

MINUTES
REGULAR and PUBLIC HEARING MEETING
THE GORHAM TOWN BOARD
May 15, 2024 7:00pm

The Gorham Town Board held a Regular & Public Hearing Meeting on Wednesday May 15, 2024 at 7:00 pm at the Town Hall in Gorham, NY.

Present; Supervisor Dale C. Stell. Councilmembers, Jake Chard, Phil Curtis Brian Lazarus and Chrissy Watkins.

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

Highway Superintendent Zach Eddinger and Tax Collector Adreinne Smith joined via zoom.

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

Town Clerk Perrotte confirmed the meeting and public hearings were duly advertised.

The full Zoom recording of this meeting is posted on the Town of Gorham Website.

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

Carmen Moss, from the Gorham/Stanley/Hall Ambulance, updated the Board on the status of the Ambulance.

Ann Marie St. George, County Road 11 resident, asked what the status is for the sign being installed on Townline Road for horse and buggy traffic awareness.

Highway Superintendent Eddinger said the Town of Middlesex maintains that section of the road, he will follow up with their Highway Superintendent.

Debbie North, County Road 18 resident, stated that last month she wrote a letter to each Board member, including Councilmember Lazarus, regarding his frequent absences from meetings. Mrs. North asked if he would consider resigning from the Board to allow someone to take his place who can represent constituency every month at a meeting. Mrs. North asked Councilmember Lazarus if he read her letter and would he resign. She also asked if he would rescind the directive from the Sheriff's Department from 10/28/22 that would allow her to email him as one of her elected officials.

Councilmember Lazarus said he did not read the letter, no, he will not resign and the directive is not rescinded.

3. 1. Public Hearing Water System Improvement Project – Supervisor Stell opened the public hearing.

Greg Hotaling, P.E. from MRB Group, gave the public an overview of the WTP project. He stated that the Town Board authorized MRB Group to submit for a WIIA Grant. As part of the WIIA Grant they prepared a Preliminary Engineering Report. The report outlined the 2nd phase

of the Water Master Plan. This piece of the project will target replacing portions of the watermain on Route 364, replacing the County Road 1 water tank with 2 tanks and correction to the water pressure problems in zone one.

With no comment from the public the hearing was closed.

2. Public Hearing Local Law 2-2024 (Solar Law) – Supervisor Stell opened the public hearing.

Town resident Debbie North asked if there is neighbor notification if a resident wants to sign a lease for a commercial solar venture.

Code Enforcement Officer Morse said yes, when it goes to the Planning Board for review the Town sends out notice to adjacent property owners.

Supervisor Stell stated he was quite pleased when he read through the law, he said it seems to be reasonably restrictive and it requires a bond or some form of security to make sure that at the end of life the solar panels are removed.

4. Approval of Minutes - 4/17/2024 Regular Meeting Minutes

On the motion by Councilmember Curtis, seconded by Councilmember Watkins, the 4/17/2024 meeting minutes were approved as submitted. The motion carried unanimously. 5-0

5 Ayes – Stell, Chard, Curtis, Lazarus, Watkins

053-2024

5. Reports of Town Officials -

A. Chief Operator Water/Wastewater Plants – written report 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 – Supervisor Stell mentioned the Annual Financial Report has been finalized and submitted to the NYS Comptroller’s Office.

On the motion by Councilmember Chard, seconded by Councilmember Lazarus, the Reports of Town Officials were approved as submitted. Motion carried unanimously. 5-0

5 Ayes - Stell, Chard, Curtis, Lazarus, Watkins

054-2024

6. Audit of Bills -

Abstract #5

Approval of Vouchers

On the motion by Councilmember Watkins, seconded by Councilmember Chard,

The abstract of bills, totaling \$323,759.36 were approved for payment. The motion carried unanimously. 5-0

5 Ayes - Stell, Chard, Curtis, Lazarus, Watkins

7. Business –

a. Improvements of Facilities to Gorham Water District #1

1. Adopt Resolution Declaring Lead Agency

Councilmember Chard offered the following resolution and called for adoption. Seconded by Councilmember Watkins, the resolution was adopted unanimously. 5-0

5 Ayes - Stell, Chard, Curtis, Lazarus, Watkins

**TOWN OF GORHAM
RESOLUTION #19-2024
WATER SYSTEM IMPROVEMENT PROJECT
SEQR RESOLUTION DESIGNATING LEAD AGENCY**

WHEREAS, the Town of Gorham Town Board (hereinafter referred to as "Town Board") on March 20, 2024 declared its intent to be designated the Lead Agency for the Town of Gorham Water System Improvements Project under the provisions of the State Environmental Quality Review (SEQR) Regulations; and

WHEREAS, the Town Board has provided written notices to this effect to the involved and interested agencies; and

WHEREAS, the Town Board has not received any written objections from the involved agencies to the Board's being designated as the lead agency under the SEQR Regulations; and

WHEREAS, the Town Board has previously determined that it is the most appropriate agency to insure the coordination of this Action and for making the determination of significance thereon under the SEQR Regulations.

