

VILLAGE BOARD OF TRUSTEES

July 17, 2017 7 PM

=====

Mayor Neville called the meeting to order at 7 pm.

Present were: Mayor Neville, Trustees Conger, Morey, and Holl, Steve Teeter-Electric Utility Supervisor, Chad Shurtleff-DPW Supervisor, Nancy Niswender-Deputy Treasurer, Mike Andersen-Code Enf. Officer, Tim Williams-Police OIC, Florence Allen, Christine Personious, Vaughn Golden, Sandra Redfield, Madelyn Redfield, Dianna Nino, Jennifer Foote-Dean and Carmen Munson

Pledge of allegiance.

Trustee Conger made a motion to approve the minutes of the June 19, 2017 meeting, seconded by Trustee Morey, carried.

Trustee Holl made a motion to approve the claims presented for review,
Seconded by Trustee Morey, carried

The claims paid are covered by the following lists of abstracts of audited vouchers:

GENERAL (A2)	\$147,599.15	WATER (F2)	\$27,963.28
SEWER (G2)	\$ 28,948.25	JOINT REC (J2)	\$ 4,683.02
ELECTRIC (E2)	\$ 59,312.85	CAPITAL-St, Swr Proj (HSS2)	\$ 2,179.88

Electric – Supervisor Teeter

Reported that wires were replaced out behind Dempsey's – Verizon will be putting an antenna on their roof to correct some dead spots on cell service. Thursday there will be maintenance on one of the transformers for the substation. A load of poles has been delivered and they have been replacing bad ones. A new pole was set for the place on Church Street – (where the house burnt) for the garage and future plans. A couple capacitors banks were changed so they can be taken off line in order to make changes. At the beginning of August, the electric staff is scheduled for a yearly pole top rescue and bucket rescue class which is a yearly requirement for OSHA.

Mayor Neville asked about old poles being removed – Supervisor Teeter -Verizon needs to transfer lines first. They have been notified but sometimes take years before they transfer the lines.

Dept. of Public Works – Supervisor Shurtleff reported that they have been working on a couple of catch basins and curbs on Linderman Ave, still working on the road but will wait for a few of the items to utilize the equipment once the West South St project begins. A ditch project on Barrows Street – dug out and removed a lot of brush. We finished the grade work at 218 W. Cortland St., filled the hole in topsoil and grass seed. Next stage will be the sidewalks. We have been in contact with current owner of the property to determine who will do the work. Dug out and repaired Main St and Spring Street intersection, removed brick, added subbase & gravel and JW Stanley helped out with some of the paving. We have been working on some minor flooding issues around the village. Park seems to be going well. Memorial park sign has been fixed up by some of the summer help and the Girl Scouts. Water samplings have been good. Lead and copper results will be coming in next month.

Code Enforcement – Code Enf. Officer Andersen reported that he has sent out a few mowing notices, 24 letters in regards to junk vehicles, 15-16 of these have been removed or stored. Bay Horse building has been completed and will be adding on a couple new people. An apartment at 133 Cayuga St was condemned. There is a conflict between the landlord and tenant that will be going to court. The house on West Cortland St. was redone – new tenants have moved in. Marks Pizza is all moved in to their new location at the bowling alley. There are 2 trainings coming up in the next couple of weeks. Code Enf. Officer Andersen shared his opinion on the sidewalk policy – Village should select a few bad ones, give 30 days and give them the discount of 33%. If not done, village does and bills owner.

Police – Lt. Williams reported that the Dept. has responded to 1174 incidents to date. We are continuing to work on policy reviews and implementing accreditation standards. Main St camera upgrades to be done tomorrow. New cameras - one on the NE corner facing the businesses and Main St. and one near the bank. We received a \$1,100 grant for protective equipment and have made purchases and have submitted the paperwork. Officers will be on hand to patrol on Saturday for the Vietnam Veterans Memorial ride.

Public Comments:

Florence Allen & Christine Personious – Groton Olde Home Days update.

This was moved to the last week in August. Maps to show location of events were handed out, a lot of events going on, Carnival (Playland Amusements), crafts, Wild West Town from Greene will be here all 3 days (and overnight) and they will be staying in tents on the Expressmart lot from the pine tree to Main. The carnival will be from the pine tree back. The carnival will shut down at night and the staff working the carnival will be bussed back to Auburn. The Fire Department will be preparing the food at the American Legion and there will also be bands there as well. All events are free with the exception of the rides at the carnival and the jump around houses. A donation letter is included as well.

