

The regular meeting of the Groveland Town Board was held on Thursday May 14, 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: D. Mark Caldwell, Highway Superintendent

Other Attendees: None

Supervisor called the meeting to order @ 6:29p.m. Supervisor Carman led the pledge to the flag.

A motion by Councilmember Phelps and seconded by Councilmember Atterbury the audited bills be paid. General Fund vouchers numbered 98- 119 for \$5,926.18; Highway Fund vouchers numbered 67- 86 for \$8,664.46. Motion carried unanimously.

A motion by Councilmember Devine and seconded by Councilmember Phelps to accept the regular meeting minutes of 04/09/2020 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 Devine to accept both financial reports. Motion carried unanimously

Information handed out/or acknowledged:

1. Food Pantry Box- located in the town hall
2. Facemasks distribution Wednesday April 29, 2020 5:30-7:30pm

Old/New Business:

PUBLIC HEARING FOR LOCAL LAW# 2020 ESTABLISHING A TEMPORARY LAND USE MORATORIUM PROHIBITING BATTERY ENERGY STORAGE SYSTEMS WITHIN THE TOWN OF GROVELAND RESOLUTION 41-2020- Town Clerk stated she has advertised and posted the notices as required to the newspaper and on the town website.

Town Clerk read the public hearing and opened the meeting @ 6:34 p.m.

County Referral was done along with notification to municipalities that are abutting the Town of Groveland.

Public Comments: None

Board Comments: None

Supervisor Carman stated that the County Planning did question the wording as incorporated all battery storage not just large scale battery storage in the moratorium. Supervisor felt that moving forward with the moratorium was important currently and that the Town Planning Board could outline in the Town Law what exactly would be allowed.

A motion by Councilmember Atterbury and seconded by Councilmember Niedermaier to close the public hearing. Motion carried unanimously. Hearing closed at 7:17 p.m.

WHEREAS, all Board Members, having due notice of said meeting, and that pursuant to Governor Andrew Cuomo's Executive Orders 202.1 dated March 7, 2020 and 202.15 dated April 9, 2020, said meeting was broadcast live and the public had ample notice of when and how to access the Zoom telephone conference as well as how to submit written comments for inclusion in the public hearing; and

WHEREAS, the live telephone conference of the Town Board of the Town of Groveland is being recorded and will later be transcribed and made available for public access in addition to the meeting minutes; 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, pursuant to section 239 l-m of the General Municipal Law, said local law with all supporting documents was submitted on the April 13, 2020, to the Livingston County Planning Board for its comments; and

WHEREAS, the Town Board of the Town of Groveland did not receive a response from the Livingston County Planning Board within thirty (30) days of submitting the referral; and

WHEREAS, the Town Board of the Town of Groveland held a public hearing via Zoom teleconference on the proposed adoption of said local law on the 14th day of May 2020 at 6:30 p.m., at which time all interested parties and citizens for or against the proposed law were heard; and

WHEREAS, the Town Board of the Town of Groveland finds it in the best interest of the Town of Groveland to adopt said local law.

NOW ON MOTION OF Councilmember Atterbury which has been duly seconded by Councilmember Niedermaier, be it

RESOLVED, that the Town Board of the Town of Groveland hereby adopts the local law entitled, “A Local Law Establishing a Temporary Land Use Moratorium Prohibiting Battery Energy Storage Systems within the Town Of Groveland,”; and be it further

RESOLVED, that the Town Clerk be and she hereby is directed to enter the adoption of said local law in the minutes of this meeting and give due notice of the adoption of said local law to the Secretary of the State of New York; and be it further

RESOLVED, that this live telephone conference of the Town Board of the Town of Groveland on the 14th day of May, 2020, has been recorded and will be transcribed within a reasonable amount of time following this meeting and thereafter made available for public access in addition to the meeting minutes.

Ayes: 5

Nays: 0

Quorum Present: Yes No

HIGHWAY REPORT- Highway Superintendent Caldwell reported that the crew has been busy removing the plow equipment from the trucks, this was completed on May 11, 2020. The highway has been ditching on Dantz Road preparing for full depth pulverization. Ditching has been done on Lee, Barber Hill and Lattimer Roads. Gravel is being hauled for Swan Hill and Dantz Road. The roads that the highway grades have been finalized for the first time this year.

