

The regular meeting of the Groveland Town Board was held on Thursday February 9, 2012, at the Town Hall.

Present: James C. Merrick, Supervisor; Bill Carman, Deputy Supervisor; Craig Phelps, John Driscoll, James Love, Councilman; Greg Adamson, Highway Superintendent; Attorney Randolph Meyer, Town Attorney

Absent: None

Other Attendees: Sign sheet used for Hydrofracking discussion – see sign in sheet

Supervisor handed out the monthly financial reports.

Supervisor called the meeting to order @ 8:14 p.m.

A motion by Councilman Carman and seconded by Councilman Driscoll the audited bills to be paid. General Fund vouchers numbered 17-47 for \$6,171.25; Highway Fund vouchers numbered 7-31 for \$21,940.15; Cemetery Fund voucher number 1 for \$14.98; Conesus Lake Water Fund voucher number 1 for \$3,449.52; Motion carried unanimously.

A motion by Councilman Driscoll and seconded by Councilman Carman to approve the minutes of the regular meeting of January 12, 2012 as written. Motion carried unanimously.

A motion by Councilman Phelps and seconded by Councilman Carman to accept the monthly financial reports as submitted. Motion carried unanimously.

Information handed out/or acknowledged:

- 1) Liv. Co. Board of Supervisors minutes
- 2) County Youth Teen Recognition nomination forms are due – looking for Groveland students
- 3) County Earth Day Nominations available at Town Clerk's office
- 4) Hydrofracking letters received from Mitje Raschi, Harry and Helen Wadsworth
- 5) A copy of a letter was submitted from Tim Sullivan
- 6) Next 200th anniversary celebration committee meeting 2/21/12 in town hall @ 7:00 p.m.

Old/New Business:

HIGHWAY REPORT – Greg reported he and Sergeant Mike Bradley were able to meet with a representative through the Correctional Facility that is finally allowing them to number the buildings for putting addresses in E-911 system in case of emergencies.

Greg also reported he recently traveled to the Federal Surplus locations in Pennsylvania and John was able to attend as a County representative for the first time and was amazed at the incredible savings. The Surplus Representative will be stopping by next week just to say hello.

SNYDER CEMETERY SERVICE CONTRACT – The contract comes up for renewal in March 31st; Snyder has submitted a bid proposal for renewal with a few increases. The cost of a cremation opening/closing will go from \$75 to \$100 and cost of grave opening/closing will go from \$250 to \$275. Greg stated that he feels we get great service and the price increases seem reasonable. Motion to by Councilman Phelps and seconded by Councilman Love to accept Snyder's bid as presented. The renewal will be included in the official minute book.

FIRE DEPARTMENT CONTRACT – The renewed 3 year contract reflects the 3 year commitment to support the fire protection resolution that was passed in Resolution 14-2011. Motion by Councilman Phelps and seconded by Councilman Driscoll to accept the 3 year contract as presented. Motion carried unanimously.

DEPARTMENT ANNUAL REPORTS – Copies of each department annual reports along with the Town’s Annual report are available for review; consider approval at the March meeting.

TOWN CLERK/TAX COLLECTION FINANCIAL EXAMINATION REPORT - RESOLUTION 2-2012- Supervisor Merrick asked the Councilman for a report on the 2011 Town Clerk/Tax Collection Financial Review.

WHEREAS, the Town Board has met at the time and place at its regular meeting, to review the 2011 examination of the Town Clerk and Tax Collection procedures of their account books.

WHEREAS, Councilman Carman and Councilman Love did meet with Town Clerk/Tax Collector, Sandra Bean at 8:00 a.m. January 16, 2012 at the Town Hall do provide a process to review the 2011 examination of the Town Clerk and Tax Collection procedures of their account books and review the work performed by those who handle money as part of their town duties pursuant to Town Law, Section 64(1),

RESOLVED, Councilman Carman and Councilman Love performed the examination and verification of the 2011 account books with Sandra Bean present while this was not a fiscal audit; they got an overall view of the accounts, reports, and found to be in good order.

