

**The special meeting of the Groveland Town Board was held on Wednesday, July 16, 2025 at the Town Hall.**

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

**Other Town Officials,** David DiMatteo, Town Attorney

**Absent:** Amy Hunter, Councilmember

**Supervisor Devine called the meeting to order @ 7:03 p.m.** Supervisor Devine led the pledge to the flag.

**Information handed out/or acknowledged:**

**Old/New Business:**

FINAL ORDER TO ADOPT WATER DISTRICT WATER DISTRICT NO.1-RESOLUTION 47- 2025 Supervisor Devine stated attorney DiMatteo prepared the Final Order for the meeting as presented.

STATE OF NEW YORK  
COUNTY OF LIVINGSTON

<u>In the Matter of the Increase in Maximum Amount to be Expended for Improvement Facilities of Water District No. 1 in the Town of Groveland in the County of Livingston, State of New York, Pursuant to Section 209-h of the Town Law</u>	47-2025 RESOLUTION AND FINAL ORDER APPROVING INCREASE IN MAXIMUM EXPENDITURES FOR WATER DISTRICT #1
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WHEREAS, the Town Board of the Town of Groveland met at a special board meeting at the Town Offices in the Town of Groveland, New York on the 16<sup>th</sup> day of July, 2025, commencing at 7:00 PM, at which time and place the following members were:

Present: Supervisor Devine  
Council Member Bean  
Council Member Macauley  
Council Member Przysinda

Absent Council Member Hunter ; and

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, after a public hearing duly called and held on May 28, 2025, the Town Board of the Town of Groveland adopted a Resolution entitled, “Resolution After Public Hearing to Increase the Maximum Expenditures for Water District Number 1 Subject to Permissive Referendum” describing proposed increases and improvements of facilities in Water District No. 1, with such revised increases estimated a maximum cost of \$8,479,000.00 (EIGHT MILLION FOUR HUNDRED SEVENTY NINE THOUSAND DOLLARS) and describing the boundaries of the Town of Groveland Water District No. 1; and

WHEREAS, the Town Board of the Town of Groveland 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 said resolution; and

WHEREAS, by the Town Board having missed such requirements, the Town Board of the Town of Groveland re-adopted Resolution entitled “Resolution After Public Hearing To Increase The Maximum Expenditures For Water District Number 1 Subject To Permissive Referendum” on June 12, 2025; and

WHEREAS, the Town Board of the Town of Groveland having duly re-adopted “Resolution After Public Hearing To Increase The Maximum Expenditures For Water District Number 1 Subject To Permissive Referendum” on June 12, 2025 determining that it be in the public interest to increase and improve the facilities of Water District No. 1 in the Town of Groveland be so increased and improved at an estimated maximum cost of \$8,479,000.00 (EIGHT MILLION FOUR HUNDRED SEVENTY NINE THOUSAND DOLLARS), as compared to the total estimated maximum cost of \$6,405,000.00 (SIX MILLION FOUR HUNDRED AND FIVE THOUSAND DOLLARS) established in November 2020, representing an estimated maximum increase in the amount of \$2,074,000.00 (TWO MILLION SEVENTY FOUR THOUSAND DOLLARS); and

WHEREAS, the Town Board having determined that the estimated average annual cost to the Typical Property (as defined by Town Law) in the Map, Plan and Report received from Engineer Clark Patterson Lee (CPL) dated April 2025 has decreased to \$1,091.53 (\$719.03 for debt service and \$372.50 for yearly water cost per unit) per EDU as compared to \$1,184.51 (\$826.51 for debt service and \$358.00 for yearly water cost per unit) per EDU which was estimated in November 2020; 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, with a water main to 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, with such proposed District to serve approximately 144 residential and commercial properties, and 57 vacant parcels; 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 have 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, the Town Board of the Town of Groveland held such public hearing on June 12, 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, after the public hearing duly held on June 12, 2025 and thereafter re-adopting and publishing such Resolution & Notice of Permissive Referendum, the thirty (30) day timeframe in which petitions requesting referendum to be filed with the office of the Town Clerk was re-opened; and

