

# TOWN OF SPRINGWATER

## REGULAR TOWN BOARD MEETING

### MAY 8, 2023

Supervisor Babbitt Henry calls the meeting to order at 7:00 P.M.

Pledge of Allegiance

Roll Call of Board - Present: Councilmember Canute, Councilmember Kyle Mason, Councilmember Willsea, Deputy Supervisor Lawrence Gnau.

Deputy Clerk Joyce Nisbet and Highway Superintendent Matthew Nisbet present.

**Acceptance of Minutes** for April 10, 2023 Regular Board Meeting

**Acceptance of Minutes** for April 29, 2023 Special Board Meeting

**Motion** made by Councilmember Mason to accept the minutes for April 10<sup>th</sup> 2023 for the Regular Town Board Meeting, seconded by Councilmember Willsea. Roll Call; Councilmember Canute, Aye; Councilmember Mason, Aye; Councilmember Willsea, Aye; Deputy Supervisor Gnau, Aye; Supervisor Babbitt Henry, Aye. Carried.

**Motion** made by Councilmember Canute to accept the minutes for April 29, 2023 for the Special Town Board Meeting, seconded by Deputy Supervisor Gnau. Roll Call; Councilmember Canute, Aye; Councilmember Mason, Aye; Councilmember Willsea, Aye; Deputy Supervisor Gnau, Aye; Supervisor Babbitt Henry, Aye. Carried.

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#### **Privilege of Floor**

Anita Bloom – Republican Chairman requested to speak after the board meeting.

Colleen Renno – Requested to be withdrawn.

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#### **Abstract of Claims # 5 of 2023 \$ 67,311.18**

Approving the Abstract of Claims #5 of 2023 for Audit date 05/08/2023

General Fund	\$ 11,168.48	Vouchers	#97-120
Highway Fund	\$ 51,632.43	Vouchers	#83-106
Sewer Fund	\$ 3,257.60	Vouchers	#43-56
Water Fund	\$ 1,252.67	Vouchers	#31-39

**Motion** made by Councilmember Willsea to approve abstract of claims #5 of 2023 for an overall total of \$ 67,311.18 seconded by Councilmember Canute; Roll call: Councilmember Canute, Aye; Councilmember Mason aye, Councilmember Willsea, Deputy Supervisor Gnau aye; motion carried.

#### **Supervisor**

**Monthly Reports** - The following monthly reports were distributed to the board for April; Assessor Report, Justice, Water/Sewer, Town Clerk and Historian Reports. Discussion regarding the sale of cemetery plots and lots in Town owned cemeteries. The Board would like the Town Clerk to check with Baird Funeral Home, St. George Funeral Home and Gene Miller to see if they have any current map of Pleasant Valley East. The Town received some documentation from Maxine Averill many years ago. Gene Miller may have an updated map. The Town Historian reported that she has no updated map as well. The board decided to not sale any plots or lots as of right now until further confirmation of a good map for Pleasant Valley East can be found. Supervisor reports that she received Livingston County Tax Sale listing for July 23, 2023, this will be held at Hamptons Corners. Supervisor also reports that she discussed with the newly awarded mowing company T & T (Kevin Tattoo) and Carl Bloom regarding mowing in Pleasant Valley East. For right now Carl will be mowing Pleasant Valley East and if at any time he cannot mow Kevin Tattoo will be notified. Due to Carl mowing Pleasant Valley East Tattoo will be submitting a reduction on the bill for mowing Town

properties. Seniorama was held on May 6, 2023 and was successful, held at the new facility in Lakeville, Brenda Haywood attended. Start thinking about Seniors and Teens for next year.

**Motion** made by Supervisor Babbitt Henry to not sale any plots or lots in the Pleasant Valley East Cemetery until such time as we can make a determination of what is truly available, seconded by Deputy Supervisor Gnau. Roll Call; Councilmember Canute, Councilmember Mason, Councilmember Willsea, Deputy Supervisor Gnau, Supervisor Babbitt Henry, all ayes; carried.

