

**The regular meeting of the Groveland Town Board was held on Thursday July 08, 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: J. Molino, Executive Director LCWSA; E. Weis, CPL

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

A motion by Councilmember Atterbury and seconded by Councilmember Niedermaier the audited bills be paid. General Fund vouchers numbered 150 -178 for \$10,961.18; Highway Fund vouchers numbered 94-113 for \$32,182.25. Motion carried.

A motion by Councilmember Phelps and seconded by Councilmember Niedermaier to accept the regular meeting minutes of 6/10/2021 approved as with spelling correction. 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 Atterbury and seconded by Councilmember Phelps to accept both financial reports. Motion carried.

**Information handed out/or acknowledged:**

1. Food Pantry Box- located in the town hall

**Old/New Business:**

POTENTIAL WATER DISTRICT #1 FUNDING LETTER RESOLUTION 43-2021- Eric Weis from Clarke Patterson Lee was in attendance to discuss with the board the updated preliminary eligibility determination funding estimate letter that has been received from USDA Rural Development. The updated amount keeps the cost where promised to the residents for the potential water district, if the board accepts the offer from here the request goes to the Federal Government to request the monies for the grant funding.

Acting Supervisor Devine updated the board on the discussion as it pertained to grant monies should any issue arise and the ability to not create the district the town would not be penalized if grant funding goes unused.

Board agreed with the amount shown and discussion.

**WHEREAS**, the Town Board of the Town of Groveland met at a regularly scheduled meeting the Town Hall located at 4955 Aten Road, Groveland, New York on July 8, 2021, commencing at 9:00 a.m., at which time and place the following members were:

Present:Deputy Supervisor	William Devine
Councilmember	Steve Atterbury
Councilmember	Amy Phelps
Councilmember	Ron Niedermaier

**WHEREAS**, all Board Members, having due notice of said meetings, and that pursuant to Article 7, Section 104 of the Public Officers Law, said meetings were 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 New York Forward, said meeting was held in accordance with social distancing protocol; and

**WHEREAS**, on June 24, 2021, a Preliminary Eligibility Determination was generated from Rural Development to the Town of Groveland. Said preliminary letter estimated the Rural Development Grant to be \$2,399,000; and

**WHEREAS**, the Deputy Town Supervisor William Devine, Town Attorney David DiMatteo, Matthew Smith of Municipal Solutions, Eric Wies of CPL, and John Alessi of Hodgson and Russ attended a phone call with Cynthia Newcomb and Brenda Smith of USDA Rural Development on July 7, 2021 to discuss further funding; and

**WHEREAS**, after review of the original Preliminary Eligibility Determination Letter dated June 24, 2021, Brenda Smith from Rural Development agreed to submit the matter back to underwriting for further funding; and

**WHEREAS**, on July 7, 2021, a new Preliminary Eligibility Determination/ Revised Funding Estimate was provided by Rural Development to the Town of Groveland. Said revised letter reflects the estimated Rural Development Grant to be in the amount of \$2,500,000.00; and

**WHEREAS**, it is the understanding of the Town Board of the Town of Groveland, that the proposed Water District No. 1 has been awarded 100 points, which meets the threshold for funding; and

**WHEREAS**, after review of the Preliminary Eligibility Determination/ Revised Funding Estimated dated July 7, 2021, the Town Board of the Town of Groveland believes it to be in the best interest of the Town to accept the terms reflected in said letter (**attached hereto as Exhibit A**).

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

**RESOLVED**, that the Town Board of the Town of Groveland accepts the terms highlighted in the Preliminary Eligibility Determination/ Revised Funding Estimate dated July 7, 2021.

Ayes 4

Nays 0

Quorum Present: Yes

HIGHWAY REPORT- Highway Superintendent Caldwell stated preparation on Turner and Bennett Hill Roads have begun with the reclamation process with oil and stone planned in the upcoming months.

The applicants Highway Superintendent thought would be a good fit for the town have been called and have declined due to the cost of health insurance and pay rate. Highway Superintendent asked the board for their guidance.

Board recommended speaking with final applicant regarding training as we are in the same situation as other municipalities currently having difficulty finding help following the COVID pandemic.

Highway Superintendent updated the Board regarding the cost to fix Dantz Road damage done by farm equipment. The owner of the equipment will be paying for the damage.

TRAFFIC SAFETY REFFERAL UPDATE- The town is in receipt of an email from NYS DOT that request the town to pass a resolution in support of parking restriction, with specific locations of the restriction. The town also may be responsible for procurement of the signs, installation and maintenance of signs. Acting Supervisor Devine reminded the board that this is a State owned Road not a Town owned road and the town had no jurisdiction on the road, but that we do owe it to the residents to discuss amongst the board as there was a complaint.

Board discussion: Acting Supervisor Devine asked Highway Superintendent Caldwell to measure West Lake Road and get an idea of cost per sign.