The highway has also been working at Ambuscade Park planting the trees that were given to the town, the grills have been placed and the conduit for the electric at the pavilion has been complete.

Supervisor Carman stated that he received a telephone call from Jim Dudley to complement the Highway Crew for the ditching that has been done in front of his property.

Councilmember Atterbury stated that he stopped up to Ambuscade Park and wanted to also send along his complements to the Highway crew as it looks great up there.

CORONAVIRUS UPDATE- Supervisor Carman stated that his last update there are 103 positive for coronavirus, 1,865 negative for coronavirus and 7 deaths from coronavirus. The Supervisor continues to receive updates daily from the County. As of Friday May 15, 2020 phase 1 to reopen will begin in Livingston County. This allows for businesses in the construction and manufacturing to reopen. Supervisor asked Councilmember Phelps to give her insight as well.

Councilmember Phelps stated that number have increased to 104 positive and 2005 negative and to date approximately 3% of the county's population has been tested.

Councilmember Phelps stated that campgrounds, fishing, farming and drive in movie theaters will also be reopen in phase 1. Drive thru testing has begun at the NOYES building in Geneseo and in Dansville with most result coming back within 24- 26 hours. CNR have increased the testing of their employees which has increased the number of positives 5-7%. Furloughs have started for DOH workers.

Supervisor Carman stated that the furloughs are to get ahead of the financial impact from the virus.

Supervisor Carman and Town Clerk Burgess handed out facemasks on Wednesday April 29, 2020 from 5:30pm- 7:30pm. The facemasks were supplied by Livingston County as they received a federal shipment of them. The town received 1000 facemasks to distribute and have supplied over 700 face masks to our residents and have received 250 additional masks to hand out to our residents.

Cancellation due to the Coronavirus are as follows Coffee with Livingston County Administrator that will be hopefully rescheduled. Memorial Day remembrance in Geneseo and Groveland, Conesus Lake annual craft sale, Conesus Lake 3rd of July Ring of Fire, and Livonia's Autumn in the Village.

Due to the extension of the Governors stay at home orders the town board originally approved the non-essential employees pay until May 1, 2020. It is my understanding that the courts may allow their staff to transition back to work to process paperwork with courts remaining closed until June 1, 2020. Currently the town offices remain closed to the public and can make an appointment with the Clerk's office. Supervisor stated that we should continue to pay the non- essential employees until May 15, 2020 their average hours and allow the employees to return to work practicing the appropriate social distancing and use of PPE equipment that is provided by the town. Supervisor recommends keeping the town office open by appointment only until June 1, 2020.

Board discussion: Agreed with Supervisor's recommendation

A motion by Councilmember Atterbury and seconded by Councilmember Devine to extend the Coronavirus payroll of average hours to Deb Coburn, Sarah Driscoll and Keitha Sleggs until May 15, 2020. Motion carried unanimously.

A motion by Councilmember Atterbury and seconded by Councilmember Devine to keep town offices closed to the public until June 1, 2020. Motion carried unannimously.

WATER FILL STATION RESOLUTION 42-2020- Supervisor Carman and Town Clerk Burgess were present on May 1, 2020 to open the bids as advertised at 11 am for the new construction of a water fill station located at the Groveland Town Hall. The bid opening was read aloud via Zoom teleconference to the bidders along with Jason Foote from Clarke Patterson Lee.

The bidder checklist of bids received was forwarded to the board via email and will be attached to the minutes. Jason Foote reviewed the bids and sent a letter to the Supervisor with his recommendation of Crosby- Brownlie, Inc. for the amount of \$64, 200. Supervisor Carman reviewed the specs that were provided for the bid that included 2 pumps and feels that only one pump is necessary. The Supervisor would

like to table the approval of the bid to see if one pump can be removed. Supervisor has asked CPL to contact Crosby regarding the removal and cost savings for the removal of the one pump.

Board Discussion:

Councilmember Phelps asked if this would need to be rebid. Supervisor responded no as we approve the original bid with a potential for the adjustment.

Board agreed to table the approval of the bid until the June meeting.

AMBUSCADE PARK- Purchase contracts have been received for Thompsons and the town to sign as prepared from the attorney for the donated land for the park. Supervisor Carman has signed and asked Councilmember Niedermaier to facilitate getting signatures from the Thompson family.

