

The regular meeting of the Groveland Town Board was held on Thursday December 13, 2018 at the Town Hall.

Present: Bill Carman, Supervisor; Bill Devine, Town Councilmember & Deputy Supervisor; Steve Atterbury, Councilmember; Ron Niedermaier, Councilmember;

Absent: Amy Phelps Councilmember

Other Town Official's in Attendance: James Love, Highway Superintendent; Donald "Mark" Caldwell, Deputy Highway Superintendent

Other Attendees: Ray Taylor, Mark Taylor, Harold Stewart, Glenn Thornton, and Kevin Molinari

Supervisor called the meeting to order @ 7:50 p.m. Supervisor Carman asked Kevin Molinari to lead the pledge to the flag.

A motion by Councilmember Atterbury and seconded by Councilmember Niedermaier the audited bills be paid. General Fund vouchers numbered 271 -291 for \$17,476.42; Highway Fund vouchers numbered 215-246 for \$49866.32 voucher number 228 & 243 has been voided. Motion carried.

A motion by Councilmember Atterbury and seconded by Councilmember Niedermaier to accept the regular meeting minutes of 11/1/18 approved as presented. Motion carried.

Supervisor handed out copies of the Town Clerk & Supervisors monthly financial reports. The supervisor financial report with monthly statement of all money received and disbursed. Councilmember Devine and seconded by Councilmember Atterbury to accept both financial reports. Motion carried.

Information handed out/or acknowledged:

1. Food Pantry collection box is located at the town hall – open during office hours
2. Groveland Fire Dept. pancake breakfast- second Sunday of each month
3. Invite for Oath of Office administered to Marjorie L. Byrnes 12/28/2018

Old/New Business:

HIGHWAY REPORT – Highway Superintendent Love provided the quotes they had received for the new truck purchase for the Board to review. His recommendation is the Peterbilt. If the Board approves the ordering of the Truck they will be piggybacking from Onondaga County, to purchase the truck following the Town's procurement policy. Jim stated that it takes almost a year to build these trucks and that is why they have started prior to next year, payment will not be required until the truck has been delivered.

Supervisor Carman stated it was the Board's intention to place \$100,000 into a Highway Truck Reserve Fund for 2018, however when the Highway Superintendent brought up the purchase of the new truck in 2019 budget discussion it seemed appropriate to use the funds as requested. Therefore no reserve fund will be created, instead the \$100,000 that was budgeted for the reserve fund will be placed back into the highway fund balance with the intention of using the \$100,000 in 2019 along with the \$125,000 that has been budgeted for 2019. A public hearing should be done to show our intent to use the money intended to go into a reserve fund for the truck purchase.

Councilmember Devine stated that the Peterbilt truck was the lowest of all three quotes provided, but after reviewing in the specifications felt it was the best choice.

Deputy Highway Superintendent stated he prefers the Peterbilt truck. The Peterbilt truck total of \$199,391 includes the warranty and towing. The only purchase that will still be needed will be the sander but that will come from a different distributor and will be within the budget amount total for a new truck purchase. This purchase will be made closer towards the fall.

Kevin Molinari from Utica General Truck was present to answer any questions the Board may have regarding the quote that was presented for the Peterbilt. He stated to the Board that the new trucks now have been performance engineered to accommodate the grades of the town roads to make sure they have been geared for properly.

A motion by Councilmember Devine and seconded by Councilmember Atterbury to allow the order of 2020 Peterbilt 367 cab and chassis with Viking Cives plow equipment with wing and dump body, to be invoiced in 2019 with a public hearing to use funds that have been allocated for reserve fund account.

Public Hearing scheduled for January 10, 2019 at 8p.m.

Supervisor Carman asked Deputy Highway Superintendent Caldwell to inform the Board of how the fuel auditing moving forward has progressed.

Deputy Highway Superintendent Caldwell stated they have purchase the sticks to allow the measurements to be taken of the tanks. He also has obtained the charts for measurement, however there is no serial numbers to know exactly what brand of tanks we own this can't be 100% accurate but felt confident moving forward with the ability to audit the tanks with the tools he has obtained. The diesel fuel all balanced with the usage and his measurement, however the fuel was off for the gasoline tanks by 35 gallons. He attributed this to human error and has stressed to all employees that even during the busiest of seasons all need to diligent with their recording of usage. He will do the audit monthly and asked if the Board objected to his ordering the fuel when needed instead of on automatic filling, it would enable him to an easier tracking of the fuel.

