

The regular meeting of the Groveland Town Board was held on Thursday June 12, 2025 at the Town Hall.

Present: Bill Devine, Supervisor; Sandra Bean, Deputy Supervisor and Councilmember; Amy Hunter, Councilmember; John Macauley, Councilmember and Bill Przysinda, Councilmember

Other Town Officials: Tanner Harvey, Highway Superintendent, David DiMatteo, Town Attorney

Others in Attendance: R. Niedermaier

Supervisor Devine called the meeting to order @ 8:38 a.m. Highway Superintendent Harvey led the pledge to the flag.

A motion by Councilmember Bean and seconded by Councilmember Macauley the audited bills be paid. General Fund vouchers numbered 114- 138 for \$9,715.06; Highway Fund vouchers numbered 97- 117 for \$95,499.13; and Capital Fund vouchers numbered 5-7 for \$7,050.07. Motion carried unanimously.

A motion by Councilmember Bean and seconded by Councilmember Przysinda to accept the regular meeting minutes of May 8, 2025, and the Special Meeting of May 28, 2025. Motion carried unanimously.

Supervisor Devine forwarded copies electronically of the Town Clerk & Supervisors monthly financial reports. The supervisor financial report with monthly statement of all money received. Councilmember Macauley and seconded by Councilmember Przysinda to accept both financial reports. Motion carried unanimously.

Information handed out/or acknowledged:

Old/New Business:

WATER DISTRICT 1 UPDATE: Attorney DiMatteo was present and stated the 30-day permissive referendum has to be redone as the town missed the necessary requirements of legal posting and needs to be re adopted.

RESOLUTION AFTER PUBLIC HEARING TO INCREASE THE MAXIMUM
EXPENDITURES FOR WATER DISTRICT NUMBER 1 46-2025-

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, an original Map Plan and Report (MPR) was established for the Town of Groveland in November 2020 for Water District No. 1, which proposed a total estimated maximum cost of \$6,405,000.00; and

WHEREAS, a Final Order establishing the Town of Groveland Water District No. 1 was executed on August 11, 2022 and the Bond Resolution was adopted on September 8, 2022 (the “Original Bond Resolution”); and

WHEREAS, the boundaries of the Town of Groveland Water District No. 1 in the Town of Groveland was previously described in Resolution entitled, “Resolution After Public Hearing to Increase the Maximum Expenditures for Water District Number 1 Subject to Permissive Referendum” which was adopted on May 28, 2025; and

WHEREAS, due to inflation, market fluctuations and the consequent increased costs of labor and materials, the cost of construction of said Water District has increased, and the maximum cost now proposed to be expended for said improvement of the water system now being \$8,479,000.00 as set out in a revised Map Plan and Report dated April 2025; and

WHEREAS, the project is to be financed by the issuance of serial bonds in an aggregate principal amount not to exceed \$8,479,000.00. Such amount to be offset by any federal, state, county and/or local funds received, including, but not limited to, financing through United States Department of Agriculture – Rural Development Agency in the amount of \$4,910,000.00 and a local contribution of \$6,000.00; and

WHEREAS, residents of the Town of Groveland will assume some cost based on the final terms identified at the time of financing is closed with the USDA-Rural Development. Per the Agreement, current projections are based on 38-year term at 1.375% interest, totaling \$121,012.00 per year. The term will not change; however, the rate may decrease or increase; and

WHEREAS, the Town Board having determined that the estimated average annual cost to the Typical Property (as defined by Town Law) has decreased to \$1,091.53, including \$719.03 for debt service and \$372.50 for cost of water in the Post-Bid estimate as compared to \$1,184.51, including \$826.51 for debt service and \$358.00 for cost of water in the Pre-Bid estimate; and

WHEREAS, said average annual cost to the Typical Property is below the threshold as established by the Office of the New York State Comptroller (hereinafter “OSC”) and as such OSC approval need not and shall not be sought; and

WHEREAS, the proposed increase and improvements of the facilities comprise of a total of approximately 80,000 linear feet of 4-inch, 6-inch, 8-inch, and 12-inch water main. The water main will be installed along portions of Barber Hill Road, Hunt Hill Road, Lee Road, Geneseo Road, Morris Road, Gamble Road, Adamson Road, Logan Road, Turner Road, Dantz Road, Baily Road, NYS Route 36, and Groveland Station Road. The proposed District will serve approximately 144 residential and commercial properties. The remaining 57 parcels are vacant; and

