

The regular meeting of the Groveland Town Board was held on Thursday January 12, 2023 at the Town Hall.

Present: Bill Devine, Supervisor; Sandra Bean, Deputy Supervisor and Councilmember; Steve Atterbury, Councilmember; Amy Hunter; Councilmember and John Macauley, Councilmember

Other Town Officials: D. Mark Caldwell, Highway Superintendent; Trista Tozier, Supervisor Secretary

Other in attendance: R. Niedermaier, J. Love

Supervisor Devine called the meeting to order @ 9:00 a.m. Councilmember Macauley led the pledge to the flag.

A motion by Councilmember Hunter and seconded by Councilmember Atterbury the audited bills be paid. General Fund vouchers numbered 1- 17 for \$10,271.32; Highway Fund vouchers numbered 1- 12 for \$5,693.07 and Capital Fund voucher number 1 for \$14,200.00. Motion carried unanimously.

A motion by Councilmember Atterbury and seconded by Councilmember Hunter to accept the regular meeting minutes of 1/05/2023 as presented. Motion carried unanimously.

Supervisor Devine forwarded copies electronically of the Town Clerk & Supervisors monthly financial reports. The supervisor financial report with monthly statement of all money received and disbursed with potential modifications as December 2022 accruals may still be outstanding. Councilmember Bean and seconded by Councilmember Hunter to accept both financial reports. Motion carried unanimously.

Information handed out/or acknowledged:

1. Food Pantry Box- located in the town hall

Old/New Business:

SUPERVISORS AUDIT- Board reviewed Town accounts with the Supervisor and Supervisor Secretary. All audits will be complete by the required deadline of January 20th however the resolution will be completed at the February 2023 regular board meeting as the court audit will be done following the January 12, 2023 meeting.

DEPARTMENT ANNUAL REPORTS –The AUD report is not available until March from our Accountant. In order for the AUD to be prepared all annual reports will need to be turned by February 28th to allow for a month for review and approval in March. Town Clerk will send an email to request annual reports from each department.

HIGHWAY REPORT- Highway Superintendent Caldwell reported that with the New Year the crew has been actively working on equipment in the shop and upgrading equipment with the new budget as he held off at the end of last year purchasing items at the end of last year to stay within budget.

J. LOVE FOLLOW UP JUNK CONCERN- Supervisor Devine stated he understood that Mr. Love wished to follow up with the board regarding the discussion that was had back July of 2022. Mr. Love stated that he wondered where the board was on it as no progress has been made. Supervisor Devine gave Mr. Love a copy of the Planning Board minutes of July 2022 and stated the town would be happy to follow up however complaints forms needed to be filed in order to proceed.

Mr. Love didn't feel it was his responsibility to do the towns job in filing the forms as that is what they get paid to do. Supervisor stated then he can run for elected position and take care of that himself.

Mr. Love also stated he had concerns he brought to the attention this past year regarding the Highway Superintendent's truck not having proper signage on it, along with what he felt was improper use of the Highway Superintendent's Truck. Supervisor Devine stated he has spoken with the Highway Superintendent regarding the concerns immediately following Mr. Love's original concern as this was in the past not a new incident.

Mr. Love stated the Highway Superintendent's past residency is also an issue for him as well and wanted to go on record as for these issues.

AGREEMENT TO SPEND HIGHWAY FUNDS- RESOLUTION 27-2023- Highway Superintendent Caldwell filled out the form for the board to review. If approved each board member will sign.

WHEREAS, in the sum of \$165,595.00 may be expended for general repairs upon 6.78 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, Highway Superintendent has designated road improvements commencing on Gamble Road from Barber Hill Road and leading to Conesus Town Line, a distance of .92 miles there shall be expended not over the sum of \$20,264 Type Chip Sealing 22ft width of traveled surface, and

WHEREAS, Highway Superintendent has designated road improvements commencing on Upper Bean Hill Road from Groveland Hill Road and leading to Dead End Portion of the road, a distance of .53' miles there shall be expended not over the sum of \$11,544 Type Chip Sealing 20ft width of traveled surface, and

WHEREAS, Highway Superintendent has designated road improvements commencing on Aten Road from Groveland Hill Road and leading to Barber Hill Road, a distance of .86' miles there shall be expended not over the sum of \$20,345 Type Chip Sealing 22ft width of traveled surface, and

WHEREAS, Highway Superintendent has designated road improvements commencing on Bath Road from Groveland Hill Road and leading to Bean Hill Road, a distance of .79' miles there shall be expended not over the sum of \$17,181 Type Chip Sealing 20ft width of traveled surface, and

WHEREAS, Highway Superintendent has designated road improvements commencing on Davis Road from Groveland Hill Road County Road #2 and leading to Logan Road, a distance of 1.32' miles there shall be expended not over the sum of \$39,097 Type Double Surface Treatment 22ft width of traveled surface, and

WHEREAS, Highway Superintendent has designated road improvements commencing on Lower Adamson Road from Logan Road and leading State Route 63, a distance of .40' miles there shall be expended not over the sum of \$9,313 Type Chip Sealing 22ft width of traveled surface, and

WHEREAS, Highway Superintendent has designated road improvements commencing on Logan Road from Adamson Road and leading to State Route 63, a distance of 1' miles there shall be expended not over the sum of \$23,800 Type Chip Sealing 20ft width of traveled surface, and

WHEREAS, Highway Superintendent has designated road improvements commencing on Church Street from State Route 63 and leading to Groveland Hill Road, a distance of .35' miles there shall be expended not over the sum of \$9,590 Type Chip Sealing 25ft width of traveled surface, and

WHEREAS, Highway Superintendent has designated road improvements commencing on Servis Road from County Road#44 East Groveland Road and leading to Geneseo Town Line, a distance of .31' miles there shall be expended not over the sum of \$8,081 Type Chip Sealing 22ft width of traveled surface, and

WHEREAS, Highway Superintendent has designated road improvements commencing on Hunt Hill Road from County Road #45 Maple Beach Road and leading to Barber Hill Road, a distance of .30' miles there shall be expended not over the sum of \$6,380 Type Chip Sealing 22ft width of traveled surface, and

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 2023 will be utilized as specified above.

