.**

**Present:** Bill Carman, Supervisor; John Driscoll, Town Councilman & Deputy Supervisor; Craig Phelps, James Love, Bill Devine, Councilman;

**Absent:** Sandra Bean, Town Clerk; Greg Adamson, Highway Superintendent

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

**Supervisor called the meeting to order @ 8:01 p.m.**

A motion by Councilman Phelps and seconded by Councilman Devine the audited bills be paid. General Fund vouchers numbered 109-132 for \$8,336.26; Highway Fund vouchers numbered 85-105 for \$94,690.07; Cemetery Fund vouchers numbered 5-7 for \$6,568.17; Motion carried.

A motion by Councilman Driscoll and seconded by Councilman Phelps to accept the minutes of the regular meeting of April 10, 2014 as written. Motion carried.

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

**Information handed out/or acknowledged:**

- 1) Payroll available for review
- 2) Town fundraiser May 31<sup>st</sup> to benefit community picnic/fire department 75<sup>th</sup> anniversary
- 3) Community Picnic planned for August 3<sup>rd</sup> to include FD 75<sup>th</sup> celebration
- 4) Department Budget requests for 2015 due June 25<sup>th</sup> – July board to review
- 5) NYS Property Tax Freeze preview was emailed
- 6) Rabies Clinic set for 6/12/14 @ town hall 5:30 -7:30 p.m.

**Old/New Business:**

HIGHWAY REPORT – None given

AMBUSCADE PARK – RESOLUTION 34-2014-RFP AWARD – Committee members; John Driscoll & Bill Devine reported that Mosseim was selected in the end for the architect based on their fee schedule and location. They met with them this week to discuss design and needs of the Town pertaining to the structure.

Discussion:

Councilman Driscoll stated that he spoke of the deadlines we have in place for the design criteria of the new building to Mosseim representatives. They assured him that the deadline to have design plans were not a concern for their firm, they felt it should be a pretty straight forward process. The firm thinks that we can achieve quite a bit and make it functional to the Town's needs. Councilman Driscoll stated that he would be going over to Star Park in Leicester to take pictures to get another design perspective.

Councilman Devine stated that Mossiem firm was going to contact Christine Capella-Peters directly to get confirmation on design criteria to make sure we will be in compliance with all the grant requirements. There is also a potential for a steel roof instead of shingles, which the firm felt it didn't take away from the historical nature of the building. There will be strict guidelines that may be more than the Town wants to invest into, however, we have the potential of having kitchen items added later with limited funds now along with meeting approval within the grant.

Supervisor Carman inquired about water and septic for the project. Councilman Driscoll stated that the firm said that perk test should start very soon on the current well. Councilman Love stated the septic and the new structure will depend on where the well is. Councilman Driscoll stated the hope is to place the building where

the privies currently are. Supervisor Carman stated the septic will need to be engineered. Councilman Devine said that the building is based on 40 people and the firm can engineer the septic. Councilman Love addressed the possibility for another engineer to design septic as a cost saving measure for the Town. Councilman Driscoll felt that the water should be the first step, all agreed.

Councilman Driscoll wants to make sure that we are following proper guidelines per our contract in regards to the water as he was not clear on all guidelines as they are so vast. Councilman Driscoll stated that he is going to be in contact with Livingston County Health Department to discuss future requirements water quality and other general questions in regards to the Ambuscade project.

Supervisor asked Councilman Driscoll and Councilman Devine to contact Mossiem for assistance in regards to guideline clarification as the Town needs to get a water supply at Ambuscade Park.

TIME WARNER FRANCHISE DISCUSSION – Supervisor Carman reported the town clerk had a conference call with Cohen Associates. The Cohen Attorney's specialize in utility and franchises for electric and cable. They do not represent Time Warner or Comcast. They pointed out a few areas in the existing contract that we should consider to improve wording for a better return locally. They provided a proposal and fee for their services. Comcast takeover looks like it will take until the end of the year so we have time to see the Attorney proposal and review to decide if we will need legal counsel or not.

Discussion:

Councilman Phelps asked the Supervisor if any other Towns had discussed this locally. Supervisor stated no, but he will check with other Supervisors.

