

The regular meeting of the Groveland Town Board was held on Thursday December 8, 2016 at the Town Hall.

Present: Bill Carman, Supervisor; Bill Devine, Craig Phelps, Steve Atterbury, Councilman

Absent: John Driscoll, Town Councilman & Deputy Supervisor

Other Town Official's in Attendance: Interim Highway Superintendent, James Love

Other Attendees: None

Supervisor called the meeting to order @ 7:54 p.m.

A motion by Councilman Phelps and seconded by Councilman Atterbury the audited bills be paid. General Fund vouchers numbered 286-335 for \$21,558.31; Highway Fund vouchers numbered 215-231 for \$23,171.97. Motion carried.

A motion by Councilman Phelps and seconded by Councilman Devine to accept the regular meeting minutes of 11/10/16 with one correction of adding the word not in the highway section related to health care. 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 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. Fireman's breakfasts 2nd Sunday each month October – March 8am – 11am
3. Groveland State Bank original sign now hanging in Town Clerk's office
4. Habitat for Humanity Home had an open house December 3rd and will do a dedication to the family sometime in January
5. NYS Comptroller recently audited the Taxation & Finance Department related to the Property Tax Freeze program, which showed some errors.
6. Saturday December 10th @ 6 p.m. Community Tree lighting sponsored by the Fire Department

Old/New Business:

HIGHWAY UPDATE – David Gray Hill Road is closed now due to the Seasonal use.

Jim reported that he had 6 thousand yards of gravel crushed, purchased paint for highway barn and bathroom, crew will be improving the cleanliness, the night shift starts December 12th, we had to replace the pipes on the oil waste furnace as they were all rusted, snow fence is up, the man lift we own had no safety harness and is now installed, the health broker comes in next week to review 2017 health changes to crew, we are in receipt to the new county radios per contract. The portable bathroom at the Ambuscade Park had fallen over and had it services and salt put in it for the winter. The lights in the highway bays are sodium filled and not located safely and is looking to move them and add more for better lighting. Supervisor Carman gave a solution to convert the same fixture to LED for less cost.

Jim also reported he is getting help from Jason Wolfanger and George Warden to get the CHIPS report filed which is due near January. The board asked if he wanted us to make calls for him as \$100,000 is at stake, but Jim said he is good with the other highway guys helping him.

ADVERTISEMENT FOR HIGHWAY PART TIME MEO POSITION – Town Clerk reported she is in receipt of 2 resumes. Interim Highway Superintendent reported that Mr. Rossborough had declined to do an interview as he has full time employment. Mr. Jordan Porcelli was the second applicant who interviewed well along with doing a road test with Dave Anderson who said he did great. Jordan is a town resident and would be a great fit.

Board Discussion:

Supervisor inquired if he had checked his references; Jim has not yet but will.

Councilman Phelps said what about checking his county highway reference; Love no not yet.

Councilman Devine we should have our insurance or a company run his drivers background to make sure it is valid; Town Clerk stated she will check with our agent for the waiver form.

Interim Highway Supt says Jordan needs the money and supporting a family and needs more than 15 hours.

Board said that we can give him work that is not budgeted for or take away overtime from the fulltime crew; the position is meant to train and help offset the overtime if the fulltime crew cannot fulfil. Each time the opportunity comes up for overtime Love needs to show proof each time if full time turns down before he gives work to the part time.

A motion by Councilman Phelps and seconded by Councilman Devine to hire Jordan Porcelli for part time highway MEO for 20 hours a week for the next 30 days at \$16.00/hour effective December 19 2016 pending his driving record and references check out. Motion carried. In January the board can reevaluate the 20 hours.

Board asked Town Clerk to look into how many hours is permissible as part time before classified full time.

LETTER CODE ENFORCEMENT – Board members read the letter submitted by Mr. Maxwell regarding Geneseo to potentially turn the code office to part time position come the first of the year. See attachment to final minutes for copy of letter.

Board discussion: Board says we are in contract until the end of the year and nothing to do unless Geneseo doesn't meet the contract, but nice to know Ron is willing to work for Groveland if Geneseo falters.