The question of the adoption of the foregoing RESOLUTION was put into vote. Motion by Councilman Carman and seconded by Councilman Phelps and the results were carried unanimously.

JUSTICE PROCEDURE-AUDIT REVIEW – RESOLUTION 3-2012 -Supervisor Merrick asked the Councilman for a report on the 2011 Justice Financial Review.

WHEREAS, the Town Board has met at the time and place at its regular meeting, to review the 2011 examination of the Justice Court policies and procedures of their account books.

WHEREAS, Councilman Driscoll and Councilman Carman did meet with Court Clerk Kathy Watkins at 5:30 p.m. January 19, 2012 at the Town Hall do provide a process to monitor and review the work performed by those who handle money as part of their town duties pursuant to Town Law, Section 64(1),

RESOLVED: Councilman Driscoll and Councilman Carman performed the examination and verification of the 2011 account books with Court Clerk Kathy Watkins present of Justice Love and Justice van Munster in Pursuant to Town Law, Section 123 as the information was found to be in order.

This resolution was put in motion by Councilman Driscoll, seconded by Councilman Carman to accept the report as part of the official minutes. Councilman Love abstained from vote. Motion carried.

RESIGNATION, COURT CLERK – Town Clerk reported she has received the resignation letter from Diane Fisher who has served the court for many years, but found the drive to long with the recent purchase of her new home. This was expected as the court has been training Sue LaPorta to replace Diane. A motion by Councilman Phelps and seconded by Councilman Driscoll to accept the resignation. Supervisor will mail out a thank you letter.

APPOINTMENTS – Town Clerk stated some appointments were missed at the Organizational meeting as they are done every 4 years or recently new positions despite they were approved in the salary chart; these appointments are more of a formality for signing the oath book.

REGISTRAR – Motion by Councilman Driscoll and seconded by Councilman Love to appoint Sandy Bean as Registrar to serve through December 31, 2015. Motion carried unanimously.

DEPUTY TOWN CLERK/REGISTRAR – Town Clerk would like to reappoint Kim Burgess as her Deputy Town Clerk for the term 1/1/12 – 12/31/15. A motion by Councilman Love and seconded by Councilman Carman to appoint Kim Burgess. Motion carried unanimously.

ASSESSOR ASSISTANT – Town Clerk mentioned Brian Knapp was the approved person in the budget. A motion by Councilman Driscoll and seconded by Councilman Phelps to appoint Brian Knapp. Motion carried unanimously.

ASSESSOR SECRETARY – Town Clerk mentioned that Kim Burgess currently serves this position and is still interested. A motion by Councilman Driscoll and seconded by Councilman Phelps to appoint Kim Burgess. Motion carried unanimously.

CODE SECRETARY – Town Clerk mentioned that Kim Burgess currently serves this position and is still interested. A motion by Councilman Phelps and seconded by Councilman Carman to appoint Kim Burgess. Motion carried unanimously.

PLANNING BOARD MEMBER – we have received a letter of interest from Mitje Raschi to fill the vacancy term from Roger Haich that expires December 31, 2012. There are 2 alternates which have not showed any interest of becoming full members. A motion by Councilman Carman and seconded by Councilman Phelps to appoint Mitje Raschi through December 31, 2012. Motion carried unanimously.

CHAIRMAN OF PLANNING BOARD – reappoint Randy Clymo as he was unable to sign the oath book before January 31st, 2012 for a 1 year term. A motion by Councilman Driscoll and seconded by Councilman Phelps to reappoint Clymo as Chairman. Motion carried unanimously.

ROAD USE PLAN AGREEMENT – DRAFT - Supervisor Merrick handed out a proposed packet without the Appendix's attached as we are still drafting them. He stated that this would be a stand alone document as other counties are utilizing to help facilitate with Hydrofracking. A copy was given to Attorney Randolph Meyer to review and discuss if appropriate to pass in March.