Councilman Driscoll wondered if there was a possibility to look at the franchise County wide, as a share cost saving measure to preparing contracts. Supervisor said he will research and get back to the board as we have time to research.

COMMUNITY PICNIC – the date has been set for Sunday August 3<sup>rd</sup>. We have chosen to combine with the Fire Department as it is their 75<sup>th</sup> Anniversary and a way to get a large bulk of the community to attend. Fire Department will handle entertainment and we have been asked to handle the food end of it. A committee will need to be set up but want to make sure the board is open to having the event catered as we did last year for safety issues. We will not have the sponsors this year to off set the costs which are where the question comes in. Do we set a ticket price for a meal and if so how much? We have budgeted money for this event but not sure how far our \$1200 will get us.

Discussion:

Councilman Phelps said we should use our budgeted amount towards the meal but charge the remainder per person for the meal.

Supervisor Carman said we should sell tickets prior to the event to know how many will be attending the event so we may give a number to the caterer.

Councilman Driscoll said he was pleased with Brians USA diner catering at last years picnic and suggested we go with them as the caterer keeping with a similar menu.

Councilman Devine said we should get a pricing from Brians to decide how much tickets should sell for.

Supervisor Carman said he would like to see a cost of \$10 or less for the tickets.

Councilman Love wondered about asking Ron Niedermaier to cater the event. He suggested a bring your own beverage to the picnic.

Deputy Clerk stated that the reason Ron wasn't chosen for Bicentennial picnic last year was we wanted all our residents to attend picnic as Ron is very gracious with volunteering his time. We thought it would be nice for him to enjoy the Bicentennial picnic instead of having to work. Last years picnic the Town provided water, lemonade and coffee for the residents and Brians took care of all paper products and food.

Supervisor stated for Town Clerk to get cost and menu options from Brians then we can move forward from there.

TOWN CLERK CONFERENCE – Sandy and I attended many classes. Sandy prepared the summary and we are happy to answer questions.

Councilman Love inquired about the vital records and the Amish concerns. Deputy clerk said that there is more Amish moving into our communities. The rise of at home births will rise and it's not an everyday form that we are fluent with so they went over the proper procedures in regards to home births.

### **Summary Town Clerk & Deputy Town Clerk Training: April 28-April 30, 2014 in Saratoga Springs, NY**

- Town Clerk software (BAS) has started to unveil 2 new updates; to help allow putting multiple transactions for the same person at one time and filter options. We are looking at their Code Program as ours is outdated and much difficulty in implementing with the new versions of Windows.
- NYS Vital Records – reviewed laws and practices of death, birth and marriages; obtained a form to be utilized for improved consistent daily practices and with increased Amish population. Suggested to get a for Gov't Use Only stamp for subpoenas and official copies. Also a new version of the manual (blue book) is currently under review with NYS legal office and should be available shortly. The 1999 version is in use until then. They provided an updated Frequently Asked Questions list.
- New Class this year – offered a Town Bond Resolution Checklist – this class was absolutely informative but very confusing. We have many NY Local Finance Laws to research to help with future BAN & Bonds; but either one that is utilized does operate under the same rules and bonds are subject to SEQRA and recommend it be part of the resolution language. Bans and Bonds are subject to FCC rules and regulations.
- NYS Department of State – Bob Freeman on FOIL (Freedom of Information Law) – mostly a question and answer session. Clarified the use of recorders as they can be a useful tool in preparing accurate minutes, but the tapes become Foilable; as many privates agencies are looking for and then post on YouTube or on town website as a link. “Think before you Speak”
- Tax Collection – met with Mortgage companies and learned about their ability to do electronic payments. RPTL 925 lists the Acceptance of Common Carrier as Postmark besides the Federal Postal service (DHL, Fed Ex, and UPS). We were provided a Table of Contents to simplify the use of the Green Tax Collection Law book.
- General Code – Making code more enforceable. It was suggested if you continue to add supplements to your zoning if would be best to do full reviews and big updates, these reviews are suggested ever 5-10 years. It discussed code local laws do require NYS Code Division review.
- NYS DEC – decals update. The state has changed the host vender from Verizon to Accela effective January 2014. The training has been minimal partly due to still trying to perfect the software since Verizon did not offer their program. Accela is expecting to offer a Webinar training option but not until November which hunting sales go on in August. There have been many glitches and will continue but hope to have ready by August. All in all the class was very heated and has cost many townships huge IT expenses trying to keep up with each software improvement that they neglect to notify us when they do. The sales will take a much longer process and leaves much concern for the August huge sales time. Some Big Box stores are having difficulty offering the sales due to the IT technicalities. Accela has big shoes to fill.
- Minutes – refreshed rules on what the auditors might look for in the minutes plus:
  - Section 104(4) of Opens Meeting Law States that: “If videoconferencing is used to conduct a meeting, the public notice for the meeting shall inform the public that videoconferencing will be used.” And the notice must list the person on vacation and their location. Then read in the minutes.
  - When doing a resolution you must list all names for the record, not 5 ayes. Town Law Section 63.