**Motion** made by Supervisor Babbitt Henry to appoint Darlene McCallum to the Planning Board, seconded by Councilmember Mason; carried.

### **Old Business**

The tank quote for painting the Water Tower was awarded to Peter Bruckle. Mr. Bruckle has asked the Town to sign a contractor's agreement. That we will pay him the amount of \$27,350.00 due upon the completion of the work. This is paid through ARPA funds that we currently received. Discussion regarding declaring Highway Surplus to be allowed to go to auction. The 2020 Regional International Truck with 33,536 miles payment was approved tonight. It may be time to turn this truck over. First Net phone Demos have been given out to Highway, Water/Sewer/, Code and the Assessor. Sliker reports that signal in the Hamlet was very good; Code Enforcement would prefer the AT & T phone as he had better coverage in the hills; The Assessor had the same to report as the Code Enforcement Officer. Supervisor reports a proposed Local Law #4 of 2023 land use and proposed changes regarding updating the old lot line law. Board members are still working on this law. The John Deere mowing tractor is ready to be picked up, \$155,480.00. Old mowing tractor and possibly the six-wheel to be discussed at next meeting to be sent to auction.

**Motion** made by Deputy Supervisor Gnau to sign the contractor's agreement for Peter Bruckle, seconded by Councilmember Mason. Roll Call; Councilmember Canute, Councilmember Mason, Councilmember Willsea, Deputy Supervisor Gnau, Supervisor Babbitt Henry, all ayes; carried.

**Motion** made by Councilmember Canute to declare the 2018 Dodge Ram pickup and 3-point wood splitter surplus and to allow the Highway Superintendent Matthew Nisbet to take them to auction, seconded by Deputy Supervisor Gnau, all in favor; carried.

**Motion** made by Councilmember Mason to have FirstNet return and have further conversation, seconded by Deputy Supervisor Gnau. Roll Call; Councilmember Canute, Councilmember Mason, Councilmember Willsea, Deputy Supervisor Gnau, Supervisor Babbitt Henry, all ayes; carried.

**Motion** made by Deputy Supervisor Gnau to pay the John Deere mower from the fund balance and not finance, seconded by Councilmember Canute. Roll Call; Councilmember Canute, Councilmember Mason, Councilmember Willsea, Deputy Supervisor Gnau, Supervisor Babbitt Henry, all ayes; carried.

### **New Business**

Grievance SW039 – James Brown

This is currently being billed for a 2-family home. It was condemned at one point. The home was purchased at tax auction with water and sewer bills being owed on the property. Livingston County does not inform purchasers at auction if there are water and sewer bills owed on the properties that they auction off. After the home was purchased, they started demolishing the inside. That owner (A. Houser) then sold the property to James Brown. The owner Amber Houser never disclosed that there were water and sewer bills outstanding., nor did either of the attorneys disclose in the transaction of the house. The Supervisor and the Code Officer

walked through the house/structure after Brown purchased the property. At that point there was nothing inside working, no kitchen, no bathrooms etc. They are currently remodeling this into a 1 family home. Brown is being charged for two water and two sewers. Brown currently has a permit for this property as well. Brown states that he feels that he should not have to pay this amount as he has never had anything on and running in the building since, he has owned the property. Sept 30, 2022 – December 30, 2022 the bill came out 1.03.23 read the meter 12.31.22 and it was due February 15, 2023. The next date to be read March 31, 2023. There is a minimum usage charge of 10,000 gallons per quarter or \$85.00. Total bill owed as of today is \$874.70. Sewer has a minimum charge of \$100.00. Brown currently owes \$874.70; it was decided by the board to table this to the next meeting so that they have a chance to reach out to Amanda and Dave in the Water and Sewer Department.

**Motion** made by Supervisor Babbitt Henry to reduce James Brown's property SW039 from a two family to a one family unit for water and sewer, seconded by Deputy Supervisor Gnau. Roll Call; Councilmember Canute, Councilmember Mason, Councilmember Willsea, Deputy Supervisor Gnau, Supervisor Babbitt Henry, all ayes; carried.

