

MINUTES
SPECIAL MEETING and PUBLIC HEARING
THE GORHAM TOWN BOARD
November 20, 2023 7:00pm

The Gorham Town Board held a Special Meeting on Monday November 20, 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; Town Clerk Darby Perrotte.

Town Supervisor Elect, Dale C. Stell and Town Councilmember Elect, Chrissy Watkins.

There were residents/guests in attendance in person and via zoom.

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

Debbie North, County Road 18 resident, Mrs. North read a letter regarding the position of Highway Clerk I in the Town. Letter attached.

Supervisor Lightfoote explained the position as Bookkeeper to the Supervisor. Job responsibilities are listed within the positions they have. She is doing work that the Supervisor gives her and Highway Clerk work as well.

Ben Smith asked if Councilmember Lazarus has an excuse for not attending the meeting. He wasn't at the last meeting. Mr. Smith said Budget meetings are important meetings to be in attendance for.

3. Business –
 - a. Resolution establishing position of Clerk to the Assessor

Councilmember Chard offered the following resolution and called for adoption.
Seconded by Councilmember Curtis the resolution was adopted unanimously. 3-0
3-0 Case, Chard, Curtis

109-2023

TOWN OF GORHAM
RESOLUTION 32-2023
ESTABLISH THE POSITION OF CLERK FOR THE ASSESSOR

WHEREAS, With the retirement of Susan Yarger the board acknowledges the need for additional help in the Assessor’s Office; and

WHEREAS, The Gorham Town Board in an effort to fulfill the need to help the Assessors Office will create a new position; and

THEREFORE, The Gorham Town Board here by establishes the positions of Clerk for the Assessor in the Town of Gorham;

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 November 20, 2023 by the following vote:

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

b. Resolution to hire Valary Muscarella

Councilmember Chard offered the following resolution and called for adoption. Seconded by Councilmember Curtis the resolution was adopted unanimously. 3-0
3-0 Case, Chard, Curtis

110-2023

**TOWN OF GORHAM
RESOLUTION #33-2023**

To HIRE VALARY R. MUSCARELLA TO THE POSTION OF CLERK TO THE ASSESSOR

WHEREAS, To address the vacancy in the role of Clerk to the Assessor; and

WHEREAS, The Gorham Town Board in conjunction the Assessor for the Town of Gorham and following a process that meets our standards as an equal opportunity employer; and

THEREFORE, The Gorham Town Board hereby moves to hire Valary R. Muscarella for the position of Clerk to the Assessor;

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 November 20, 2023 by the following vote:

	<u>AYE</u>	<u>NAY</u>
Frederick Lightfoote	X_____	_____
Brian S. Case	X_____	_____
Jake Chard	X_____	_____
Phil Curtis	X_____	_____
Brian Lazarus	absent_	_____

Supervisor Lightfoote was not feeling well and left the meeting at this time.

4. Public Hearing – 2024 Preliminary Budget.

The meeting and public hearing were duly advertised.

Councilmember Chard re-opened the public hearing.

Councilmember Chard apologized for the technical errors in getting the Preliminary Budget out to the public.

The Board discussed 2024 payroll projections.

Debbie North said she stated numerous times, considering the unnecessary cost thrown upon the town by the Highway Superintendent, between lawsuit settlement, \$30,000 roller, \$9,000 rental fees pigeonholed into the Easton Park instead of going through the proper channels because it was over \$6,000. Mrs. North stated he has not earned; he does not deserve a raise of any kind. She has not seen any benevolence of his time to jump in when he is needed to cover at the highway or transfer station.

Lynn Klotz, Lake Drive resident, stated the budget on the website is incomplete. She echoed Mrs. North’s sentiment on payroll stating that the department that has cost taxpayers the most in irregular spending should not get cost of living increases.

Mrs. Klotz pointed out that sales tax revenue was up well above projections. Gorham can count on getting more money from Ontario County sales tax, that means less money that has to come out of the taxpayer’s pocket on frivolous spending.

With no further comment, the hearing was closed.

The Board proceeded to go through the budget section by section with the following changes.

- 1. A1110.1- Make justice pay equal at 13,064 (256)
- 2. A1320.4- decrease by \$15,000 to \$0 (15,000)

