

**MINUTES  
VIRTUAL MEETING  
THE GORHAM TOWN BOARD  
April 8, 2020 7:00pm**

The Gorham Town Board held a Regular Meeting April 8, 2020 at 7:00 pm.

Present via Video/and or Phone Conference were; Town Supervisor Fred Lightfoote, Councilmembers; William Glitch, Brian S. Case, Richard Malcolm and Jake Chard. Water/Wastewater Chief Operator Greg Coston, Highway Superintendent Zack Eddinger, Building/Code Officer Jim Morse, Water/Sewer Billing Clerk Brenda Jones and Town Clerk Darby Perrotte.

Assessor Enza Mineo was necessarily absent.

Other Guests in attendance by Phone or Video Conference; Scott Bova, Lynn Klotz, Sally Napolitano, Joan Gage, PJ Baxter, Greg Talomie and Richard Calabrese.

1. Call to Order/Pledge to the Flag. Supervisor Lightfoote called the meeting to order and led the Pledge of Allegiance.
2. Privilege of the Floor – none requested
3. Approval of Minutes – 3/11/2020 Regular & Public Hearing Meeting Minutes

On the motion by Councilmember Glitch, seconded by Councilmember Malcolm, the meeting minutes from 3/11/2020 were approved as submitted. Motion carried unanimously. (5-0)

**032-2020**

4. Audit of Bills -

Abstract #4

A	202-259	\$31,190.02
B	202-255	2,935.34
DB	204-271	46,587.01
SS	202-270	11,928.09
SW1	202-265	12,738.06
T/A	3	110.00

On the motion by Councilmember Case, seconded by Councilmember Chard, the bills were approved for payment. Motion carried unanimously. (5-0)

**033-2020**

## 5. Reports of Town Officials -

A. Chief Operator Water/Wastewater Plants – written report on file. Supervisor Lightfoote asked Chief Operator Coston how things were going at the water and sewer plants with reduced staff because of Covid-19 pandemic.

Chief Operator Coston said "My guys are split up, two are on and two are off, alternating from week to week so if one gets sick all of them don't and things are moving forward."

B. Highway Superintendent – written report on file. Regarding the Transfer Station Superintendent Eddinger said "We are taking in three quarters more than we normally do, just because everybody's home, I believe. We did 140 tons of trash this month. Normally this time of year we're doing 60."

Supervisor Lightfoote asked if there are people from other towns coming in.

Superintendent Eddinger said "No there are a lot of homeowners coming in two and three times a day. We just figured this out it's so irrational, so we're going to shut them down to one time a day and go from there."

C. Zoning/Building Officer – written report on file. Code Enforcement Officer Morse said "I've been told I can't issue any building permits right now, we're not supposed to be doing any inspections what so ever unless it's an actual emergency. That's what we've been instructed. State Official sent out a mass text to cease and desist or it would jeopardize our State Licensing and Certification for Code Officials so we are all stopping."

D. Assessor – no report on file. Assessor Mineo did not join the conference, she is conducting informal phone meetings regarding assessments. Sally Napolitano asked if there is a report from Enza.

Billing Clerk Jones said "No she did not give me a report."

Sally Napolitano said "There was no report for last month as well?"

Billing Clerk Jones said "I think she was at last month's meeting and did it verbally."

Sally Napolitano asked if it was in the minutes.

Town Clerk Perrotte said "No, she didn't submit a report so there is nothing in the minutes, all she submitted last month were the sales."

Supervisor Lightfoote said "We will get that from her, are there any other questions for Enza?"

Sally Napolitano said "I think several of us have questions about the assessments."

Supervisor Lightfoote said he will take questions and address them when we get to the business items.

E. Town Clerk – written report on file.

F. Town Supervisor – written report on file. Supervisor Lightfoote said he did not have time to do a written report. He said he would go over what has been going on in the Town.

Supervisor Lightfoote said "As you can imagine it's been quite an ordeal. It's amazing how much there is to do when you're not allowed to do it. There was an awful lot of work at the county and the town levels. As far as town itself goes some cases have been diagnosed (covid-19) but not confirmed from what I understand. We don't have a clue yet as to how long we're going to continue on doing this the way we currently are. When we get the information I will pass it on to the Board. I have some items I would like to post to our website. You can go onto Ontario County Official website, they have a level update on there. If anyone has any questions regarding covid-19 you can ask it right now."

