

The regular meeting of the Groveland Town Board was held on Thursday February 11, 2016 at the Town Hall.

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

Absent: None

Other Attendees: Greg Adamson, Highway Superintendent, Mark Caldwell, Deputy Highway Supt.

Supervisor called the meeting to order 7:58 p.m.

A motion by Councilman Atterbury and seconded by Councilman Devine the audited bills be paid. General Fund vouchers numbered 17-44 for \$6,033.80; Highway Fund vouchers numbered 16-38 for \$14,114.31. Motion carried unanimously.

A motion by Councilman Driscoll and seconded by Councilman Atterbury to accept the regular meeting minutes of 1/11/16 as written. 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 Atterbury and seconded by Councilman Phelps to accept the financial reports. Motion carried unanimously.

Information handed out/or acknowledged:

1. Payroll & Vehicle Mileage Log 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. Livingston County Directory updates given and expect the 2016 directory's to be published in late February
6. Earth Day nominations due by March 2nd; nomination forms at the Town Clerk's office
7. Teen Recognition board will recognize 4 youths from Groveland April 27th
8. Ambuscade Park – inner office is working on construction bid packet

Old/New Business:

HIGHWAY REPORT – by Greg and Mark as Follows:

1. Seal bid proposals for Aluminum Framed Tri-Axle End Trailer for a 2013 or newer - Town Clerk stated she had received 3 bids and were opened with Mark Caldwell yesterday at 4:00 p.m. The bids received appeared to have met all the requirements with Mark offering more information tonight; the bids are as follows:
 - East Manufacturing Corporation – bid was for a new 2017 Trailer with a bid price of \$66,630
 - Syracuse Trailer Sales Leasing, Inc. – bid was for a new 2017 with a bid price of \$64,669
 - Regional International – bid was for a new 2016 with a bid price of \$64,950

Board Discussion:

Caldwell stated the time of delivery is 8-12 weeks since bids are all new trailers. Regionals International is Mac Trailer/Trailer Star.

Greg stated the used one that was mentioned at the last meeting was no longer available as it sold for \$54,000. He stated trailers are not a state bid item. Coal trailers are too tall and not easily accessible for gravel, loaders won't reach.

It was asked how much our trailer could sell for; Greg hopes for \$15-\$158K.

How many days or tons do we haul? We haul salt, sand, gravel in the summer almost each day and in the winter it is generally not used unless a mild winter like this one.

Supervisor Carman asked Greg if the money is in his budget. Greg stated we budgeted \$30,000 and planning on getting a combined total of \$30,000 by selling our trailer and grader.

Supervisor stated there is a surplus in the highway funds especially with all the county work last year. Councilman Phelps stated we hate to back ourselves in a corner without guarantee of sales and county work. Councilman Phelps can you find a good used trailer to your liking? Caldwell search all over and could only find one trailer that was a 2010 listed for \$42,500 out west. Councilman Devine thinks for the price of the used and the year of it we would be better served with a new one. He would also arrange for a salesperson to come out to give a better idea on our used equipment that Greg intends to sell. Councilman Phelps asked do we know if we ended up using fund balances that were not budgeted for (non-emergency item) that in the end of the year made us exceed Tax Cap despite we submitted we were staying under and assuming we could not earn enough revenues; would there be penalties. Supervisor Carman stated that is a great question and will look into it.

A motion by Councilman Devine and seconded by Councilman Atterbury to award the bid to the lowest bid from Syracuse Trailer Sales Leasing, Inc. in the amount of \$64,669 pending the Tax Cap penalty answer. Motion carried unanimously.

**2/12/16 update on Question asked of our Accountant, Terri McKerrow of LaDelfa. The tax cap only considers the total property tax that you assessed as compared to the amount that you were allowed to assess (without override). So the tax cap calculation that we last submitted would not be effected if the board ends up using more fund balance in the current year than expected/budgeted. There are no penalties for the use of fund balance. However, as fund balance is depleted in the current year, it may be harder to stay under the tax cap in upcoming years because you have less fund balance to utilize in a future budget. Therefore the purchase will be made.*

2. Agreement to Spend Highway Funds – Resolution 34-2016 - This is the contract that the county requires each year for the town to decide which road to improve that requires full board signature. Greg stated some of the money is part of the CHIPS and work is always pending what spring shows along with potential county work.