### **5 Mega Watt Community Hybrid Solar/ BESS project**

Supervisor received an email that there is a 5 mega watt community solar BESS slated for Springwater. This is a commercial solar farm. This is a 94C project. Located on County Line Road, (Case's Hill). Near the Livingston County Radio tower. Approval from Wayland was given to start the South End of the property. They are looking to do the north end. This is a State Project under the 94C and we are not the permitting agency on this. The County will set how much they pay in taxes for this property. This is a large hybrid system that is phase three electric. The Town has a solar law that was passed last year that they must take in to consideration. Supervisor Babbitt Henry has been in contact with Town attorney Jim Campbell. The County Planning Board will keep the Supervisor informed.

### **Board Reports**

**Town Clerk** – Notice of Public Hearing Town of Naples. Notice of Proposed Local Law amending section 132-15 Preservation of Natural Features of the Zoning Chapter of the Code of the Town of Naples. Public Hearing on May 2, 2023. Decreasing the setback from water streams for structures from 100 feet to 25 feet. Dog renewals were mailed out and many have returned.

**Councilmember Willsea** (Code Enforcement/Historian/Recreation/Town Clerk)– Would like to discuss water and sewer rates at next meeting

**Councilmember Canute** (Highway) Highway has been ditching roads and putting in driveways. Supervisor Reports that CHIPS for this year that is proposed will remain the same as last year. The base CHIPS was raised from \$188,000 to \$276,996.69. PAVENY is \$64,354.87. EWR \$55,649.29. PAVE OUR POTHLES three \$42903.25

**Councilmember Mason** – Green Gull cemetery has trees that need to be removed. Mason also reports that the project for street lamp mapping is 98% completed.

**Deputy Supervisor Gnau** (water/sewer) – Working on getting a final price on a water line replacement up East avenue to the water tank. Would like the board to look further into connecting water down Depot and down Kellogg Roads. Only two individuals out of all the parcels were not interested. Most everyone interested on Kellogg Road. May want it to go down Kellogg and loop to Mill Street.

**Motion** made by Councilmember Mason to allow Highway Superintendent Matthew Nisbet to contact a tree removal service for Green Gull cemetery for trees that are deemed removeable, seconded by Deputy Supervisor Gnau. Roll Call; Councilmember Canute, Councilmember Mason, Councilmember Willsea, Deputy Supervisor Gnau, Supervisor Babbitt Henry, all ayes; carried.

**Motion** made by Supervisor Babbitt Henry to request for executive session for the purpose of discussion relating to proposed, pending, or current litigation at 8:13pm with Highway Superintendent and Town Clerk to be present, seconded by Deputy Supervisor Gnau. Roll Call; Councilmember Canute, Councilmember Mason, Councilmember Willsea, Deputy Supervisor Gnau, Supervisor Babbitt Henry, all ayes; carried.

**Motion** made by Supervisor Babbitt Henry to come out of executive session at 8:36pm, seconded by Councilmember Mason.

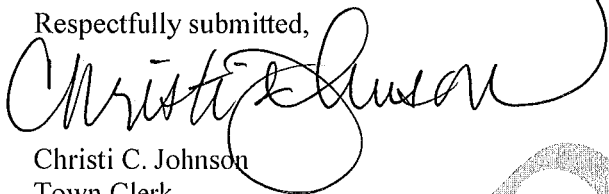
**Motion** made by Supervisor Babitt Henry to return to Regular Session at 8:37pm, seconded by Deputy Supervisor Gnau.

**Motion** made by Deputy Supervisor Gnau to 2020 International truck, 2018 Dodge Pickup, Log Splitter and Kubota side by side to go to auctions international, seconded by Supervisor Babbitt Henry. Roll Call; Councilmember Canute, Councilmember Mason, Councilmember Willsea, Deputy Supervisor Gnau, Supervisor Babbitt Henry, all ayes; carried.

**AJOURNMENT**

**Motion** made by Deputy Supervisor Gnau to adjourn the meeting at 8:40pm, seconded by Supervisor Babbitt Henry; motion carried with all ayes.

Respectfully submitted,



Christi C. Johnson  
Town Clerk

APPROVED