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

Roll Call Votes: Supervisor Devine, aye; Deputy Supervisor & Councilmember Bean, aye; Councilmember Hunter, aye; Councilmember Atterbury, aye; Councilmember Macauley, aye.

APPOINTED HIGHWAY SUPERINTENDENT DISCUSSION- Supervisor Devine stated that in 2019 the board had brought this the electorate and it was decided then to not move forward.

Councilmember Hunter stated in the past residency was an issue, it would be her recommendation to remove any adjoining counties from the original local law that was presented if the board decides to move forward.

Councilmember Bean stated a mileage may be a more practical approach might be better moving forward and that changing the description of purpose in the local law. Councilmember Bean stated she understands why the people hate to have their vote taken from them. The Highway Budget is approximately 70% of the town budget and currently we have a very active Highway Superintendent however what an elected Highway Superintendent does is not under the town board's control. The only thing the town board can control is the budget and once approved the Highway Superintendent controls everything from there.

Supervisor Devine stated NYS just passed a law to expand the residency outside he believed and would find the paperwork so this is not new but agreed as many are finding it difficult to fill position within a small mile radius to their municipality. Supervisor would also like to see what other towns are appointed and review their laws to the proposed 2019 law the board has to see differences.

Councilmember Macauley inquired further into the past discussions as he is not in favor of going to an appointed position. Inquired about the elected law.

Councilmember Atterbury discussed past Highway Superintendents and their daily activities and how they interacted with the town board.

Discussion occurred regarding what an elected Highway Superintendent's responsibility is and requested the town clerk to research information for further discussion at the February meeting.

LOCAL LAW BANNING FIREARMS AND OTHER DANGEROUS WEAPONS #2-2008 DISCUSSION- Supervisor Devine stated that other municipalities are reviewing their laws to allow town employees to concealed carry on the town property. Supervisor Devine provided a proposed Local Law for a neighboring municipality for the board to review to see if there is any interest as the town would need to amend the current Local Law.

Board discussion: Not interested at this time.

PERSON WITH DISABILITIES AND LIMITED INCOME EXEMPTIONS- RESOLUTION 28-2023- Supervisor Devine stated that Livingston County has approved the same amounts as done in previous years.

Persons with Disabilities and Limited Incomes in accordance with section 459-c of the Real Property Tax law and adopted the income sliding scale set forth under section 459-c of the Real Property Tax Law for incomes above the maximum income eligibility & set \$28,000 as the maximum income eligibility & ***for Senior Citizens Tax Exemption under section 467 of the***

Real Property Tax law and adopted the income sliding scale set forth under section 467(2) of the Real Property Tax Law for incomes above the maximum income eligibility; now and therefore, be it

Resolved, that the amount of income to determine eligibility for tax exemption & income eligibility under section 459-c & section 467 of the Real Property Tax Law remains at \$20,000; now and therefore, be it

Resolved, that the income eligibility sliding scale set forth under section 467(B) (1), (b) (2), and (b) (3) of the Real Property Tax Law shall continue for property owners exceeding the \$28,000 income eligibility level & for tax exemption set forth in section 459-c of the Real Property Tax Law to maintain \$28,000, having any such person having a higher income shall be eligible for an exemption in accordance with the following schedule:

<u>Income</u>	<u>Residential Exemption</u>
\$0.00 - \$28,000.00	50%
\$28,000.01 - \$28,999.99	45%
\$29,000.00 - \$29,999.99	40%
\$30,000.00 - \$30,999.99	35%
\$31,000.00 - \$31,899.99	30%
\$31,900.00 - \$32,799.99	25%
\$32,800.00 - \$33,699.99	20%
\$33,700.00 - \$34,599.99	15%
\$34,600.00 - \$35,499.99	10%
\$35,500.00 - \$36,399.99	5%

Resolved, that these shall be effective with the 2023 assessment roll.

The adoption of the foregoing RESOLUTION was duly out in vote on motion of Councilmember Atterbury and seconded by Councilmember Bean and the results were carried with 0 nay, 5 ayes. Roll Call Votes: Supervisor Devine, aye; Deputy Supervisor & Councilmember Bean, aye; Councilmember Hunter, aye; Councilmember Atterbury, aye; Councilmember Macauley, aye.

A motion by Councilmember Atterbury and seconded by Councilmember Bean to adjourn the meeting. Motion carried unanimously. Meeting adjourned 10:09 a.m. The next meeting will be the regular meeting February 09, 2023 @ 9:00 a.m. at the town hall and is open to the public. Motion carried.

Kimberly Burgess, Town Clerk
 Town of Groveland
 Dated: January 12, 2023