Supervisor Carman stated that it was the Deputy Highway Superintendent's decision on how to receive the fuel deliveries, do what works best for him. He requested to have the fuel audit sheets that have been compiled though out the year given to the Town Clerk to file keep for records management purposes.

Councilmember Devine stated that he can also request specific delivery amount of fuel and agreed with the Supervisor do what works best for their department for auditing purposes.

Highway Superintendent stated that the snow fence is almost all up, the fence post have been installed when there has been time by the highway crew with the weather. The Sheriff's Department has assisted with their work release crew to put the fence up and our crew as time allows, with more fence needing to be placed but should be complete soon.

He also informed the Board there is a new representative for the CHIPS program, her name is Leslie Buttons. He has had trouble contacting to follow up with his submittal of the 2018 CHIPS and just recently obtained her email. He has not had a response from her yet to confirm that we will receive the disbursement on the December 17, 2018 date for the amount totals of \$20,336.30 for extreme weather and CHIPS total of \$158,306.53. The next big project for CHIPS will be Swan Hill Road and this will probably be a 2 year long project.

DOCK AND MOORING LOCAL LAW- RESOLUTION 52-2018 – Town Clerk stated she has advertised and posted the notices as required to the newspaper and townships abutting to Groveland.

Supervisor read the public hearing and opened the meeting @ 7:53 p.m.

County Referral was done and draft law addresses SEQRA. The county planning board hold their meeting tonight so we do not have their written determination.

No Comments from the public

Public hearing closed @ 9:26p.m.

WHEREAS notice of public hearing was duly given and said hearing duly held on the 13th day of December, 2018 to consider the enactment of Local Law of 2018 “Dock and Mooring” to replace previous Local Law #1 1992 & Local Law #3 2005 “Dock and Mooring”;

NOW, THEREFORE, PLEASE TAKE NOTICE that, after due consideration and deliberation, the Town Board of the Town of Groveland duly enacted said local law on the 13th day of December 2018, and said local law and adopted thereby shall be in full force and effect as provided by law upon the filing of a copy of this local law with the Secretary of State. The local law enacted is entitled and described as follows:

TOWN OF GROVELAND

LOCAL LAW #1 2018

A LOCAL LAW TO BE KNOW AS 2018 DOCK AND MOORINGS LAW TO REPLACE PREVIOUS LAW 1992 & 2005

ARTICLE I: GENERAL

A. TITLE:

This chapter shall be known and cited as the “2018 Dock and Mooring Law of the Town of Groveland” and is enacted pursuant to New York State Municipal Home Rule Law, New York State Navigation Law Section 46-a, and New York State Town Law Article 16.

B. REPEAL:

Local Law No. 1 of the year 1990 of the Town of Groveland, known as the 1990 Dock and Mooring Law of the Town of Groveland, along with replacements in 1992 & 2005 is hereby repealed in its entirety and replaced by this Local Law.

C. APPLICABILITY

No dock, mooring or boat house shall be constructed, erected installed, enlarged, structurally altered, or otherwise located unless in conformity with the provisions of this Local Law.

D. SCOPE

The provisions of this Local Law shall apply to and affect the part of the waters of Conesus Lake within or bounding the Town of Groveland to a distance of one thousand five hundred (1500) feet from the shoreline.

E. PURPOSE

The purpose of this Local Law is to regulate keyhole development, prevent overcrowding, prevent disputes between neighbors, and promote boating safety and the public health, safety and general welfare regarding that portion of Conesus Lake bounding the Town of Groveland.

F. INTERPRETATION

The provisions of this Local Law shall be interpreted and applied in their ordinary sense and meaning shall be held to the minimum requirements to carry out the purpose of this Local Law. This Local Law is not intended to interfere with, abrogate, or annul other rules, regulations, or ordinances, provided that

where this Local Law imposes greater restrictions than other ordinances, rules or regulations, the provisions of this Local Law shall prevail.