WHEREAS, in the sum of \$115,000 may be expended for general repairs upon 43.98 miles of town highways, including sluices, culverts and bridges having a span of less than five feet and boardwalks or the renewals thereof, and

WHEREAS, Greg has designated road improvements on Lattimer Road from Groveland Hill Road and leading to Seasonal Section of Lattimer Road, a distance of 1.3 miles there shall be expended not over the sum of \$26,000 with using a 22ft. width of traveled surface to wedge, stone and oil, and

WHEREAS, on the road commencing at Turner/Dantz Road from Groveland Hill Road and leading to the Bennett Hill Road a distance of 1.5 miles shall be expended not over the sum of \$30,000 with 20ft. traveled surface to have wedge, stone and oil, and

WHEREAS, on the road commencing at Wilson Road from Groveland Hill Road and leading to Barber Hill Road, a distance of 1.3 miles shall be expended not over the sum of \$60,000 to the gravel road a 26ft width traveled surface with a thickness of 6 inch crush gravel sub base of 12 inch bank run gravel for culvert replacement and ditching, and

WHEREAS, on the road commencing at David Gray Hill Road from Barber Hill Road and leading to the Seasonal Portion of David Gray Hill Road, a distance of .5 miles shall be expended not over the sum of \$20,000 with 20ft. of traveled to wedge and seal with stone and oil; now therefore be it

RESOLVED, that pursuant to provisions of Section 284 of the Highway Law, the town board agrees that monies levied and collected for the repair and improvement of highways, and received from the state for the year 2016 will be utilized as specified above.

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

3. Department of Social Services Experience – Resolution 35-2016 – Greg mentioned this program is federally funded but promoted through Livingston County Social Services and the Office of Workforce Development. For those who are on social services provide free labor to sponsored agencies to help learn new skills to improve future employment opportunities and promote getting off social services. By signing a 3 year contract does not require us to utilize them but allows for us to decide at any point that we need someone for a short or long period of time we would be given employee(s) to carry out our needs. The liability coverage falls on the counties workers compensation policy. The only requirement for us is to supply timecard verification sheets if we utilize a person. If we don't like the quality of the person sent out, we can let them go and ask for another.

WHEREAS, the Town Board has met at the time and place at its regular meeting to review the Department of Social Services Work Experience Program contract; and

RESOLVED, that the contract spells out the process if we utilize the program but does not require us to accept any employee that does the fit in the Towns needs and the contract is effective for the period beginning February 5, 2016 and ending December 31, 2018.

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

4. Hawthorne Hills Subdivision Road – Greg wanted to verify the boards understanding of Hawthorne Hills with Harold's recent application to subdivide. If approved it eliminates any opportunity for Phase 2 of combining the two roads.

Supervisor Carman asked who was on the board when this was discussed as 3 of the 5 were and all agreed they understood no matter if we took dedication that the roads would still be looped together by Harold through Phase 2. They don't remember it coming back to do the road dedication; Town Clerk stated with looking through the records it did not come back to the board as far as she can tell but thinking the Supervisor at the time handled much of the work and contracts from his county office back then. Clerk checked the records and have not found anything that shows the town officially taking dedication of the roads nor were any maps filed with us or at the County Clerk's office. Board agreed to have the Planning board postpone their public hearing and invited Harold to attend the next town board meeting scheduled March 10, 2016 @ 8:00 p.m. In the meantime, have Mr. Maxwell look into the approved subdivision.

MARK CALDWELL – SICK TIME ACCRUAL – Mark asked the board to consider a one-time carryover of 2015 unused sick/vacation/personal time for the full time employees. He stated with the Supervisor having a secretary and preparing a system to track time used is a bit different than what past practice was along with the opportunity to help the town earn much needed funds for the town last summer working for the county we didn't take time off to help the town out. He provided a list of each fulltime employee's unused accumulated time from 2015 that he would like some leniency to use this year and anything unused by December 31, 2016 would be no longer available. The list does not include this year's credits.

Supervisor Carman thanked the crew for what they did to help the town. The board all agreed it is a reasonable request based on the extraneous hours of the hard 2015 winter and the summer work load.

A motion by Councilman Devine and seconded by Councilman Phelps to allow the extension of hours submitted and to have an addendum added to the contract that any unused hours on the list expire on December 31, 2016. Motion carried unanimously.

FEE SCHEDULE – SNYDER BROTHER RATE CHANGE & CONTRACT RENEWAL – Town Clerk reported she is in receipt of a letter from Snyder Brothers Services have submitted letters of some price increases. The contract renews automatically unless the board wants to seek other options. The board looked at what we charge and see if we need to increase our prices to the public. Some of the revenues are to offset the

maintenance of the cemetery. Board decided the service provided is the best in the area and the cost is reasonable. It was suggested we increase our prices to what Snyder increases.