Jennifer Dean-Foote

Free Community Night known as National Night Out is Tuesday August 1 at the park, this is our 3rd year. This is our community service project. We would like to thank the Village for their support in sponsoring the Girl Scouts in applying for the Tompkins County Celebrations grant and have received \$700. This helped so we did not have to scale back on anything. We are so excited the park looks fabulous. Madelyn & Dianna reported – We will be providing pizza, hot dogs, popcorn root beer floats & more. The Physics Bus will be there, DJ Kelly, Cayuga Nature Center with a traveling animal program. We have asked the police department and the fire department to join us. The pool will be open and volleyball, lawn games, crafts and other activities. We are hoping to have some vehicles- fire trucks and other vehicles.

Carmen Munson – 111 Blanchard Heights. She came in to make the Board aware of major flooding issues she has been experiencing the last 4 years. She believes it is due to the design of area to build the house and rerouting the creek. She passed around a display board of pictures. There has been a lot of flooding, clay, rocks, branches. She estimates it will cost at least \$3,000 to fix. She has had work done in the past to try to help and added (Gabion baskets) (\$12,000 two years ago). This has cost a lot of money and time.

Supervisor Shurtleff reported he has walked some of the property and the land is unstable. Property behind the house belongs to the village.

Mayor Neville – We will review and discuss with Supervisor Shurtleff

Resolutions & Items for approval:

- Resolution authorizing Mayor to file application for a New York State Main Street Grant not to exceed \$500,000.

Motion to accept made by: Trustee Holl

2nd: Trustee Conger

carried: X

denied:

RESOLVED:

That Christopher Neville, as Mayor of the Village of Groton, is hereby authorized and directed to file an application for funds, not to exceed \$500,000, from the New York State Office of Community Renewal through its New York Main Street Program 2017 to assist downtown property owners, and upon approval of said request, to enter into and execute a project agreement with the State for such financial assistance to the Village of Groton for the Groton New York Main Street Program 2017.

- Resolution authorizing application for Industrial Access Program funds.

Motion to accept made by: Trustee Holl

2nd: Trustee Conger

carried: X

denied:

Village of Groton

IAP Grant Application

GROTON INDUSTRIAL PARK IMPROVEMENTS AUTHORIZING RESOLUTION

I, Charles V. Rankin, the duly qualified and acting Clerk of the Village of Groton, New York, do hereby certify that the following resolution was adopted at our special meeting of the Groton Village Board, held on

July 17, 2017, and is incorporated in the original minutes of said meeting, and that said resolution as not been altered, amended or revoked and is in full force and effect.

RESOLVED:

As sponsor of the proposed Industrial Access Program ("IAP") project in the Village of Groton, the Village understands that Region 3 (Syracuse) of the New York State Department of Transportation (DOT) has submitted a formal application to their Main Office on our behalf for IAP funds in the amount of \$175,000. It is further understood that \$175,000 of IAP funding has been awarded to our proposed project and that there will be no increase in the amount if it is later found to be insufficient for the purpose(s) specified in the application. The Village agrees to repay 40% (\$70,000) of the final IAP amount received for the project over a five-year term at no interest.

It is understood by the Village that the information provided by the Village to DOT in the IAP application will be incorporated in the project agreements. Upon award of IAP funds and completion of the construction, the Village of Groton will own and maintain roadway.

- Bond resolution authorizing \$275,000 to pay part of cost of improvements on West South Street, subject to permissive referendum.

Motion to accept made by: Trustee Holl
2nd: Trustee Morey

Roll Call on vote:

Trustee Conger	Voting <u>Aye</u>
Trustee Morey	Voting <u>Aye</u>
Trustee Holl	Voting <u>Aye</u>
Mayor Neville	Voting <u>Aye</u>
Trustee Evener	Absent
carried: X	denied:

BOND RESOLUTION DATED JULY 17, 2017.

A RESOLUTION AUTHORIZING, SUBJECT TO PERMISSIVE REFERENDUM, THE ISSUANCE OF \$275,000 TO PAY A PORTION OF THE COST OF THE IMPROVEMENTS TO THE STORMWATER COLLECTION SYSTEM IN AND FOR THE VILLAGE OF GROTON, TOMPKINS COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$761,679.