- When adopted of Local Laws and Annual Fiscal Budget the public hearing affidavit must be placed in the minute book.
- In order to chargeback a return check the office must have a sign to legally charge it back and can only charge \$20.00 despite what the bank may charge us. General Obligations Law, Chapter 5-238

### **Communications:**

Supervisor Carman:

Budget requests will go out in the next week to all departments to get ahead start, but we will not be able to get figures for assessments until county gets all grievances input to update final assessments. He stated that he is looking into the County Ambulance program to find best value for our residents and will update the board as he gets information on it.

Supervisor has spoken with Cathy VanHorne at the Livingston County Water and Sewer Authority in regards to our responsibility to fix problems in water district should an issue come up in the district. She told the Supervisor that we are not responsible until the system fatigues which should be 60 years from now. Supervisor felt it was fiscally responsible to pay down the debt if it is possible to do so.

A motion by Councilman Phelps and seconded by Councilman Driscoll to pay 100,000.00 from Water Fund to pay down Bond anticipation when the Town does the Bond. Motion carried.

Supervisor has left multiple messages with property owner Stephen Smith in regards to Hunt Hill Rd property concerns and has not heard back from the property owner.

Supervisor also stated that there is preliminary discussion on the county wanting to go to a district court system and eliminating the local courts. He is very much against as the court locally does help create revenue for the Town.

Supervisor reported we have been given a framed Certificate of Appreciation for 75 years of supporting the Groveland Fire Department that Supervisor Carman left at the Town Hall for all to appreciate.

Supervisor stated it was brought to his attention that a former resident Mary Spencer with family ties to the Adamson family in Groveland will be turning 100 years old on May 19<sup>th</sup> and would like to visit her.

A motion by Councilman Phelps and seconded by Councilman Driscoll to recognize Mary Spencer's life milestone with a certificate. Motion carried. The official Certificate filed in minute book.

### **To Honor Mary Spencer**

**WHEREAS**, Mary Spencer was born on May 19, 1914; and

**WHEREAS**, as a citizen of Livingston County with ties starting in the Town of Groveland, and being the last living "Adamson" of her generation; and

**WHEREAS**, birthdays mark a special occasion for each of us and as we go through life, some birthdays become milestones. Certainly the celebration of your 100<sup>th</sup> birthday is indeed a wonderful milestone to reach and truly a testament of time, having experienced some of the most memorable periods of American history; and

**WHEREAS**, the changes in the world during the past one hundred years are astounding and the memories that you possess are without a doubt one of the greatest treasures; and

**WHEREAS**, the Town of Groveland recognizes whom we are today is vastly due to its heritage of our citizens from yesterday, today and tomorrow; and

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN OF GROVELAND** that the members of this body honor and commend Mary Spencer, please allow us to share in your birthday celebration by again extending our very best wishes and a joyous "Happy Birthday"!

A motion by Councilman Phelps and seconded by Councilman Love to adjourn the meeting. Motion carried. Meeting adjourned at 9:08 p.m. The next regular meeting will be on Thursday June 12, 2014 @ 7:30 p.m. at the town hall.

Dated: May 8, 2014  
Town of Groveland

---

Kimberly Burgess, Deputy Town Clerk