WHEREAS, the Town Board of the Town of Groveland completed a coordinated review regarding Water District No. 1, completing Part 1 and sending such EAF to all interested agencies, along with a Declaration of Intent to seek Lead Agency, to which none of the interested and involved agencies objected, and therefore the Town Board declared itself Lead Agency by Resolution 51-2020 on August 13, 2020, completed Part 2 and Part 3 of the full EAF, found and determined that the proposed action is a “Type I Action” under SEQRA and made a determination on non-significance on August 13, 2020; and

WHEREAS, the original findings under SEQRA had not changed due to the adjustments in the Map, Plan and Report being administrative with no environmental impact, so therefore a new coordinated review shall not be completed for Water District No. 1; and

WHEREAS, after a public hearing duly called on May 8th, 2025, notices of which were properly posted and published as required by law, the Town Board of the Town of Groveland held such public hearing on the proposed Water District No. 1 on May 28, 2025, and considerable discussion on the matter having been had and all persons desiring to be heard having been heard in favor of and in opposition to said project, the Town Board of the Town of Groveland now wishes to make the following determinations:

- (1) The Notice of Hearing was published and posted as required by law and is otherwise sufficient;
- (2) That all the property and property owners, within the proposed water district are benefited thereby;
- (3) That all of the property and property owners benefited are included within the proposed water district; and
- (4) It is in the public interest to increase the maximum expenditures for the water district; and

WHEREAS, the Town Board of the Town of Groveland wishes to make a determination that the increase in maximum expenditures for Water District No. 1 benefits the public interest; and

WHEREAS, the Town Board of the Town of Groveland now hereby wishes to approve the increase in maximum expenditures for Water District No. 1 as set forth in herein; and

WHEREAS, the Town Board of the Town of Groveland has determined that the proposed increase in maximum expenditures for Water District No. 1 shall be approved subject to permissive referendum pursuant to Article 12-A of the New York State Town Law; and

WHEREAS, on May 28, 2025, the Town Board of the Town of Groveland adopted Resolution entitled, “Resolution After Public Hearing to Increase the Maximum Expenditures for Water District Number 1 Subject to Permissive Referendum” but missed necessary requirements outlined under Section 90 of Town Law, requiring Notice of Permissive Referendum be posted on the Town Notice Board and published in the Town’s Official Paper within ten days of the passage of this resolution; and

WHEREAS, by the Town Board having missed such requirements, the Town Board of the Town of Groveland wishes to re-adopt this resolution and post notice within ten days of passage of this resolution; and

WHEREAS, by re-adopting and publishing such Resolution & Notice of Permissive Referendum, the thirty (30) day timeframe in which petitions requesting a referendum may be filed with the office of the Town Clerk shall be opened; and

NOW ON MOTION OF Councilmember Bean which has been duly seconded by Councilmember Hunter, be it therefore

RESOLVED, that the Town Board of the Town of Groveland has made the following determinations regarding the proposed increase in maximum expenditures for Water District No. 1:

- (1) The Notice of Hearing was published and posted as required by law and is otherwise sufficient;
- (2) That all the property and property owners, within the proposed water district are benefited thereby;
- (3) That all of the property and property owners benefited are included within the proposed water district; and
- (4) It is in the public interest to increase the maximum expenditures for the water district; and be it further

RESOLVED, that the Town Board of the Town of Groveland hereby determines that the proposed increase in maximum expenditures for Water District No. 1 benefits the public interest: and be it further

RESOLVED, that the Town Board of the Town of Groveland hereby approves the proposed increase in maximum expenditures for Water District No. 1 as set forth herein subject to permissive referendum; and be it further

RESOLVED, by the Town Board of the Town of Groveland hereby approves Resolution Subject to Permissive Referendum under Article 12-A and Section 209-h of Town Law, and that the Notice of Resolution Subject to Permissive Referendum required under Section 90 of Town Law shall be posted on the Town Notice Board and published in the Town's Official Paper within ten days of the passage of this resolution; and be it further

RESOLVED, that the thirty (30) day period for petitions requesting referendum to be filed with the Town Clerk in opposition to the proposed increase in maximum expenditures is hereby opened; and be it further

RESOLVED, that if the time for filing a petition requesting that the matter be submitted to a referendum of the property owners expires without such a petition being filed, the Town

Clerk shall file a certificate stating such fact in the Office of the Livingston County Clerk; and be it further

RESOLVED, that if such petition is filed, after such referendum is held, the Town Clerk shall file a certificate stating that a petition was filed and a referendum held and certifying the results of the vote on the proposition submitted at such referendum in the office of the Livingston County Clerk.

Ayes: 5

Nays: 0

Absent/Abstain: None

Quorum Present: Yes x

Continued Discussion on Water District No. 1-

Board members inquired with the attorney present if the bid award would happen after the estoppel posting if no petitions came in. Attorney DiMatteo would speak with the Engineering firm and let the board know how to prepare for its next meeting.