G. WORD USAGE AND DEFINITIONS:

1. Except where specified in the following definitions, all words used in this chapter shall carry their customary meaning. Words in the masculine gender shall include the feminine. Words used in the present tense include the future, the singular number shall include the plural, and the plural, the singular. The word “occupied” or “used” shall include * “arranged, designed, constructed, altered, converted, rented, leased, or intended to be used.” The word “shall” is intended to be mandatory, and the word “may” is permissive. The word “abut” shall include the words “directly across from.” The word “person” includes a firm, association, organization, partnership, trust, company, corporation, or other legal entity, as well as individual.
2. Boat house. A fixed covered structure constructed on the shore or projecting into the water within which vessels may be moored or stored.
3. Boatslip. A space between, within, or alongside one or more docks or boat houses in which vessels may lie or be moored.
4. Commercial Property. Any site that houses, moors, rents, launches, stores or sells one or more vessels for a fee and which are not registered to the owner, lessee, or licensee of the property by which such vessels are accessed and / or which operation creates either water or land traffic.
5. Dock. Any structure, or fixed platform extending out from, but not necessarily connected to, a shoreline over or in the water which may be constructed on floats, columns, piles, open timber, or similar openwork supports to moor or house vessels or to be used for fishing, swimming, bathing, or similar activities. Includes a wharf which is a structure of wood, timber, concrete, or stone constructed on the shore or projecting out into the water for mooring, loading, or unloading vessels.
6. Hoist. Any mechanical device the purpose of which is to raise or lift a boat out of the water for storage.
7. Mooring. Free floating objects that are anchored to the bottom to which vessels may be moored.
8. Parcel. Adjacent or abutting parcels of land owned or controlled by the same person or other legal entity controlled by the same person shall be considered a single parcel.
9. Right of Way. An interest in real property or servitude imposed by law or contract giving one party the right of use or passage over another party’s real property including such rights by deed, lease, or prescription.
10. Vessels Covered. All vessels, boats, or watercraft equal to or greater than fourteen (14) feet in length except for canoes, rowing ells, wind surfers, kayaks, and all other small watercraft which normally do not require mooring facilities.

ARTICLE II: DOCK/MOORING REGULATIONS

Dock, Mooring, and Boat House Spacing.

- A. Dock, Mooring, and Boat House Spacing.

1. Docks, mooring and boat house shall be located such that no part thereof, boatslip, hoist placed adjacent to such dock or boat house, or vessel docked or moored thereto, is less than five (5) feet from side lot lines extended into the lake on either side of the subject property perpendicular to the shoreline for private noncommercial property.
2. Docks, moorings and boat houses shall be located such that no part thereof, boatslip, hoist placed adjacent to such dock or boat house, or vessel docked or moored thereto, is no less than twenty (20) feet from the side lot lines extended into the lake on either of the subject property perpendicular to the shoreline for commercial property.
3. Docks, moorings and boat houses shall be located such that together with any boat slips, hoists or vessels docked or moored or adjacent thereto, shall be centered as a unit between side lot lines on either side of an established right-of-way or parcel owned in fee of less than twenty (20) feet or shoreline and placed perpendicular to the shoreline as not to interfere with neighboring property owners' navigational rights including other right-of-way. This provision does not grant any property of right-of-way owner any property rights in addition to such contained in the creating instrument or in common law.
4. There shall be no more than one (1) dock or boat house for each fifty (50) feet of shoreline concerning each private noncommercial property.
5. There shall be no more than two (2) docks or boat houses for each seventy-five (75) feet of shoreline concerning each commercial property.
6. No dock, mooring or boat house which extends into the water from the shoreline shall be greater in width than fifty (50) percent of the length of the shoreline of such property.
7. Whenever any dispute shall arise between adjacent owners with regard to placement of docks or moorings, the Town Zoning Enforcement Officer (ZEO) or his/her designee, shall have discretionary authority to interpret this Local Law and settle such disputes and determine placement of such docks or moorings. See also Article III, Section A.

B. Dock, Moorings and Boat House Restrictions.

1. The construction or location of any dock, mooring or boat house to accommodate greater than a total of four boatslips, mooring berths, mooring buoys, or storage spaces per each non-commercial parcel shall require a special permit.
2. A special permit shall be required for each dock, mooring or boat house for commercial properties.
3. Mooring buoys shall be anchored so that the moored vessel is at all times within the side lot line spacing requirements for docks, moorings and boat house as provided in subparagraph A. above, and so as not to interfere with neighboring property owners' navigational rights.