WHEREAS, copies of said Resolution certified by the Town Clerk were made available for review at the Town Clerk’s Office during regular office hours, as well as the Town Website, and a Notice of Resolution Subject to Permissive Referendum was duly published and posted on June 20, 2025, pursuant to the provisions of Article 12-A of Town Law of the State of New York, in the Livingston County News, a Weekly Newspaper published in Livingston County, New York; and

WHEREAS, the Town Board having opened the thirty (30) day period for petitions to be filed in opposition to the project at the office of the Town Clerk; and

WHEREAS, the thirty (30) day period for the filing of petitions in opposition to the project having passed, and the Town Clerk of the Town of Groveland having certified that no petitions in opposition to the proposed increase in maximum expenditures having been received; and

NOW ON MOTION OF Councilmember Przysinda which has been duly seconded by Councilmember Macauley, be it therefore

ORDERED, 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

ORDERED, that the thirty (30) day period for petitions to be filed in opposition to the project has closed, and no such petitions have been received by the Town of Groveland; and be it further

ORDERED, that the increase in maximum expenditures for the Town of Groveland Water District No. 1 be approved as set forth herein; and be it further

ORDERED, that the Town Clerk is hereby directed to file a copy of this Resolution in the Office of the Town Clerk of the Town of Groveland, and in the Office of County Clerk of the County of Livingston.

Ayes: 4  
Nays: 0  
Absent/Abstain: 1  
Quorum Present: Yes x

RESOLUTION TO AMEND THE BOND FOR WATER DISTRICT No. 1 RESOLUTION 48-2025- Bond Counsel has prepared the amended resolution following the 30-day permissive referendum period described under Article 12-A of the Town Law.

**AN AMENDING AND RESTATING BOND RESOLUTION, DATED JULY 16, 2025, OF THE TOWN BOARD OF THE TOWN OF GROVELAND, LIVINGSTON COUNTY, NEW YORK (THE “TOWN”), AMENDING THE BOND RESOLUTION THAT WAS ADOPTED ON SEPTEMBER 8, 2022, AUTHORIZING A CAPITAL IMPROVEMENTS PROJECT WITHIN THE TOWN OF GROVELAND WATER DISTRICT NO. 1 IN THE TOWN AND THE CONSTRUCTION OF IMPROVEMENTS THEREIN, AT AN ESTIMATED MAXIMUM COST OF \$8,479,000 AND AUTHORIZING THE ISSUANCE OF SERIAL BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$8,479,000 PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE SAID PURPOSE, SAID AMOUNT TO BE OFFSET BY ANY FEDERAL, STATE, COUNTY AND/OR LOCAL FUNDS RECEIVED, AND DELEGATING THE POWER TO ISSUE BOND ANTICIPATION NOTES IN ANTICIPATION OF THE SALE OF SUCH BONDS TO THE TOWN SUPERVISOR.**

WHEREAS, on September 8, 2022, the Town Board of the Town of Groveland, Livingston County, New York (the “Town”) adopted a bond resolution (the “Original Bond Resolution”) entitled:

A BOND RESOLUTION, DATED SEPTEMBER 8, 2022, OF THE TOWN BOARD OF THE TOWN OF GROVELAND, LIVINGSTON COUNTY, NEW YORK (THE “TOWN”), AUTHORIZING A CAPITAL IMPROVEMENTS PROJECT WITHIN THE TOWN OF GROVELAND WATER DISTRICT NO. 1 IN THE TOWN AND THE CONSTRUCTION OF IMPROVEMENTS THEREIN, AT AN ESTIMATED MAXIMUM COST OF \$6,405,000 AND AUTHORIZING THE ISSUANCE OF SERIAL BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$6,405,000 OFFSET BY ANY FEDERAL, STATE, COUNTY AND/OR LOCAL FUNDS RECEIVED BY THE TOWN, PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE SAID PURPOSE AND DELEGATING THE POWER TO ISSUE BOND

ANTICIPATION NOTES IN ANTICIPATION OF THE SALE  
OF SUCH BONDS TO THE TOWN SUPERVISOR.

