

MINUTES
REGULAR MEETING and PUBLIC HEARING
THE GORHAM TOWN BOARD
February 13, 2019 7:00pm

The Gorham Town Board held a Regular Meeting and Public Hearing on February 13, 2019 at 7:00 pm at the Gorham Town Hall. Present were; Town Supervisor Frederick Lightfoote, Councilmembers; William Glitch, Brian S. Case, Richard Malcolm and Jake Chard.

Water/Wastewater Chief Operator Greg Coston, Highway Superintendent Zach Eddinger, Zoning/Building Officer Gordy Freida, Deputy Zoning/Building Officer Jim Morse, Billing Clerk Brenda Jones and Town Clerk Darby Perrotte. Assessor Enza Mineo was necessarily absent.

Other guests in attendance; Lynne Klotz, Brett Johnson, Emily Palumbos, Megan Webster, Sam Casella and George Barden.

1. Call to Order/Pledge to the Flag

2. Privilege of the Floor –

Ms. Megan Webster, from the Ontario County Soil and Water Conservation District, was present to speak in appreciation of Gordy Freida regarding his upcoming retirement.

Ms. Webster said "I have with me, Sam Casella our chairman, and George Barden the Watershed Inspector for the Canandaigua Lake Watershed Inspection Program. We just wanted to take this opportunity to recognize Gordy Freida for all his amazing supports and commitment to soil and water conservation and to the Watershed Commission and his general enthusiasm and good-naturedness."

Ms. Webster presented Mr. Freida with a Resolution of Appreciation from the Ontario Water and Soil Conservation District.

Mr. George Barden said "I have worked with Gordy for over twenty years. In dealing with a lot of the situations and projects, within the Canandaigua Lake Watershed portion of the Town of Gorham, it has been a pleasure to work with him in some of the most controversial projects. His cooperation and common sense approach to dealing with some of the people in the situations we've had to deal with it's been easy for me and it's made my job easier over the twenty years that he's been here and I wanted to thank him for that."

Mr. Sam Casella said "The main reason I came, because Megan and George could have carried this off very well, is similar to what George said. When I got elected in 1998 to the Town and I got on the council Gordy immediately became a stand out on the Commission. Whenever I felt I had a challenge or a problem or there was a bit of a controversy, George expressed it very well, one of the most stable, even-thinking people, I began to realize who that person was, it was Gordy. He knew what was going on, he knew this area and frankly, Gordy, you know people. You work well with people and you can communicate. I personally never saw him get rattled once. All those years I served, in those twelve years, Gordy was always the go to guy that kind of, in my opinion, sometimes kept the meeting together kept some composure going. He was someone I felt I could count on, talk to and get some counsel. With the benefit of his wisdom it helped me to make a better decision. Gordy was always the guy

that was right there for all of us, in this whole watershed and for all the people. Frankly, as people like Gordy retire and move on, I don't know if people really realize what they are losing with that kind of experience. There's nothing you can do about it, there's other young people coming up behind. As that happens in government you really pray that somebody comes up and picks up that baton and carries it as well as someone as seasoned and as experienced as Gordy. Gordy, it's been a pleasure working with you."

Supervisor Lightfoote said "I am so glad you could come and express this tonight. Your words are very well taken, it's great to hear other people say the same thing we have been saying for years. Thank you everyone."

3. Public Hearing – Local Law #1 2019- Tax Cap Override

Supervisor Lightfoote opened the public hearing. The legal notice as it appeared in the official newspaper was read. With no comment from the public the hearing was closed.

4. Approval of Minutes - 1/9/19 Organizational Meeting Minutes
1/9/19 Regular Meeting Minutes

On the motion by Councilmember Chard, seconded by Councilmember Malcolm, the minutes from both meetings were approved as submitted. Motion carried unanimously. (5-0)

013-2019

5. Audit of Bills -

Abstract #2

A	12-94	\$60,536.98
B	52-60	584.32
SL	62-95	774.31
DB	12-90	55,843.68
SS	30-89	3,904.49
SW1	24-88	17,651.06
T/A	29	210.00

6. Reports of Town Officials -

- A. Chief Operator Water/Wastewater Plants – written reports on file.
- B. Highway Superintendent – written report on file.
- C. Zoning/Building Officer – written report on file.
- D. Assessor – written report on file.
- E. Town Clerk – written report on file.
- F. Town Supervisor – written report on file.

On the motion by Councilmember Chard, seconded by Councilmember Malcolm the reports of Town Officials were approved as submitted. Motion carried unanimously. (5-0)

7. Business:

a. Resolution for Library Expansion –

Supervisor Lightfoote offered the following Resolution and called for its adoption. Seconded by Councilmember Glitch it was adopted unanimously. (5-0)

Resolution # 2- 2019

Whereas: The Town of Gorham owns the building at 2664 Main Street in the Hamlet of Gorham, known as the Library Building

Whereas: The building is solid and sound.