WHEREAS, all conditions precedent to the financing of the capital project hereinafter described, have been performed; and

WHEREAS, the capital project hereinafter described has been determined to be an Type II Action pursuant to 6 NYCRR Part 617.5(c)(2) of the regulations of the New York State Department of Environmental Conservation promulgated pursuant to 6 NYCRR Part 617.5(c)(2) of the State Environmental Quality Review Act, the implementation of which as proposed, said regulations provide that same will not result in any significant adverse environmental effects; and

WHEREAS, it is now desired to authorize such capital project and it's financing; NOW, THEREFORE, BE IT

BE IT RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the Board of Trustees of the Village of Groton, Tompkins County, New York, as follows:

Section 1. Improvements to the stormwater collection system in and for the Village of Groton, Tompkins County, New York, including original furnishings, equipment, machinery, apparatus, appurtenances and incidental improvements and expenses in connection therewith, are hereby authorized, subject to permissive referendum, at a maximum estimated cost of \$761,679.

Section 2. It is hereby determined that the plan for the financing of the aforesaid \$761,679 maximum estimated cost is as follows:

- a) by the issuance of not exceeding \$275,000 serial bonds of the Village hereby authorized to be issued therefor, pursuant to the provisions of the Local Finance Law; and
- b) by the expenditure of \$75,000 Capital Reserve Fund monies, which monies of said Village are hereby authorized therefor; and
- c) by the expenditure of \$411,679 grant monies, which expenditure is hereby authorized therefor.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is forty years, pursuant to subdivision 4 of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the serial bonds herein authorized will exceed five years.

Section 4. The faith and credit of said Village of Groton, Tompkins County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on 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 becoming due and payable in such year. To the extent not paid from other sources, there shall annually be levied on all the taxable real property of said Village, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Village Treasurer, the chief fiscal officer. Such notes shall be of such terms, form and contents,

and shall be sold in such manner, as may be prescribed by said Village Treasurer, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue serial bonds with substantially level or declining annual debt service and including the sale thereof to the New York State Environmental Facilities Corporation, shall be determined by the Village Treasurer, the chief fiscal officer of such Village. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Village Treasurer shall determine consistent with the provisions of the Local Finance Law.

Section 7. The Village Treasurer is hereby further authorized, at his or her sole discretion, to execute a project finance agreement, and any other agreements with the New York State Department of Environmental Conservation and/or the New York State Environmental Facilities Corporation, including amendments thereto, and including any instruments (or amendments thereto) in the effectuation thereof, in order to effect the financing or refinancing of the specific object or purpose described in Section 1 hereof, or a portion thereof, by a bond, and/or note issue of said Village in the event of the sale of same to the New York State Environmental Facilities Corporation.

Section 8. The power to issue and sell notes to the New York State Environmental Facilities Corporation pursuant to Section 169.00 of the Local Finance Law is hereby delegated

to the Village Treasurer. Such notes shall be of such terms, form and contents as may be prescribed by said Village Treasurer consistent with the provisions of the Local Finance Law.

Section 9. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Village is not authorized to expend money, or
- 2) 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 twenty days after the date of such publication, or

- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 10. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 11. Upon this resolution taking effect, the same shall be published in full or summary form in the official newspaper of said Village for such purpose, together with a notice of the Village Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 12. Pursuant to the provisions of Section 36.00 of the Local Finance Law, this resolution is adopted subject to permissive referendum.

- Approval of Technical Services Change Order No. 2 to allow for inspection services on the Stormwater Project. Discussion followed of details of the project. Supervisor Shurtleff reported that Doug Withey will work with CT Male.

Motion to accept made by: Trustee Holl

2nd: Trustee Morey

carried: X denied:

- Resolution authorizing Mayor to sign a purchase offer to the First National Bank of Groton in the amount of \$250,000, contingent upon environmental review by the Village Engineer

Motion to accept made by: Trustee Holl

2nd: Trustee Morey All in favor.

carried: X denied:

Real Property Acquisition Authorization Resolution

WHEREAS:

