

**TOWN OF GROTON – MINUTES OF TOWN BOARD MEETING**

**TUESDAY, MAY 13, 2014 AT 7:30 PM**

**THE TOWN HALL, 101 CONGER BOULEVARD**

**Those present:** Glenn E. Morey, Supervisor  
Ellard L. Sovocool, Councilperson  
Kelly Smith, Councilperson  
Richard B. Gamel, Councilperson  
Sheldon C. Clark, Councilperson  
Fran Casullo, Attorney for the Town

**Also present:** Rich Cunningham, Samuel Rose, Stephanie Jacobs, Jen Schwade,  
Gary Coats, Charles Rankin, Richard C. Case, Jr., April Scheffler.

**MOVED** by Councilperson Sovocool, seconded by Councilperson Gamel, to approve the minutes of the April 8, 2014 meeting as presented.  
Ayes - Sovocool, Smith, Gamel, Clark, Morey.

**MOVED** by Councilperson Gamel, seconded by Councilperson Sovocool, to approve the minutes of the April 22, 2014 work session meeting as presented.  
Ayes - Sovocool, Smith, Gamel, Clark, Morey.

Vouchers for the **General Fund** in the amount of \$47,651.65 were presented for audit.

**MOVED** by Councilperson Smith, seconded by Councilperson Sovocool, to approve the General Bills for payment.  
Ayes - Sovocool, Smith, Gamel, Clark, Morey.

Vouchers for the **Highway Fund** in the amount of \$26,978.95 were presented for audit.

**MOVED** by Councilperson Clark, seconded by Councilperson Gamel, to approve the Highway Bills for payment.  
Ayes - Sovocool, Smith, Gamel, Clark, Morey.

**Monthly Reports:**

Charles Rankin, Bookkeeper - Submitted monthly reports for the Board's review and asked for a budget adjustment.

**RESOLUTION #14-034 - 2014 BUDGET ADJUSTMENT**

**MOVED** by Supervisor Morey, seconded by Councilperson Clark

**RESOLVED**, that the Town Board hereby approves the following 2014 Budget Adjustment:

**Highway - Part Town:**

Increase Revenues - DB3501, State Aid, CHIPS.....\$15,039.00

Increase Expenditures - CHIPS, DB5110.2.....15,039.00

**Ayes - Sovocool, Smith, Gamel, Clark, Morey**

**Nays -**

**Resolution Passed**

**Gary Coats, Code/Fire Enforcement Officer** - Submitted monthly reports for the Board's review. We have had a lot of complaints. The residence that burned at 301 Pleasant Valley Road was supposed to be demolished by May 1<sup>st</sup>, but now is scheduled to be removed by the second week in June. He is keeping an eye on a camper on Lick Street that may become a violation. He is sending letters to holders of building permits to try to get some of the older ones closed out.

**Richard C. Case, Jr., Highway Superintendent** - One of our highway people who retired, Slim Cargill, passed away. He was an employee here for a long time. I never worked with him here, but did in the private industry, and he was a very good man. I know he served this Town well and I'd like to wish his family the best.

We are finishing up the change-over from winter to summer maintenance. All the Town highways have been broomed. We are adjusting drainage problems and putting in driveway pipes. Stevens Road, from Route 38 to Lick Street, is prepared to pave. We are going to change that from gravel to a cold-mix paving. Cemetery Lane, there is one section that was gravel and we are going to pave that also. I hope to have that in operation within the next two weeks. It has taken time. We have added gravel, some material to keep the dust down, and it's ready. I'd like to thank the Town of Dryden. They provided a grader and some help for us. We are still down two guys and we've been trading equipment and personnel with them.

**MOVED** by Supervisor Morey, seconded by Councilperson Sovocool, to set the **Annual Highway Road Tour** for Thursday, May 29, 2014 at 8:30 am.