WHEREAS, the Town Board of the Town of Groveland, Livingston County, New York (the “Town”), pursuant to Article 12 of the Town Law, created a water district designated and known as the Town of Groveland Water District No. 1 in the Town (the “District” or “Water District”); and

WHEREAS, the Town Board has determined to undertake a water system capital improvements project (the “Project”) generally consisting of the construction of the infrastructure for the Water District; and

WHEREAS, by Resolutions the Town Board took the following actions with respect to such Project: (a) prepared maps, plans and reports and identified the boundaries for the Water District and such Project, (b) held a public hearing with respect to such Project, (c) determined that the Project would not have a significant adverse effect on the environment under Article 8 of the Environmental Conservation Law, and (d) determined that the requirements of Article 12-A of the Town Law had been satisfied with respect to such Project and further determined to undertake such Project; and

WHEREAS, the Town Board wishes to modify the Original Bond Resolution for the primary purpose of increasing the estimated maximum cost of the Project from \$6,405,000 to \$8,479,000 due to an increase in the cost of construction materials and labor for the project; and

WHEREAS, the Town Board wishes to modify the Original Bond Resolution for the primary purposes of increasing: a) the estimated maximum cost of the project from \$6,405,000 to \$8,479,000 and b) the aggregate principal amount of the serial bonds authorized from \$6,405,000 to \$8,479,000 and to make other modifications to the Original Bond Resolution as may be consistent with law; and

WHEREAS, the scope of the improvements has not materially changed from the project identified in such original map, plan and report; and

WHEREAS, the Town Board directed CPL to prepare a revised map, plan and report to include such improvements; and

WHEREAS, the Original Bond Resolution is being modified to increase the estimated total cost of the project and the amount of serial bonds authorized to be issued as previously described, and is otherwise being reaffirmed and ratified in all other material respects; and

WHEREAS, the Town Board now wishes to amend and restate (in its entirety) the Original Bond Resolution for the reasons identified above, and to make other determinations to the Original Bond Resolution as may be consistent with law; and

WHEREAS, the Town Board desires to issue obligations of the Town to finance a portion of the costs of such Project;

WHEREAS, the Town has previously issued bond anticipation notes pursuant to the Original Bond Resolution, but has not yet entered into permanent financing arrangements thereunder (i.e., the issuance of long-term serial bonds); and

NOW, THEREFORE, be it

RESOLVED, by the Town Board (by the favorable vote of not less than two-thirds of all the members of the Board) as follows:

SECTION 1. The Town is hereby authorized to undertake a certain capital improvements project generally consisting of the installation of approximately 80,000 linear feet of PVC water main along various roads in the Town including, but not limited to, 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, and connection to the existing booster pump station on Maple Beach Road, as well as other such improvements as more fully identified in (or contemplated by) such map, plan and report prepared in connection with such Project, together with all related right of-way costs, site work and other ancillary work, including hydrants, valves, water services, appurtenances, apparatus, and other improvements and costs incidental thereto and in connection with the financing thereof (collectively, the “Purpose”). The estimated maximum cost of said purpose is \$8,479,000.

SECTION 2. The Town Board plans to finance the estimated maximum cost of said purpose by the issuance of serial bonds in an aggregate principal amount not to exceed \$8,479,000 of said Town, said amount to be offset by any federal, state, county and/or local funds received, including, but not limited to, the application of approximately \$4,910,000 of grant funds anticipated to be received from the United States of America – Rural Development Agency, and unless paid from other sources or charges (including, but not limited to, water rents/rates), the cost of the project will be by the assessment, levy and collection of special assessments from the several lots and parcels of land within the District, which the Town Board

shall determine to be especially benefited by said District, so much upon and from each as shall be in just proportion to the amount of benefit which the District shall confer upon the same, to pay the principal of and interest on said bonds as the same shall become due and payable, except as provided by law.

SECTION 3. It is hereby determined that said purpose is an object or purpose described in subdivision 1 of paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is 40 years.

SECTION 4. Current funds are not required to be provided prior to the issuance of the bonds authorized by this resolution or any notes issued in anticipation of the sale of said bonds.

SECTION 5. It is hereby determined the proposed maturity of the obligations authorized by this resolution will be in excess of five years.

