

The regular meeting of the Groveland Town Board was held on Thursday January 14, 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: S. Bean, Supervisor Secretary

Supervisor called the meeting to order @ 6:28 p.m. Supervisor asked Councilmember Niedermaier 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 1-15 for \$ 5,316.10; Highway Fund vouchers numbered 1-8 for \$221,716.88. Motion carried unanimously.

A motion by Councilmember Niedermaier and seconded by Councilmember Devine to accept the organizational meeting minutes of 1/07/2021 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 Atterbury and seconded by Councilmember Niedermaier 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:

APPROVAL OF PROCEDURE AUDITS – RESOLUTION 26-2021- Copies of completed audits were passed around. Audits will be part of the official minute book. Letter acknowledged from the court requiring such audits to be performed. Supervisor's audit completed by the board during meeting.

WHEREAS, the Town Board has met at the time and place at its regular meeting, to review the 2020 examination of the Justice Court, Tax Collection, Town Clerk & Supervisor policies and procedures of their account books.

WHEREAS, two councilmen did meet with each department as indicated on audit sheets at the Town Hall to provide a process to monitor and review the work performed by those who handle money as part of their town duties; and RESOLVED: the town board performed the examination

and verification of the 2020 account books with court, town clerk & supervisor and appeared to be in good order in Pursuant to Town Law, Section 27(1), Section 64(1), and Section 123.

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.

DEPARTMENT ANNUAL REPORTS –The AUD report is not available until March from our Accountant. In order for the AUD to be prepared all annual reports will need to be turned by February 28th to allow for a month for review and approval in March. Town Clerk will send an email to request annual reports from each department.

PUBLIC HEARING- UTILIZING FUNDS INTENDED FOR EQUIPMENT RESERVE FUND– Supervisor Carman stated it was the Board’s intention to place \$100,000 into a Highway Truck Reserve Fund for 2020, however when the Highway Superintendent brought up the purchase of the new loader and truck in 2021 budget discussion it seemed appropriate to use the funds as requested. Therefore no reserve fund will be created, instead the \$100,000 that was budgeted for the reserve fund was placed back into the highway fund balance with the intention of using the \$100,000 in 2021 along with the BAN for the loader and pick up truck that has been budgeted for 2021.

A public hearing was advertised in the LCN for the use of funds intended to create a Highway Equipment Fund.

Supervisor read the public hearing notice and opened at 7:15p.m.

Public Comments: none

A motion to close the public hearing @ 7:43 p.m. made by Councilmember Phelps and seconded by Councilmember Niedermaier. Motion carried unanimously.

A motion by Councilmember Phelps and seconded by Councilmember Niedermaier acknowledging the use \$100,000 of Highway Funds that were to be allocated to an Equipment Reserve Fund in 2020, and to be used in the purchase of a new Highway Loader and pick up in 2021.

PUBLIC HEARING- LOCAL LAW # 2021- TEMPORARY LAND USE MORATORIUM PROHIBBITING LARGE SCAL SOLAR INSTALLATIONS –Supervisor Carman stated that Livingston County Planning Board meets the same day as the town board and any comments to be considered will not be received in time for the board to make a decision on adoption of Local Law until all comments are received

Public hearing notice was read aloud and Supervisor Carman opened the hearing for comment at 7:18 p.m.

Public Comment: None

A motion to close the public hearing made by Councilmember Phelps and seconded by Councilmember Niedermaier. Motion carried unanimously.

Public Hearing Closed at 7:43 p.m.

SOLAR BATTERY ENERGY STORAGE SYSTEMS- RESOLUTION 27-2021-

Supervisor Carman stated that we have the comments from the County Planning Board attached to the resolution along with part 2 and 3 of SEQR as the Town is the lead agency.

Resolution attached to end of minutes.

HIGHWAY REPORT- Highway Superintendent Caldwell stated the crew has been busy cutting trees on Bath Road to prevent falling limbs and to assist in the widening of the road. Highway Superintendent has been working with Steuben County Soil and Water on the mining permit for the gravel pit in Wayland that needs to be done every 5 years per NYS DEC. New loader is in but not being used yet.

Board discussed the assessment of the pit in the Town of Wayland following the Town and County Tax Bill received. As the gravel pit has had gravel removed and wondered if the value would still be the same if not lowered.

