

**The regular meeting of the Groveland Town Board was held on Thursday August 12, 2021 at the Town Hall.**

**Present:** Bill Devine, Acting Supervisor; Steve Atterbury, Councilmember; Ron Niedermaier, Councilmember; Amy Phelps, Councilmember

**Other Town Officials:** D. Mark Caldwell, Highway Superintendent

Other Attendees: C. Comer; D. Wester, T/ Conesus- Supervisor

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

A motion by Councilmember Phelps and seconded by Councilmember Atterbury the audited bills be paid. General Fund vouchers numbered 179 – 203 for \$22,127.15; Highway Fund vouchers numbered 114-134 for \$71,762.54. Motion carried.

A motion by Councilmember Niedermaier and seconded by Councilmember Atterbury to accept the regular meeting minutes of 7/08/2021 approved. Motion carried.

Acting 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. Councilmember Niedermaier and seconded by Councilmember Atterbury to accept both financial reports. Motion carried.

**Information handed out/or acknowledged:**

1. Food Pantry Box- located in the town hall

**Old/New Business:**

**SOLAR LAW # OF 2017 MORATORIUM- RESOLUTION 44-2021 PUBLIC HEARING-**

Acting Supervisor Devine read aloud the public hearing notice for the local law to extend the Solar Law Moratorium along with recognizing that the local law was sent to the Livingston County Planning Board for their comments to date no comments have been received.

Public hearing opened at 9:03 a.m.

Public hearing closed at 10:10 a.m.

**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 held a socially distanced public hearing due to COVID-19 regulations on the proposed adoption of said local law on the 12th day of August 2021 at 9:00 a.m., at which time all interested parties and citizens for or against the proposed law were heard; and

**WHEREAS**, the Town Board of the Town of Groveland wishes to extend the temporary land use moratorium prohibiting large scale solar installations in the Town of Groveland for six months, as the COVID-19 pandemic had frustrated the adoption of a Solar Law, and the Town of Groveland recognizes and acknowledges that the Town needs to further analyze many considerations that affect the preparation of local legislation to regulate large solar installations; and

**WHEREAS**, pursuant to section 239 1-m of the General Municipal Law, said local law with all supporting documents was submitted to the Livingston County Planning Board on July 12<sup>th</sup>, 2021 for its comments; and

**NOW ON MOTION OF** Councilmember Atterbury which has been duly seconded by Councilmember Niedermaier, be it

**RESOLVED**, by the Town Board of the Town of Groveland feels it is in the best interests of the Town to adopt proposed Local Law entitled, “Extending the Temporary Land Use Moratorium Prohibiting Large Scale Solar Installations in the Town of Groveland for Six Months.”

Ayes: 4

Nays: 0

Quorum Present: Yes

C. COMER- TOWN OF GROVELAND CONCERNS- Mr. Comer requested privilege of the floor to discuss multiple concerns he has with the town. Mr. Comer’s first concern was with the changing of the meeting times to a morning instead of an evening time. It was stated by Mr. Comer that he did read the town minutes and it showed there is very little if any attendance at Groveland’s meetings unlike where he resides but still wanted to voice his concern.

The second area of concern was the mosquito infestation recently, back when Mr. Comer grew up in Groveland the State used to spray for mosquitos. Mr. Comer feels it is a health concern and that the town should look into assisting the residents due to quality of life health aspect.

Acting Supervisor Devine stated that the NYS regulates what is allowed and not allowed to be sprayed. Many years ago the town had many meeting specifically about mosquitos and it came down to the property owner had to handle it individually. The other aspect is that some property owner absolutely do not want chemicals sprayed over their property as was done in the 1950’s. Acting Supervisor Devine stated that the town board would review the concern.

Mr. Comer’s last concern raised related to the budget, he is hopeful the town would budget for an ADA accessible door for 2022. It would make life much easier for those that are getting elderly to access the town building.

Acting Supervisor Devine stated that it was not in the budget plan for now but the hope is that with the ARPA monies that the town could utilize and upgrade the door in 2022. Acting Supervisor did have figures from the past of cost for what ADA door push button system was in 2019 that was denied for a JCAP grant.

Mr. Comer stated that there is always more he could discuss but for now he would move on and let the meeting progress. Acting Supervisor Devine thanked Mr. Comer for his time.

HIGHWAY REPORT- Highway Superintendent Caldwell reported that the crew has been busy oiling and stoning Abele and Swan Hill Road. Ditching has been done on Bath Road and roadside mowing continues for the season.