SECTION 6. The faith and credit of the Town are hereby irrevocably pledged for the payment of the principal of and interest on such bonds (and any bond anticipation notes issued in anticipation of the sale of such bonds) as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds or notes becoming due and payable in such year. Unless paid from other sources or charges (including, but not limited to, water rents/rates), the cost of the project will be by the assessment, levy and collection of special assessments from the several lots and parcels of land within the District, which the Town Board shall determine to be especially benefited by said District, so much upon and from each as shall be in just proportion to the amount of benefit which the District shall confer upon the same, to pay the principal of and interest on said bonds as the same shall become due and payable, except as provided by law. Should the assessments upon benefited real property be insufficient to pay the principal of and interest on such bonds, there shall annually be levied on all the taxable real property of said Town a tax sufficient to pay the principal of and interest on such bonds or notes as the same become due and payable.

SECTION 7. Subject to the provisions of this resolution and of the Local Finance Law, and pursuant to the provisions of Section 21.00 relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and of Section 50.00, Sections 56.00 to 60.00, Section 62.00, Section 62.10, Section 63.00, and Section 164.00 of the Local Finance Law, the powers and duties of the Town Board pertaining or incidental to the sale and issuance of the obligations herein authorized, including but not limited to authorizing bond anticipation notes and prescribing the terms, form and contents and details as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said notes, are hereby delegated to the Town Supervisor, the chief fiscal officer of the Town. Without in any way limiting the scope of the foregoing delegation of powers, the Town Supervisor, to the extent permitted by Section 58.00(f) of the



Local Finance Law, is specifically authorized to accept bids submitted in electronic format for any bonds or notes of the Town.

SECTION 8. To the extent not previously authorized, the temporary use of available funds of the Town, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the Local Finance Law, for the purpose or purposes described in this resolution.

SECTION 9. This resolution shall constitute the declaration (or reaffirmation) of the Town's "official intent" to reimburse the expenditures authorized in this resolution with the proceeds of the bonds, notes or other obligations authorized herein, as required by United States Treasury Regulations Section 1.150-2.

SECTION 10. The Town Supervisor is further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the bonds authorized by this resolution, and any notes issued in anticipation thereof, as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and may designate the bonds authorized by this resolution, and any notes issued in anticipation thereof, as "qualified tax-exempt bonds" in accordance with Section 265(b)(3) of the Code.

SECTION 11. The Town Supervisor is further authorized to enter into a continuing disclosure agreement with the initial purchaser of the bonds or notes authorized by this resolution, containing provisions which are satisfactory to such purchaser in compliance with the provisions of Rule 15c2-12, promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934.

SECTION 12. The Town Supervisor is further authorized to call in and redeem any outstanding obligations that were authorized hereunder (at such times and in such amounts and maturities as may be deemed appropriate after consultation with Town officials and the Town's municipal advisor), to approve any related notice of redemption, and to take such actions and execute such documents as may be necessary to effectuate any such calls for redemption pursuant to Section 53.00 of the Local Finance Law, with the understanding that no such call for redemption will be made unless such notice of redemption shall have first been filed with the Town Clerk.

SECTION 13. The Town has complied with applicable federal, state and local laws and regulations regarding environmental matters, including compliance with the New York State Environmental Quality Review Act ("SEQRA"), comprising Article 8 of the Environmental Conservation Law and, in connection therewith, duly issued a negative declaration and/or other applicable documentation, and therefore, no further action under SEQRA is necessary.

SECTION 14. To the extent applicable, the Town Supervisor is hereby authorized to execute and deliver in the name and on behalf of the Town a project financing

agreement prepared by the New York State Environmental Facilities Corporation (“EFC”) (the “Project Financing Agreement”). To the extent applicable, the Town Supervisor and the Town Clerk and all other officers, employees and agents of the Town are hereby authorized and directed for and on behalf of the Town to execute and deliver all certificates and other documents, perform all acts and do all things required or contemplated to be executed, performed or done by this resolution or any document or agreement approved hereby, including, but not limited to, the Project Financing Agreement.

