

The regular meeting of the Groveland Town Board was held on Thursday February 11, 2021 at the Town Hall and via teleconference allowable per executive order 202.1 from Governor Cuomo, meeting is to be recorded and transcribed.

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

Other Town Officials: D. Mark Caldwell, Highway Superintendent

Other Attendees:

Supervisor called the meeting to order @ 6:35 p.m. Supervisor asked D. Mark Caldwell to lead the pledge to the flag.

A motion by Councilmember Phelps and seconded by Councilmember Niedermaier the audited bills be paid. General Fund vouchers numbered 16-43 for \$9,424.61; Highway Fund vouchers numbered 9- 28 for \$7,782.28. Motion carried unanimously.

A motion by Councilmember Atterbury and seconded by Councilmember Niedermaier to accept the regular meeting minutes of 1/14/2021 approved as presented. Motion carried unanimously.

Supervisor 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 Devine 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:

HIGHWAY REPORT- Highway Superintendent Caldwell stated the crew has been repairing equipment. A set of springs on truck #6 and transmission on hydraulic pump on the new Peterbilt. Highway Superintendent Caldwell has spoken with the salesman for the equipment on the Peterbilt as it is out of warranty however due to the lack of use from damage for some time is hoping to have some assistance towards the bill on the repair.

The newest hires- Tanner, Joe and Cody have been taking online courses mandated for Dig Safe NY. Scott, Dave, John and Highway Superintendent are taking the yearly refresher courses for Dig Safe NY.

While it has been cold outside and plowing has not been necessary we have been upgrading the lights on the town hall side and building a closet in the bathroom as the closet that is in the town hall will eventually be utilized for all computer access.

The Town of Groveland placed their letter of intent to purchase following the quote provide #874 for a 2021 1500 Bighorn/ Lonestar Crew cab 4x4 (DT6H91) for the purchase price of \$38,092.50.

Highway Superintendent would like to start a Facebook page for the town for weather updates and road closures. Other municipalities utilize this and he thinks it would be a great benefit to the town.

Board discussion:

Councilmember Phelps likes the idea but wants to make sure that it is monitored properly. It was asked how much time it would require from the Highway Superintendent.

Highway Superintendent stated that he would be getting assistance from one of the highway employees but he would be in control of the page. He would refer to the Town's IT professional to ensure the Town security prior to creating a page.

All councilmembers agreed that is a great idea to keep community informed as long as there is oversight of the page.

A motion by Councilmember Atterbury and seconded by Councilmember Phelps to create a Facebook page for the Town of Groveland following the oversight of the Town's IT Professional recommendations. Motion carried unanimously.

Highway Superintendent stated Dave Anderson has let him know he will be retiring March 31, 2021. He would like to keep Dave as a part time employee at a rate of \$22.50/ hour. Highway Superintendent would like to utilize Mr. Anderson a couple a days a week and feels his qualifications justify the pay rate.

Would the board like to purchase a retirement plaque for his retirement?

Board discussion: All agreed that Dave Anderson has been a valued employee for the town and they would like to present him with a plaque for his retirement. Highway Superintendent Caldwell will get the information the town clerk to place the order.

Highway Superintendent Caldwell stated that Dave Anderson could use his all his vacation time prior to his retirement however it would leave his department without a seasoned mechanic. Highway Superintendent asked the board to pay Dave Anderson for 2 weeks of his accrued vacation time to keep him working as he has enough time accrued to stop work now until his retirement date. Once he retires he will be hiring him back part time employee for the town.

A motion by Councilmember Devine and seconded by Councilmember Niedermaier to issue 2 weeks of vacation pay to Dave Anderson and the town board wish to recognize his dedication to the town.

DAVID GRAY HILL ROAD DISCUSSION- Highway Superintendent Caldwell measured to an approximate area of the property line and it is about 800 feet on the top the town would need to maintain.

Supervisor Carman spoke with Attorney DiMatteo regarding the placement of a driveway for the property owner to have access to their property. Supervisor Carman will be sending the property owners information to the attorney tomorrow for the attorney to send a letter of the town's intention and their options.

Councilmember Niedermaier inquired if the town can close only a portion of the road. Supervisor Carman stated he thinks so the town just needs to allow access to the property. Once the attorney has information he will provide it to the board.

SOLAR FARM LAW MORATORIUM – RESOLUTION 30-2021- The public hearing occurred last month regarding the moratorium but comments from Livingston County Planning Board had not been received as their meetings are the same night as the town board. The town attorney has prepared the resolution and comments from County Planning Board are attached.

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, pursuant to Governor Andrew Cuomo's Executive Orders put into place in consideration of the COVID-19 pandemic and the guidelines put in place during Phase IV of New York Forward, said meeting was held in accordance with social distancing protocol and face coverings were worn by all Board Members and public attendees; and

WHEREAS, the Town Board of the Town of Groveland has considered a proposed local law known as "A Local Law Establishing a Temporary Land Use Moratorium Prohibiting Large Scale Solar Installations within the Town Of Groveland," to temporarily halt development of large scale solar installations, for a period of up to six (6) months, while the Town considers comprehensive zoning changes and the enactment of zoning measures to specifically address the matters of community concern; and

WHEREAS, pursuant to section 239 l-m of the General Municipal Law, said local law with all supporting documents was submitted to the Genesee County Planning Board for its comments; and

WHEREAS, said local law was submitted to the Livingston County Planning Board for review at their January 14, 2021 meeting, and the following determination was made:

Approval with Comments, said comments being annexed hereto as Exhibit A; and

WHEREAS, the Town Board of the Town of Groveland did hold a public hearing on the adoption of said local law.

