

The regular meeting of the Groveland Town Board was held on Thursday November 13, 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: None

Other Attendees:

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

Supervisor called the meeting to order 8:05 p.m.

A motion by Councilman Driscoll and seconded by Councilman Devine the audited bills be paid. General Fund vouchers numbered 279-312 for \$17,277.54; Highway Fund vouchers numbered 205-228 for \$43793.84; and Cemetery Fund vouchers numbered 14-16 for \$832.32. Motion carried unanimously.

A motion by Councilman Driscoll and seconded by Councilman Love to accept the minutes of the regular meeting of October 9, 2014 with adding Councilman Devine to the Present list. Motion carried unanimously.

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

Information handed out/or acknowledged:

- 1) Payroll available for review
- 2) Seasonal portion of David Gray Hill Road remains closed
- 3) Cathy VanHorne from LCWSA has supplied us with a blank petition for residents to utilize with the proposed new water line to the Correctional Facility to expand
- 4) Board opted not to change insurance comprehensive deductible as little premium savings were shown verses the protection it provided
- 5) Excellus final health insurance prices will be a 12% increase rather the 14.7% as projected; however still lower than the 2013 rates.
- 6) General Elections will have Councilman Elect, Ron Niedermaier to start 1/2/2015

Old/New Business:

HIGHWAY REPORT – Greg reported he is sending another water sample from the well at Ambuscade Park. Supervisor recommends a UV light system once we get the green light on the water. Greg stated he filed the CHIPS and is rolling \$18,000 in 2015 for Wilson Road as the crew ran out of time. He reported the Multi Model of \$25,000 is not expected to get paid to us until February or March as the state required additional paperwork.

The crew will be installing fencing in the next week or so with the help of the Sheriff Department; there will be less to install as more local farmers are asking us not to install on their fields.

Greg indicated the next piece of equipment needed is an excavator and asked the board if they had a preference to him looking for used or a lease program? New ones start at \$180,000 and used start around \$40,000. It seems that many towns are converting to leasing their equipment. The town of Canadice highway is willing to come to our board to discuss how it works to help get a better understanding of it all. The board all agreed that would be helpful and suggest sometime in early 2015 for them to attend. Councilman Phelps says he has a spreadsheet that he can throw numbers in based on equipment hours used to compare leasing verses bonding new.

FINAL BUDGET PRESENTED – 2015 – Town Clerk presented the final budget with the changes the town board approved from the 10/9/14 public hearing. Supervisor Carman stated the revised Preliminary budget changed the tax rate from \$4.529 per thousand to \$4.462 per thousand; items in bold color are the items that

were changed at the public hearing. The tax cap calculation is attached to the budget. The local law for the tax cap override was passed 10/9/14.

Resolution 49-2014

WHEREAS, the Town Board has met at the time and place specified in the Notice of the Public Hearing on the Preliminary Budget held October 9, 2014 and heard all persons desiring to be heard thereon, now therefore be it RESOLVED that this Town Board does hereby adopt revised Preliminary Budget as the Annual Budget of this Town for the fiscal year beginning on the first day of January 2015 and that such Budget as so adopted with no amendments, And by this Board, be entered in detail in the minutes of the proceedings of this Town Board and be it

FURTHER RESOLVED that the Town Clerk of this Town shall prepare and certify, in duplicate, copies of said Annual Budget as adopted by this Town Board, together with the Estimates, if any, adopted pursuant to Section 202-A Sub. 2 of the Town Law and deliver one copy thereof to the Supervisor of this Town to be presented by him to the Board of Supervisors of this County.

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

Councilman Phelps stated we could have made even more cuts which may or may not have changed the tax rate.

BALDWIN DUE TO/DUE FROM TRANSFERS – RESOLUTION 50-2014 – Baldwin's prepared the transfers as has learned should be by board resolution. These are different than the line transfers. Some are transfer errors and making the corrections in preparation of filing the 2014 AUD. We won't see Light District transfers in the future as we have combined the accounts as part of the General Fund.

RESOLVED:

That the Groveland Town Board members do hereby authorize Baldwin Business Service to make the account transfers within the adopted budget with the fund items mentioned:

<u>GENERAL FUNDS-TOWNWIDE</u>			
<i>Due To:</i>	Highway	From 2013 AUD	\$ 14,000.00
		TOTAL:	\$ 14,000.00
<u>SPECIAL DISTRICTS - LIGHT</u>			
<i>Due To:</i>	General	Light #1 from Jan. 2013	\$ 335.52
	General	Light #2 from Jan. 2013	\$ 372.86
		TOTAL:	\$ 708.38
<u>TRUST & AGENCY</u>			
<i>Due To:</i>	General	Interest from 2013 AUD	\$ 5.81
	General	Transfer error from Aug 2014	4,100.00
		Health Insurance from 2013	
	Highway	AUD	3,205.02
		TOTAL:	\$ 7,310.83

The question of the adoption of the foregoing RESOLUTION was put into vote. Motion by Councilman Phelps and seconded by Councilman Driscoll and the results were carried with 0 nay 5 aye votes.