C. Special Permit Applications.

The Zoning Board of Appeals (ZBA) shall issue special permits in its discretion pursuant to these regulations upon proper application. The special permit, application procedures, and conditions shall be in accordance with regulations promulgated by the ZBA. A special permit once issued by the ZBA shall be effective for three seasons. A season shall be any part of the period from May 1 through September 30.

D. Nonconformance.

Generally, no property of right-of-way owner is entitled to nonconforming use protection concerning the location of docks or moorings because such are not permanent structures. This Local Law shall not apply to any permanent, no part of which is ordinarily removable, that was completed prior to 1991. No additions or alterations may be made to any such structure that is not in conformance with this Local Law.

E. Waivers and Special Permits.

The Town of Groveland ZBA is authorized to waive all or part of this Local Law or approve deviations therefrom after public hearing to relieve an applicant of hardship caused by strict application on a case by case basis. In determining the advisability of granting any waivers or approving any deviation and in granting special permits, the ZBA shall consider as a minimum:

1. Sufficient off-road parking space must be available on or adjacent to the applicant's property or right-of-way. One parking space must be provided for every two boats regarding private noncommercial property and one parking space for every vessel regarding commercial property.
2. The effect of any variance of deviation on pedestrian, vessel and vehicular traffic patterns and boat safety.
3. Consideration of public health, safety, and general welfare as required for a conditional use permit pursuant to the Town of Groveland Zoning Ordinance.

F. Subsequently Created Right of Way or Parcel.

A special permit is required to place a dock, mooring, or boat house on a right-of-way, or parcel owned in fee with twenty (20) feet or less of shoreline, created subsequent to the effective date of these regulations.

ARTICLE III: ENFORCEMENT AND PENALTIES

- A. Enforcement shall be by written complaint only and by the Town of Groveland Zoning Enforcement Officer (ZEO). If the parties to the dispute cannot agree to a line of sight delineating the parties lot lines marked by at least two points on land, a survey must be provided to the ZEO. If a party challenges the accuracy of such survey, that party must procure at its expense a survey by a New York State licensed surveyor of the applicable lot lines, and said lot lines must be staked, within forty-five (45) days of notice of said challenge.

The primary responsibility for enforcement and administration of this Local Law is vested with the Town Zoning Enforcement Officer (ZEO) or designee. Clearly, stated the ZEO, or his/her designee, shall have complete authority for the investigation and enforcement of the law on the water of Conesus Lake wherein the Town of Groveland shall have vested jurisdiction and regulated as such by this law. See Article II, Section A-7.

- B. A violation of this Local Law is hereby declared to be an offense punishable by a civil penalty not to exceed two hundred forty dollars (\$240.00) for each violation, imprisonment for period not to exceed fifteen (15) days, or both. However, for purposes of Court jurisdiction only, a violation shall be deemed a misdemeanor. Each week's continued violation shall constitute a separate additional violation.

- C. A legal or equitable action or proceeding in the name of the Town of Groveland may be commenced in any court of competent jurisdictions to compel compliance with or restrain violation of this Local Law or orders issued in Compliance with this Local Law including without limitation court injunctions.
- D. If any portion of this Local Law shall be held unconstitutional, invalid, or ineffective, in whole or in part, such determination shall not be deemed to affect, impair, or invalidate the remainder thereof.

The question of the adoption of the foregoing RESOLUTION was put into vote. Motion by Councilmember Atterbury and seconded by Councilmember Niedermaier and the results were carried with 0 nay 4 aye votes. Roll Call Votes: Supervisor Carman, aye; Councilmember Atterbury, aye; Councilmember Niedermaier, aye. Councilmember Devine, aye. Councilmember Phelps, absent.

NOISE CONCERN WEST LAKE ROAD- Mr. Ray Taylor addressed the Board regarding the noise next to his property from the Beachcomber Bar. He stated that they have live bands on the weekends and loud music plays until 11:30 p.m., sometimes even later than that with a DJ. He would like the Board to consider enacting a noise ordinance. He has asked the owners in the past to turn the music down and nothing has happened. He states multiple neighbors have the same issue just have not come to the Board with their concern. He is looking for a solution to the problem and is asking for the Board to help.

