

The regular meeting of the Groveland Town Board was held on Thursday January 10, 2019 at the Town Hall.

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

Absent:

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

Other Attendees: Sandra Bean, Supervisor Secretary

Supervisor called the meeting to order @ 7:21 p.m. Supervisor Carman asked Councilmember Atterbury 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 1- 18 for \$4,959.52; Highway Fund vouchers numbered 1-11 for \$10,236.24. Motion carried unanimously.

A motion by Councilmember Atterbury and seconded by Councilmember Niedermaier to accept the regular meeting minutes of 12/27/18 and 1/3/2019 approved as presented. Motion carried unanimously.

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 Atterbury and seconded by Councilmember Devine to accept both financial reports. Motion carried unanimously.

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. T/ Livonia Local Law amendment to Code for Water Districts
4. Assoc. of Towns Annual Training Feb 17-20, 2019

Old/New Business:

USE OF INTENDED EQUIPMENT RESERVE FUND PUBLIC HEARING– 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 was advertised in the LCN for the use of funds intended to create a Highway Equipment Fund.

Supervisor read the public hearing notice and opened at 7:45p.m

Public Comments: none

Public hearing closed at 8:37p.m.

A motion by Councilmember Atterbury and seconded by Councilmember Niedermaier acknowledging the use \$100,000 of Highway Funds that were to be allocated to an Equipment Reserve Fund in 2018, and to be used in the purchase of a new Highway Truck in 2019.

AGREEMENT TO SPEND HIGHWAY FUNDS- RESOLUTION 28-2019- Highway Superintendent James Love, filled out the form for the board to review. If approved each board member will sign.

WHEREAS, in the sum of \$100,401.48 may be expended for general repairs upon 5.11 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 Barber Hill Road from Wilson Road and leading to Gamble Road, a distance of 1.22 miles there shall be expended not over the sum of \$27,162.58 with using a 25ft. width of stone and oil surface, and

WHEREAS, on the road commencing at Logan Road starting at East Groveland Road and leading to Gully Road a distance of 2.42 miles shall be expended not over the sum of \$46,838.47 width of traveled surface of 22ft. width of stone and oil surface, and

WHEREAS, on the road commencing at Groveland Hill Road beginning at the improved portion on Adamson Road, Servis Road from the Geneseo Townline to East Groveland Road and Church Street, a distance of 1.47 miles shall be expended not over the sum of \$26,400.23 to the gravel road a 22ft width traveled surface of stone and oil surface; 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 2019 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 Phelps and the results were carried unanimously with 0 nay, 5 ayes. Roll Call Votes: Supervisor Carman, aye; Councilmember Devine, aye; Councilmember Atterbury, aye; Councilmember Phelps aye; Councilmember Niedermaier aye.

HIGHWAY REPORT- Highway Superintendent Love reported that the highway employees have been working on the waterline coming to the town hall and have been working on a clutch repair for one of the trucks.

Highway Superintendent Love is also planning to do more work on Swan Hill Road with tree removal and adding 18' of bank run gravel this year.

Supervisor Carman inquired what Jacob Logsdon, Highway MEO rate of pay is currently?

Highway Superintendent Love stated that he just raised his rate to \$20/ hour per the Union contract, it allows him to increase the rate of pay.

Highway Superintendent Love reported that the pipe that runs under Barber Hill Road near the Harvey residence is in need of replacement. He would like to post a weight restriction for vehicles and equipment on the road either side of the pipe. The Highway Superintendent will do the research regarding the posting of the area and will have more information regarding the weight restriction for the board at a later date.

Highway Superintendent also let the Board know that he would like to replace the 2008 Silverado, as it currently will not pass inspection. He would like to utilize CHIPS monies to purchase the truck at around \$29,000 and he would meet the procurement policy.

Board discussion:

Supervisor Carman asked if you can use CHIPS money for equipment, and how much money after what you have already allocated for the roads will be available?

Highway Superintendent Love: stated yes you can use CHIPS money to purchase equipment and approximately \$60,000 available after the roadwork planned for 2019.