FORM A COMMITTEE FOR HYDROFRACKING – Supervisor Merrick stated he and Deputy Supervisor Carman met with Mitje Raschi, Helen Wadsworth and Lou Lombardo to review concerns in regards to Hydrofracking, of which the meeting went well. He is recommending a committee be formed and placing the Deputy Supervisor in charge to select who will serve on it. Deputy Supervisor indicated the committee would consist of himself and 6 residents that he would get a list of names and decide in the next week or so of the committee. Anyone interested in serving can leave their name and number with the Town Clerk. Carman will report back to the board with updated progress.

PETITION(S) FILED WITH TOWN CLERK – the petition is addressing the town board to impose a one year moratorium on gas extracting using high-volume, slick water, hydraulic fracturing in the Town of Groveland as the research shows methods that are used threaten our clean air, clean water, soil, and landscapes with concerns for height, noise, zoning and road weight. Attorney Meyer instructed the board there is no act required especially since it appears the board is forming a committee of the concern in the petition.

JENNIFER WILDMAN – CONCERN ON FARMLAND PROTECTION PLAN – Supervisor Merrick granted Ms. Wildman privilege to address the board. She addressed the board by reading the Mission Statement out of the town's Farmland Land Protection and Land Use Plan as she expressed her concern about the future of our town, water supply and agricultural lifestyle. Ms. Wildman stated that the Plan does not address water resources necessary for present and future land use. It does not address mineral resource development, natural gas drilling and its impact on farming. As much debate at this time is over "fracking." Hydraulic fracturing is a water-intensive method of gas extraction. I have seen no answers to questions where the water for "fracking" will come from, and no satisfactory or safe

explanations of disposal methods of waste water. Water is necessary for our town to preserve our agriculture and way of life. She requests the town board to enact a one-year moratorium on hydrofracking to allow time to become educated and protect our future resources.

HYDROFRACKING – Supervisor Merrick granted privilege of the floor:

1. Mike Bernard – Opened with extending his appreciation of friendship and connections with members in the room. He is glad to hear the board is taking steps to help protect our land and looks forward to seeing the protections implemented. Road Use Plans are being utilized at several other town meetings he has attended and Wyoming County Planning Department is recommending we do that; happy to hear Groveland is working on that.
2. Gloria Osborne – Opened with she is a Registered Nurse and lives in Springwater who is concerned with Hydrofracking. We know Hydrofracking uses over 600 chemicals which effect many health concerns that are not natural with concern for possible birth defects. There are many Loop holes in the laws of Hydrofracking starting with no one regulating EPA, Non-Disclosure forms protect companies, property value and mortgage insurance don't protect her as a home owner, road maintenance, food sovereignty can be become an issue, declining market in gas as we sell it to foreign lands and more importantly aesthetic beauty would be effected. Gloria is asking for a moratorium to help protect all the areas of concern.
3. Burt Lyon – stated he is a representative of the Conesus Lake Association who acts as the Groveland liaison for the Lake Association. He first asked the board what is the status of the petition? Attorney stated there is no action. Burt went onto stating that Joe Martin stated regulations are moving quicker than what we even thought and asked the board to keep moving towards regulations. He also wanted to make sure the board is aware of the Conesus Lake Association's position on Hydrofracking; which he had provided back in December. Town Clerk had a copy in case members misplaced theirs. Burt stated the NYS Moratorium should be extended so the EPA can review all aspects. Finger Lakes Region provides 7% of the fresh water and we need to protect it.
4. Lou Lombardo – NYS Hydrofracking is open now he is confused stating, in the December meeting this board had enough information and then in January meeting this board stated it didn't have enough information to make a decision. A moratorium is not a vote for or against anything, just an opportunity to make necessary safeguards. Governor says regulations shall be in place by spring, we need our town to act quickly to protect us. Presentations can be done to help educate if interested.

Communication: None

A motion by Councilman Carman and seconded by Councilman Love to adjourn the meeting. Motion carried unanimously. Meeting Adjourned at 9:12 p.m. The regular next meeting will be on Thursday March 8, 2012 at the town hall.

Dated February 9, 2012
Town of Groveland

Sandra L. Bean, Town Clerk