

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

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

Absent: Steve Atterbury, Councilman

Other Town Official's in Attendance:

Other Attendees: Ron Niedermaier, Peter Dolan

Supervisor called the meeting to order @ 7:46 p.m.

A motion by Councilman Phelps and seconded by Councilman Driscoll the audited bills be paid. General Fund vouchers numbered 217-237 for \$5,812.46; Highway Fund vouchers numbered 166-182 for \$10,231.47 and Conesus Lake Water District voucher number 2 for \$3,130. Motion carried unanimously.

A motion by Councilman Driscoll and seconded by Councilman Devine to accept the regular meeting minutes of 8/11/16 as submitted. 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 Devine 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. Preliminary budget hearing postponed until Fire agreement can be made
4. Primary Election on 9/13/16 Noon-9 p.m. for Assembly-133rd District
5. Livingston Ag Farm Tour date set for 9/30/16 – limited seats

Old/New Business:

COMPETITIVE INSURANCE BID – Joe Niezgoda of WNY Agency located in Blasdell NY was present and handed out packets and reviewed them with the board. His packet bid is directly with the carrier Trident. He stated he is the primary broker and not brokering like Livingston Agency does with another company named Badger and Gunner; Trident is also an A rated company like Selective is.

He went through a comparison of the Trident bid to the towns existing policy effective September 2015. A few things noted by Joe: Items not listed on the current policy are shed, cemetery vault and pavilion, which would show we are under insured. Our loss history is horrible with the exception of property. His comparison shows items in red are not covered with Selective.

Currently your policy does not carry UM (underinsured) but does carry SUM (uninsured.) The total bid package is **\$17,734** and includes a 10% brokerage fee; does not include state fees or Terrorism coverage.

LIVINGSTON INSURANCE AGENCY, INC. COMPETITIVE INSURANCE BID – Agent Jan Rogers located in Geneseo NY presented a packet and reviewed it with the board. Jan did here some of the previous bid information and wanted to clarify a few things, some of which he feels Joe is inexperienced to know. It was stated in the comparison that Selective does not have guaranteed replacement costs on all building at the town hall; that is the Power Pac coverage. Also SUM coverage is automatically covers underinsured and uninsured and why Selective doesn't write UM separately since it is within SUM. The Trident/Argo package did not include state fees which is \$10 for each vehicle to DMV, whereas Jan's bid does include it.

Some noted comparisons between policies:

Inland Marine coverage, Selective is on cash value of vehicle where Trident is 100% replacement coverage based on the listed values. Rented equipment is included in Selective not in Trident. We do not have pavilion

in coverage as the building is not there but obviously the town will want to add it once constructed. Selective has a true Umbrella policy with a \$10,000 Self Insured Retention. Earthquake:

Argonaut - \$1,000,000 limit with \$50,000 deductible;

Selective - \$1,000,000/\$2,000,000 limit with \$25,000 deductible;

Flood:

Argonaut - \$647,500 limit with \$50,000 deductible;

Selective - \$1,000,000/\$2,000,000 limit with \$25,000 deductible;

Guaranteed Replacement Cost – Selective includes this coverage on the Buildings & Business Personal Property. The Blanket limit is actually unlimited. This coverage is not included by Argonaut;

Building Ordinance or Law:

Demolition Cost – Argonaut-\$100,000 & Selective-\$500,000;

Increased Cost of Construction – Argonaut-\$100,000 & Selective-\$500,000;

Valuable Papers & Records – Argonaut-\$100,000 & Selective \$250,000;

Premium comparison – Argonaut-\$2,654.79 & Selective-\$2,196.86.

Jan closed by stating he has successfully taken care of the town policy for over 10+ years and the rate today is as low as it was back in 2011. He is a town taxpayer and a local business. His bid package is **\$21,278.86** and excludes Terrorism coverage.

Board questions:

Carman asked why a 7% increase from last year? Jan stated mostly due to the change in vehicles for the year and from another Public Officials claim.

Carman asked why Jan brokers out to another broker and is it a big deal. Jan stated it is not a big deal and only maybe delays coverage by one day for coverage.

Board really wants more time to review the 2 packages but with the renewal date on the 20th of September, does hinder the best review.

A motion by Councilman Devine, seconded by Councilman Driscoll to grant Supervisor Carman to review policies in depth with consulting the board members and to make the final decision no later than 9/16/16.

Motion carried unanimously.

On 9/16/16 Supervisor Carman with the short time to review the policy and did find some variations especially related to the Public Officials coverage that Trident does not meet our current coverage along with the aggregate in the General Liability despite not meeting the lowest price have opted to go with Livingston Insurance in the amount of \$21,278.86 for 1 year.