- A. The Village of Groton (the "Village") has been considering and evaluating for an extended period of time the possible acquisition of certain unimproved real property in the Village owned by First National Bank of Groton, identified as Village of Groton Tax parcel 7.-2-18 consisting of approximately 2.10 acres of land and commonly known as 308 Main Street, and has been considering and evaluating the potential beneficial use of the property to accommodate and address certain municipal goals and objectives of the Village, including, but not limited to, (i) the possible construction of a public safety building and public use spaces; (ii) the ability to address and remediate certain long-standing equipment housing requirements, access thereto, and potential life safety matters related thereto; (iii) the fulfillment of planning objectives in accordance with the Village's Comprehensive Plan; and (iv) the resulting benefits to the Village community and its residents; and
- B. The Village Board of Trustees has extensively and carefully reviewed the potential acquisition of such unimproved real property and the identified purposes and benefits; and
- C. The Village Board of Trustees has furthermore thoroughly reviewed the potential acquisition and cost of such unimproved real property, and thereby undertaken a cost/benefit analysis so as achieve the Village's identified goals and needs while at the same time determining a fair, reasonable and acceptable purchase price for such unimproved property; and
- D. The Village Board of Trustees' evaluation and efforts as to the proposed purchase and expenditure of funds for the unimproved real property have included various matters and concerns, including, but not limited to, the evaluation of the issues above, the amount for which the property is being offered by the Seller, and the direct and indirect usefulness of the proposed property for the Village's long-term goals; and
- E. The Village has recently undertaken discussions and negotiations with the current owner of the proposed unimproved property regarding the potential acquisition thereof and the financial terms related thereto; and
- F. The Mayor and the owner of such unimproved real property have verbally agreed to a proposed purchase price for the Property of the sum of \$250,000 and the Village Board of Trustees desires to authorize the Mayor to proceed with negotiations with the owner of such unimproved real property.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The Village Board of Trustees hereby determines that proceeding with the acquisition will be in the best interests of the Village and authorizes the Village Mayor, the Deputy Mayor and the attorney for the Village to negotiate a formal purchase agreement for the unimproved real property, which formal agreement is to be subject to the final approval as to form and content by the Mayor, the Attorney for the Village, and this Board of Trustees, such formal agreement to be contingent upon (i) final review and approval of the Phase II environmental review of the property by the engineers for the Village, (ii) either the making of a determination by the designated lead agency pursuant to Part 617 of the Implementing Regulations pertaining to Article 8 of the Environmental Conservation Law (the State Environmental Quality Review Act ["SEQRA"]), that execution of the purchase agreement as provided for herein is a Type II action, constituting "routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment," and thus may be processed without further regard to SEQRA, or that, if not determined to be a Type II action, all requirements of SEQRA are complied with, and (iii) the Village obtaining a satisfactory appraisal ; and
2. The Village Board of Trustees authorizes the Mayor, Deputy Mayor, the Clerk/Administrator, and/or the attorney for the Village to take such further actions as may be necessary and appropriate to give full force and effect to this resolution; and
3. The Village Board of Trustees hereby authorizes and requests that the Mayor, Village Clerk/Treasurer and the attorney for the Village take such steps and execute such documents as may be necessary, desirable and/or appropriate to effectuate the intent of this resolution; and
4. All actions heretofore or hereafter taken by the Mayor, Village Clerk/Treasurer and the attorney for the Village within the terms and in conformity with the intent and purpose of this resolution hereby are in all respects ratified, confirmed and approved as the proper and authorized acts and deeds of the Village.

MOVED:

SECONDED:

The vote on the foregoing resolution was as follows:

AYES:

NAYS:

The motion was declared to be carried:

- Approval of exception to the Open Container Law for the GCS Class of 1987.

Motion to accept made by: Trustee Holl
2nd: Trustee Conger
carried: X denied:

- Approve travel for Chuck Rankin and Nancy Niswender to attend NYS GFOA Central Region Summer Seminar in Skaneateles on August 4th.

Motion to accept made by: Trustee Conger
2nd: Trustee Morey
carried: X denied:

- Approval of Application to NYS Liquor Authority for Wally's Liquor and Wine Alterations Discussion followed – Code Enf. Anderson reported that he did a walk-through of the facility. They are requesting to double the size of the liquor store and make a bigger office. Code Enf. Anderson did not see any issues with this.

Motion to accept made by: Trustee Morey
2nd: Trustee Holl
carried: X denied:

- Approval of Noise Variance Request – American Legion Club for Groton Olde Home Days 8/24-8/26

Motion to accept made by: Trustee Holl
2nd: Trustee Conger
carried: X denied:

Sidewalk Policy

A discussion followed of research the City of Ithaca policy and procedures to see if this is a direction we may be able to go. Trustee Holl requested that Deputy Treasurer Niswender and Administrator Rankin research information on this and how to determine amounts that may be able to be collected through a village tax. Other items to consider - size of sidewalk or if there is not one on the property. Possible selection could be similar to the way we do roads - # of feet per year. For now, we will continue on with our current plan. We should review our code to see if it is 60 or 90 days after notification that we are required to act. We should discuss this with our attorney if there is any way to suspend the code for this year. Code Enf Anderson reported that he has sent out 3-4 notices.

Tompkins County Shared Services Plan

Mayor and Trustees reported they have all read through the plan and correspondence. Trustee Conger reported that Joe Mareane, Tompkins County Administrator is retiring

The meeting was closed at 7:58 pm.

A handwritten signature in cursive script that reads "Nancy Niswender".

Nancy Niswender
Village Deputy Treasurer