Highway Superintendent Caldwell stated West Lake Road in the Town of Groveland is approximately 11,000 feet long and each sign would cost approximately \$ 22.38 each.

Councilmember Atterbury stated he lives on the lake and understands the concerns but worries that once we start for one area there would be no end in sight.

Councilmember Phelps agreed if we do for one resident we have do do for all the residents along West Lake Road.

Acting Supervisor Devine asked Town Clerk to please send a letter to resident to update with the board decisions that the board truly understands the concern and wished there was more they could do but sees no end in sight to cost and requests if they start taking no parking sign requests.

SOLAR LAW #2 OF 2017 MORATORIUM- RESOLUTION 41-2021-The Town's Planning Board has been reviewing the town's current Solar Law along with laws from other local municipalities to ensure that the updated Solar Law is in the best interest for the Town of Groveland. The Planning Board is almost done with their review and then will be sending the law to the town attorney for his recommendations and review. An extension is needed to continue the review of the law

**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 into place during Phase IV of New York Forward, said meeting was held in accordance with social distancing protocol; and

**WHEREAS**, the Town Board of the Town of Groveland has considered a proposed local law known as "Extending the Temporary Land Use Moratorium Prohibiting Large Scale Solar Installations in the Town of Groveland for Six Months," to temporarily halt development of large scale solar installations, for an additional 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 is to be submitted to the Livingston County Planning Board for its comments; and

**WHEREAS**, the Town Board of the Town of Groveland finds it in the best interest of the Town of Groveland to hold a public hearing on the adoption of said local law.

**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 will hold a public hearing on the proposed local law on the 12<sup>th</sup> day of August 2021, at 9:00 a.m., at which time and place all interested parties and citizens for or against the proposed law will be heard.

Ayes: 4

Nays: 0

Quorum Present: Yes

AMBUSCADE PARK- Councilmember Niedermaier reported being kiosk is installed by the Eagle Scout.

Councilmember Niedermaier has been installing the hot water tank for the bathrooms.

Acting Supervisor Devine spoke with Chris Partridge regarding the start date for the septic at the park and he is hopeful to start within 2 weeks if weather permits.

Councilmember Phelps let Highway Superintendent Caldwell know when he is ready to grass seed she can donate straw for the project. Highway Superintendent stated he will be renting a rock hound and he thinks they should be able to get keep the cost down with utilizing that and grass seed instead of hydro seed.

FIRE DEPARTMENT CONTRACT EXTENSION- RESOLUTION 42-2021- The contract extension has verbally been agreed upon by the Fire Department at the same rate of increase of 2% annually. Acting Supervisor Devine asked Town Clerk Burgess to prepare the resolution and contract extension for board to review. If agreed upon Acting Supervisor Devine will send to the president of the Fire Department for their formal approval.

WHEREAS, the Town Board has met at the time and place at its regular meeting to review the proposed one year contract extension effective January 1, 2022 through December 31, 2022 with the Groveland Volunteer Fire Department Inc. , and

BE IT RESOLVED this Town Board does hereby accept the one year contract extension term effective January 1, 2022 through December 31, 2022 with the rate of \$119,240.72.

The question of the adoption of the foregoing RESOLUTION was put into vote. Motion by Councilmember Phelps and seconded by Councilmember Atterbury and the results were carried with nay 0 and 3 aye votes with 1 abstain. Roll Call Votes: Acting Supervisor Devine, aye; Councilmember Atterbury aye; Councilmember Phelps, aye; Councilman Niedermaier abstain.

Livingston Co Watershed Grant letter of support- The town has been approached by Livingston County Planning Department on behalf of the Conesus Lake Watershed requesting a letter of support for a grant application for waterfront revitalization program. The town being a part of the watershed is seems logical to support this grant.

A motion by Councilmember Phelps seconded by Councilmember Niedermaier to provide a letter of support to the Conesus Lake Watershed for the grant application. Motion carried.

**Acting Supervisor Communication:**

- David Gray Hill- Attorney DiMatteo has sent letters for owners on the road that are effected by the portion of the road that it going to be closed. Their signature is required on the letter to be returned prior to the town moving forward.
- Budget requests- Budget requests have been sent to the department heads in preparation for the 2022 budget season.
- Water Fill Station Grant- Grant has been finalized and closed with no further action required as Town Clerk Burgess has emailed Megan McCormick to inquire. Email has been placed in grant box for future reference.
- ARPA Funding- The town was eligible to apply or decline for COVID funding by July 9, 2021. The town has applied for the funding. The amount will be around \$300,000 for Groveland.

Oher Business/ Announcements:

Councilmember Phelps inquired if the town has received the bill for the Youth Rec program yet? Town Clerk Burges stated nothing to date.

A motion by Councilmember Atterbury and seconded by Councilmember Phelps to adjourn the meeting. Motion carried unanimously. Meeting adjourned 10:19 a.m. The next meeting will be the regular meeting August 12, 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: July 08, 2021