

The regular meeting of the Groveland Town Board was held on Thursday April 9, 2020 via teleconference allowable per executive order 202.1 from Governor Cuomo, meeting is to be recorded and transcribed.

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

Absent: None

Other Town Official's in Attendance: None

Other Attendees: None

Supervisor called the meeting to order @ 6:31p.m. Supervisor Carman led the pledge to the flag.

A motion by Councilmember Devine and seconded by Councilmember Niedermaier the audited bills be paid. General Fund vouchers numbered 75- 97 for \$7,018.88; Highway Fund vouchers numbered 49-66 for \$13,226.01; Fire District Fund Voucher numbered 1 for \$114,610.46. Motion carried unanimously

A motion by Councilmember Phelps and seconded by Councilmember Niedermaier to accept the regular meeting minutes of 03/12/2020 and the special meeting minutes 3/17/2020 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 Atterbury and seconded by Councilmember Phelps to accept both financial reports. Motion carried unanimously

Information handed out/or acknowledged:

1. Alberta Burger Letter
2. Supervisor Coronavirus Resident letter

Old/New Business:

CORONAVIRUS UPDATE- Supervisor Carman stated that to date there are 32 positive for coronavirus, 289 negative for coronavirus and 2 deaths from coronavirus. The Supervisor receives updates daily from the County.

Supervisor Carman asked the board if anyone had any questions, response from the board was none.

RESOLUTION 37-2020- PUBLIC HEARING FOR LOCAL LAW# 2020- The town board at the special meeting March 17, 2020 postponed the public hearing due to the coronavirus and closures as it relates to the town hall accessibility currently.

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 has considered a proposed local law known as “A Local Law Establishing a Temporary Land Use Moratorium Prohibiting Battery Energy Storage Systems within the Town Of Groveland,” to temporarily halt the development of battery energy storage systems, 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, the Town Board has reviewed the criteria set forth in 6 NYCRR Part 617.5, specifically section (c) (36) which states, “adoption of a moratorium on land development or construction” is a Type II Action and therefore requires no further action under SEQRA; 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 Niedermaier which has been duly seconded by Councilmember Devine, be it

RESOLVED, the Town of Groveland has hereby determined the local law entitled, “A Local Law Establishing a Temporary Land Use Moratorium Prohibiting Battery Energy Storage Systems within the Town Of Groveland” as a Type II Action requiring no further action under SEQRA; and be it further

RESOLVED, by the Town Board of the Town of Groveland will hold a public hearing on the proposed local law on the 9th day of April 2020, at 7:00 p.m., at which time and place all interested parties and citizens for or against the proposed law will be heard.

Ayes: 5

Nays: 0

Quorum Present: x Yes No

TOWN OFFICIAL BANKS- RESOLUTION 38-2020- The town Justices bank has merged from Stueben Trust to Community Bank.

WHEREAS, Section 64 of NYS Town Law provides that the town board shall designate the official bank of the town, and

WHEREAS, the following banks institutions as desired by town offices to serve as the official banks of the Town of Groveland for the year 2020 as Five Star Bank and Community Bank, and

WHEREAS, both banks have provided adequate proof of FDIC protection to cover Justice, Town Clerk, Tax Collector and Supervisor town bank accounts; and

WHEREAS, with Five Star Bank providing pledges to cover collateral over the \$250,000 FDIC; therefore be it

RESOLVED, that the Groveland Town Board does hereby designate the following banking institutions as the official banks of the Town of Groveland for the year 2020 as Five Star Bank and Community Banks both banks have provided adequate proof of FDIC protection to cover Justice, Town Clerk, Tax Collector and Supervisor town bank accounts.

The adoption of the foregoing RESOLUTION was duly out in vote on motion of Councilmember Atterbury 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.

REAPPOINTMENT ZBA MEMBER- RESOLUTION 39-2020- ZBA member, William Magee was reappointed at the organizational meeting in January but was unable to sign the oath of office within 30 days of the appointment.

WHEREAS, Section 27 of NYS Town Law provides that the town board shall hire employees and make such position appointments as needed to conduct the business of the town, now therefore be it

RESOLVED, by the Groveland Town Board to make the following position appointments with terms indicated per Public Officers Law Section 10 all will sign the oath of office within 30 days of appointment

Appointments as follows:

William Magee, Zoning board member term effective – 1/1/2020 – 12/31/2025

The adoption of the foregoing RESOLUTION was duly out in vote on motion of Councilmember Phelps 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.

PREPAIDS- RESOLUTION 40-2020- The town board approved at the March 12, 2020 meeting to add Konica Minolta as a prepaid bill due to the lease due date and late penalties the town would have to pay if not done via prepaid.

WHEREAS, Pursuant to Town Law Section 118 (2) to authorize the payment in advance of audit of claims for public utility services, which includes fuel oil by specific definition, postage, freight and express charges. All such claims shall be presented at the next regular meeting for Audit; and

WHEREAS, this board also recognizes the need to do advance payments for the Health Insurance coverage; and

WHEREAS, this board also recognizes the need to do advance payments for the lease payment for Konica Minolta copier; and

RESOLVED, the listed above prepays will contribute to the overall success of the town in delivering services to the public and its employees effectively and efficiently. The health and welfare of its employees are important to the everyday flow.

The adoption of the foregoing RESOLUTION was duly out in vote on motion of Councilmember Niedermaier and seconded by Councilmember Phelps 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:

- Water fill station update- An RFP has been advertised for the fill station with an open date of May 1, 2020 for the bids. No bids have been picked up to date and the Supervisor approved electronic submission due to the coronavirus.
- 3rd Annual Earth Day is scheduled for April 25th has been postponed
- Jay Grasso with G&G for the water surveys stated that with the Coronavirus they are not going door to door for the study right now, second letters have been sent to the property owners if they have not returned the surveys at no cost to the town. Responses currently are favorable from the survey.
- Supervisor expressed his wish for everyone to stay safe and healthy.

Other Communications:

Supervisor asked Councilmember Niedermaier as to how things were progressing with the Ambuscade park land donation.

Councilmember Niedermaier responded that the town is in receipt of a letter prepared by the Thompson family of their intentions and it has been turned over to the town attorney. Councilmember Niedermaier is waiting to hear back from the surveyor to include the donated land on to the park.

Councilmember Niedermaier also picked up information regarding picnic tables for when the town wishes to move forward. Councilmember Phelps stated she will follow up with the Amish builders to check on their cost for picnic tables.

Supervisor stated that BOCES may not be able to finish due to the closure of the schools.

Councilmember Niedermaier stated that he wanted to make sure we have the picnic if possible because it is this group of students that helped build the pavilion. Supervisor Carman stated that that may not be possible with the coronavirus factor that schools may not be back in session.

Supervisor Carman thanked Councilmember Niedermaier for his hard work and follow up regarding the donated land. Supervisor Carman stated that once he speaks with the Highway Superintendent they will decide when to move forward with the septic.

Town Clerk/ Tax Collector stated close out with Livingston County Treasurer's office happened Monday April 6, 2020 and there was 52 unpaid tax bills.

A motion by Councilmember Atterbury and seconded by Supervisor Niedermaier to adjourn the meeting. Motion carried unanimously. Meeting adjourned at 6:50 p.m. The next meeting will be the regular meeting May 14, 2020 @ 6:30 p.m. at the town hall or via teleconference open to the public.

Kimberly D. Burgess, Town Clerk

Town of Groveland

Dated: April 9, 2020