

The regular meeting of the Groveland Town Board was held on Thursday June 9, 2016 at the Town Hall.

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

Absent: Sandra Bean, Town Clerk

Other Town Official's in Attendance: Kimberly Burgess, Deputy Town Clerk

Other Attendees: Ron Niedermaier

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

A motion by Councilman Devine and seconded by Councilman Atterbury the audited bills be paid. General Fund vouchers numbered 129-158 for \$11,405.87; Highway Fund vouchers numbered 106-125 for \$80,532.19. Motion carried unanimously.

A motion by Councilman Atterbury and seconded by Councilman Driscoll to accept the regular meeting minutes of 5/12/16 with changes to page 2 under the Star exemption area change from legislatures to legislators. Motion carried unanimously.

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 Phelps and seconded by Councilman Atterbury to accept the financial reports. Motion carried.

Information handed out/or acknowledged:

1. Payroll & Vehicle Mileage Log available for review
2. Seasonal portion of David Gray Hill Road remains closed
3. Tax Collector has received the Tax Roll Release of Bond
4. Workplace Violence Training has been completed
5. NYS Star Transition has now gone live on the state website for the Property Income Tax (PIT) Registry
6. Time Warner merger has been completed with Charter Communication; they will be known as Spectrum

Old/New Business:

HIGHWAY REPORT – Supervisor Carman reported on behalf of Greg work on Wilson Road will commence as early as next week weather permitting.

Discontinuance of David Gray Hill Road discussion – Greg provided information from AOT, we will not be able to abandon the road as the law restricts us, but can do a discontinuance but will need to do the 5 steps and working on them.

Supervisor Carman read the 5 steps and began the discussion of the road. He felt that the steps did not clearly state what the Town would be liable for after the discontinuance commenced. He felt that the property owner needed to be able to access their property.

Councilman Phelps concern was that if the road was discontinued how to deal with the right of ways to the property owners. He inquired if the Town would have to deed them these right of ways.

Councilman Devine stated that he was interested in knowing if this would help the Town to prevent future issues with having to maintain the road as it is currently closed now.

Supervisor Carman stated that he felt there was enough questions to contact the Town Attorney and get better clarification. He stated that he would have it for the next meeting.

SURPLUS – OFFICE ITEMS/HIGHWAY – RESOLUTION 43-2016 – A list was provided. It was stated if any items or not purchased on surplus. A receipt of what the items brought at the Palmyra auction was passed around. Greg started out with 3 John Deere 62” mower decks and selling the last one in a June auction as they were received from federal surplus and are past the time limit to resell. The towns Asset lists

will be updated to reflect the changes. The laptop is no longer supported with current Microsoft license and runs to slow; we obtained this from the county surplus about 6 years ago at no charge.

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:

1. John Deere 62" mower deck
2. ZBA/PB laptop – serial #v3vw2-HFymqyq9hfjg87bb6br0

RESOLVED the items to be declared surplus as the items are no longer of use to the town, and authorize the Highway Superintendent the authority to sell the items he feels can be sold and or dispose/recycle items of no value. Any sold items an itemized slip will be turned in with payment to the town.

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.

NATIONAL GRID ENERGY AUDIT – the company Lime came out to survey our lights and prepared a proposal. Board discussion:

Supervisor Carman stated that he had heard that RG&E had done upgrades recently for their customers and it was at no charge to the customer. He felt that the Town should wait to see if National Grid will be offering that in the future to customers.

Councilman Driscoll had heard the same thing in about RG& E along with another company. He agreed that right now it is not something the town should pursue.

Councilman Devine stated let's wait to see what becomes available in the next 3 months from National Grid maybe they will follow what RG&E has done for their customers at no charge.

Supervisor Carman stated that we will wait and take no action to see what National Grid may offer in the future.

NYS RETIREMENT – Town Clerk prepared the questions for the board to discuss and let her know what their pleasure is so she can properly prepare the required reporting resolution to NYS Retirement and future audits.

As part of the NYS Retirement Regulations, all employees must be offered the retirement option; once Tier 6 was created it is no longer optional to join – it is mandatory.

The dilemma we have are the staff members that we pay through vouchers because they earn less than \$600 a year; but if any of these employees are in the retirement system in their full time jobs than we must report them. (Or is it mandatory regardless because of Tier 6 as new members get appointed?)

Do we just request all the information and only put on payroll those who are in the retirement from other jobs or do we just put everyone on? Even if we don't put on, we are still required to offer annually and have the form on file each year.

Board Discussion:

Councilman Phelps stated that if they use a 1099 form for reporting them would they be considered a contract employee and not have to report them to retirement.