HIGHWAY REPORT- Highway Superintendent Harvey reported that the Wilson Road project has been postponed due to weather until June 18th, oil and stoning will be done in July as we do not have the manpower to do both projects at the same time.

County roadside mowing has been done, now working on town roadside, as the weather has not been helpful. The highway superintendent is watching for a better roadside mowing setup than the current one, as the town mows a lot with a smaller tractor and may be able to cover more area with a different style of mower. Nothing found currently that will work.

The fence that surrounds the monument at Ambuscade Park is falling down and in disrepair due to tree roots and vines pulling into the chain link. The Highway Superintendent inquired if the fence could be removed if the town knew where the corners of the borders were, to keep it looking nice.

Board discussion:

Look at the survey map and ensure we have border markers. The Highway Superintendent stated that the fence is the boundary.

A motion by Councilmember Bean to remove the fence that is in disrepair and mark each boundary corner with a small tree/ marker to not encroach on neighbor property or the monument. Seconded by Councilmember Macauley. Motion carried unanimously.

STANDARD WORKDAY AND REPORTING RESOLUTION 47-2025-

Standard Work Day and Reporting Resolution #47-2025							
BE IT RESOLVED, that the Town of Groveland location code 30533 hereby establishes the following as standard work days for elected and appointed officials and will report following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by these officials to the clerk of this body:							
TITLE	Standard Work Day Hrs/day	Name	register #	SS#	Term Begin/Ends	Record of Activities Result	Tier 1 (check for Tier 1 only)
Elected Officials							
Town Justice	6	Sarah Driscoll			01/01/2025-12/31/2028		x
Appointed Officials							
Deputy Supervisor	6	Sandra Bean			01/01/2025-12/31/2025	0.19	
Planning Board Chairman	6	Randy Clymo			01/01/2025-12/31/2025	0.34	
ZBA Board Chairman	6	Pattie Johnston			01/01/2025-12/31/2025	0.08	
Code Enforcement/ Zoning	6	Ronald Maxwell			01/01/2025-12/31/2025	19.5	
Historian	6	Chelsey Alen			01/01/2025-12/31/2025	2.56	
Supervisor Secretary	6	Trista Tozier			01/01/2025-12/31/2025	3.17	
Planning/Zoning Board Sec	6	Trista Tozier			01/01/2025-12/31/2025	1.38	
On this 12th day of June 2025, Town Clerk Date enacted: June 12, 2025							
I, Kimberly Burgess, clerk of the governing board of the Town of Groveland, of the State of New York, do hereby certify that I have compared the foregoing with the original resolution passed by such board, at a legally convened meeting held on the 12th day of June, 2025 on file as part of the minutes of such meeting, and that same is a true copy thereof and the whole of such original.							
I further certify that the full board, consists of five members, and that five of such members were present at such meeting and that five of such members voted in favor of the above resolution.							
* Those that did not do record keeping we asked but chose not to participate							
IN WITNESS WHEREOF, I have hereto Set my hand and the seal of the Town of Groveland.							
Affidavit of Posting: I, _____, being duly sworn, deposes and says that posting of the Resolution began on 06/13/2025 and continued for at least 30 days.							
That the Resolution was available to the public on the:							
<input type="checkbox"/> Employer's Website @ www.grovelandny.org - under Public Notices							
<input type="checkbox"/> Official sign board at the main front entrance							
Town Clerk Seal							

A motion by Councilmember Bean and seconded by Councilmember Macauley to accept the resolution as presented. Motion carried unanimously.

Board discussion:

After reviewing the calendars would like to have a budgetary review of the Court to ensure their staffing needs are being met with the transition of the new town justice and new court clerk. Supervisor Devine will ask both justices to attend the July meeting.

SUPERVISOR COMMUNICATION:

Supervisor Devine requested two board members to volunteer to start negotiations with the union as their contract expires at the end of this year, and would like to know prior to the budget what they are looking for.

Councilmember Przysinda and Councilmember Macauley will contact the Union Steward to set up a time to begin negotiations.

Supervisor Devine also stated that he has attempted to contact the Town of Wayland's Supervisor to try and create an intermunicipal agreement for our town. This way the town would only have to pay for special district items on the tax bill for the gravel pit as the town uses gravel for town purposes only. The supervisor will keep the board informed of progress.

Other Communication: None

A motion by Councilmember Przysinda and seconded by Councilmember Bean to adjourn the meeting. Motion carried unanimously. Meeting adjourned 9:36 a.m. The next meeting will be the regular meeting July 10, 2025 @ 8:30 a.m. at the town hall and is open to the public. Motion carried unanimously.

Kimberly Burgess, Town Clerk
Town of Groveland
Dated: June 12, 2025