SECTION 15. In the absence or unavailability of the Town Supervisor, the Deputy Town Supervisor is hereby specifically authorized to exercise the powers delegated to the Town Supervisor in this resolution.

SECTION 16. The validity of said serial bonds or of any bond anticipation notes issued in anticipation of the sale of said serial bonds may be contested only if:

1. (a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within 20 days after the date of such publication; or

2. Such obligations are authorized in violation of the provisions of the Constitution of New York.

SECTION 17. The Town Clerk is hereby authorized and directed to publish this resolution, or a summary thereof, together with a notice in substantially the form provided by Section 81.00 of said Local Finance Law, in a newspaper having a general circulation in the Town and hereby designated as the official newspaper of the Town for such publication.

SECTION 18. Nothing in this amendment shall affect the validity of the Original Bond Resolution, or any action taken thereunder and any such actions are hereby ratified.

SECTION 19. This resolution is effective immediately

\* \* \* \* \*

AYES: Supervisor Devine, Councilmember Bean, Councilmember Macauley, and Councilmember Przysinda

NOES: None

ABSENT: Councilmember Hunter

## CERTIFICATE OF RECORDING OFFICER

The undersigned hereby certifies that:

(1) The undersigned is the duly qualified and acting Clerk of the Town of Groveland, New York (hereinafter called the "Town") and the custodian of the records of the Town, including the minutes of the proceedings of the Town Board; and is duly authorized to execute this certificate.

(2) Attached hereto is a true and correct copy of a resolution duly adopted at a meeting of the Town Board held on July 16, 2025 and entitled:

**AN AMENDING AND RESTATING BOND RESOLUTION, DATED JULY 16, 2025, OF THE TOWN BOARD OF THE TOWN OF GROVELAND, LIVINGSTON COUNTY, NEW YORK (THE "TOWN"), AMENDING THE BOND RESOLUTION THAT WAS ADOPTED ON SEPTEMBER 8, 2022, AUTHORIZING A CAPITAL IMPROVEMENTS PROJECT WITHIN THE TOWN OF GROVELAND WATER DISTRICT NO. 1 IN THE TOWN AND THE CONSTRUCTION OF IMPROVEMENTS THEREIN, AT AN ESTIMATED MAXIMUM COST OF \$8,479,000 AND AUTHORIZING THE ISSUANCE OF SERIAL BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$8,479,000 PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE SAID PURPOSE, SAID AMOUNT TO BE OFFSET BY ANY FEDERAL, STATE, COUNTY AND/OR LOCAL FUNDS RECEIVED, AND DELEGATING THE POWER TO ISSUE BOND ANTICIPATION NOTES IN ANTICIPATION OF THE SALE OF SUCH BONDS TO THE TOWN SUPERVISOR.**

(3) Said meeting was duly convened and held and said resolution was duly adopted in all respects in accordance with law and the regulations of the Town. To the extent required by law or said regulations, due and proper notice of said meeting was given. A legal quorum of members of the Town Board was present throughout said meeting, and a legally sufficient number of members (2/3 of the Town Board) voted in the proper manner for the adoption of the resolution. All other requirements and proceedings under law, said regulations, or otherwise, incident to said meeting and the adoption of the resolution, including any publication, if required by law, have been duly fulfilled, carried out and otherwise observed.

(4) The seal appearing below constitutes the official seal of the Town and was duly affixed by the undersigned at the time this certificate was signed.

IN WITNESS WHEREOF, the undersigned has executed this certificate on July 16, 2025.

(SEAL)

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Town Clerk

Councilmember Przysinda requested that at the next regular town board meeting, highway equipment be placed on the agenda, as a resident brought a concern to the Highway Superintendent at the Republican Caucus.

Board agreed to place it on the agenda, and it was discussed that all board meetings are open to the public and encouraged the public to attend and ask questions.

A motion by Councilmember Bean and seconded by Councilmember Przysinda to adjourn the meeting. Motion carried. Meeting adjourned 7:31 p.m. The next meeting will be the regular meeting August 14, 2025 @ 8:30 a.m. at the town hall and is open to the public. Motion carried.

Kimberly Burgess, Town Clerk  
Town of Groveland  
Dated: July 16, 2025