Ayes - Sovocool, Smith, Gamel, Clark, Morey

**Mr. Case** - As Chuck reported, the State gave us an extra \$15,000 or so to add to our CHIPS funds. They did label that extra as "winter recovery." Generally, what we have received has always stayed the same the following year, only one year it got reduced. I have already been told that next year they are going to reduce our total. We will not get this \$15,000 and they will be taking 2% or something off from the rest. As I have often said, this is an insignificant number for the amount of taxes that are collected for fuel from just the trucking industry, let alone the cars and stuff. I know when Glenn has coffee with the Congressmen and the State Legislature, I'd appreciate it if you'd talk to them about it.

**Councilperson Clark** - Had some concerns about the Groton City Road and the entrance to and exit off the new bridge, where it was really rough and pot holes. When the County boys were up for the bridge opening ceremony, they mentioned how bad the Groton City Road was and that there would be something definitely done. Neighbors were commenting that nothing had been done, so Mr. Clark called last week and spoke to Jeff Smith, who was unaware of the problem. The road was fixed the next day.

**April L. Scheffler, RMC, Town Clerk/Tax Collector** - Submitted monthly reports for the Board's review. A letter was received from the Town of Lansing informing us that they have changed the name of their West Groton Road to West Road.

**Victoria Monty, Attorney for the Town** - Had nothing to report.

**John Norman & A. D. Dawson, Town Justices** - Were not present.

**Councilperson Smith as Representative to Joint Youth Program** - Youth track has about 35 students and will run for about 5 weeks. Youth softball, no problems there. Summer programs booklet will be coming out on Friday and will be on the School and Village website. They have most of the lifeguard positions filled. Jennifer Jones has submitted her resignation and is going to Dryden for a full time position. It is hoped that she will remain part time through the summer and then they will interview and hire in the fall to replace here.

**Brian Robison, County Legislator** - Was not present.

#### ***Privilege of the Floor -***

**Samuel Rose** - Spoke about the dangerous conditions on Chipman Corners Road, where he lives, and requested that the Board look into reducing the speed to 45 miles per hour to the Cayuga County line. People drive very fast and there are many curves, dips and hidden driveways.

**Rick Case** - Said that it is a County road. He will set up the Town's electronic speed sign, which will record the speed and number of cars using the road as well as quite a bit of other information. He will be talking to Jeff Smith, at the County Highway Department, the next day, and work out how to proceed to get the speed limit reduced.

**Rich Cunningham, Thoma Development Consultants** - Talked about the Small Cities Community Block Grant application. The program is money provided by the Federal Housing and Urban Development which is given to New York State who then distributes it to municipalities. The money that we will be applying for was given to the State as part of the regular round of grant money but is part of Governor Cuomo's new consolidated funded program with rural regional economic development councils. He took a slice of the CDGB money that the State got and awarded a certain amount to

two or three of the economic development regions. The Southern Tier region got around four million dollars and we will just be competing for the grant among the Southern Tier municipalities, making our chance of getting a grant better. He handed out a draft of the program guidelines for the Board to review. He explained some program highlights and income levels.

**RESOLUTION #14-035 - HIRE THOMA DEVELOPMENT CONSULTANTS TO PREPARE COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION**

**MOVED** by Supervisor Morey, seconded by Councilperson Sovocool

**WHEREAS**, the Town of Groton has successfully implemented a housing rehabilitation program to serve low-income homeowners in the past, and

**WHEREAS**, the Town of Groton recognizes a continuing serious need for housing rehabilitation services among low-income homeowners who cannot afford to make needed repairs, and places a high priority on serving that need in the Town, and

**WHEREAS**, the Town of Groton desires to submit an application in 2014 to the New York State Office of Community Renewal for funding under the Federal Small Cities Community Development Block Grant/Community Revitalization Fund Program, therefore, be it

**RESOLVED**, that the Town Board of the Town of Groton will hire Thoma Development Consultants to prepare the grant application materials for review and submission by the Town of Groton, and be it further

**RESOLVED**, that the Town Board hereby authorizes Glenn Morey, Town Supervisor, to sign the agreement with Thoma Development Consultants.

