

The regular meeting of the Groveland Town Board was held on Thursday January 14, 2016 at the Town Hall.

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

Absent: Steve Atterbury, Councilman

Other Attendees: None

Supervisor called the meeting to order 7:47 p.m.

A motion by Councilman Phelps and seconded by Councilman Devine the audited bills be paid. General Fund vouchers numbered 1-16 for \$5,904.43; Highway Fund vouchers numbered 1-15 for \$4,820.32. Motion carried.

A motion by Councilman Devine and seconded by Councilman Driscoll to accept the yearend meeting minutes of 12/30/15 and organizational minutes if 1/4/16 as written. Motion carried.

Supervisor handed out copies of the Town Clerk & Supervisors monthly financial reports. The Supervisor reports were previously emailed to give additional time for review. A motion by Councilman Driscoll and seconded by Councilman Devine to accept the financial reports. Motion carried.

Information handed out/or acknowledged:

- 1) Payroll available for review
- 2) Seasonal portion of David Gray Hill Road remains closed
- 3) Groveland Fire Department has started the pancake breakfasts the 2nd Sunday of each month thru March 2016
- 4) Town Clerk 2016 new hours in effect
- 5) Updated Employee Handbooks & Emergency Manuals handed out
- 6) Disclosure forms handed out and due back by 1/29/16

Old/New Business:

HIGHWAY REPORT – Supervisor reported on behalf of the Highway Superintendent that the surplus car –still has not received the title from the state; this is normal for this type of item.

Greg is looking to purchase a used trailer and needs to advertise for bids and provided a picture of what he is interested in; he mentioned that they would be selling our Grader and Dump Trailer to offset the cost.

Councilman Phelps is thinking the picture with the price might seem high; he thinks the going rate is \$1,000 /ft.

Councilman Driscoll wants Greg to check the state contracting pricing too.

Board all agree to go ahead with the advertisement and bidding process as it will show what is out there.

INTERMUNICIPAL AGREEMENT – COUNTY SHARED SERVICES RESOLUTION 31-2016 – the contract is for one year with 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 Carman to sign the 1 year contract to expire December 31, 2016; and

THEREFORE BE RESOLVED; that the Highway Superintendent, Greg Adamson 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 adoption of the foregoing RESOLUTION was duly out in vote on motion of Councilman Phelps and seconded by Councilman Devine and the results were carried with 0 nay 4 aye votes.

DOG LAW PUBLIC HEARING – A local law was introduced 12/10/15 for the towns Dog Law to amend the tag replacement fee which is in Section 9 of the Groveland Dog Law. The current fee is at \$2.00 and is currently costing the town \$10.00 plus the cost of the tag for replacing a lost tag. The proposed law is setting the new rate of \$12.00 for a replacement tag.

The public hearing notice was read and opened @ 8:06 p.m.
Public hearing closed @ 9:12 p.m. with no public comments.

Resolution 32-2016

WHEREAS the Town Board has met at the time and place at its regular meeting the town board has reviewed the proposed Local Law 2016 – Regulation of Dog Control; and
WHEREAS, the amendment to #1 2011 and replaced with Local Law 1-2016 are responsible to raise the dog tag replacement fees from \$2.00 to \$12.00 as that is the cost to the town, and
RESOLVED this Town Board has held a public hearing January 14, 2016 and is hereby authorized to adopt Local Law 1-2016 and effective immediately once filed with Department of State.

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 4 aye votes. Roll Call Votes: Supervisor Carman, aye; Councilman Driscoll, aye; Councilman Phelps, aye; Councilman Devine, aye; Councilman Atterbury was absent.

Town Clerk will file the law with DOS and place the amount on the Fee Schedule list; future change in replacement tags can be now done through the annual resolution process.

RESIGNATION – PLANNING/ZONING BOARD SECRETARY – Town Clerk is in receipt of a resignation from Karol Thomas who served as secretary to planning and zoning board. Her resignation was dated January 2nd and effective January 4, 2016. Town Clerk has since reached out to see if she can help with the transition and she has agreed to help out with the transition with the following statement “I will see to it that the Planning Board members get the agenda for the January meeting and the meeting minutes for November. Unfortunately I will not be available to attend the January meeting because of a prior commitment.”
In the meantime what is the board’s pleasure on finding a replacement? Board suggests we ask around for at least a week before we advertise.