Sally Napolitano asked "Is anyone communicating officially, at the county level, with the Mennonite Community?"

Supervisor Lightfoote said "Yes, and they've been taking a lot of direction from the County Department of Public Health. Town of Gorham has a much larger population of Mennonites than other communities in the County. Both Ontario and Yates County and the Deacon from the local church here have had several discussions. They seem to be getting the message."

Mrs. Napolitano's concern was they may not have access to the news as easily as we do.

Mrs. Napolitano also has a concern regarding assessments in light of the Covid-19 situation.

Supervisor Lightfoote said he will talk about assessments later in the meeting as a business item.

With no other questions, regarding the reports of Town Officials, Supervisor asked for a motion to approve the reports.

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

**034-2020**

6. Business:

a. Town wide Assessments – Several residents had concerns with the timing of the recent re-assessments sent out in the Town of Gorham.

Mr. Greg Talomie said "I did have an online meeting with Enza. My initial talk with her was regarding what the other Towns were going to do, specifically two towns near Buffalo and Pittsford, basically identified the fact that with all the things that can happen, this covid virus and the economic situation there's no way you can project what property values will be five months, six months or whenever, it's better to hold off see what an impact this was and then redo our schedulings in a year, year and a half."

Sally Napolitano said "The Town of Perinton and Cheektowaga pulled back on their assessments and they site because it's too difficult for people in the towns to prepare to challenge their re-assessments (because of covid-19 pandemic). What we're looking for is transparency in the process and it doesn't seem very transparent. I've owned this lake property since 2014. We've certainly made some improvements, which are reflected in the years the assessments went up but, they have gone up every year and there've been no improvements on one of my parcels for three years and yet the assessment's gone up every year and it's not by a little. When I lived in Victor, the assessor attached, to my re-assessment notice, photos and printouts of the three comps that he used in determining my assessment. What can we expect the Town of Gorham to provide us with?"

Greg Talomie said "I'd like to weigh in and support Enza. She provided, on the phone, the comps she used to come up with my compilation. She's willing to give that information out if you sign up for a phone conversation and I'm sure she would do it face to face."

Supervisor Lightfoote said "OK here's what we are going to do. The Board can chime in if they'd like. I want to have this discussion with Enza. We'll see to it to talk with you two, is there anyone else online with that same question right now?"

Lynn Klotz would like to be added to the discussion as well.

Mrs. Klotz said "In the letter Enza sent out with our increase, ours went up eleven percent with no improvements, she refers to the NY State taxation website. On there it describes the Assessors responsibility is to provide comps and the reasoning for the increase."

Mrs. Napolitano said "But Fred that's great that you're willing to talk with the three of us. I appreciate it so please don't misunderstand. My point is, there needs to be more transparency. I think there would be less people challenging their assessment if it were more transparent. I think it's unfortunate that our Assessor is not here for the Town Board meeting, the first one after these went out. We went from one hundred percent market value, last year, to ninety seven, do you know why?"

Supervisor Lightfoote said "I'm not sure exactly how it works, however, the State monitors how the assessments are done. We have an equalization rate. Looking at the school district here there are seven or eight other townships that are within the district. In order to maintain things as fairly as they can, for this school district, the state monitors and gives factors that each township should use and feels how close they are to the one hundred percent. If they feel that they are off one way or the other we get that notice every year. One of the concerns when we hired Enza, she was told to do everything she can to keep that at one hundred percent, so she's doing her job. If it drops much lower than the ninety seven percent that we were at we lose our state aid."

Supervisor Lightfoote said he appreciates everyone's comments, he will look at this and have a discussion with Assessor Mineo and he will make sure Sally, Greg and Lynn are contacted directly.

b. Wood Cutting Operation on Turner Road –

Supervisor Lightfoote said "PJ Baxter, on Turner Road, is operating a business where he is processing firewood and it's in a rural residential district (R-1). He's been operating, I think he said, nine or ten years."

PJ Baxter said "No, twenty plus years I've been cutting wood out there."