HRA REGULATIONS – RESOLUTION 56-2016 - Town Clerk reported that the 3rd party company Benefit Resource Inc. has notified us of the change to IRS regulation associated to HRA accounts effective January 1, 2017. This does not affect the contract we have them it simply is modifying the original agreement to now include the updated IRS regulations. We need a resolution to allow the plan administrator to sign the amendment.

A motion by Councilman Phelps and seconded by Councilman Devine to have the plan administrator make the amendment to the contract to include the IRS regulation changes. Motion carried.

COUNTY INTERMUNICIPAL AGREEMENT – MACHINERY, TOOLS, EQ. & SHARED SERVICES – RESOLUTION 57-2016 - the contract is extending for 1 year for 2017. 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, 2017; and

THEREFORE BE RESOLVED; that the Highway Superintendent, Jim Love 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 4 nay 0 aye votes.

COUNTY INTERMUNICIPAL AGREEMENT DOG CONTROL SERVICES – RESOLUTION 58-2016 –

This is a renewal contract with an annual contract fee of \$4600 for year 2017 and to be similar in 2018 with minor raises to be calculated. The contract is a 2 year contract term of 1/1/17 through 12/31/18.

WHEREAS the Town Board has met at the time and place at its regular meeting the town board has reviewed the proposed 2017 & 2018 Dog Control Services with Livingston County Dog Control renewal contract; and WHEREAS, the contract is a carryover from 2016 to provide enforcement of the Town's dog control ordinances and now therefore be it;

RESOLVED this Town Board does hereby accept the Livingston County Dog Control contract of \$4,600 in 2017 with similar calculations for 2018 which falls within the approved 2017 Budget.

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

ENERGY ENTERPRISES, INC. – the county was using Energy Enterprises as a consultant we had previously sent an email to the company which they hadn't responded at the November 10th meeting but did get a response a few days after. I was then asked to get references from them, but they never returned our call.

Board Discussion: Board feels we have given Mr. Green all the opportunities but he doesn't seem to be interested so no need to follow up with him.

CLEAN ENERGY PROGRAM – Town Clerk has emailed the information that was given and since the county planning department Mary Underhill explained the importance of enrolling in the program which would go hand in hand with the energy audit program. This may become a Governor mandate; Supervisor Carman will look into for further information.

FIRE DEPARTMENT CONTRACT – RESOLUTION 59-2016 - Town Clerk previously emailed the board the draft five year contract. The researched the public hearing requirement and found it is necessary to hold a hearing especially since it is a 5 year contract. If only an annual contract we can include it in our annual budget hearing.

Supervisor read the notice and opened the Public hearing @ 8:45 p.m.

Public Comments: Ron Niedermaier suggested we look into if it is legal for the Fire Chief to live outside the town and if the insurance covers such a thing. Ron stated he has had a lot of people saying its wrong.

Board Discussion: Their bylaws dictate and allow the adjoining membership and not for us to question and as for insurance coverage; all fire agencies do mutual aid and send them all over the county and are covered so thinking it doesn't matter where they live or travel; the coverage is there.

Hearing closed at 9:10 p.m. with 1 public comment.

WHEREAS, the Town Board has met at the time and place at its regular meeting to review the proposed five year service contract effective January 1, 2017 through December 31, 2017 with the Groveland Volunteer Fire Department Inc. , and

WHEREAS, Fire Department Representative, Steve Teeter has been authorized by the Groveland Volunteer Fire Department Inc. to negotiate a five year contract, now therefore be it;

RESOLVED, the town board did hold a public hearing for the agreement, AND

FURTHER BE IT RESOLVED this Town Board does hereby accept the five year agreement effective January 1, 2017 through December 31, 2021 of \$108,000 and renewed each year thereafter with a 2% increase for each year until December 31, 2021.

The question of the adoption of the foregoing RESOLUTION was put into vote. Motion by Councilman Phelps and seconded by Councilman Devine and the results were carried with 0 nay 4 aye votes. Roll Call Votes:

Supervisor Carman, aye; Councilman Driscoll, absent, Councilman Phelps, aye; Councilman Devine, aye, Councilman Atterbury, aye.