Mark Taylor stated that the business owner has stated that the business was established long before his brother was a property owner near the business and would like the assistance in the ability to quiet the music down not to suppress the business. Law enforcement has been contacted before with the issue and they state that there is no noise ordinance and there was not much they could do.

Board discussion:

Councilmember Niedermaier stated that you would have figure out decibel levels and move forward from there with an ordinance.

Supervisor Carman stated he has concerns with how to even start looking into a noise ordinance because it will need to fit for the whole town not just a small portion on the lake, it needs to be reasonable for all. He stated that we can certainly look into it and ask the Town Attorney in regards to a noise ordinance.

Councilmember Atterbury recommended that Mr. Taylor start a petition of concerned residents that he does know the bands are cut off at 11:30 p.m. but not sure on how to move forward.

Councilmember Devine made the suggestion that other towns probably have noise ordinances and research from them first, then move forward from there.

Supervisor Carman stated he can appreciate wanting to enjoy your property without loud music late at night and the Board will continue to research the noise ordinance suggestion. He asked for Mr. Taylor's telephone number so he can follow up with him after the research has been complied. Mr. Taylor left his telephone number with the Town Clerk. Supervisor Carman thanked Mr. Taylor for coming.

HAROLD STEWART-CRAB APPLE DRIVE- Mr. Harold Stewart was present to inquire about the possibility for Crab Apple Drive be dedicated as a town road in the future, he is here to see the feasibility for it.

Glenn Thornton an engineer on the private waterline project that Mr. Stewart has hired was present to assist in the discussion. He stated that Mr. Stewart had a waterline main that was installed per LCWSA guidelines and has been accepted by them to present for dedication. They can take dedication of the waterline by either dedication of the road or by easement. There are 2 building lots on Crab Apple Road.

Board Discussion-

Councilmember Atterbury asked how many total lots if the road was to be dedicated?

Mr. Stewart answered 2 only.

Highway Superintendent Love asked how much base is on the road?

Mr. Stewart answered he cannot be sure because it was done long ago and just recently updated, he believes there is the base of the blacktop is 2" packed. It has been recently paved by T&L, a business that has done projects for the Town of Geneseo in the past.

Supervisor Carman posed a question to the Highway Superintendent Love in regards to the difficulty in plowing Hampton Circle roads with the large trucks that the Town took dedication of?

Highway Superintendent Love stated that it can be done but it is difficult with the big trucks because the turn arounds are not big enough for the trucks he usually takes the smaller truck to plow the two roads. He also stated he has big concerns with the two upper roads now, as cracks have started in those roads and will need to be repaired. He has representatives from CHIPS come and measure to assist in the resurfacing of the two roads, and is concerned Crab Apple will have the same issues. There are current submittal request for CHIPS funding that certain criteria that must be met which includes shoulders of the roads. He has concern that the two dedicated roads may not meet the requirements and the road we are discussing is the same issue with shoulders.

Councilmember Niedermaier asked how wide is the road?

Highway Superintendent love stated 22 feet with no shoulders.

Mr. Thornton stated that it is 70 feet wide with the easements.

Mr. Stewart came tonight with the intention of looking onto the potential for a road dedication, does not expect one tonight.

Supervisor Carman stated that he wishes to have Phase II complete before he will consider another dedication, and did not feel it was in the best interest of the tax payers to take on another dead-end road. He is not in favor of dedicating Crab Apple Road.

Mr. Thornton stated the town subdivision regulations encourages dead-end roads.

Councilmember Devine is concerned that Mr. Stewart does not recall what the original base material is and its longevity. He stated with all the unknowns of the base of the road it is not responsible to move forward with dedicating this road, agrees with the Supervisors concerns.

Mr. Thornton stated a heavy lift of top course was in good condition prior to the resurfacing that was done, he is a professional engineer and can provide the ability to do core samples.

Highway Superintendent Love stated that he is only trying pass along information but would feel more comfortable with the people who provide the service to the Town, such as Suit Kote.

Mr. Stewart has requested that Mr. Thornton be involved with the core samples.

Supervisor Carman stated the Town will not be paying for the samples to be done for exploratory research, should Mr. Stewart want to move forward at his expense he may sample the road. He asked that they coordinate with the Highway Superintendent should exploratory core samples be done.