Councilmember Devine asked about when the remainder of Adamson Road will be finished? He would rather see the roadwork done with CHIPS money than to purchase a truck.

Highway Superintendent Love: The roads that I have dedicated on the agreement to spend highway funds are the priority for this year. He is unsure there would even be enough time to do the roads that he has dedicated for work in 2019.

Councilmember Niedermaier asked how much would it cost to do the unfinished portion of Adamson Road?

Highway Superintendent Love stated he does not have the figures to do the unfinished portion of Adamson Road and repeated that the other roads are the priority this year, and cannot guarantee they will be able to accomplish what he has planned for even with using CHIPS money for roadwork.

Councilmember Phelps stated that it was her understanding that no other equipment was necessary when the budget for 2019 was approved, why was this truck not included? Councilmember Phelps would rather see roadwork done than purchase a new truck.

Highway Superintendent Love responded that there is lots of old equipment that is need of replacing and only so much money to replace equipment.

Councilmember Devine stated he wants it in writing that CHIPS money can be used to purchase a truck.

Councilmember Atterbury stated that he wants to see it meet the regulations for CHIPS money before making any decision regarding the purchase of a truck.

Supervisor Carman stated that the Board wants the Highway Superintendent to supply the Board with proper documentation that allows the purchase of a truck through the CHIPS money.

LETTER OF SUPPORT- Mr. David Richardson from the Sons of the American Revolution emailed the Town Clerk with the request to erect a historical marker from monies that they would receive through the William Pomeroy Foundation in the form of a grant. The marker would be placed at the south east corner of David Gray Hill Road and Barber Hill Road. No monies from the Town would be necessary for the application only a letter of support for the marker to be installed from the Town Board. This marker would be similar to the one in Village of Geneseo located at Rte. 20A and Temple Hill.

On Sept 13, 2019 it marks the 240th anniversary of the Ambush, they would like to have a ceremony on Saturday, September 14, 2019 to remember those who lost their lives and to unveil the new marker. They would invite Groveland town officials, SAR and DAR members, members of Livingston County Historical society and members of the local American Legions. They would have a formal program for the event with no cost to attendees. Their chapter will also pay for the installation of the marker, as the grant only covers the marker itself.

A motion by Councilmember Phelps and seconded by Councilmember Atterbury to have Town Clerk write a letter of support from the Board to erect a historical marker at south east corner of David Gray Hill Road and Barber Hill Road.

DEPARTMENT ANNUAL REPORTS – The AUD report is not available until March from our Accountant. The board discussed that all department annual reports be turned in February 28th to allow for a month for review and approval in March. All agreed.

AUDIT OF SUPERVISOR'S BOOKS - Supervisor Carman provided all the items for the audit and was present while the board went through the checklist; all was verified and matched with the records. The Supervisor's Secretary Audit list was utilized for this audit.

APPROVAL OF PROCEDURE AUDITS – RESOLUTION 29-2019 - Copies of completed audits were passed around. Audits will be part of the official minute book. Letter acknowledged from the court requiring such audits to be performed.

WHEREAS, the Town Board has met at the time and place at its regular meeting, to review the 2018 examination of the Justice Court, Town Clerk & Supervisor policies and procedures of their account books. WHEREAS, the 2018 tax collection audit was performed on July 12, 2018;

WHEREAS, two councilmen did meet with each department as indicated on audit sheets at the Town Hall to provide a process to monitor and review the work performed by those who handle money as part of their town duties; and

RESOLVED: the town board performed the examination and verification of the 2018 account books with court, town clerk & supervisor and appeared to be in good order in Pursuant to Town Law, Section 27(1), Section 64(1), and Section 123.

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

BUDGET LINE AMENDMENTS- RESOLUTION 30-2019- Supervisor Carman stated the PILOT for American Rock Salt was decreased due to the tax rate for both Town and County decreasing, which during budget planning purposes the Town works with an estimate. A reclassification was necessary to the 2018 RESOLVED: That the Groveland Town Board members do hereby authorize LaDelfa Schoder & Walker PC to make the amendment to line items mentioned.