Supervisor Lightfoote said "The volume of your business has increased over the last three or four years. How long ago did you bring the tumbler in?"

PJ Baxter said "The tumbler was brought in probably five or six years ago. The volume has increased the last five or six years, probably."

Supervisor Lightfoote said "You've had a steady increase in volume, is that fair to say?"

Mr. Baxter said "I would say the volume has been a little bit more the last four or five years, it's been a steady volume."

Joan Gage said "I live right next door, 4189, right next to it, it over looks it, it's horrible. My parents won't complain about it but, it's bringing down real estate values, it's noisy, it's ugly they burn wood sometimes, it's ridiculous. Sorry PJ, I like your mother very much. It's in a residential area and it shouldn't be there. They're also beating up the road pretty bad."

Supervisor Lightfoote said "Ok what the issue is here, the only way that PJ could operate this legally is if there was a zoning change. That's why I've asked him to speak here tonight."

Ms. Gage said "There's nobody on this street that's going to allow that."

Supervisor Lightfoote said "The zoning change is up to the Town Board to make that change. We start off giving PJ the opportunity to plead his case right now."

Mr. Baxter said "I've been processing firewood there for twenty years. We process in the wintertime, mostly, usually from September throughout April then we stop, usually, we don't process there every day all winter long. I have another yard in Canandaigua that I process at. We run it (Turner Road) about six, seven hours a day, if that, it's usually six hours at the most. I know someday we go over it. I do run firewood out of there in the summertime and I run firewood out of there in the fall for NY State HEAP Program and I don't have people come in and get it very often. I have one guy that comes in once in a while and picks up some but the rest of it goes out with the trucks with my business partner and myself."

Supervisor Lightfoote asked the Town Board if they had any questions.

Councilmember Glitch said "I have a question, you're operating in Canandaigua also?"

Mr. Baxter said "Yes, I have the yard on the north side of Canandaigua on my property out here, there's less material there (referring to Turner Road). It's easier for me to haul out of here (referring to Canandaigua property) in the summertime than it is out there in the summertime. It (Canandaigua property) can no longer be used for anything else because they put a high pressure gas line on my property so I use it for firewood. I haul out of here all summer long until I get it emptied and then I go to Turner Road."

Supervisor Lightfoote asked if he processes the firewood in Gorham in the summertime.

Mr. Baxter said "We usually don't process in Gorham until September, we're still landscaping usually, in the summertime."

Ms. Gage said "He had mulch delivered there yesterday."

Mr. Baxter said "I had two loads of mulch delivered there because I'm working on East Lake Road so I had it delivered there instead of Canandaigua."

Supervisor Lightfoote said "This business, in any district, would have to go for site plan review in front of the Planning Board. The questions asked and the different regulations you would have to adhere to would take care of a percentage of what the concerns and complaints are. That would be; time of day, the amount of noise and that kind of thing."

Code Enforcement Officer Morse said "I just want to add, because PJ and I have talked at length about this, it's not an allowable use in that district. That's why, as of right now, without an amendment to that zoning district he cannot go to the Planning Board for review."

Councilmember Glitch said "I'm usually for people doing what they want on their property, for the most part but, it's apparent this has gotten too big."

Supervisor Lightfoote said "People are telling me that when you first started there it wasn't a huge concern because there wasn't much of a volume and it wasn't that much of an inconvenience. Over time things have changed, there's a lot more volume and that's what a great part of the concern is about now. Not just from the residents but from the Town given that you don't really have an adequate driveway for semi's to go in and out. Which puts undo strain on the roadbed. This isn't a public hearing but we try to work with people from both sides of the table to try and come up with something."

Supervisor Lightfoote asked Ms. Gage if she had any further comment.

Ms. Gage said "If you could see it from our house, it's really awful. My parents are very old. I've moved here permanently to take care of them. They are nice people, they like Gail they never wanted to make trouble for Gail. I don't either but, I just feel like this is affecting my future house, also all the neighbors around, our property is in the toilet being next to this."

Supervisor Lightfoote asked Mr. Baxter if it was his property on Turner Road.

Mr. Baxter said "It's my Mom's property with my name on it."

Supervisor Lightfoote said "My suggestion here is, the only opportunity you have to keep your business there is a re-zoning or an amendment to the zoning."