Councilman Driscoll understood that Tier 6 is confusing. He recommended that we only put on payroll those that are currently in the NYS Retirement system and continue to research.

Supervisor Carman stated that he was looking to do what was in the best interest for the employee as they do not make much money as a planning board or zoning board member.

A motion by Councilman Driscoll and seconded by Councilman Atterbury to place employees currently enrolled in the NYS Retirement through another employer on payroll and continue to offer employees paid by voucher retirement annually. Motion carried.

Supervisor Communication:

- ✓ Water line update: It was verified there will be no work on the water line in Groveland this year, but working on the line to get it ready for next year. WSA went back to state for more money from \$7.2 to \$8.5. He feels that if they are asking for more money that there should be no charges to the residents or farmers for the hook ups or upgrades, which he expressed to the WSA.
At the county level Ian Coyle has sent Cathy Van Horne a three-pronged memo to address issues associated with 1) their inspection program and request for a Deputy Director 2) the succession plan for the Executive Director (Cathy) position and 3) ideas around getting a working group together LCWSA Board members and BOS members to discuss long-term strategic planning on the LCWSA/County relationship.
- ✓ Senator Gallivan Funds - \$50,000 – discussed with Annie last week and it was stated that I would know before the Senator even hears if the money has been sent.
- ✓ The Memorial Day service here at the town hall was nice, one of the largest turnouts for the service.
- ✓ Grievance Day was Thursday 5/26/15 with only 6 applications
- ✓ Fire Department contacted us to request the meeting to be postponed to July to allow more time for their accountant to help with the questions that we sent them.
- ✓ I was able to spend a few minutes with Mary Spencer to acknowledge her Milestone Birthday and had the pleasure of meeting her daughter Ginny. She made it to her 102nd birthday but did pass away peacefully on 5/26/16. Louise Hainsworth's 101 birthday is tomorrow and I had the pleasure of visiting her yesterday.
- ✓ The county foreclosure list is out and only has 1 property on it; usually I try to track each one down to see if they are able to be removed; the property in question is in the station.
- ✓ Article 78 Amended Petition filed from Woodworth ZBA decision – Our Insurance is paying for the attorney's fees and have hired our town attorney David Roach.
- ✓ County starts Monday with paving Lakeville Groveland Road – will be delays.
- ✓ Paving work on Route 63 from Route 408 in the town of Groveland to the county line in the town of York, Livingston County started last week. Crews will generally be working daily from sunrise to sunset. The 12-mile section of highway will be milled and paved with new asphalt. A new left turn lane will be constructed on Route 63 northbound to Route 20A westbound. Mary Jemison Drive between Route 63 and Route 20A in Geneseo will be resurfaced. A section of concrete pavement near the salt mine will be replaced while maintaining two-way travel.
- ✓ Ambuscade Park – Construction Bid packet sent out March 13th for state approval – we got a response on 6/2/16 that wants more reports before they will approve, hopefully we can get the materials needed in the next few weeks to resend it for review.
- ✓ Reminder that Saturday is the free electronic collection to be held at Geneseo Central School 9am-2p.m.
- ✓ I am in receipt of a letter from Jon White, Chairman for Livingston County Agricultural & Farmland Protection Board in regards to Solar Farms being placed on farmland. They would like to not have solar energy farms on farm land as it creates a loss to prime farming land in the area. Solar farms are coming into the area and we will need to begin research what is in the best interest for the Town. The Town of Mt. Morris has forwarded their law in regards to solar energy for us to review.

INDEPENDENT AUDIT – Supervisor Carman recommended the board go into executive session to discuss some of the employee matters.

A motion by Councilman Atterbury and seconded by Councilman Phelps to enter into executive session due to current employment matters. Motion carried unanimously; entered at 8:55 p.m. Dep. Town Clerk was asked to step out.

A motion by Councilman Phelps and seconded by Councilman Driscoll to exit executive session and enter into regular session at 9:06 p.m. with no action taken in executive session. Motion carried unanimously.

Back in regular session use:

Supervisor Carman stated with the time card audits a few months we opted to hire an outside firm to do an independent audit on the justices. The report indicated no funds were missing but did express some areas that need better controls. I have discussed the issues with the justices who are both in agreeance with the report and working on several areas; the main one with upgrading their software program that has better audit controls. The audit will be placed in the minutes with the justice's response.

Councilman Phelps and seconded by Councilman Driscoll to adjourn the meeting. Motion carried unanimously. Meeting adjourned at 9:07 p.m. The next regular meeting will be July 14, 2016 @ 7:30 p.m. at the town hall.

Dated: June 9, 2016
Town of Groveland

Kimberly Burgess, Deputy Town Clerk