**Ayes - Sovocool, Smith, Gamel, Clark, Morey**

**Nays -**

**Resolution Passed**

**RESOLUTION #14-036 - AUTHORIZE SUPERVISOR TO FILE CDBG GRANT AND EXECUTE ANY ASSOCIATED AGREEMENTS**

**MOVED** by Councilperson Gamel, seconded by Councilperson Smith

**RESOLVED**, that the Town Board hereby authorizes and directs Glenn E. Morey, as Supervisor of the Town of Groton, to file an application for Community Development Block Grant funds from the New York State Office of Community Renewal under the Community Revitalization Fund, and upon approval of said request to enter into and execute a project agreement with the State for such financial assistance to the Town of Groton for a housing rehabilitation program.

**Ayes - Sovocool, Smith, Gamel, Clark, Morey**

**Nays -**

**Resolution Passed**

**RESOLUTION #14-037 - SET PUBLIC HEARING ON  
COMMUNITY DEVELOPMENT BLOCK GRANT**

**MOVED** by Supervisor Morey, seconded by Councilperson Clark

**WHEREAS**, The Town of Groton anticipates submitting an application in 2014 to the New York State Office of Community Renewal for funding under the Federal Small Cities Community Development Block Grant/Community Revitalization Fund Program, and

**WHEREAS**, a public hearing is required as part of the process, to solicit public input with respect to the application and to develop program activities, now, therefore be it

**RESOLVED**, that the Town Board hereby sets a Public Hearing on the Community Development Block Grant for Tuesday, June 10, 2014 at 7:45 pm.

**Ayes - Sovocool, Smith, Gamel, Clark, Morey**

**Nays -**

**Resolution Passed**

**RESOLUTION #14-038 - SET PUBLIC HEARING ON  
PROPOSED LOCAL LAW #2 FOR THE YEAR 2014**

**MOVED** by Supervisor Morey, seconded by Councilperson Gamel

**RESOLVED**, that the Town Board hereby sets a Public Hearing on Proposed Local Law #2 for the Year 2014 entitled Road Preservation Local Law of the Town of Groton for Tuesday, June 10, 2014 immediately following the Public Hearing on the CDBG grant.

**Ayes - Sovocool, Smith, Gamel, Clark, Morey**

**Nays -**

**Resolution Passed**

**RESOLUTION #14-039 - APPROVE THE 2014 AMENDMENT TO THE  
MUNICIPAL COOPERATIVE AGREEMENT FOR THE  
GREATER TOMPKINS COUNTY MUNICIPAL HEALTH INSURANCE CONSORTIUM**

**MOVED** by Supervisor Morey, seconded by Councilperson Gamel

**WHEREAS**, the Town of Groton is a Participant in the Greater Tompkins County Municipal Health Insurance Consortium (the "**Consortium**"), a municipal cooperative organized under Article 5-G of the New York General Municipal Law; and

**WHEREAS**, the municipal participants in the Consortium, including this body, have approved and executed a certain Municipal Cooperation Agreement (the "**Agreement**"), which provides for the operation and governance of the Consortium; and

**WHEREAS**, Article 47 of the New York Insurance Law (the "**Insurance Law**") and the rules and regulations of the New York State Superintendent of Insurance set forth certain requirements for governance of municipal cooperatives which offer self-insured municipal cooperative health insurance plans; and

**WHEREAS**, Section 4705(a)(8) of the Insurance Law provides the governing board of self-insured municipal cooperative must include representation of unions, which are the exclusive collective bargaining representatives of employees who covered by the plan offered by such self-insured municipal cooperative; and

**WHEREAS**, Section K of the Agreement currently in place provides for representation on the Consortium's Board of Directors (the "Board") by the Chair of the Joint Committee on Plan Structure and Design (as defined in the Agreement); and

**WHEREAS**, by resolution adopted on September 26, 2013, the Consortium's Board approved an amendment to the Agreement to (a) increase the number of labor representatives on the Board; and (b) provide for future increases to the number of labor representatives on the Board in the event number of participants in the Consortium increases, all as more fully set forth in the 2014 Amendment to the Municipal Cooperative Agreement attached hereto as Exhibit "A" (the "**2014 Amendment**"); and