RESOLUTION 50-2016

WHEREAS the Town Board has met at the time and place at its regular meeting the town board has reviewed the policy coverage effective 9/21/2016 through 9/20/2017, and now therefore be it;

WHEREAS the board reviewed 2 competitive bids and found the lowest bidder not to include Public Officials coverage, and

RESOLVED this Town Board does hereby accept the Selective proposal through Livingston Insurance for \$21,278.86 for the town insurance coverage and authorize Supervisor Carman to cut a check to avoid a lapse of insurance coverage.

The question of the adoption of the foregoing RESOLUTION was put into vote. Motion by Councilman Devine 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. Atterbury was absent.

LOCAL LAW – JUNK/RUBBISH REMOVAL – RESOLUTION 51-2016 – Supervisor Carman read and opened the public hearing notice at 9:26 p.m. He asked if anyone wanted to speak. Public hearing closed without comments @ 9:28 p.m.

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 – Junk/Rubbish Storage Law; and

WHEREAS, the law was compared with the newer version of the NYS Property Maintenance law and compared it to the town's junk law and determined they do mirror each other despite easier for the community to view the junk law, and

RESOLVED this Town Board has held a public hearing tonight and is hereby authorized to adopt Local Law 2-2016 to rescind local law 1-2005 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 Devine and seconded by Councilman Phelps 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.

FIRE DEPARTMENT CONTRACT NEGOTIATIONS – On 8/15/16 Fire Department dropped off a budget request for over \$200,000; Supervisor Carman arranged for a list of questions and an opportunity to meet with Steve Teeter to discuss the questions and budget needs. They had discussed a 5 year plan. Former Fire Chief, Steve Teeter was present and verified the department has agreed on a 5 year contract starting at \$108,000 for 2017 with a 2% increase each year thereafter until 2021. Steve says the contract will be prepared and delivered to the town before January 1st for the official resolution and contract. Supervisor and board all agreed this is workable for the taxpayers and still meets the fire department's needs.

TENTATIVE/PRELIMINARY BUDGET – RESOLUTION 52-2016 - with the fire department budget submitted after our last board meeting we cancelled the public hearing to try and come up with a fire contract along with more discussion on the highway position and whether to budget some health insurance benefits for the highway superintendent position. I asked the accountant to throw numbers in to see where we are at with the tax cap.

Revised budgets handed out, Supervisor Carman reported:

This budget differs from the tentative budget as follows:

1. General Fund: Justice services, Justice clerk & Justice clerk assistance lines reduced as our budget review on 8/11/16
2. General Fund: Medical insurance increased to \$5,000 – to allow some health insurance coverage for the next highway supt. position if needed. A different policy would be offered than the union contract.
3. Fire District: Expenditures increased to \$108,000; fund balance utilized \$6,000

The changes to General Fund basically washed each other out; a small amount of fund balance (\$441) is now being utilized in this scenario to keep the General tax levy the same as it was in the tentative budget. The changes in the Fire District resulted in use of the majority of the remaining fund balance and an increase in the levy of \$3,500. Overall, the total tax levy is \$3,500 higher in the preliminary budget. The total levy remains under the tax cap. I am open to any changes tonight before we move to a public hearing, which has to be held next month.

Board Discussion: none needed all feel within the tax levy and tax cap.

WHEREAS, the Town Board has met at the time and place and the Town Clerk presented the 2017 Tentative Budget that was prepared by Supervisor Carman in conformance with NYS Town Law Section 106, and

WHEREAS, that this Town Board reviewed the tentative budget and opted to make such changes, and revised again on 9/8/16 with the fire department's new budget requests with alterations and revisions as it shall consider which are consistent with law, and

WHEREAS, this resolution will replace resolution 49-2016; now therefore be it

RESOLVED, that upon the completion of such review, the tentative budget and any modifications thereof is approved by this town board and shall become the Preliminary Budget pursuant to NYS Town Law 106(4).

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

The public hearing set up for 10/13/16 @ 8:00 p.m.

ELECTED HIGHWAY SUPERINTENDENT RESIGNATION – Town Clerk reported Greg Adamson submitted his retirement resignation effective 8/31/16, the vacancy has been filed with the County Clerk and BOE. His notice was short but he misunderstood the requirements for the election process, he thought it was based on the submittal notice rather the vacated date. He is willing to come back to help close out some of the paperwork as needed.