ASSESSOR POSITION UPDATE – Supervisor Carman stated Geneseo held their interviews last month and had 2 solid candidates and asked us to come meet one of them last week; Sandy and I attended the meeting and have met the person Geneseo is offering the position to but the gentleman we think will be giving his notice on Monday and able to start 2 weeks from Monday. He is not a certified Assessor yet but does meet the state criteria to be temporarily appointed until certification can be met. The discussions were to pay \$10.00/per parcel plus a portion of retirement benefits. We have approximately 931 parcels. If all goes through then the residents should get the service and we will save taxpayer dollars.

GROVELAND BANK SIGN – Town Clerk reported we have been honored to receive such a piece of Groveland's history from Cricket Adamson. It is the original bank sign and Cricket has preserved it extremely well. I have reached out to our Historian, David Carman who has provided us with some of the dates and photos we have on record. Jim Love graciously made it happen to have the sign installed as it is very heavy. I have since spoken with Cricket and we are working on having a sign engraved to give some keynotes to be placed with the sign. Once that is done it might be a good idea to do a press release story and acknowledge Cricket for his generosity. All agreed.

AMBUSCADE PARK – Committee member Bill Devine reported the contractor that bid was working on the markup plans and did mention we would have them tonight but nothing came. Councilman Devine will contact Mr. Wolcott again. In the meantime Mossien has inquired whether we can at least give them a partial payment to show good faith effort; board said once the mark ups come through and the Mossien and state agree on it then we could consider a partial payment. All agreed.

Supervisor Communication:

- ✓ Water line is still a work in progress with being told Sept/Oct 2017 we will have water. Cathy VanHorne has reached out to me regarding our invoice we sent her for the materials that were given in the amount of \$5,842.72, their board thinks they need more information before they can issue payment, but we gave them everything they provided us.
- ✓ I attended the Home Rule seminar last night as it was more on the Public Service Article 10. The seminar was all attorneys to solicit funding to form a coalition to help sure against Article 10 actions. NYS Governor is mandating Clean Energy and created and filled the position to the energy board which is pushing massive size wind towers (20 megawatts) to service up to 400 houses. I need to find more information what helps us at the local level to slow the ability of the NYS Commission Board to put into our towns without us having a say. Despite what our town has in place for zoning as the commission board exceeds local zoning.
- ✓ The fire department will be a community Christmas tree lighting and caroling this Saturday, you all got the flyer; it was well done last year. Hope to see you all there.
- ✓ Pledge of Alliance seems to be a normal act in most other town board meetings and one I would like to start here starting in January unless any objection from the board.
- ✓ The county sent reminder letters to the Fire/Ambulance Districts wishing to consider entry into County's Workers Compensation plan went out this week. They have until 12/31 to opt-in. I am not sure what this entails but I will follow up with the department to see what their thoughts are.
- ✓ The town's major credit card had to be updated and we are waiting for all new cards; information was held under the previous town Supervisor.
- ✓ Livingston County Planning Board has revised their referral requirements for all town and villages referring applications to their office, notices went out to both the planning/ zoning boards and the secretary.

- ✓ The staff Christmas luncheon has been tentatively set for December 22nd @ 12:30 here at the town hall.
- ✓ Reminder the closeout yearend meeting scheduled on December 29th @ 7:30 p.m.

Other Communications:

Town Clerk stated since the court was unable to secure JCAP funding for the multipurpose room, the need for finishing the room needs to be addressed; and was given a suggestion from Councilman Devine of a Rochester company that does used furniture. Town Clerk will be contacting them to see what they can offer for a limited budget.

Ron Niedermaier asked if we secured the excavator funding yet; Supervisor Carman stated no but again were told by Senator Gallivan and 2 of his staff members we will know before they do.

A motion by Councilman Atterbury and seconded by Councilman Phelps to adjourn the meeting. Motion carried. Meeting adjourned at 9:42 p.m. The next meeting will be the closeout December 29, 2016 @ 7:30 p.m. at the town hall.

Dated: December 8, 2016
Town of Groveland

Sandra L. Bean, Town Clerk