

**The regular meeting of the Groveland Town Board was held on Thursday August 13, 2020 at the Town Hall.**

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

Other Town Officials: Ron Maxwell, CEO

**Other Attendees:** K. and D. Partridge

**Absent:** Ron Niedermaier, Councilmember

**Supervisor called the meeting to order @ 6:24 p.m.** Supervisor Carman asked Mr. Partridge to lead the pledge to the flag.

A motion by Councilmember Atterbury and seconded by Councilmember Devine the audited bills be paid. General Fund vouchers numbered 172- 203 for \$15,313.00; Highway Fund vouchers numbered 128-151 for \$88,388.03. Motion carried.

A motion by Councilmember Phelps and seconded by Councilmember Atterbury to void voucher number 148 from last month's General Fund abstract #7 for the amount of \$1,586 due to an clerical error with abstract #7 to reflect the void.

A motion by Councilmember Atterbury and seconded by Councilmember Devine to accept the regular meeting minutes of 07/09/2020 approved as presented. Motion carried.

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 Devine 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
2. GLOW-Household Waste and Electronic Collection day notices

**Old/New Business:**

UPPER BEAN HILL ROAD CONCERN- K. Partridge requested privilege of the floor to discuss a concern that occurred on July 11, 2020 following a major storm. The neighboring property owner, Barber Farms disturbed more than 5 acres in land and stated that it was intended to be a pond. By disrupting the soil without the proper barriers caused damage to his private driveway that he had to fix along with damage to Bath Road.

Mr. Partridge contacted the Code Officer, Highway Superintendent and Supervisor to notify them of the damage and ask for their assistance to stop further damage. Mr. Partridge also contacted Livingston County Soil and Water for their assistance.

Mr. Partridge stated he was told by the neighboring owner that he had the proper permit from NYS DEC as it relates to a pond. Mr. Partridge followed up with DEC and he stated he was told no permits were on file for a pond at the Upper Bean Hill Road address.

Supervisor Carman contacted NYS DEC and NYS Ag and Markets in regards to the complaint. Supervisor was able to contact Mike Saviola with NYS Ag and Markets to obtain clarification on what is within the town scope as it pertains to land that is agricultural and agricultural use. Following AG and Market's guidelines Code Officer Maxwell did place a stop work order for soil disruption and a letter of what is needed to bring the property back into compliance moving forward working with the Town's engineer, CHA.

Code Officer Maxwell stated that he has been in contact with Mr. Barber along with Luke Scannell from NYS DEC. Code Officer and Mr. Scannell met at the site to review the concern on 8/6/2020. An inspection report along with a letter was sent to Barber Farms outlining deadlines and also reference the need to implement additional erosion and sediment controls as soon as possible.

Board discussion:

Supervisor Carman asked if any soil erosion control has begun to date. Code Officer Maxwell stated that he was not aware of any. Code Officer stated that Mr. Barber has hired an engineering firm and had provided the Town's engineer with their plan however that was denied as it would not meet the town engineer specifications.

K. and D. Partridge asked who follows up on the required permitted inspections as they do not want to have this go unnoticed if no sediment controls are done. Code Officer Maxwell stated that he would be responsible for the town's soil erosion permit and it would need to have final walk through approval from the town's engineer prior to his certificate of compliance being issued once all is finalized. DEC would be responsible for their own permits that Barber Farms is in violation of currently.

Councilmember Phelps asked if the Code Officer knows what will happen if they do not meet the deadline set forth by DEC. Code Officer Maxwell stated he was unsure.

Supervisor Carman asked the Code Officer to follow up with Mr. Scannell at DEC to see what would happen if the deadline are not met by Barber Farms.

Supervisor Carman assured Mr. and Mrs. Partridge that they would be kept informed of the findings from DEC as it relates to the violation that was issued and that he will ensure that the town will keep on top of the concern.

Mr. Partridge asked to be placed on September's agenda as a follow up from tonight's meeting. Supervisor agreed and thanked Mr. and Mrs. Partridge for their time.