Supervisor Carman thanked Mr. Stewart and Mr. Thornton for their time.

FORTE CREDIT CARD- RESOLUTION 53-2018- Town Clerk stated that we have been given the approval from our Town Attorney to engage in a contract with FORTE as a financing agency providing products and services for credit and debit card processing as a means of payment for fees owed to the Town

WHEREAS, all Board Members, having due notice of said meeting, and that pursuant to Article 7, §104 of the Public Officers Law, said meeting was open to the general public and due and proper notice of the time and place whereof was given as required by law; and

WHEREAS, the Town Board of the Town of Groveland is considering utilizing the products and services of a financing agency for credit and debit card processing as a means of payment for fees; and

WHEREAS, pursuant to Article 2, §5 of the General Municipal Law, “[t]he governing board of any local government, . . . may, by local law, ordinance or resolution, determine that it is in the public interest and authorize such local government to enter into agreements with one or more financing agencies or card issuers to provide for the acceptance . . . of credit cards as a means of payment of fines, civil penalties, rent, rates, taxes, fees, charges, revenue, financial obligations or other amounts, including penalties, special assessments and interest, owed to the local government”; and

WHEREAS, Article 2, §5 of the General Municipal Law also provides that, “it shall be the option of the local government to require, as a condition of accepting payment by credit card, that such person offering payment by credit or charge card pay a service fee to the local government not exceeding costs incurred by the local government in connection with the credit or charge card payment transaction, including any fee owed by the local government to the financing agency or card issuer arising from that transaction”; and

WHEREAS, the Town Board has received and reviewed a proposed Payment Processing Agreement from Forte Payment Systems, Inc., a financing agency providing products and services for credit and debit card processing as a means of payment for fees owed to the Town; and

WHEREAS, the Town Board of the Town of Groveland has considered whether it is in the best interest of the Town of Groveland to enter into the proposed Payment Processing Agreement with Forte Payment Systems, Inc.

RESOLVED, the Town Board of the Town of Groveland, after due consideration of the proposed Payment Processing Agreement from Forte Payment Systems, Inc., finds it in the best interest of the Town to enter into the Payment Processing Agreement with Forte Payment Systems, Inc.; and it is further

RESOLVED, the Town Board of the Town of Groveland shall enter into the Payment Processing Agreement with Forte Payment Systems Inc. to provide payment processing and related services for credit and debit cards as an acceptable means of payment for fees owed to the Town.

The question of the adoption of the foregoing RESOLUTION was put into vote. Motion by Councilmember Devine and seconded by Councilmember Atterbury and the results were carried with 0 nay 4 aye votes. Roll Call Votes: Supervisor Carman, aye; Councilmember Atterbury, aye; Councilmember Niedermaier, aye. Councilmember Devine, aye. Councilmember Phelps, absent.

COUNTY INTERMUNICIPAL AGREEMENT DOG CONTROL SERVICES – RESOLUTION 54-2018 –

This is a renewal contract with an annual contract fee of \$4900 for year 2019 and to be similar in 2020 with minor raises to be calculated. The contract is a 2 year contract term of 1/1/19 through 12/31/20.

WHEREAS the Town Board has met at the time and place at its regular meeting the town board has reviewed the proposed 2019 & 2020 Dog Control Services with Livingston County Dog Control renewal contract; and

WHEREAS, the contract is a carryover from 2018 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 \$4,900 in 2019 with similar calculations for 2020 which falls within the approved 2019 Budget.

The question of the adoption of the foregoing RESOLUTION was put into vote. Motion by Councilmember Atterbury and seconded by Councilmember Niedermaier and the results were carried with 0 nay 4 aye votes. Roll Call Votes: Supervisor Carman, aye; Councilmember Atterbury, aye; Councilmember Niedermaier, aye. Councilmember Devine, aye. Councilmember Phelps, absent.