RESOLUTION 36-2016 – FEES SCHEDULE

RESOLVED, the Groveland Town Board amends the 2016 Fee Schedule to update fees listed as follows:

Cemetery Fees:

Purchase of single plot/grave	\$ 500
Open/Close for single burial	\$ 425 +\$150 Sunday/Holiday
Open/Close for single cremation	\$ 225 +\$150 Sunday/Holiday
Foundation Installation Cost	\$ 23.00 per cubic ft. a minimum of \$175.00

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 5 aye votes.

RESOLUTION 37-2016 - CEMETERY CONTRACT

WHEREAS the Town Board has met at the time and place at its regular meeting the town board has reviewed the proposed 2016-2017 Snyder Brothers Cemetery Service contract; and

WHEREAS, the Town Board is desirous of cemetery service for taking calls, selling plots, mapping plot owners, grave opening and closing and grading and seeding; and; now therefore be it

RESOLVED, this Town Board does hereby accept the Snyder Brothers Cemetery proposal to service Lake View Cemetery from March 31, 2016 and expires March 31, 2017 with Grave pricing to include open and closing: Adult \$325, Child \$325, Stillborn \$150, Cremated remains \$150, Welfare \$325, Holiday & Sunday burials an additional charge of \$150, Foundation Installation is \$23.00 per cubic foot with a minimum of \$175, and now therefore further be it;

THEREFORE FURTHER BE IT RESOLVED, that either party may terminate this agreement within a written notice to the other party within 90 days said to prior end of said contract; otherwise said contract will renew automatically if no price changes.

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

COMPACT OF TOWNS – AGREEMENT RESOLUTION 38-2016 – The contract is a renewal as the last one was in 2013. The fees are the same. Town Clerk will send a letter of review.

WHEREAS, the Town Board has met at the time and place at its regular meeting, to review the Conesus Lake Compact Operation and Maintenance Agreement with Livingston County Water and Sewer Authority; and

WHEREAS, Pursuant to the November 30, 1983 agreement establishing the Conesus Lake Compact, the Compact may enter into contracts through its Chairman, who is the sole agent for the Compact during the term of chairmanship; and

WHEREAS, the Compact desires to engage the Authority to perform certain operations and maintenance services with respect to the Project, and the Authority is willing and able to perform such operation and maintenance services; and

WHEREAS, the Compact agrees to pay the Authority the sum of \$15,000 to provide the regular services set forth under this Agreement for one year starting March 1, 2016 with automatic renewal unless wither party provide a termination notice prior to the renewal dates. The Fee will be billed by Authority to the individual compact Towns with Groveland's percentage – 12%; and

NOW, THEREFORE BE IT RESOLVED, that the board supports the agreement as presented.

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

PLANNING/ZONING BOARD SECRETARY POSITION – Supervisor Carman stated Kathy Gurak has approached the town asking if she could serve as secretary to both boards while maintain her membership position to the planning board. He inquired with the Association of Towns for an opinion, they provided a Compatibility of Office worksheet and basically left it clear as mud. If she served on the zoning board then it would be a conflict, but he does not have no objection as it would be an asset to have one person serve both boards.

Discussion: Board members read through the compatibility information and also agree the position would be an asset to share the same secretary and glad to hear Kathy is interested.

A motion by Councilman Carman and seconded by Councilman Phelps to appoint Kathy Gurak as the secretary to planning and zoning board with the pay rate of \$12.36/ hr. Motion carried unanimously.

BOARD OF ELECTION – Supervisor Carman stated there will be a Presidential Primary Election April 19th, also the Town Clerk has to send in a form at least eight months before the General Election if we propose to have any propositions. During the October budget we indicated we may need to look again with consolidation from two justices to one as a cost saving measure to stay within the Tax Cap. He is open to board consideration. Board Discussion: This has been tossed around for 2 years now; we haven't reduced salaries but have given raises; it is disheartening that we didn't catch this when the district attorney reduced the number of court nights from 4 to 2 per month and we didn't take measures at that time.

All agreed that it would be fair if we put a spreadsheet of the last 5 years of revenues and expenses to present to the justices and have them help in the possible transitioning to a single judge. In the meantime, all agree to have the Town Clerk list it a possible proposition. Town Clerk will work on the court spreadsheet.

JCAP – CONSTRUCTION BIDS – At the last meeting the board reviewed the bids and requested more information from Farley Construction. Town Clerk had emailed the questions and supplied copies for board review. Supervisor Carman stated it appears Farley has answered all questions and most importantly the insurance certificates. The Town will disburse 50% of the full amount of the accepted bid within a week of receiving sufficient certificates of liability and workers compensation; insurance certificates must list the Town of Groveland as Additional Insurer. Any subcontractors must also comply with proper insurance certificates. Final payment will be made 7 days after final inspection with our Code Enforcement and Court office representative.

