

**The regular meeting of the Groveland Town Board was held on Wednesday November 10, 2021 at the Town Hall.**

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

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

Absent: Steve Atterbury, Councilmember

Others Present: John Macauley

**Acting Supervisor Devine called the meeting to order @ 9:07 a.m.** Councilmember Phelps led the pledge to the flag.

A motion by Councilmember Phelps and seconded by Councilmember Niedermaier the audited bills be paid. General Fund vouchers numbered 253 –287 for \$14,281.97; Highway Fund vouchers numbered 170- 187 for \$46,143.11. Motion carried.

A motion by Councilmember Niedermaier and seconded by Acting Supervisor Devine to accept the regular meeting minutes of 10/14/2021 as presented. 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 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:**

REZONING REQUEST- B. MACAULEY- Brad Macauley was unable to attend today's meeting to discuss the area located at East Groveland and Route 63 Zoning. Mr. Macauley asked Acting Supervisor to present information to discuss with the board describing the changes he would like to see made as the community is growing and opportunities are progressing in that are for commercial businesses to come to this area of the town that currently is not allowed however the email did not arrive at the time of the meeting.

Board discussion: Councilmember Phelps recommended the discussion be tabled until either Mr. Macauley be able to be present or email is received by the Acting Supervisor. All agreed.

HIGHWAY REPORT- Highway Superintendent Caldwell reported that the crew has been busy putting on snow plow equipment. Pioneer Road was closed following the rain storm that occurred November 4-5, 2021 due to flooding. This caused significant potholes along the road, the road was reopened November 9, 2021. Bean Hill Road had damage as well that there has had ditching done and repair to driveway piping caused from the massive rain amounts received.

The newest hire Mr. Bonner resigned his position as of November 5, 2021 so we have begun the advertising process with no applications received to date. John Teitsworth is willing to work but is concerned with losing vacation time and would like to be compensated for unused vacation time if he worked to assist the town as currently the highway department is down 2 fulltime employees.

A motion by Councilmember Phelps to allow John Teitsworth to be paid for unused vacation time due to the lack of employees in the Highway Department. Seconded by Acting Supervisor Bill Devine. Motion carried.

TRAFFIC SPEED CONCERN 5532 GROVELAND ROAD- Resolution 54-2021 Last month Mr. Lopuchwycz requested privilege of the floor to discuss his concern regarding speed near his home.

The town board referred the request to the Traffic and Safety Board. The last time a speed reduction request by the town was done was in 2016. Town Clerk Burgess was notified that the request for speed reduction was required to be done by board resolution by the Traffic and Safety Board Secretary.

WHEREAS, the Town Board has met at the time and place at its regular meeting to review such a request to designate Kimberly Burgess, Town Clerk to address the Superintendent of Highways of the County of Livingston and request the Department of Transportation, pursuant to Section 1622.1 of the Vehicle and Traffic Law, to reduce the speed limit of 55 mph near the five corners intersection of Lakeville Groveland Road and Groveland Road on County Road number 10 to the Town of Groveland line;

RESOLVED, that with the passage of this resolution the Town Board of Groveland and the Town Highway Superintendent are in support of such request for providing a safe environment for its residents and accept the Memorandum of Understanding document TE-9 as presented and authorizes the Town Clerk to sign it.

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

INTERMUNICIPAL MACHINERY TOOLS SHARED SERVICES – RESOLUTION 55-2021 - the contract is extending for 1 year for 2021. No changes other than updated equipment and wages as listed in the contract.

WHEREAS, the Town Board has met at the time and place at its regular meeting, to review the Extension Intermunicipal Agreement with Livingston County Highway of sharing machinery, tools, equipment and services with each other; and

WHEREAS, the Town may enter into this type of Machinery, Tools, Equipment and Services Sharing Agreement to NYS Highway Law Section 142-b and Section 142-d; and

WHEREAS, the County enter into this type of Machinery, Tools, Equipment and Services Sharing Agreement to NYS Highway Law Section 133-a; and

WHEREAS, the Town Board agrees with such contract and authorizes Acting Supervisor William Devine to sign the 1 year contract to expire December 31, 2022; and

THEREFORE BE RESOLVED; that the Highway Superintendent will possess such powers and authority to determine the needs and availability of such equipment and labor and the rates are variable based on union contract rates.

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

APPLICATION TO STATE COMPTROLLER FOR WATER DISTRICT #1- RESOLUTION 56-2021-

**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 on October 14, 2021 adopted a Resolution and Order for the Establishment of Water District No. 1 for a portion of the Town of Groveland; and

**WHEREAS**, this Resolution and Order is subject to approval of the Office of the State Comptroller, Department of Audit and Control; and

**WHEREAS**, said Resolution authorized the Acting Town Supervisor, assisted by the Town Attorney, to prepare an application to the Office of the State Comptroller, Department of Audit and Control for approval of the formation of this Water District.