Code Enforcement Officer Morse said "Most municipalities would conduct an amendment based on a public hearing."

Supervisor Lightfoote said "I can do an unofficial canvas of the Town Board right now, to see if there is any support of you obtaining that change in zoning that allows you to continue. I'm not asking for a vote just looking for your opinion because I don't want to waste our time and I don't want to waste PJ's time."

Councilmember Malcolm said "I would not support it."

Councilmember Case said "It sounds to me that the operation is getting a little bit too big and it needs to be looked at further."

Councilmember Glitch said "It sounds to me that based on the zoning it's not an allowed activity. Whether I'm for it or against it is totally irrelevant. We need to do what is supposed to be done. Whenever we, in the past, have done something that's not quite the right way we wind up with it biting us in the hiney."

Supervisor Lightfoote said "I think the scale you've got it at right now is inappropriate for that location. It's a free country you can do whatever you like. I'm not asking for an answer right now I wanted to provide you the opportunity to speak your peace but also give you an idea of what the Town Board's feeling were so whether or not you try to pursue this, Ok?"

Ms. Gage asked the Board, if they have not seen the operation, to please come out and look at it.

Supervisor Lightfoote thanked Ms. Gage and Mr. Baxter for joining the meeting.

Supervisor Lightfoote said to Mr. Baxter "Think things over, if you want to try it you're more than welcome, I'm just trying to give you an idea of what you're up against. Thanks again for working on this with us."

#### c. New Highway Building Proposal –

Scott Bova, Architectural Department Manager at MRB Group, presented a revised estimate for the new Highway Garage. The proposal from MRB Group is for professional design services from schematic design through the project bidding phase. Mr. Bova said the original proposal was submitted in December 2019. Since then a nearby highway garage, comparable in size to Gorham's, was completed and came in under budget. Mr. Bova explained what some of the reasons would be for that. MRB Group adjusted projection prices and were able to get the number down closer to two point one to two point two million dollars for the new building.

Supervisor Lightfoote wanted the Board to be aware of what stage the town was at in regards to the proposed new highway garage.

#### 7. Privilege of the Floor –

Sally Napolitano said "I want to make one comment and I hope you all connected the dots between what Scott just said about the availability of residential contractors coming all the way from Rochester bidding on projects. They're not seeing the housing market holding up because of the effects of the economy. I think that's why you see towns like Pittsford and other towns taking these steps."

Richard Calabrese said "What are you talking about a new highway department, how long has that been going on?"

Highway Superintendent Eddinger said "Probably about a year and a half."

Mr. Calabrese said "What about the addition to the Library?"

Supervisor Lightfoote said "We've been in discussion with setting up a bond for the highway garage, the addition to the library and the possible building of a new transfer station. They are doing a cost study for the water department also, what makes the most sense for the town in responding to the blue green algae issue."

Mr. Calabrese said "That would be separate financing (referring to the water department)."

Supervisor Lightfoote said "It would be structured separately but within the same bond."

Mrs. Napolitano talked about grant money and state funding for water districts. She asked if the town has quotes from MRB Group for upgrades to the water facility and if there is a possibility of consolidating all the water treatment plants around the lake.

Supervisor Lightfoote said "That has been discussed. We have a variety of things we are looking at all. MRB Group is working on a cost of services study allowing us to figure out how much it would cost us for projected changes to the plant versus what it would cost to source water from another plant for distribution, that's when those decisions would be made."

Mr. Calabrese said "As far as the water districts goes I wouldn't want to step too far away from our own control of the water district. I would hate to give up local control."

Supervisor Lightfoote said "I understand what you're saying. I think we all feel that way, Dick, but we need to take all things into consideration."

Supervisor Lightfoote thanked everyone for their comments.

8. Set Next Meeting Date – Regular Meeting May 13, 2020 Meeting will be held at the Gorham Town Hall at 7:00pm.

9. Adjournment - with no further business, on the motion by Councilmember Chard, seconded by Councilmember Glitch, the meeting was adjourned at 8:30pm. Motion carried unanimously. (5-0)

**035-2020**

Respectfully Submitted,

Darby L. Perrotte  
Town Clerk