Bid Award – Resolution 39-2016

WHEREAS this Town Board does hereby acknowledge the Justice Department has been awarded through a JCAP Grant in amount of \$19,000 to utilize for construction; and

WHEREAS the justice department has presented the estimates for construction of installing a Jury Deliberation Room – Attorney/Client conference room along with remodeling our existing restroom to current handicap assessable; and

WHEREAS the justice department desires the use of funds towards the efficiency office flow with a professional look and safety with quotes meeting the Procurement Policy and Certificate of Insurance Coverage, and now therefore be it;

RESOLVED this board awards the construction to Farley Bros. Construction in the amount of \$18,900; to disburse 50% of the full amount of the accepted bid within a week of receiving sufficient certificates of liability and workers compensation; insurance certificates must list the Town of Groveland as Additional Insurer. Any subcontractors must also comply with proper insurance certificates. Final payment will be made 7 days after final inspection with our Code Enforcement and Court office representative.

The question of the adoption of the foregoing RESOLUTION was put into vote. A motion by Councilman Phelps and seconded by Councilman Atterbury. Motion carried unanimously.

COUNTYWIDE ASSESSOR PURSUANT TO RPL SECTION 1537 - RESOLUTION 55-2015 – Supervisor Carman updated the board that the position was offered to our Assessor Tammy who turned down as they came in lower than what was originally discussed. Basically we are maintaining with Geneseo as there is a 6 year contract with the current Assessor. The resolution can stay open ended if Tammy chooses to reconsider the county offer.

PLANNING BOARD/ZBA ON JUNK LAW AMENDMENTS – Councilman Driscoll stated at last month's meeting he discussed the findings from PB/ZBA board were opposite of what their original submission was and unsure of why and looked into it further he continues to work with Code Enforcement Officer to come up with a resolution.

Communications:

- ✓ Water update remains the same as the water authority is still working on surveying and looking for a confirmed tower location. No new information for farmer hookups. Councilman Phelps stated he has been contacted by LCWSA to meet with them to discuss tank options and waiting for a price.
- ✓ Geneseo Central School has SRO officer needs and looking for funding and I am not incline to foresee funding in our budgets to offer. Board all agreed.
- ✓ Mandate question came up with the recent tax bills and inquired at the county level which provided a breakdown of county mandates as he stated what they were. The board members all want copies. Supervisor stated he will also place them in his next newsletter.
- ✓ I checked with our Senator Pat Gallivan's office regarding the \$50,000 funds from last year as there was an email advertising for the same type of funds for this year. He was told that the Governor is holding last year's funds until he gets legislatures to approve his needs. Told we will get it but no confirmed date.
- ✓ The Vehicle Use seems to be going well since implemented on February 1st but a question came up within the departments. "Can we opt to use our personal vehicle to do banking and not ask for mileage reimbursement for the convenience of not having to drive back to the town just to turn around and have our shift end? The employee handbook doesn't give the option since a vehicle is provided." The board reviewed the question and stated as we would like to have some conveniences in our employees positions this is not an area we can risk. The vehicle was purchased for 2 reasons, one for a cost saving measure on mileage reimbursement and second for reducing the liability risk to the town as not to combine personal with business use. The convenience portion to the employee is getting paid to perform the service and does not put wear and tear on their personal vehicle. They referenced the Employee handbook that covers the use:
507 Vehicle Usage Policy Statement - All vehicles and related equipment of the Town of Groveland are owned and maintained for the purpose of conducting official business of the Town. Said vehicles and equipment may not be used for the personal use or private gain of any official or employee, nor for any other purpose which is not in the general public interest.
- ✓ Time card audits - Supervisor recommend they go into executive session to discuss results. Motion by Councilman Phelps, and seconded by Councilman Atterbury. Entered at 9:58 p.m.
A motion by Councilman Phelps and seconded by Councilman Driscoll to **exit executive session and** enter into regular session at 10:30 p.m. with no action taken in executive session. Motion carried unanimously.

Councilman/Town Clerk communications:

- ✓ Town Clerk reported she has all the annual reports from each department available during regular business hours. Board is scheduled for approval at the next meeting. If in electronic format I will forward through email.

A motion by Councilman Phelps and seconded by Councilman Driscoll to adjourn the meeting. Motion carried unanimously. Meeting adjourned at 10:36 p.m. The next regular meeting will be March 10, 2016 @ 7:30 p.m. at the town hall.

Dated: February 11, 2016
Town of Groveland

Town Clerk, Town Clerk