#### INTERMUNICIPAL AGREEMENT LIVINGSTON COUNTY EMS- RESOLUTION 48-2020-

Town Clerk reported we have an Intermunicipal agreement for Ambulance service for the area of the town that Dansville Ambulance does not cover. There is no fee associated with the agreement.

WHEREAS the Town Board has met at the time and place at the regular town board meeting the town board has reviewed the proposed Intermunicipal 1 year Agreement commencing on August 1, 2020; and

WHEREAS, the contract is desirous of procuring Emergency Medical Services for the town; and now therefore be it;

RESOLVED this Town Board does hereby accept the Livingston County Intermunicipal Agreement with no fee as approved in the 2020 Budget and authorizes Supervisor Carman to sign the agreement.

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, 4 ayes. Roll Call Votes: Supervisor Carman, aye; Councilmember Devine, aye; Councilmember Atterbury, aye; Councilmember Phelps, aye; Councilmember Niedermaier, absent.

JCAP 2020-2021 GRANT APPLICATION- RESOLUTION 49-2020-The state has secured more funding in the JCAP area and should be awarding more grants this round. Our court is looking to upgrade the security system as the current system was installed in 2008 and is using outdated systems. The court has made a change in current JCAP grant to minimize the traffic through the town hall they will be using the side door closest to their hallway. They will also installing and utilizing a airphone door video intercom system that will allow the court to see who is at the door and buzz them into the building for court related business. This will assist with safety and foot traffic through the building.

WHEREAS, the State of New York has enacted a law establishing the Justice Court Assistance Program that will enable communities to apply to the chief administrative judge for a grant of state funds to assist in the operation of justice courts; and

WHEREAS, the availability of grant funding would enhance the ability of the town justice court to provide suitable, safe and sufficient services to the community.

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Groveland hereby authorize the Town of Groveland Justice Court to file an application for a 2020-2021 Justice Court Assistance Program grant not to exceed more than \$30,000.

The adoption of the foregoing RESOLUTION was duly out in vote on motion of Councilmember Phelps and seconded by Councilmember Devine and the results were carried with 0 nay, 4 ayes. Roll Call Votes: Supervisor Carman, aye; Councilmember Devine, aye; Councilmember Atterbury, aye; Councilmember Phelps, aye; Councilmember Niedermaier, absent.

MUNICIPAL SOLUTIONS CONTRACT- RESOLUTION 50-2021-Municipal Solutions is a company that is assisting the Town of Groveland administratively to include the preparation of grant applications and any necessary BAN for the potential water district#1. The Dodd/ Frank Act and subsequent Securities and Exchange Commission and Municipal Securities Rulemaking Board requires a contract to be in place with Municipal Solutions prior to any applications moving forward.

WHEREAS the Town Board has met at the time and place at the regular town board meeting the town board has reviewed the proposed contract with Municipal Solutions, Inc commencing August 13, 2020; and

WHEREAS, the Town is desirous of procuring administrative services to include the preparation of grant applications and any BAN related to the town's proposed water district, following the Dodd/Frank Act and subsequent Securities and Exchange Commission and Municipal Securities Rulemaking Board requires a contract be in place ; and now therefore be it;

RESOLVED this Town Board does hereby accept the Agreement with Municipal Solutions, and authorizes Supervisor Carman to sign the agreement.

The adoption of the foregoing RESOLUTION was duly out in vote on motion of Councilmember Devine and seconded by Councilmember Atterbury and the results were carried with 0 nay, 4 ayes. Roll Call Votes: Supervisor Carman, aye; Councilmember Devine, aye; Councilmember Atterbury, aye; Councilmember Phelps, aye; Councilmember Niedermaier, absent.