AMBULANCE CONTRACT – Village of Geneseo stands by their \$5,000 contract fee. Supervisor Carman has met with County EMS Director, Karen Dewar in past and most recently with County Administrator, Ian Coyle

who says they can take over the portion that the Village of Geneseo currently serves and does not have a service contract fee since they direct bill. Supervisor will see if a draft contract can be prepared for the next meeting.

FIRE DEPARTMENT CONTRACT – President Steve Cockerham dropped off a proposed 2 year contract today; Town Clerk provided copies for the board for review. Board made some clerical corrections along with other suggestions to make the contract clearer. Town Clerk noted the changes and will provide it to the Fire Department to update and present at the next meeting.

JUNK LAW REVISIONS – a letter from Planning Board Chairman showing the review of the Junk Law and recommended changes. Town Clerk provided copies of the current Junk Law to compare the recommended changes. Board compared the letter to the law and seems that more interpretation is needed. Councilman Driscoll volunteered to go and work with the planning board.

STEPHANIE SAGE – COURT CLERK RESIGNATION – Town Clerk reported she is in receipt of a letter of resignation effective 10/21/14. Motion by Councilman Phelps and seconded by Councilman Driscoll to accept her letter of resignation. Supervisor Carman stated the court is now operating with 3 clerks; Stephanie Schweitzer, Terri Rider and Kolleen Redman. We have not heard they are not behind in their work and have been below the budgeted hours.

ABUSCADE GRANT PARK UPDATE – Committee members Bill Devine and John Driscoll provided an update since the review from our Code Enforcement Officer, Ron Maxwell reviewed the plans it was determined 2 bathrooms is required based on the occupancy and since we did remove the outhouses. This was then conveyed to the Architect and they raised compensation concerns since they have completed the scope of work per our initial agreement (less the issuance of the Permit drawings) these required changes shall constitute an additional agreement for compensation.

Councilman Driscoll is not sure why they feel this would require major design changes especially since we were in the draft formation which has been a CAD drawing to this point; however, it will be what it will be as we cannot move forward without the changes. The board discussed locations for the second bathroom and Councilman Driscoll will notify Mossien of the changes.

ASSESSOR - COMMERCIAL ASSESSMENT ON TOWN PROPERTY – Town Clerk provided a packet to compare Assessor Tammy Baker's appraisal with the current insurance coverage.

Town Hall/Town Barn coverage is \$875,000 – Tammy shows new construction rate to rebuild is \$889,372.

Salt Shed coverage is \$202,000 – Tammy shows new construction rate to rebuild is \$290,000.

Town Hall/Barn Personal Property coverage is \$120,00 – which says this covers more of the inner office furniture and computers miscellaneous improvements – Tammy shows miscellaneous improvements to be all outdoor \$105,939 this includes parking lot paving, sheds, overhead doors, gas tanks and salt tank.

Greg is getting current pricing on salt sheds.

It may look like we need to consider increasing salt shed and improvement coverage.

Our Insurance agent: As a reminder, Buildings and Business Personal Property are required to be insured to 100% of the cost to replace with like kind & quality at today's prices. If there are significant disparities between the Statement of Values (SOV) and the assessors replacement cost values (either up or down), we will be required to supply substantiation. In this case, it will need to be provided by the assessor. Typically, an insurer looks for an independent view, hence the Industrial Appraisal recommendation. With this our Assessor says I think they (Industrial Appraiser) use the same cost manual that I use, however they may use a higher location factor. The county went in at .65 they may use a location factor of up to 1.00. These location factors are similar to a depreciation curve.

Board discussion:

Why assess the parking lot and overhead doors and why not tools in the Appraisal? Wait for Greg to provide salt shed figures, otherwise insurance coverage seems within reason.

ACCOUNTING – Supervisor Carman advertised for outside municipal accounting bids. It was advertised in the Livingston County News and copies of notice and description were mailed directly to Baldwin Business; LaDelfa, Schoder & Walker located in Mt. Morris, and Smidt & Volker in Perry. Town Clerk is in receipt of 2 bids. Both bids seem to meet the description needs. LaDelfa/Walker did not produce a sample budget to compare.

Smidt & Volker contacted us and declined to submit at this time.

Baldwin Business: Bid \$7,300 for general bookkeeping and budget services
100/ month for payroll preparation
Estimated annual total \$8,400 – Baldwin Business

LaDelfa, Schoder & Walker, PC: Bid \$10,000 – stated as a maximum fee but could come in considerable less

Supervisor stated he is concerned for the many errors by Baldwin in the many years he has served the board but more so as the Supervisor.