NOW ON MOTION OF Supervisor Carman which has been duly seconded by Councilmember Atterbury, be it

RESOLVED, by the Town Board of the Town of Groveland feels it is in the best interests of the Town to adopt the local law entitled, “A Local Law Establishing a Temporary Land Use Moratorium Prohibiting Large Scale Solar Installations within the Town Of Groveland,” a copy of which is attached hereto and made a part of this resolution.

Ayes: 5

Nays: 0

Quorum Present: x Yes ☐ No

Dated: February 11, 2021

[SEAL]

Kimberly Burgess, Clerk

Town of Groveland

CORONAVIRUS UPDATE- Councilmember Phelps stated that SUNY students came back for classes February 8, 2021 so there appears to be an increase in COVID cases but they county was anticipating that.

CEMETERY SERVICE CONTRACT DUE FOR RENEWAL – RESOLUTION 31-2020- Town Clerk is in receipt of Snyder’s letter with minimal rate increases with the addition of overtime charge of \$100/ hour for funerals that arrive after 3:30pm. Their contract expires March 31, 2020 and renews annually.

New Rates Effective April 1, 2021– March 31, 2022

Cemetery Fees:	Public	Town
Purchase of single plot/grave	\$ 500	\$0
*Charged to person		
Open/Close for single burial +\$150 Sunday/Holiday	\$ 475	\$ 375
Open/Close for single cremation +\$150 Sunday/Holiday	\$ 300	\$ 200
Foundation Installation Cost per cubic ft. a minimum of \$250.00	\$ 28.00	\$0
* Charged to person		
Overtime Charge for funerals that arrive after 3:30 p.m.	\$100.00/ hr	\$0

WHEREAS the Town Board has met at the time and place at its regular meeting the town board has reviewed the proposed 2021- 2022 Snyder Brothers Cemetery Service contract; and

WHEREAS, the Town Board is desirous of cemetery service for taking calls, selling plots, mapping plot owners, grave opening and closing and grading and seeding; and; now therefore be it

RESOLVED, this Town Board does hereby accept the Snyder Brothers Cemetery proposal to service Lake View Cemetery from April 1, 2021 and expires March 31, 2022 with Grave pricing to the town include open and closing: Adult \$375, Child \$375, Stillborn \$200, Cremated remains \$200, Welfare \$375, Holiday & Sunday burials an additional charge of \$150, Foundation Installation is \$28.00 per cubic foot with a minimum of \$250, Overtime charge for funerals arriving after 3:30 p.m. and now therefore further be it;

THEREFORE FURTHER BE IT RESOLVED, that either party may terminate this agreement within a written notice to the other party within 90 days said to prior end of said contract.

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

UPDATED FEE SCHEDULE- RESOLUTION 32- 2021- Due to the minimal increase in foundation charge for cemetery service an update to the fee schedule needed to be done.

RESOLVED, the Groveland Town Board adopts the updated 2021 Fee Schedule as follows
*Fee scheduled attached to resolution

The adoption of the foregoing RESOLUTION was duly out in vote on motion of Councilmember Niedermaier and seconded by Councilmember Atterbury and the results were carried 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:

Potential Water District- Eric Weis provided the final petition approved by the attorney for the water district. Supervisor wanted the board to review, if the board is in agreement the board can move forward with requesting our petition carriers to meet with the attorney in regards to the details of the petitions and the rules.

Board discussion: All agreed to move forward with the request to have the meeting on March 11th at the regular board meeting at 6:30 pm if possible.

Highway Union Contract expires 12/31/2021- Supervisor asked his Secretary to review the contract items that may need better clarification and/ or updates. Supervisor asked Board members who would like to be lead on Union contract.

Councilmember Devine stated he would take the lead in the contract for the union. Supervisor stated he will notify his secretary to inform her so she may provide him with any updates necessary.

Pit assessment update: Supervisor spoke with Valary Muscarella, the Assessor from the Town of Wayland in regards to the assessment for the gravel pit. The Assessor will review the assessment and follow up with the Supervisor to see if the assessment is correct or should be adjusted.

Other Communications:

Town Clerk was asked about purchase of plot back for Lakeview Cemetery as it will not be used. Joe Snyder stated he has the purchase price of the plot purchase if the town wants to purchase the plot back.

Board discussion: There are so many open plots currently there is not a need to purchase a plot back. The board is not interested at this time.

Councilmember Niedermaier notified the board there is a workshop this Thursday and Saturday for Farmland Protection and conservancy he thought would be a valuable tool for the town's planning board members to participate in. He dropped off the information to the Chairman of the planning board. It has been forwarded onto the planning board members.

A motion by Councilmember Atterbury and seconded by Councilmember Phelps to adjourn the meeting. Motion carried unanimously. Meeting adjourned at 7:22 p.m. The next meeting will be the regular meeting March 11, 2021 @ 6:30 p.m. at the town hall and is open to the public. Motion carried unanimously.

Kimberly D. Burgess, Town Clerk
Town of Groveland
Dated: February 11, 2021