POTENTIAL WATER DISTRICT #1 EAF LONG FORM- RESOLUTION 51-2020- The Town Board passed a resolution on June 11, 2020 related to the "intent to declare" lead agency for the potential water district #1. Notices have been sent to all of the involved agencies and nobody objected to the Town being the lead agency. The last step in the SEQRA process is for the board to review the Full EAF and if they are in agreement to the Full EAF Supervisor Carman will sign page 3 of the EAF.

WHEREAS, the Town Board of Groveland, New York is considering the financing and construction of improvements for the Town of Groveland Water District No. 1, including the installation of approximately 80,400 linear feet of 4", 6", 8", and 12" water main on portions of Adamson Road, Bailey Road, Bennett Hill Road, Barber Hill Road, Dantz Road, Dennison Road, Gamble Road, Groveland Road (CR 10), Groveland Station Road (NYS 63), Hilltop Drive, Hunt Hill Road, Lakeville Groveland Road (CR 48), Lee Road, Logan Road, Morris Road, Sonyea Road (NYS 36), and Turner Road. The water main will serve approximately 180 residential, commercial, and agricultural properties; and

WHEREAS, to aid the Board in determining whether such Project and financing and other actions of the Board in connection therewith (the "action") might have a significant effect on the environment, the Board caused to be prepared an environmental assessment form or similar information ("EAF"), a copy of which it attached hereto; and

Council Member Atterbury presented the following resolution and moved that it be adopted, and it was seconded by Council Member Devine.

BE IT RESOLVED BY THE BOARD OF THE TOWN OF GROVELAND AS FOLLOWS:

WHEREAS, the Board duly reviewed the EAF and related documents with respect to the above-referenced project and duly considered the impacts which may be expected to result from the proposed action with the criteria set forth in the State Environmental Quality Review Act and the applicable regulations promulgated thereunder (“SEQRA”); and

WHEREAS, the Board determined that the project was an “Type I Action” pursuant to SEQRA; and

WHEREAS, the Board determined that the project involved one or more involved agencies, mandating a coordinated review; and

WHEREAS, the Board duly notified the other involved agencies pursuant to 6 NYCRR 617.6(3)(i) and indicated its willingness to be designated Lead Agency status; and

WHEREAS, all of the involved agencies have consented to the Board’s request to be designated Lead Agency status;

**NOW THEREFORE, BE IT RESOLVED BY THE TOWN BOARD OF GROVELAND DECLARES TO BE LEAD AGENCY FOR THE PROJECT FOR THE PROPOSED ACTION AND THEREFORE RESPONSIBLE FOR DETERMINING WHETHER AN ENVIRONMENTAL IMPACT STATEMENT IS REQUIRED IN CONNECTION THEREWITH AND OTHERWISE COMPLYING WITH THE PROCEDURAL AND SUBSTANTIVE REQUIREMENTS OF SEQRA;**

**NOW THEREFORE, BE IT RESOLVED BY THE TOWN BOARD OF GROVELAND, NEW YORK AS FOLLOWS:**

1. Based upon the review by the Board of the EAF and other necessary criteria, the Board hereby finds and determines that the proposed action is an “Type I Action” under SEQRA and will result in no significant impacts and therefore, such action is not one which “may include the potential for at least one significant adverse environmental impact,” (b) “there will be no significant adverse environmental impacts,” and (c) no “environmental impact statement” need be prepared, as such quoted terms are defined in SEQRA. Reasons supporting this determination are attached hereto and hereby made a part of this resolution for the purposes of SEQRA. This determination constitutes a negative declaration for purposes of SEQRA and it has been prepared in accordance with Article 8 of the Environmental Conservation Law.
2. A copy of this resolution shall be placed on file in the office of the Town Clerk, where the same shall be available for public inspection during business hours and such notice of negative declaration shall be filed in such offices, posted in such places and published in such manner as shall be necessary to conform to the requirements of SEQRA.

This resolution shall take effect immediately.

Duly put to a vote as follows:

AYES 4

NAYS 0

Absent 1

Supervisor Carman also stated that we have received the results back from the income study for the potential water line and the median household income was \$44, 305.