Whereas: The Town Board of the Town of Gorham has supported the efforts of the Gorham Free Library for many decades, including partnering with many organizations for programming to benefit the surrounding community, and

Whereas: It has become evident over the years that there is substantial need for additional space within the library building

Therefore: The Town Board of the Town of Gorham feels that it is in the best interests of the Town to construct an addition to the Library that will allow the Library employees and volunteers additional space to provide for expanded programming and services.

Approved as of January 9th, 2019 by the Town Board of the Town of Gorham, New York.

b. Local Law #1-2019 Tax Cap Override

Councilmember Glitch offered the following resolutions and called for their adoption. Councilmember Malcolm seconded the motion. Motion carried 4-1 (Ayes – Lightfoote, Glitch, Case and Malcolm. Nays- Chard).

016-2019

**RESOLUTION #3-2019
AUTHORIZING ADOPTION BY THE TOWN BOARD OF THE TOWN OF GORHAM OF
LOCAL LAW NO. 1 OF 2019**

WHEREAS, a resolution was duly adopted by the Town Board of the Town of Gorham for a public hearing to be held by said Town Board on February 13th, 2019, at 7:00 p.m. at Gorham Town Hall, 4736 South Street, Gorham, New York, to hear all interested parties on a proposed Local Law to override the tax levy limit established in General Municipal Law §3-c; and

WHEREAS, notice of said public hearing was duly advertised in the official newspaper of the Town of Gorham, on February 1st, 2019, and all other notices required by law to be given were properly served, posted or given; and

WHEREAS, said public hearing was duly held on February 13th, 2019, at 7:00 p.m. at the Gorham Town Hall, 4736 South Street, Gorham, New York, and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said Proposed Local Law, or any part thereof; and

WHEREAS, the Town Board of the Town of Gorham, after due deliberation, finds it in the best interest of the Town of Gorham to adopt said Local Law.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Gorham hereby adopts said Local Law No. 1 of 2019, entitled, "A local law to override the tax levy limit established in General Municipal Law §3-c", a copy of which is attached hereto and made a part of this resolution, and be it further

RESOLVED, that the Town Clerk be and she hereby is directed to enter said Local Law in the minutes of this meeting and in the Local Law Book of the Town of Gorham, and to give due notice of the adoption of said local law to the Secretary of State of New York.

I, Darby L. Perrotte, Town Clerk of the Town of Gorham do hereby certify that the aforementioned resolution was adopted by the Town Board of the Town of Gorham on February 13th, 2019, by the following vote:

	<u>Aye</u>	<u>Nay</u>
Frederick Lightfoote	X_____	_____
William Glitch	X_____	_____
Brian S. Case	X_____	_____
Richard Malcolm	X_____	_____

RESOLUTION #4-2019

WHEREAS, the Town Board of the Town of Gorham is the governing body of the special districts and/or fire protection districts set forth in the Schedule attached hereto and made a part hereof; and

WHEREAS, it is the intent of this resolution to override the limit on the amount of real property taxes that may be levied by the Town of Gorham, on behalf of the aforesaid special districts and/or fire protection districts, pursuant to General Municipal Law §3-c, and to allow the Town of Gorham, on behalf of the aforesaid special districts and/or fire protection districts, to adopt a budget for the fiscal year 2020 that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law §3-c; and

WHEREAS, this resolution is adopted pursuant to subdivision 5 of General Municipal Law §3-c, which expressly authorizes a local government's governing body to override the tax levy limit for the coming fiscal year by the adoption of a local law approved by a vote of sixty percent (60%) of said governing body.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Gorham, County of Ontario, is hereby authorized to adopt a budget for the fiscal year 2020 on behalf of the special districts and/or fire protection districts set forth in the Schedule attached hereto and made a part hereof that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law §3-c.

I, Darby L. Perrotte, Town Clerk of the Town of Gorham do hereby certify that the aforementioned resolution was adopted by the Town Board of the Town of Gorham on February 13th, 2019, by the following vote:

	<u>Aye</u>	<u>Nay</u>
Frederick Lightfoote	X_____	_____
William Glitch	X_____	_____
Brian S. Case	X_____	_____
Richard Malcolm	X_____	_____
Jake Chard	_____	X_____

- c. Local Law #2-2019 Increasing the Highway Superintendents Salary.