3. A1410.1- additional increase of \$4,000 to 47,428	(4,000)
4. A1410.12- increase Deputy Clerk pay to \$19 an hour budget for \$12,600	(4143)
5. A8090.4 -increase from \$0-\$10,000	(10,000)
6. Hiring freeze on A8160.1 part time, decrease by \$24,694 to \$65,077	(24,694)
7. Decrease A8160.2 by \$25,000 to \$125,000	(25,000)
8. Creation of new line item of \$2,000 for the Conservation Board	(2,000)
9. DB1001 -Decrease property taxes from \$832,881 to \$366,881	(466,000)
10. Hiring freeze on DB5110.1 Part time, decrease by \$41,827 to \$496,713	(41,827)
11. DB5110.4 decrease by \$150,000 to \$350,000	(150,000)
12. DB5112.2 from \$489,624 to \$375,000	(114,624)
13. DB5130.2 decrease from \$310,000 to \$225,000	(85,000)
14. DB5130.4 decrease from 180,000 to \$150,000	(30,000)
15. DB5142.4 decrease from \$400,000 to \$325,000	(75,000)
16. DB9950.9 decrease from \$75,000 to \$50,000	(25,000)
17. SS8120.2 decrease from \$10,000 to \$7,500	(2,500)
18. SS8120.4 decrease from \$25,000 to \$20,000	(5,000)
19. SS8130.2 decrease from \$22,000 to \$15,000	(7,000)
20. SS8130.4 decrease from \$23,000 to \$17,500	(5,500)
21. SF21001 decrease from \$219,482 to \$200,000	(19,482)
22. SMS1001 decrease from \$145,000 to \$80,000	(65,000)

Residents asked about the procedure for appointing a Deputy Highway Superintendent. The Board held discussion.

5. Executive Session –

On the motion by Councilmember Chard, seconded by Councilmember Case, the Board entered into executive session at 10:01 pm to discuss the medical, financial, credit or employment history of any person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of any person or corporation.

On the motion by Councilmember Chard, seconded by Councilmember Curtis, the Board returned to regular session at 11:45 pm. No action was taken in executive session.

Both motions carried unanimously. 3-0

3 - Ayes – Case, Chard, Curtis

111-2023

6. Final Adoption of 2024 Town Budget –

On the motion by Councilmember Curtis seconded by Councilmember Case, the 2024 Gorham Town budget with changes and Special Districts was adopted. Motion carried unanimously. 3-0

3 - Ayes – Case, Chard, Curtis

112-2023

7. Privilege of the Floor –

8. Set the Next Meeting Date - The next regular meeting will be December 13, 2023
7:00 pm at the Gorham Town Hall

9. Adjournment – with no further business, on the motion by Councilmember Chard,
seconded by Councilmember Curtis, the meeting was adjourned at 11:47pm pm. The motion
carried unanimously. 3-0

3 - Ayes – Case, Chard, Curtis

113-2023

Respectfully Submitted,

Darby L. Perrotte
Town Clerk

11/20/23 Privilege of the Floor Comments

In an email response from you, Fred, dated November 7th:

"As I have stated in the past, We don't have anyone in a "Highway Clerk 1" position. Not only that, we also don't have Highway Clerk 1 as a position allowed by Civil Service for use in the Town of Gorham. Brenda is still listed as Bookkeeper to the Supervisor because of other issues not at all connected to her. These are personnel issues that the Board is dealing with. There will be no discussion regarding this. Period."

To which I say "oh YES, we will discuss this!" I submit the following as reasons that your denial of my FOIL is wrong:

I FOIL'd the certified payroll for the town of Gorham. Brenda Jones is clearly noted as HIGHWAY SUPT CLERK 1 as of the payroll that you signed on 4/19/23 and for every subsequent payroll to date.

From the 10/11/23 Town Board meeting minutes as posted on the town website:

"Highway Superintendent Eddinger said he has been dealing with FEMA for the last month, it's been very tedious. He said he and the Highway Clerk have been spending anywhere from 3 to 4 hours a day, they are spending a lot of time with them doing paperwork."

As recent as the 11/15/23 special budget meeting at the town hall, payroll projections for the 2024 budget include under A5010.13 HIGHWAY CLERK BRENDA JONES \$4138.16 as part of her total compensation of \$42,055.79.

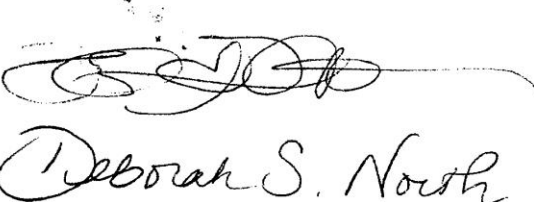
I would like you to honor my FOIL request for the official, dated job description for HIGHWAY SUPERINTENDENT CLERK. If you are unwilling or unable to fulfill my request, I will exercise my right as a resident to contact the New York State Comptroller's Office and ask them to start an investigation.

I believe that paying someone for a position that you claim doesn't exist but is clearly documented is perpetuating fraud on the taxpayers of Gorham.

Additionally, as Brenda Jones is being paid for a position that you say doesn't exist, I am demanding as a taxpayer that she immediately be terminated.

How much more will the incompetence of Zach Eddinger cost this town? We already have one lawsuit settlement due his and Brenda's ignorance. How much will the next one cost? Excessive, unapproved spending is another hallmark of Zach's tenure. I am again asking that he and Brenda NOT be given one more penny in compensation for 2024. And no, Brian Case, we aren't cutting Zach off at the knees as you suggested last week. We're asking for the nepotism and favoritism to end TONIGHT.

You, the entire board, are responsible to the taxpayers. You work for us. Do what is right!



Deborah S. North