Supervisor and board discussed the following:

- a. Oversee the highway – Supervisor Carman will oversee for now until the November election.
- b. Cemetery Sexton – maybe add onto an in house employee with compensation.
- c. Addressing Official – in other towns the Code Enforcement officer handles – maybe set up as a per diem for each time needed once a candidate is selected.
- d. Elected vs Appointed – since the position is now vacant after having it filled for over 30 years does the board have any interest to pursue it to be appointed? Supervisor asked Councilman Driscoll to abstain from the conversation since he is running for the position. The rest of the board would like to see the pros and cons. Supervisor will work with the town attorney and get information out.
- e. Set a party date/certificate of service – since Greg is willing to help with the transition; a motion by Councilman Devine, seconded by Councilman Phelps to hire Greg Adamson on a part time basis effective 9/9/16 and expires 12/31/16 as needed at \$15.00 p/hr. Motion carried. Town Clerk will work with Greg and Fire Department on a party date.

HIGHWAY REPORT – Supervisor Carman reported the crew is back to graveling Wilson Road and the crew is pretty self-sufficient. Caldwell is scheduled to return back mid-October.

PAINTING PLOW – TOWN HALL – resident Pete Dolan has volunteered for the project of having the plow painted as it sits there and would look nice saying Town of Groveland on it and maybe a logo if there is an established one. With the estimates he spoke with Greg for the paint and estimate of a decal that has the name only is \$150 for paint and \$100 for decal which includes it being installed. Pete had pictures of other government agencies that have done this. He also stated if the board agrees the plow may need to be raised a bit so it does not sit in the drain area.

A motion by Councilman Driscoll and seconded by Councilman Phelps to grant Pete to oversee and make the decisions necessary to complete the project based on his estimates and allow him to choose the colors he feels is appropriate. Motion carried. Town Clerk will work with him on charge accounts and billing.

AMBUSCADE BIDS – Town Clerk reported with the 6 Empire Certified bids mailed out and 3 calls from our local advertisement asking for the plans, we are in receipt of 1 bid.

- Wolcott Contracting & Consulting, Inc. for - \$189,582 exclusions listed: Well drilling, well pump, well controls, septic system design, septic installation and septic tank.

The committee, Councilman Driscoll and Devine met with the contractor to discuss the bid. Before the board can award a bid the state parks department must approve the paperwork.

Committee contractor meeting update:

Councilman Devine stated the bid price seems high but well under considering how the drawings are specked out. The contractor pointed out several things that he thinks would be better for the building at a lower cost and not change the overall look, a few examples: the plans show 12 light fixtures that run \$480 each and the contractor says he can offer same lighting for \$60 per light and some adjustments to the sidewalls in design to spend less and give more seating. Devine stated we gave the architects name and number for the contractor to discuss and see if they are willing to amend the plans, but Mr. Mossien is on vacation this week and waiting for that communication to happen soon.

STATE SNOW AND ICE CONTRACT – Town Clerk received a notice but no details with it, but thought it was to do with the county snow and ice. After reading again it pertains to State Roads and not us. Supervisor Carman stated he would get more information and go from there.

9/16/16 Supervisor Carman reached out and found that the letter was sent to us in error. No action needed.

Supervisor Communication:

- ✓ Water line update: Supervisor David LeFeber is overseeing the LCWSA and reported that the Groveland line to the Correctional Facilities is \$¾ million short in funds and looks like the state will not provide any extra. If the state does not pay more than the WSA may consider a shorter route from the lake (Kudder/Gamble Road). I have given my dissatisfaction hoping Mr. LeFeber can assist in the decision of keeping the main route on schedule, as it would really hurt a large residential area especially with the drought year we have had and many hauling water this year.
Cathy VanHorne is slated for retirement in March and the advertisement for her replacement has been placed. It is my understanding the position will not filled within.
- ✓ Senator Gallivan Fund's \$50,000 update again spoke with Keith Bryant and gave me the same statement "we will get it and we will know before they do."
- ✓ Article 78 was held and waiting for the judge's decision.
- ✓ The county has installed 3 new radio towers. New radio systems will be installed in all highway, ems, law enforcement, fire departments through a grant by the county. The coverage is to help many dead zones throughout the county along with giving many channels to be designated for different areas. The example stated if a highway comes over their radios it is broadcasted throughout the entire county rather the new system will allow for better reception and less clutter on the airwaves.

Other Communications:

Town Clerk reported the court has reserved the Hall tentatively for 11/4/16 @ 9a.m. for an all-day jury trial.

Town Clerk reported she has 2 caucus notices for the Hall both on the same date of 9/15/16. Democrats at 5:00 p.m. and Republicans @ 7:00 p.m. The Democrats are planning theirs in the parking lot as they will not ask for the hall, after several attempts to offer to open for them.

A motion by Councilman Driscoll and seconded by Councilman Devine to adjourn the meeting. Motion carried unanimously. Meeting adjourned at 10:42 p.m. The next regular meeting will be October 13, 2016 @ 7:30 p.m. at the town hall.

Dated: September 9, 2016
Town of Groveland

Sandra L. Bean, Town Clerk