Reclassification of 2018 HF Budget as follows:

2018 Highway Fund Voucher #148- \$1,004.25 DA5110.4 (General Repairs) to DA5112.2 (CHIPS)

2019 Budget Amendment as follows:

Decrease A1081 to \$88,114.07

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

Supervisor Communication:

NOISE CONCERN WEST LAKE ROAD- Supervisor Carman reported that after following up with other neighboring towns he feels a noise ordinance will be a difficult one to enforce. Local Law enforcement would need the tool to monitor a decibel measurement which they do not have. It is his understanding from other neighboring towns that it can be a costly and ineffective law.

Board Discussion:

Supervisor Carman asked the Town Clerk if she had received anything regarding a petition from Mr. Taylor following the Board's recommendation at the last meeting.

Town Clerk stated she did not have a petition from anyone regarding a noise concern.

Councilmember Phelps stated that when she attended the Conesus Lake Association meeting the Town of Livonia is going to try and pass a combined Local Law that would deal with noise and rental properties. She also stated the Village of Geneseo have an ordinance that if the police can hear loud music or noise coming from a house in the Village after 11 p.m., they will go to the door and request they turn it down as to not hear outside the building. The Village does not do their Ordinance by decibel level only by what is actually heard. Board was all in agreement to see how The Town of Livonia progresses with their Local Law and to continue to gather information.

AMBUSCADE PARK– Supervisor Carman spoke with Jon Werner and he would like larger prints than the 11x17 prints he has. The Supervisor is having two sets made up to drop off next week to him for his review.

Councilmember Phelps stated when the time comes to have a walk way to the pavilion she would like to see a path created from the purchase of bricks in honor or memory of someone.

LAKEVIEW CEMETERY- Deputy Highway Superintendent acquired the names for the company that the former Highway Superintendent was working with. The Company's name was Grever and Ward out of Orchard Park, Supervisor Carman has emailed a request for a quote to map out roadways in the new section of the cemetery.

WATERLINE UPDATE: It was the understanding of Supervisor Carman that the waterline has passed inspection all the way to the Correctional Facility and they are waiting on the Health Department to approve before allowing residents to apply for a permit to connect to the line.

LIVINGSTON COUNTY PLANNING BOARD MEMBER RESIGNATION- Groveland's representative Ruth Lea tendered her resignation effective December 31, 2018. The Town Board needs to appoint someone to replace her.

All Board members in agreement to appoint Peter Dolan as the Town of Groveland's representative for the Livingston County Planning Board.

DIALYSIS CENTER RIBBON CUTTING CEREMONY- There is a ribbon cutting ceremony for the New UR Medicine/ Noyes Health Dialysis Center on Tuesday January 15, 2019 at 9am located at 11 Murray Hill Drive in Mt. Morris for anyone interested in attending. They will be having tours following the ceremony. Need to RSVP for the event if you are interested.

EXECUTIVE SESSION-Councilmember Niedermaier made a motion to go into execute session, seconded by Councilmember Devine 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 9:05 p.m.

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

Returned to regular session at 9:15 p.m.

Other Communications:

Town Clerk asked the Town Board if they wish to send letters to Planning and Zoning Board members is they require training credits, as the County is no longer tracking the training credits. All agreed to have Town Clerk send letters to the members that need to have training credits.

Councilmember Phelps stated that the Conesus Lake Association obtained a grant along with a private donation to purchase another weather station. It is for public use and it is located on the east side of the lake. The weather station gives data such as temperature, rain, wind speed, sun radiation along with a few more items that will be a great benefit in the research they have already started. She believes it is available on their website.

A motion by Phelps and seconded by Supervisor Carman to adjourn the meeting. Motion carried. Meeting adjourned at 9:25 p.m. The next meeting will be the yearend meeting February 14, 2019 @ 7:30 p.m. at the town hall.

Kimberly D. Burgess, Town Clerk
Town of Groveland
Dated: January 10, 2019