PLANNING & ZONING CREDITS –the town is in receipt of the annual report from Livingston County Planning Department in accordance to the 2007 State law requiring all Town Planning and Zoning Board of Appeal members to complete four hours of training per year. To date we have 4 members who are in need of 2015 credit hours; the law says no reappointments can be granted if credits are not completed. The board asked the Town Clerk to send out notices with a due date of March 31, 2016 to earn the 2015 credits, as the county has provided a list of courses in the next few weeks.

OFFICIAL BANK DEPOSITORY RESOLUTION 13-2016 – Supervisor Carman acquired an update to Resolution 13-2016 which does not need to be amended unless the board prefers to; sample of revised resolution reviewed based on the new information.
Board decided they would like to modify the resolution. The January 4th minutes will reflect the modification.

WHEREAS, Section 64 of NYS Town Law provides that the town board shall designate the official bank of the town, and

WHEREAS, the following banks institutions as desired by town offices to serve as the official banks of the Town of Groveland for the year 2016 as Five Star Bank and Steuben Trust, and

WHEREAS, both banks have provided adequate proof of FDIC protection to cover Justice, Town Clerk, Tax Collector and Supervisor town bank accounts; and

WHEREAS, with Five Star Bank providing pledges to cover collateral over the \$250,000 FDIC; therefore be it RESOLVED, that the Groveland Town Board does hereby designate the following banking institutions as the official banks of the Town of Groveland for the year 2016 as Five Star Bank and Steuben Trust banks both banks have provided adequate proof of FDIC protection to cover Justice, Town Clerk, Tax Collector and Supervisor town bank accounts.

The adoption of the foregoing RESOLUTION was duly out in vote on motion of Councilman Driscoll and seconded by Councilman Phelps and the results were carried with 0 nays 4 aye votes.

JCAP – CONSTRUCTION BIDS – Terri Rider from the court did apply for a JCAP grant at the request of the Justices who has handled the paperwork and meeting the contractors for design plans in conjunction to the Procurement Policy. The plan is to install a Jury Deliberation Room – Attorney/Client conference room along with remodeling our existing restroom to current handicap assessible standards. The estimates were quoted separately for the purpose of the grant in case they awarded one and not the other. Once awarded a 50% down payment would be made to the bidder with final payment once complete and inspected. Terri provided the bid requests, plumbing codes and estimates for board consideration. With Farley Bros. construction their combined price does include removing all paneling and dry walling the entire hall.

Bids proposals:

<u>Contractor</u>	<u>Jury/Client Room</u>	<u>Bathroom</u>	<u>Total</u>
• Larry Johnson	\$ 7,000	\$ 8,000	\$15,000
• Kircher	\$ 14,500	\$ 17,500	\$32,000
• Farley Bros.	\$ 8,500	\$ 12,500	\$21,000*
• Farley Bros. quoted if they get both jobs offer a discount and total project cost of \$	18,900*		

Larry Johnson has since contacted Terri Rider to withdraw his bid because of insurance certificate requirements. Board discussion:

A building permit would be obtained by the town and our Code Enforcement Officer, Ron Maxwell will be in charge of all inspections and meeting codes for all of the projects associated with the grant.

Board likes the Farley bid but feel it is too vague with Kircher being way out of our price range. Board would like further details from Farley Construction before a decision can be made at the next meeting.

- How and what lighting is planned in the Jury client room
- How or what additional electric is planned for the Jury client room
- With the dry walling of the Town Hall what are the measurements or are their plans for dry walling under or around the radiator covers
- What quality or grade of vinyl is planned for the Bathroom
- Is there a plan of primer or limit of layers of paint for all rooms
- What is the material to be used for trim around all doors
- Verify they would be able to supply workers compensation and liability insurance coverage if awarded

ANNUAL AUDITS OF EACH DEPARTMENT – we are waiting for verification from LaDelfa's if they can provide the town's annual report by end of February. The board discussed that all department annual reports be turned in February 15th to allow for a month for review and approval in March. All agreed.

EMPLOYEE HANDBOOK – see section 905 with a minor change with new Federal regulations. Board agreed the change is minor and reasonable to make the change. A motion by Councilman Phelps and seconded by Councilman Devine to add the Section 905 change and include it in the handing out of the all the January 4th changes. Motion carried.