**NOW ON MOTION OF** Acting Supervisor Devine which has been duly seconded by Councilmember Phelps, now, therefore,

**BE IT RESOLVED**, by the Town Board of the Town of Groveland as follows:

1. That the annexed application was prepared at the direction of the Town Board.
2. That the Town Board has reviewed this application and believes the contents of the application to be accurate.
3. The Town Board has determined that Water District No. 1, for which permission is sought, is in the public interest and will not constitute an undue burden on the properties which will bear the cost thereof.
4. That that the cost of the proposed improvements is to be assessed in whole or in part against the benefited area and the Town Board has determined that all real property to be so assessed will be benefited by the proposed improvements and no benefited property has been excluded.

**AND BE IT FURTHER RESOLVED**, that the Town Board of the Town of Groveland hereby authorizes and directs the Acting Town Supervisor, as assisted by the Town Attorney, to submit the necessary application to the Office of the State Comptroller, Department of Audit and Control for approval of the Town of Groveland Water District No. 1.

Ayes: 3

Nays: 0

Quorum Present:  Yes

Dated: November 10, 2021

LIGHTING AT 390 NB EXIT/ ENTRANCE- Acting Supervisor Devine has received communication from the State regarding the installation of the light at the 390 entrance and exit on route 408 during the upgrades they are doing in 2022. Following this communication Acting Supervisor contacted Paul Gister, with National Grid. Mr. Gister has provided the information as the town will pay for the installation and the state will reimburse the town. The town will be responsible for the monthly cost of the usage of the light.

AMBUSCADE PARK- Councilmember Niedermaier has not seen BOCES at the park, usually checks every few days. Transportation for BOCES has been difficult. Councilmember Niedermaier inquired if there should be a light on the flag at the park. Highway Superintendent Caldwell stated there should be and late Supervisor Carman had planned to run power to the flag pole for that specific purpose prior to his passing.

**Acting Supervisor Communication:**

- **Resignation of Supervisor Secretary-** Acting Supervisor Devine is in receipt of Sandy Bean's resignation letter as the Supervisor Secretary, she had spoken privately to the Acting Supervisor in October of her plans to resign at the end of the year. Acting Supervisor has met with Trista Tozier and hired her as his secretary beginning 1/1/2022 with training to begin immediately with Ms. Bean at \$15.00/ hour.
- **LCWSA Letter of support-** a letter of support on behalf of the town was sent to support a NYSEFC WIIA program with grant funding to upgrade pumps in pumps stations surrounding Conesus Lake to prevent issues in the future.
- **Deferred Comp-** the Union employees had brought the wish to be able to participate in a 457B plan that allows them to contribute monies pretax, the board would need to pass a resolution to allow this moving forward.
- **David Gray Hill-** Marc Warner contacted Acting Supervisor Devine and stated he is purchasing the property next to his so he will have West Lake Road access. Mr. Warner is hoping to close in the next few weeks, once he closes on the property, he is willing to sign the paperwork for the road closure as it stands with no changes.

**Other Business/ Announcements:**

Councilmember Phelps has researched further into the ARPA funding and feels that the town can benefit by utilizing the funds by looking at ways to upgrade the town website as a possibility. Another is upgrading the front access into the town hall so multiple people do not have to cross paths entering the building potentially. The Clerk's office is another area to not have one on one contact and remove the Plexiglas and a more permanent structure created should future pandemics arise. Councilmember Phelps looked at the continuation of the PPE equipment the town will need to purchase. This is a long time process and should take time to review the best and most viable option for Groveland.

Councilmember Niedermaier stated that Mike Szczesniak was appointed to the County Youth Board as a member for Groveland.

John Macauley was present at today meeting and he is a Councilmember elect, he inquired if the board had ever discussed a splash pad for the kids locally, he would like see families coming to Groveland and this was an idea.

Acting Supervisor Devine stated that he would like to ideally see the playground/ ball diamond that is owned by the Groveland Fire Department upgraded, this area he could see being used more if upgrade were done. It might be nice to have this owned by the town and have the town upgrade the equipment or work with the Fire Department.

Councilmember Phelps stated better parking would be necessary there as currently there is no parking for this playground.

Councilmember Niedermaier stated he would discuss with the Fire Department members.

A motion by Councilmember Niedermaier and seconded by Councilmember Phelps to adjourn the meeting. Motion carried. Meeting adjourned 10:25 a.m. The next meeting will be the regular meeting December 09, 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: November 10, 2021