CORONAVIRUS UPDATE- As of August 12, 2020 there are 3 active case with number as follows 173 positives and 16,314 negatives with 162 recovered. Antibody testing of 1139 people with 1,088 testing negative and 51 positive. Number are continually changing.

AMBUSCADE PARK- The driveway and ADA parking area has been oiled and stoned. With the septic installation to be in the spring of 2021.

POLLING SITES- Supervisor Carman was approached by Livingston County Board of Election in reducing the town polling's sites from 2 to 1. The polling site for Groveland would be at the town hall. By reducing the polling site the town will see a savings in costs for election inspectors.

A motion by Councilmember Atterbury and seconded by Councilmember Devine to reduce the polling sites for elections from 2 site to one polling site to be located at the Groveland Town Hall.

**Supervisor communication:**

HIGHWAY-Highway Superintendent Caldwell is on vacation and asked that the Supervisor pass along his update to the board. The highway crew started ditching on Bennett Hill Road and placing the dirt at Ambuscade Park in preparation for the septic system. Dantz Road has been oiled and stoned along with park.

Mark will be able to submit for the CHIPS reimbursement soon as we have approved the final bills for CHIPS at tonight's meeting.

The new one ton is here and the highway crew have been putting the plow frame and wiring harness on to prepare for use this winter.

TRAFFIC STUDY REQUEST- BARBER HILL ROAD- Town Clerk forwarded to the concern onto the traffic safety board secretary and the town representative. The traffic safety board has placed a request to put a speed spy to be placed on Barber Hill Rd between Aten Rd and Wilson Rd. to obtain speed information following the complaint the town received. More information once results obtained.

WATER FILL STATION- Highway Superintendent Caldwell and the Supervisor met with the engineer and contractor at the town hall to review the water fill station they anticipate a start date of August 17, 2020 with anticipated end date of September 28, 2020.

Casey DeGraff from Clarke Patterson Lee spoke with the Supervisor about the removal of one pump that was with a change order approved last month however what the proposed pump was not what would be the most beneficial to the town in the Supervisor's opinion. Mr. DeGraff will review and find a better fit for the town

Eviction Moratorium concern- Supervisor Carman contacted the offices of Senator Patrick Gallivan and Assemblywoman Marjorie Byrnes regarding the current moratorium on evictions on behalf of a town property owner.

Currently the court under OCA guidance cannot proceed with any evictions per the Governor's moratorium on evictions. My hope is that their voices will be heard in Albany as the property owner still have to pay their taxes and utilities on the properties without any relief financially for them or the ability to gain back control of their property.

Livingston County held a distribution event on July 31, 2020 delivering hand sanitizer, disinfectant and masks for all schools in Livingston County in preparation of the reopening of schools this fall.

Supervisor Carman is in receipt of notification from NYS DOT regarding the closure of Route 63 and Court Street in Geneseo. This is to install the new bridge, which they anticipate 8 days to complete. Access for emergency vehicles will be accommodated during the placement of the new bridge. At the same time they will be closing traffic for 1 month at the same intersection to complete the construction of the roundabout. All closure will have detailed detours available.

Other Communications:

Town Clerk contacted Planning Board and Zoning Board Chairman in regards to advertisements of public notices. Past practice was to advertise twice for certain public hearings but the law states it is only required once. Each public hearing notice does have signage placed outside the property 1 week prior to the hearing and is also placed on the town's website and sign board as required by law. Planning Board Chairman and Code Officer both support the advertisement only once as a cost savings measure.

Board discussion:

All agreed with a single advertisement for public hearing notices.

A motion by Councilmember Atterbury and seconded by Councilmember Devine to adjourn the meeting. Motion carried. Meeting adjourned at 7:57 p.m. The next meeting will be the regular meeting September 10, 2020 @ 6:30 p.m. at the town hall and is open to the public. Motion carried.

Kimberly D. Burgess, Town Clerk  
Town of Groveland  
Dated: August 13, 2020