Highway Superintendent Caldwell presented an updated diesel fuel log sheet that he asked the town board to initial the log book as the pump broke and had to be replaced with a new pump and calibration moving forward.

Highway Superintendent Caldwell notified the board that Charles Bonner has obtained his permit for his CDL. Highway Superintendent Caldwell stated that with the difficulty in finding employees he would like to hire Mr. Bonner immediately with a pay rate of \$18.00 to the full time position.

A motion by Councilmember Phelps and seconded by Councilmember Atterbury to hire Charles Bonner to the Full Time Highway MEO position at a pay rate of \$18.00 effective immediately. Motion carried.

LAKEVIEW CEMETERY RULES UPDATE- Highway Superintendent Caldwell discussed with the board a concern regarding the use of personal lawn equipment being used at Lakeview Cemetery recently. It was requested to update the rules to not allow the use of personal lawn mowers in Lakeview Cemetery. This summer has been a difficult summer to mow and understands that people get frustrated when the cemetery is not perfect however every time he has been to the cemetery this year it has been well prepared for every service held.

Board discussion: All agreed to add personal lawn mowing equipment is prohibited to rules of Lakeview Cemetery.

AMBUSCADE PARK- Highway Superintendent Caldwell spoke with Ken Partridge regarding the septic at the park. Mr. Partridge stated he will try and get Chris Partridge to set a firm date within a few days.

Councilmember Niedermaier stated that maybe we should wait until after the September 11, 2021 dedication prior to disrupting the grass that is there.

Acting Supervisor Devine, Councilmember Atterbury and Phelps all stated that they wished to push forward if they can get it done prior to the September 11<sup>th</sup> date. Acting Supervisor Devine stated he will also try and get a firm date deadline from Chris Partridge on when it can be installed as to have the park look nice for the dedication. If Mr. Partridge does not think it looks like it can be accomplished by the timeframe then the town will post pone.

Town Clerk Burgess will follow up with Sons of the American Revolution that are hosting a small recognition picnic at the park on September 11, 2021 for the Town Board members,

BOCES, and other that have been involved in making the new pavilion a reality to confirm times.

REEVEALUATION 2022- RESOLUTION 45-2021- Acting Supervisor Devine updated the board that 2022 would be reevaluation year for the town to maintain uniform standard of assessment. In order for the town to request assistance from NYS Real Property Services the Town must pass a resolution requesting such assistance.

WHEREAS, the Town of Groveland has undergone the revaluation of real properties within the Town, the Town feels the it is necessary to conduct a reassessment project of all properties for the 2022 assessment roll to maintain a uniform standard of assessment for the Town; and

NOW, THEREFORE, it is hereby

RESOLVED, by the Town Board of the Town of Groveland, New York, that the Town of Groveland hereby requests State assistance, specifically from the NYS Office of Real Property Services, to do a reassessment project to maintain uniform standard of assessment in accordance with Section 305 of the Real Property Tax Law; and it is further

RESOLVED, that the Acting Supervisor Devine is hereby authorized and directed to extend the necessary funds for the preparation of said plan and the establishment and maintenance of the Real Property Improvement Program on a motion of Councilmember Niedermaier and Councilmember Phelps. Motion carried.

**Acting Supervisor Communication:**

- **David Gray Hill**- There is only one letter left to be returned to the attorney, prior to proceeding the closure of the road.
- **Fire Dept Contract extension** – Has been signed and dropped off at the town offices.
- **ARPA Funding**- The town has received the first installment of the APRA funding. It has to be used for specific purposes outlined in the requirements for the funding guidelines.

Other Business/ Announcements:

Town Clerk Burgess notified the board there have a few properties over the years that have not mowed their lawns and the town has received complaints on them. Eventually the town can get ahold of the owner and they will mow the lawn however if the property is abandoned or foreclosed there is nothing that allows the town to go in and mow legally.

Board discussion: Would like to table the discussion for a later date.

Councilmember Niedermaier would like to look into a plaque or something similar to the fire department has with past chiefs and have the past supervisor's names and years of service to the town. Board members liked the idea. Town Clerk will research past minutes for supervisor information first.

A motion by Councilmember Atterbury and seconded by Councilmember Phelps to adjourn the meeting. Motion carried unanimously. Meeting adjourned 10:30 a.m. The next meeting will be the regular meeting September 9, 2021 @ 9:00 a.m. at the town hall and is open to the public. Motion carried.

Kimberly D. Burgess, Town Clerk  
Town of Groveland  
Dated: August 12, 2021