Highway Superintendent stated that the assessor in Wayland would be the person to contact regarding the assessment.

Supervisor Carman stated he would contact the assessor in Wayland and follow up with the board.

Highway Superintendent will be working with Genesee Valley Dodge in the purchase of the new pickup truck "piggy backing" off of DCMO BOCES bid that allows for municipalities to use for procurement purposes. It will take approximately 10-12 weeks to obtain the new vehicle.

AGREEMENT TO SPEND HIGHWAY FUNDS- RESOLUTION 28-2021- Highway Superintendent Caldwell filled out the form for the board to review. If approved each board member will sign.

WHEREAS, in the sum of \$127,000 may be expended for general repairs upon 2.52 miles of town highways, including sluices, culverts and bridges having a span of less than five feet and boardwalks or the renewals thereof, and

WHEREAS, Highway Superintendent has designated road improvements commencing on Bennett Hill Road from Dantz Road and leading to County Road #2, a distance of .50 miles there shall be expended not over the sum of \$56,000.00 width of traveled surface 22ft. subbase 18" gravel to be added with double surface treatment, stone and oil surface, with tree removal and ditches added, and

WHEREAS, on the road commencing at Dantz Road from Bennett Hill Road and leading to Turner Road a distance of .61 miles shall be expended not over the sum of \$14,000.00 width of traveled surface 22ft. subbase double surface treatment, stone and oil surface, and

WHEREAS, on the road commencing at Swan Hill Road from State Route 63 and leading to County Road #44 a distance of .94 miles shall be expended not over the sum of \$22,000.00 width of traveled surface 22ft. subbase double surface treatment, stone and oil surface, and

WHEREAS, on the road commencing at Turner Road from Dantz Road and leading to County Road #2 a distance of .47 miles shall be expended not over the sum of \$35,000.00 width of traveled surface 22ft., Full Depth reclamation subbase double surface treatment, stone and oil surface, and

RESOLVED, that pursuant to provisions of Section 284 of the Highway Law, the town board agrees that monies levied and collected for the repair and improvement of highways, and received from the state for the year 2020 will be utilized as specified above.

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

DAVID GRAY HILL ROAD DISCUSSION- David Gray Hill Road is in need of review. We have done some research with the attorney as far as discontinuance and need to progress with a decision. A map from the county website was provided for the board for their review. Supervisor Carman stated the all property owners would need to be able to have access to their properties.

Councilmember Phelps inquired how long has the area in question been closed off for? Highway Superintendent Caldwell stated at minimum since Greg Adamson was Highway Superintendent and that was at least over 6 years.

Supervisor Carman stated that we are looking at a property with approximately 12.3 acres needing to have an access point(s).

Highway Superintendent stated that if the town decided to close the lower portion of the road it would require a turn around on the top portion. He would recommend getting measurements first and then continue the discussion further.

Board agreed with recommendation to discuss once measurements are complete.

CORONAVIRUS UPDATE- Councilmember Phelps stated that lots of testing is being done and shots are progressing for the virus.

SURPLUS EQUIPMENT- RESOLUTION #29-2021- Highway Superintendent Caldwell updated his office following the town clerk's office cabinet update. The old filing cabinets were no longer needed in Highway Superintendent's office.

WHEREAS the Town Board has met at the time and place at its regular meeting the town board has reviewed the proposed surplus list, now therefore be it;

Surplus:

- 2- 5 drawer metal file cabinets

RESOLVED the items to be declared surplus as the items are no longer of use to the town, and authorize the sale or disposition if no monetary value. Any sold items must turn an itemized slip in with payment to the town.

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:

Annual Request from Hally Allen Post 1341 American Legion for flags to be placed on veterans graves in Groveland. The town has donated \$130.00 in the past.

A motion by Councilmember Phelps and seconded by Councilmember Devine to approve \$130.00 for flags to be placed on Veteran's grave in the Town of Groveland, that are also Town owned Cemeteries. Motion Carried Unanimously.

Other Communications:

Councilmember Niedermaier asked Supervisor Carman if any donations for Ambuscade Park had been received following his newsletter. Supervisor Carman stated that yes we have received one monetary donation so far.

A motion by Councilmember Phelps and seconded by Councilmember Atterbury to adjourn the meeting. Motion carried unanimously. Meeting adjourned at 7:43 p.m. The next meeting will be the regular meeting February 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: January 14, 2021