Councilmember Niedermaier has been in contact with the land surveyor to update the park to include the new donated land. Pins are in and the Thompson's have the contract, they will contact Councilmember Niedermaier when they have finished reviewing it as there are a few mistakes in the contract regarding dates. Once they have finalized their review they will return to get all corrections processed prior to moving forward.

Supervisor Carman stated that we cannot move forward with the septic until the approval of the contract. Supervisor asked Highway Superintendent to move forward with hauling in fill for the septic to keep the project moving forward. Highway Superintendent agreed with Supervisor.

Councilmember Phelps stated that she has the quote for picnic tables from the Amish. An 8' wood table will cost \$100 and a 10' wood table would cost \$120.

Councilmember Devine thought plastic tables would be easier to maintain and we should look at those for the pavilion. They would not need any maintenance.

Councilmember Niedermaier stated they are much more costly to build as you would need to brace the table more for the weight of composite. His recommendation is wood as the fire department has had wooden tables for years and have been ok.

Councilmember Phelps stated she did not look at composite as previously it was discussed wood tables for the pavilion. An inquiry can be made if the board wishes.

Councilmember Atterbury stated wooden tables would probably be less likely to be taken.

Supervisor asked how many the board wishes to purchase.

Board agreed on 3 for now

A motion by Councilmember Niedermaier and seconded by Councilmember Atterbury to purchase 3- 8' wooden tables for \$100 each. Motion carried unanimously. Councilmember Phelps will facilitate the purchase.

Supervisor Carman also felt that we should look at opening up the pavilion for use as it is there and wants the ability for all our residents to use with the struggles it took to make it a reality.

Councilmember Devine inquired if we have a sign up there stating that it is closed as he noticed other towns have closed sign on their parks. Does the board think we should have a closed sign? Councilmember Devine is in agreement with the Supervisor regarding the opening of the park.

Highway Superintendent responded that there is not a sign that has closed the park.

Supervisor stated that the Governor has opened the parks and thinks that it would be ok. Town Clerk stated that the park has an open building permit and the Code Officer may need to have input prior to opening.

Supervisor agreed that the Code Officer will be an intricate part of opening and will consult with home prior to opening the pavilion back up.

Councilmember Niedermaier inquired where the town was at with the grant monies for the park. It was explained that the grant has been closed as is and that the board approved the agreement made to close the grant with the state a few months back ensuring the park would maintain a park permanently.

Supervisor Communication:

- SEQR for E911 tower Wilson Road upgrades received requested any comments or concerns from Town, none noted I signed and sent back.
- Supervisor attended the regular planning board meeting Monday April 27, 2020 via Zoom teleconference. The meeting went well a few hiccup in the beginning but for the most part they are on track to begin working on the solar battery storage law and the clarification to the proposed zoning law in regards to the “ ATD “ district that was not described in the proposed law. They are continuing to review the conservancy request they receive and are trying to prepare questions for the conservancy to ensure that it follows the town’s master plan and zoning requirements.
- June primary from BOE prior to the recent ruling from the courts. There will be two elections held on June 23, 2020 from 6:00 AM - 9:00 PM. The Special Congressional & Republican Primary. BOE is going reduce the number of polling sites for each Town due to COVID19. With this being said, BOE’s plan is to have all voters of Groveland go to the Town Hall

Other Communications:

Councilmember Niedermaier had spoken with the Town Clerk regarding the need to schedule the caucus for both the democratic and republican committees. Town Clerk gave dates to Councilmember Niedermaier; however Councilmember Niedermaier stated with the Coronavirus he wasn’t sure if the Supervisor had heard how this may progress.

Supervisor Carman stated that he was unsure that he had not heard of anything but was a great question. Councilmember Niedermaier stated he would contact both David Carman, Town of Groveland Republican Committee Chairman and David Dipasquale from Livingston County Board of Elections to move forward with the caucus.

A motion by Councilmember Atterbury and seconded by Councilmember Niedermaier to adjourn the meeting. Motion carried unanimously. Meeting adjourned at 7:36 p.m. The next meeting will be the regular meeting June 11, 2020 @ 6:30 p.m. at the town hall or via teleconference open to the public. Motion carried unanimously.

Kimberly D. Burgess, Town Clerk
Town of Groveland
Dated: May 14, 2020