

**MINUTES**  
**REGULAR MEETING & PUBLIC HEARING**  
**THE GORHAM TOWN BOARD**  
**April 12, 2023 7:00pm**

The Gorham Town Board held a Regular Meeting and Public Hearing on Wednesday April 12, 2023 at 7:00pm at the Town Hall in Gorham, NY.

Present were Supervisor Fred Lightfoote. Councilmembers; Brian S. Case, Jake Chard and Phil Curtis.

Councilmember Brian Lazarus was necessarily absent.

Town Officials in attendance; Chief Operator Water & Wastewater Districts Greg Coston, Assessor Enza Mineo and Town Clerk Darby Perrotte.

Highway Superintendent Zach Eddinger and Code Enforcement Officer Jim Morse were necessarily absent.

Many residents/guests in attendance in person and via zoom.

The full zoom recording of tonight's meeting is posted on the Town of Gorham Website.

1. Call to Order/Pledge to the Flag
2. Privilege of the Floor –

Brett Johnson, Chairman of the Town's Conservation Board, updated the Town Board on the progress of the guide/handbook the Conservation Board is working on.

Chairman Johnson informed the Board that one of the collection totes, for food waste, at the transfer station is missing. He has been in touch with the owner of Impact Earth and can replace the tote for \$90.00. Chairman Johnson will work with the Transfer Station employees to permanently secure the tote to prevent theft in the future.

Chairman Johnson said the ROW Program has handed out 100 buckets to participants and estimates over 80 active users for the ROW Program. He thanks all users.

Robert Baxter, County Road 11 resident, had a list of questions for the Town Board. He asked several questions in regards to budget and when and if the Board reviews the budget on a quarterly basis. If the Town Board has adopted established control procedures that are required for daily financial operations. Does the Town have a formal investment policy. Why the fund balance has such a significant reduction. He said the Code of Ethics needs to be updated considering the toxic work environment within the Town. Does the Town have a computer use policy.

Mr. Baxter stated the Town does not communicate well with the taxpayers. The Town lacks transparency. Documents, required by law, are not readily available to residents. There is no accountability in the Town. Mr. Baxter stated it is inappropriate for family members of Town employees and elected officials to have access to Town computers and documents.

After stating all of this, Mr. Baxter formally asked for Supervisor Lightfoote's resignation. Supervisor Lightfoote said he will not resign, he will have answers to these questions and will post them on the Town website.

Sally Napolitano, Lake Drive resident, stated she has her list of questions; she is looking for December financial report, the water billing audit from EFPR, the Crystal Beach Fire Department Audit, when the town wide audit will begin and the policy book and job description updates specifically for the Bookkeeper and the Billing Clerk.

Amanda Gibeau, Stanley/Hall/Gorham Ambulance, updated the Board on the status of the financing for the new Ambulance building. They have submitted all the needed information to USDA.

Woody Daugherty, Crowe Road resident, asked how many Bookkeepers the town has and what the official job title is for Brenda Jones.

3. Public Hearing Comprehensive Plan Update –

Supervisor Lightfoote opened the public hearing. Town Clerk Darby Perrotte confirmed the meeting and public hearing were duly advertised. With no comments Supervisor Lightfoote adjourned the public hearing and will re-open at the May 10, 2023 meeting.

4. Approval of Minutes –           3/8/2023   Regular Meeting  
  3/15/2023   Special Meeting

On the motion by Councilmember Curtis, seconded by Councilmember Case, the minutes were approved as submitted. 4-0  
4 - Ayes Lightfoote, Case, Chard, Curtis

**042-2023**

5. Reports of Town Officials -

A. Chief Operator Water/Wastewater Plants – written report on file.

Chief Operator Coston added to his report. He said after the storm event on April 5, 2023 A pressure reducing valve failed causing 2 water main breaks which required a boil water notice. The Towns of Hopewell and Canandaigua and the Village of Rushville helped the Water Department to get the mains repaired.

B. Highway Superintendent – Out on leave, no report filed. Councilmember Chard asked what the status is on highway employee Cody Docteur. Supervisor Lightfoote said that will be part of the highway report and how they put it together.

C. Zoning/Building Officer – written report on file.

D. Assessor –written report on file.

- E. Town Clerk – written report on file.
- F. Town Supervisor – no report on file.

On the motion by Councilmember Chard, seconded by Councilmember Curtis, the reports of Town Officials were approved as submitted. Motion carried unanimously. 4-0  
4 - Ayes Lightfoote, Case, Chard, Curtis

**043-2023**

6. Audit of Bills -

Abstract #4

Abstract prepared by the Bookkeeper, Town Clerk and Billing Clerk  
Approval of Vouchers

On the motion by Councilmember Case, seconded by Councilmember Curtis.  
The abstract for April totaling \$225,085.47 was approved for payment. Motion carried unanimously. 4-0

4- Ayes - Lightfoote, Case, Chard, Curtis

**044-2023**

7. Business –

a. Canandaigua Lake Watershed Manager Kevin Olvany attended. He gave a brief update on the Salt Reduction Pilot Program that includes Gorham Highway Department. The Pilot includes special equipment provided by a State grant. The Pilot is to reduce the need and use of salt on the roads while maintaining road safety. Mr. Olvany gave a very detailed presentation of the problems that occurred during the April 5 weather event. He said it was a very interesting storm event and explained some of the issues they were seeing upland in terms of the watershed area. One of his jobs is to get out in a storm event and evaluate what is going on. His presentation highlighted the effectiveness of working together proactively to alleviate the system being overwhelmed during unpredicted storm events.