Supervisor Lightfoote offered the following resolution and called for its adoption. Councilmember Chard seconded the motion that carried unanimously. (5-0)

017-2019

**RESOLUTION #5-2019
INTRODUCING LOCAL LAW AND CALLING A PUBLIC HEARING**

WHEREAS, the Town Board of the Town of Gorham, after due deliberation, finds it in the best interests of the Town to schedule a public hearing to solicit public comment upon a proposed Local Law to Increase the Compensation of the Elected Position of Town Superintendent of Highways in the Town of Gorham for Fiscal Year 2019; and

WHEREAS, the Town Board of the Town of Gorham has reviewed the draft of the aforementioned proposed Local Law attached hereto as Exhibit "1" and deems it in the best interests of the Town of Gorham to proceed in accordance with the Code of the Town of Gorham and the Laws of the State of New York in adopting said Local Law,

NOW, THEREFORE, BE IT RESOLVED, that the Town Clerk be, and she hereby is, directed to schedule a public hearing to be held on March 13, 2019 at 7:00 p.m. at the Gorham Town Hall, 4736 South Street, Gorham, New York; and be it further

RESOLVED, that the Town Clerk, be and hereby is, authorized to forward to the official newspapers of the Town a Notice of Public Hearing in the form substantially the same as that attached hereto as Exhibit "2"; and be it further

RESOLVED, that the Town Clerk be, and she hereby is, directed to post a copy of the proposed Local Law on the Town of Gorham sign board and take any and all other necessary actions to properly bring the aforementioned Local Law before the Town Board of the Town of Gorham for its consideration; and be it further

RESOLVED, that the Town Clerk be, and hereby is, authorized to provide all other notices as required by law for the adoption of this local law.

I, Darby L Perrotte, Town Clerk of the Town of Gorham do hereby certify that the aforementioned resolution was adopted by the Town Board of the Town of Gorham on February 13, 2019 by the following vote:

	<u>Aye</u>	<u>Nay</u>
Frederick Lightfoote	X_____	_____
William Glitch	X_____	_____
Brian S. Case	X_____	_____

Richard Malcolm
Jake Chard

X _____
X _____

d. 2018 Court Records –

Supervisor Lightfoote made available the 2018 Justice Court Records for the Town Board to examine. It is recommended the Board review these records for approval at the March 13, 2019 meeting of the Town Board.

e. Ontario County's Local Solid Waste Management Plan -

Supervisor Lightfoote made available the extension agreement between the Town of Gorham and Ontario County regarding funding for the County's Local Solid Waste Management Plan. The agreement is on file at the Town Clerk's Office.

Supervisor Lightfoote talked about starting an organic recycling program at the Transfer Station. A brief discussion was held. Supervisor Lightfoote tabled this until March to gather more information.

f. 284 Agreement – The Agreement for Expenditures of Highway Money was reviewed and approved/accepted by all Councilmembers.

8. Set Next Meeting Date – March 13, 2019 Regular and Public Hearing.

9. Privilege of the Floor –

Mrs. Lynn Klotz asked if the Board would be interested in having anyone from The Watershed Association talk briefly about the Blue/green algae problem in Canandaigua Lake. Councilmembers welcome a presentation from the Association. Mrs. Klotz will line up a representative for the next Town Board meeting March 13, 2019.

Mrs. Klotz said "The Association has put together a sub-committee. They came up with a plan called 'Healthy Lawns'. There's a little pledge card you can sign and it's specifically not binding and not very restrictive just some ideas on what homeowners can do to limit pesticide and herbicide use. The Association would like to get everybody in the Watershed to care more about the Lake but we're not sure how to do it."

Mrs. Klotz left a flyer the Association put together on how to protect our water quality. She is hoping we could send it out with the next Town newsletter.

Councilmember Glitch had a list of questions regarding old business.

Councilmember Glitch said "At some point we need to address the sidewalks regarding homeowners keeping them shoveled in front of their properties."

He asked how the accounting company was doing regarding payroll. Are there still mistakes with paychecks or is there a handle on it.

Supervisor Lightfoote said there have been changes made to the timesheets so that it is easier for the payroll company to understand them.

Councilmember Glitch asked about the disabled parking in the hamlet.

Supervisor Lightfoote said he is still waiting to hear back from the State.

The Board discussed the safety issues at the crosswalk near the elementary school.

Supervisor Lightfoote will talk to representatives from the State regarding fees to maintain flashing lights at the crosswalk.

Councilmember Glitch asked what is being done about the municipal parking lot not being used as Proctor's personal parking lot.

Deputy Zoning/Building Officer Morse said Gordy mentioned having a meeting with Proctor before the end of the month.

Councilmember Glitch asked about the water rates for the laundromat. He asked how many units the laundromat is being charged for.

Billing Clerk Jones said she could get those amounts for him.

Supervisor Lightfoote said Ms. Jones can gather the amounts and the Board can discuss it at next month's meeting.

Councilmember Glitch asked about the Watkin's property issues.

Supervisor Lightfoote said "The Town has exhausted anything more that we can do. It is in litigation."

10. Adjournment - with no further business, on the motion by Councilmember Chard, seconded by Councilmember Glitch the meeting was adjourned at 8:45pm. Motion carried unanimously. (5-0)

018-2019

Respectfully Submitted,

Darby L. Perrotte
Town Clerk