Board discussion:

The board feels the cost is not too bad; its nice to see LaDelfa/Walker services the Town/Village of Mt. Morris accounts.

Town Clerk stated concern of the annual contract dates as maybe should consider May 1st – April 30th accommodating all aspects of the W-2s and annual report filing without a gap.

Board would like to see the budget and materials they would provide. Supervisor suggested considering interviewing LaDelfa. The board agreed that would be best before making a decision. Councilman Phelps & Driscoll will make arrangements to meet with LaDelfa and provide the information at the next meeting.

EMPLOYEE HANDBOOK - NYS DISABILITY INSURANCE DISCUSSION – Town Clerk raised the awareness with a recent employee who had a maternity leave and wanted NYS Disability forms filled out. The area of concern is the NYS Workers' Compensation/Disability regulation for government agencies and how we have our Employee Handbook. We either need to look into a disability policy or remove the short term disability from our handbook. The County does not offer coverage and most towns do not, but if they do it is part of the union contracts which is not in ours. Disability coverage ranges between \$18 - 21 annually per male, and \$45.60 – 54.60 per female.

Board Discussion: It would be a low premium with the amount of staff; but either way the majority of our staff is part time and would not meet the requirement, which makes the consideration moot.

The sections of the law were obtained from AOT to verify the municipality being exempt from coverage.

Workers' Compensation Law §212

McKinney's Consolidated Laws of New York Annotated

Workers' Compensation Law

Chapter 67. Of the Consolidated Laws

Article 9. Disability Benefits

A town is expressly excluded from the definition of "employer" contained in section 201 of the New York State Workers' Compensation Law. Accordingly, the town is not required to provide disability benefits for injuries arising outside the course of employment to its employees. The town may, however, opt to become an "employer" pursuant to the provisions of section 212 of the Workers' Compensation Law. That law expressly provides: Notwithstanding the definition of "employer" and "employment" in section two hundred one of this article, a public authority, a municipal corporation or a fire district or other political subdivision may become a covered employer under this article by complying with the provisions of subdivision one of this section and may discontinue such status only as provided in that subdivision.

A motion by Councilman Driscoll and seconded by Councilman Phelps to remove the short term disability from the employee handbook effective immediately. Motion carried. Supervisor Carman opposed the motion. Town Clerk will update the Employee Handbook and notify all departments.

PHONE BILL – QUOTES FRONTIER & TIME WARNER – Town Clerk reported she had a Time Warner Sales Representative ask to bid our phone service against our Frontier Service. As he did I contacted Frontier to see if other rates were open to us.

Time Warner six lines with tax and fees \$202.00/mo

Frontier six lines with tax and fees \$192.72/ mo

We currently pay about \$222/mo with Frontier; as they currently have a better offer on the one line, but would need to know if we should sign up for 1,2 or 3 year commitment.

Town Clerk pointed out possible concerns if switched to Time Warner – if the power goes out we lose phone lines along with our security system.

Board discussion:

All agreed to stay with Frontier and to commit to one year at this time.

MUNICIPAL ENERGY PROGRAM – ENROLLMENT DISCUSSION – Town Clerk provided information via email to allow time to review. This is a program and company Association of Towns has endorsed through ProStar Energy Services. Should we enroll?

Board reviewed and with previous years attempting to try other competitive energy companies it doesn't seem worth the time to enroll. Councilman Phelps utilizes a version of this with his farm and it truly hasn't amounted to a savings. All agreed not to enroll at this time.

Communications:

Supervisor Carman gave an update on NYSEG gas main. He had a conference call with NYSEG and really learned we are not to assume anyone can hook on without applying first, which if a line is in front of your property there is no guarantee. He raised the concern that any property sale should come with a Disclosure Notice with this information and they didn't see why. He sent a letter to Assemblyman Bill Nojay and Senator Gallivan; waiting for a response to understand why an undersized line was installed by NYSEG and how to rectify the situation.

Councilman Phelps says that his farm had to prepay \$50,000+ upfront to add electric service just so he can pay for more service on top.

Supervisor Carman provided an update on KidStart as they are going forward with plans to add a gym to their facility and applying for grant funds. They asked to list us as Lead Agency and the Supervisor agreed as long as they understood that we have no money to provide. They understood but listing us as lead gives them us of the county grants man.

Councilman Love attended the recent Correctional Advisory meeting and was told by the board the LCWSA will be taking over the water; no date was given. Supervisor Carman was surprised to hear as he has not been given that information yet.

A motion by Councilman Driscoll and seconded by Councilman Love to adjourn the meeting. Motion carried. Meeting adjourned at 10:23 p.m. The next regular meeting will be on Thursday December 11, 2014 @ 7:30 p.m., yearend meeting December 29, 2014 and organizational meeting set for Friday January 2, 2015 at the town hall.

Dated: November 14, 2014

Town of Groveland

Sandra L. Bean, Town Clerk