b. Local Law #2-2023 Deputy Highway Superintendent Position

Councilmember Curtis offered the following resolution and called for adoption. Seconded by Councilmember Case, the resolution was adopted unanimously. 4-0

4 - Ayes Lightfoote, Case, Chard, Curtis

**045-2023**

**TOWN OF GORHAM  
RESOLUTION # 17-2023  
AUTHORIZING SCHEDULING OF PUBLIC HEARING  
FOR PROPOSED LOCAL LAW ENTITLED "A LOCAL LAW  
TO ESTABLISH THE RESIDENCY REQUIREMENTS FOR THE APPOINTED OFFICE OF  
DEPUTY HIGHWAY SUPERINTENDENT FOR THE TOWN OF GORHAM"**

**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 entitled "A Local Law to Establish the Residency Requirements for the Appointed Office of Deputy Highway Superintendent for the Town of Gorham"; 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 May 10, 2023 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 newspaper 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.

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 April 12, 2023 by the following vote:

	<b><u>Aye</u></b>	<b><u>Nay</u></b>
Frederick Lightfoote	X_____	_____
Brian S. Case	X_____	_____
Jake Chard	X_____	_____
Phil Curtis	X_____	_____
Brian Lazarus	absent	_____

c. Resolution allowing Town of Gorham Highway Department to work off the Right of Way

Councilmember Chard offered the following resolution and called for adoption. Seconded by Councilmember Case, the resolution was adopted unanimously. 4-0

4 - Ayes Lightfoote, Case, Chard, Curtis

**046-2023**

**TOWN OF GORHAM  
RESOLUTION #17-2023  
ALLOW THE HIGHWAY DEPARTMENT TO PERFORM  
WORK OFF THE RIGHT OF WAY**

**Whereas,** There are several drainage ditches in the Town of Gorham that are plugged to a degree that does not allow for proper drainage away from nearby road ditches and roadbeds, and;

**Whereas,** Landowners are not required to maintain these ditches, and;

**Whereas,** Proper drainage must be provided to protect both town infrastructure and public safety, then;

**Therefore,** The Gorham Town Board directs the Town Supervisor to obtain signed easements on any private land where access is necessary for the cleaning/opening of ditches to allow proper drainage away from Town rights of way.

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 April 12, 2023 by the following vote:

	<u><b>Aye</b></u>	<u><b>Nay</b></u>
Frederick Lightfoote	X_____	_____
Brian S. Case	X_____	_____
Jake Chard	X_____	_____
Phil Curtis	X_____	_____
Brian Lazarus	absent.	_____

- d. Employee Handbook – Tabled
- e. Comprehensive Plan Update -Tabled
- f. Standard Workday Reporting Resolution – Tabled

8. Privilege of the Floor –

Sally Napolitano stated the Town of Middlesex is currently in the process of making the position of Highway Superintendent an appointed position. She said the subject has come up to the Gorham Town Board and she thinks there is a lot of support for it.

Dale Stell, County Road 1 resident, asked if the Town does the Employee Handbook in-house.

Supervisor Lightfoote said yes, the Board is updating it this year.

Kathy Baxter, County Road 11 resident, stated it was brought up at a meeting in Crystal Beach that there are a number of non-working fire hydrants in the town.

Chief Operator Coston said that is not accurate information. The Fire Chief contacts him when there is a fire event, the departments work well together. Chief Operator Coston said the Water Department performs maintenance on the hydrants spring and fall. The schedule and a report are on file at the water plant. Chief Operator Coston will reach out to the Fire Chief to resolve the misinformation.

Chrissy Watkins, Lake to Lake Road resident, asked about the clothing allowance for employees.

Supervisor Lightfoote said the Town settled up with the uniform service and discontinued use. The Town allows employees up to \$600.00 clothing allowance.

Mrs. Watkins asked if the Town has always paid for Highway Superintendents cell phone, it seems very expensive.

Supervisor Lightfoote said yes, he's on the phone a lot with the guys.

Dale Stell asked about fines & fees to the Comptroller's Office and a credit from Regional.

Supervisor Lightfoote said fines & fees are collected from court and paid to the State and Regional credited for repairs that were overcharged at the highway.

Sally Napolitano asked why our Town is driven to 100% equalization rate with assessments.

Supervisor Lightfoote said part of it is the Town loses out on State Aid when it is below 100%. Assessor Mineo clarified how the equalization rate effects tax payers.

9. Set the next Meeting Date – The next regular Town Board Meeting and public hearing will be held on May 10, 2023 at 7:00 pm at the Gorham Town Hall.

10. Executive Session –

On the motion by Supervisor Lightfoote, seconded by Councilmember Chard, the Board entered into executive session at 8:44 pm to discuss Medical, financial, credit or employment history of a particular person or corporation or relating to promotion demotion, discipline, appointment or removal.

On the motion by Supervisor Lightfoote, seconded by Councilmember Case, the Board returned to regular session at 9:35 pm. No action was taken in executive session. Both motions carried unanimously. 4-0

**047-2023**

11. Adjournment – with no further business, on the motion by Councilmember Chard, seconded by Councilmember Case, the meeting was adjourned at 9:47pm. The motion carried unanimously. 4-0

Ayes – Lightfoote, Case, Chard, Curtis

**048-2023**

Respectfully Submitted,

Darby L. Perrotte  
Town Clerk