AMBUSCADE PARK– Supervisor Carman stated that he has forwarded the plans from Crosier Consultants to BOCES Building Trade department so they may review for the pavilion the Town wishes to build. Supervisor wanted to make sure they could do the work as it is a change from the original drawings. Our new BOCES representative will be John Werner. Ron Maxwell has been working with them on the house being built on West Lake Road. He provided a list of materials that was quoted for the board and stated that Mr. Maxwell has been in conversation with Mr. Werner regarding our project. The poles will need to be set by the prior to the students building but they can build it once the poles have been set. He will contact Mr. Werner to get an estimate of when in 2019 they will begin so the poles can be set.

Highway Superintendent Love provided quotes for porta potty purchase at Ambuscade Park.
Board Discussion: Feels there is a need for the purchase currently and understand that they will still need to have a service contract for the porta potty but this makes most financial sense.

A motion by Councilmember Atterbury and seconded by Councilmember Niedermaier to purchase one porta potty for Ambuscade Park following the guidelines of the Town Procurement policy.

Lakeview Cemetery- Supervisor Carman stated he is following up from our research and discussion, we began the ownership in 2009. Money was in a CD from the Lakeview Cemetery Association. It took a few years but we were able to petition the State to make a onetime draw on the CD. The Town did and closed the CD and placed the money into the Lakeview Cemetery Checking. The account is in General Fund and the Board can decide what they wish to do. I would recommend keeping enough in the fund to cover surveying cost for the new portion of the cemetery.

Deputy Highway Superintendent Caldwell stated that he remembers that Former Highway Superintendent worked with someone that would lay the new roads out for the new section in the cemetery, he was just making the board aware this had not been done yet.

Councilmember Niedermaier just researched CD's and stated currently Five Star Bank has the best rates.

Supervisor Carman stated that he appreciates the input from all and will contact Joe Snyder at Snyder Brothers Cemetery Service to inquire about the roadways in the cemetery. He will have the information for their next meeting and the Board can continue their discussion.

EXECUTIVE SESSION-Supervisor Carman made a motion to go into execute session, seconded by Councilmember Atterbury for matters relating to medical, financial, credit or employment history of a particular person or corporation, or relating to appointment, promotion, demotion, discipline or removal. Motion carried.

The board asked Town Clerk to attend.

Board entered executive session at 9:27 p.m.

A motion by Councilmember Atterbury, seconded by Councilmember Niedermaier to close the executive session with no action taken. Motion carried.

Returned to regular session at 9:42 p.m.

Supervisor Carman stated he had given a contract to Mr. Stanford, however there was wording in the contract the Mr. Stanford was not comfortable signing. If the Board is in agreement to the updated rate of pay we will have the contract updated to include the rate of pay.

A motion by Councilmember Niedermaier and seconded by Councilmember Atterbury to update the contract to Dan Stanford to fill the interim Sole Assessor position effective January 1, 2019- September 30, 2019.

Supervisor Communication

I have heard from Paul Gister with National Grid on 11/07/2018, he stated the conversion commenced the week of the 11/1/2018 board meeting. At that time 40% of the conversion had been completed, difficulties arose from the weather conditions but have been moving forward well.

All paperwork for the filling station has been sent in and is now under financial review for the SAM grant.

The permit for the new waterline to the Town will be delivered next week, and the RPZ that was purchased will need to be installed. Once complete it will need to be inspected by a licensed RPZ inspector. I will obtain all the necessary contact information for the licensed inspector and once complete set up for the inspection.

New bill in GML section 205-CC which requires the Fire Department to have insurance coverage for enhanced cancer disability benefits by January 1, 2019. The Fire Department President, Kevin Niedermaier and Fire Chief Steve Teeter have been working with their contacts and colleagues to obtain as much information for this required insurance. Currently there are many unanswered questions regarding this new law and they will keep me updated regarding this new mandate.

Other Communications:

Town clerk stated that she was in receipt of a County resolution for Town debts, these are incurred for erroneous assessments, errors in the levy or similar items. The Town of Groveland's portion is \$1,263.27 that will be included in the 2019 tax levy.

Councilmember Niedermaier stated that at his meeting he has heard the waterline at the prison was charged and that it did not have positive results.

A motion by Atterbury and seconded by Supervisor Carman to adjourn the meeting. Motion carried. Meeting adjourned at 9:54 p.m. The next meeting will be the yearend meeting December 27, 2018 @ 7:30 p.m. at the town hall.

Kimberly D. Burgess, Town Clerk
Town of Groveland
Dated: December 13, 2018