**WHEREAS**, Section T of the Agreement requires that any change or amendment to the Agreement shall require the unanimous approval of the Participants, as authorized by their respective legislative bodies; and

**WHEREAS**, the Town of Groton has determined that it is in the best interest of its constituents who are served by the Consortium to amend the Agreement as set forth in the attached 2014 Amendment, now therefore be it

**RESOLVED** that the Town Board of the Town of Groton approves the following:

Section 1. The 2014 Amendment to the Municipal Cooperative Agreement of the Greater Tompkins County Municipal Health Insurance Consortium attached to this Resolution is approved.

Section 2. The Town of Groton Clerk is hereby authorized to execute this Resolution to indicate its approval, deliver a copy thereof to the Board of the Greater Tompkins County Municipal Health Insurance Consortium, and take any other such actions as may be required by law.

Section 3. This Resolution shall take effect immediately.

**Ayes - Sovocool, Smith, Gamel, Clark, Morey**

**Nays -**

**Resolution Passed**

#### **"EXHIBIT A"**

#### **2014 AMENDMENT TO THE MUNICIPAL COOPERATIVE AGREEMENT FOR THE GREATER TOMPKINS COUNTY MUNICIPAL HEALTH INSURANCE CONSORTIUM**

5. The Union Members on the Joint Committee on Plan Structure and Design shall select from among the Union Members an individual to serve as an additional at-large voting Labor Member on the Board of Directors of the Consortium. If the number of municipal members on the Consortium rises to seventeen (17), the union members of the Joint Committee on Plan Structure and Design shall select from

among the Union Members an additional at-large voting Labor Member on the Board of Directors of the Consortium. The at-large voting Labor Member(s) along with the Joint Committee Chair shall collectively be the "Labor Representatives" as defined in Section C(11) of this Agreement. If the number of municipal members on the Consortium rises to twenty-three (23), the Union Members may select from among their members a third At-Large Labor Representative to serve as a Director. Thereafter, for every increase of five (5) additional municipal members added to the Consortium Union Members may select from among their members one (1) At-large Labor Representative to serve as Director. Attached hereto as Addendum "B" is a table illustrating the addition of At-Large Labor Representatives as set forth in this Section. Any At-Large Labor Representative designated according to this section shall have the same rights and obligations as all other Directors.

**MOVED** by Supervisor Morey, seconded by Councilperson Gamel, to enter into **Executive Session** for the purpose of discussing pending litigation, at 8:18 pm.

Ayes - Sovocool, Smith, Gamel, Clark, Morey

**MOVED** by Supervisor Morey, seconded by Councilperson Gamel to return to **Regular Session**, at 8:30 pm.

Ayes - Sovocool, Smith, Gamel, Clark, Morey

Supervisor Morey - Let the record show that we were advised by our attorney about pending litigation.

#### **Announcements:**

- Planning Board - May 15 at 7:30 pm
- Zoning Board of Appeals - May 28 at 7:00 pm
- Local Board of Assessment Review - May 15, 3:00 pm - 6:00 pm
- Thank You note from the Teresa Robinson family
- Celebration of Life for Liz Brennan - Sunday, June 1, 1:00 pm - 4:00 pm, at Stars Reception Hall at Little York Park in Preble
- Solar Tompkins is up and running - website is solartompkins.org - Solar tour at Tom Mayo's house on Route 38, May 24, 10:00 am to Noon.
- New York State Draft Horse Plowing Day - Sunday, May 18, 7:00 am - 3:00 pm at the Joe Fuller farm, 1002 Elm Street Extension, Groton.
- Open House and Vaccination Clinic - Country Acres Animal Shelter - Saturday, May 31, 10:00 am - Noon, 5852 West Scott Road, Homer.

There being no further business, Councilman Gamel moved to adjourn, seconded by Councilman Sovocool, at 8:34 pm. Unanimous.

April L. Scheffler, RMC  
Town Clerk