COUNTYWIDE ASSESSOR PURSUANT TO RPL SECTION 1537 - RESOLUTION 55-2015 – Supervisor Carman reported that no petitions have been filed since the notice as NYS Town Law section 90 says the resolution is subject to 30 days which runs out on January 17th, Real Property Tax law section 1537 says it must be 45 days basically we are letting the attorneys decide and as long as the board wishes to continue with the county assessing then he will continue pending the grace period of petitioning the resolution; but seems best to go with the 45 days to avoid issues. All agreed.

The benefit if this happens, would be Tammy would be our Assessor but be employed at the County with a lower cost to both Groveland & Geneseo. The preliminary savings to Groveland is estimated at \$4,000 annually.

PLANNING BOARD/ZBA ON JUNK LAW AMENDMENTS – Councilman Driscoll stated at last month's meeting he had discussed the concerns with the planning chairman but did not have time to bring the information. The revisions in hand are from PB/ZBA board but their revisions were opposite of what their original submission was and unsure of why.

Board discussion: it was stated that the makeup of the board has changed in members and figures the opinion of the regulations must have changed for the reason of changed responses. Board stated that we cannot keep prolonging the situation as it is holding up the zoning regulations; it was suggested that Councilman Driscoll work with Code Enforcement and prepare a recommendation for the boards consideration by next meeting.

AMBUSCADE PARK – Supervisor had Tammy check to see if possible to opt out of the grant and return the monies spent thus far. It seems this would jeopardize all future grants and the hoops are mainly because the park is a historical site. Therefore, we must do our best to forge forward. Councilman Driscoll was able to get the specs and material list based on the plans. Otherwise the Supervisor will look to see what the repercussions if we let the grant lapse. Tammy and & Sandy will work on preparing the bid packet for state approval.

AUDIT SUPERVISOR FINANCIALS – Supervisor Carman and his secretary Tammy Baker provided all the items for the audit and was present while the board went through checklist; all was verified and matched with the records.

RESOLUTION 33-2016 PROCEDURE AUDITS OF SUPERVISOR, TAX COLLECTION/TOWN CLERK & COURT - Copy of audits passed around. Audits will be part of the official minutes.

Resolution 33-2016

WHEREAS, the Town Board has met at the time and place at its regular meeting, to review the 2015 examination of the Justice Court, Tax Collection, Town Clerk & Supervisor policies and procedures of their account books.

WHEREAS, two councilmen did meet with each department as indicated on audit sheets at the Town Hall do provide a process to monitor and review the work performed by those who handle money as part of their town duties; and

RESOLVED: the town board performed the examination and verification of the 2015 account books with court, tax collection, town clerk & supervisor and appeared to be in good order in Pursuant to Town Law, Section 27(1), Section 64(1), and Section 123.

The adoption of the foregoing RESOLUTION was duly out in vote on motion of Councilman Phelps and seconded by Councilman Devine and the results were carried with 0 nays 4 aye votes. Atterbury was absent.

Communications:

Supervisor Carman reported:

Residents received refund taxes in the past week for 2015 taxing agencies from county, school and would have been us but we exceeded the tax cap; residents will see it from us next year as we did stay under Tax Cap this year.

Water update is the LCWSA would like the town to consider creating a water district for residents in line with the correctional facility water project. He spoke with our Assessor who says she can create a list of users without doing a district. The creation of a district mainly helps the authority to levy unpaid usage to the tax bills. Board members also concerned if we create a district would we be forcing others to pay even if they don't hook up. At this time the board is not inclined to facilitate a water district without more information from the water authority.

Fire Department has had many security false alarms with one dwelling; they have asked for Code Enforcement to see if anything he can do to facilitate the issue otherwise they would like the town to consider a local law regulating false alarms. Board would like to see the 911 call log if it resorts to a local law.

As part of the audits and all my OSC training classes I will be performing time card audits as a preventive measure; statistics show most theft of services fall within the timecards. Board agreed a good practice to have. He will have the review process complete by next meeting.

Councilman/Town Clerk communications:

Councilman Phelps attended the Lake Association meeting last night and reported they are working on uniformed zoning for all jurisdictions to help with the runoff issues.

A motion by Councilman Phelps and seconded by Councilman Driscoll to adjourn the meeting. Motion carried. Meeting adjourned at 11:00 p.m. The next regular meeting will be February 11, 2016 @ 7:30 p.m. at the town hall.

Dated: January 15, 2016
Town of Groveland

Town Clerk, Town Clerk