NOW, THEREFORE BE IT RESOLVED that the Town Board does hereby designate itself as the lead agency for the Action identified above herein;

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 May 15, 2024, by the following vote:

	<u>Aye</u>	<u>Nay</u>
Dale C. Stell	X_____	_____
Jake Chard	X_____	_____
Phil Curtis	X_____	_____
Brian Lazarus	X_____	_____
Chrissy Watkins	X_____	_____

2. Adopt SEQR Resolution Negative-Determination

Councilmember Chard offered the following resolution and called for adoption. Seconded by Councilmember Watkins, the resolution was adopted unanimously. 5-0
5 Ayes - Stell, Chard, Curtis, Lazarus, Watkins

057-2024

**TOWN OF GORHAM
RESOLUTION #20-2024
WATER SYSTEM IMPROVEMENTS PROJECT
SEQR RESOLUTION
DETERMINATION OF ENVIRONMENTAL SIGNIFICANCE**

WHEREAS, the Town of Gorham Town Board (hereinafter referred to as "Town Board") has determined the above referenced Action to be a Type 1 Action pursuant to Part 617 of the State Environmental Quality Review (SEQR) Regulations; and

WHEREAS, the Town Board has reviewed and accepted the completed Full Environmental Assessment Form Parts 1, 2, and 3 including the supporting information on the Action prepared by the MRB Group (hereinafter referred to as "Town Engineer"); and

WHEREAS, the Town Board has completed the coordinated review and public comment period provided for under the SEQR Regulations; and

WHEREAS, the Town Board has designated itself as lead agency under the SEQR Regulations for making the determination of significance upon said action on a separate resolution at the November 10, 2021 meeting; and

WHEREAS, the Town Board has given consideration to the criteria for determining significance as set forth in Section 617.7(c) (1) of the SEQR Regulations and the information contained in Full Environmental Assessment Form Parts 1, 2, and 3.

NOW THEREFORE BE IT RESOLVED, that said Action **WILL NOT** result in any significant adverse environmental impacts based on the review of the Full Environmental Assessment Form; and

BE IT FINALLY RESOLVED that the Town Board does hereby make a Determination of Non-Significance on said Action, and the Town Supervisor is hereby directed to sign the Full Environmental Assessment Form (EAF) Part 3, the Negative Declaration, as evidence of the Town Board determination of environmental non-significance.

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 May 15, 2024, by the following vote:

	<u>Aye</u>	<u>Nay</u>
Dale C. Stell	X_____	_____

Jake Chard	X_____	_____
Phil Curtis	X_____	_____
Brian Lazarus	X_____	_____
Chrissy Watkins	X_____	_____

3. Adopt Resolution Approving the Improvements to Gorham Water District #1

Councilmember Watkins offered the following resolution and called for adoption. Seconded by Councilmember Chard, the resolution was adopted unanimously. 5-0

5 Ayes - Stell, Chard, Curtis, Lazarus, Watkins

058-2024

**TOWN OF GORHAM
RESOLUTION #21-2024
OF THE TOWN BOARD OF THE TOWN OF GORHAM APPROVING PROPOSED
IMPROVEMENTS SERVING GORHAM WATER DISTRICT #1**

WHEREAS, the Town Engineer has prepared a map and plan and estimate of the cost for improvements to the Town water distribution system, which serves the properties in Gorham Water District #1, said improvements being:

1. Transmission watermain replacements and extensions as follows:
 - A. On State Route 364 (E. Lake Road), between Town Line and the water treatment plant, the existing 5,790 linear feet of 8-inch diameter cast iron pipe and 7,060 linear feet of 10-inch diameter cast iron pipe be replaced with approximately 12,850 linear feet of 12-inch diameter pipe.
 - B. On County Road 1, between Driftwood Lane and Lake-to-Lake Road, the existing 2,040 linear feet of 3-inch diameter asbestos cement pipe be replaced with 2,040 linear feet of 8-inch diameter pipe, from Driftwood Lane to Tank #1. It is also proposed that the existing 1,000 linear feet of 2-inch diameter asbestos cement pipe be replaced with 1,000 linear feet of 12-inch diameter pipe, from Tank #1 to Lake-to-Lake Road. This water main will be used to form a loop down Lake-to-Lake Road to the existing watermain along Middle Road.
 - C. On Lake-to-Lake Road, between County Road 1 and Middle Road, the existing 1,040 linear feet of 2-inch diameter asbestos cement pipe that dead ends mid-block be replaced with approximately 5,500 linear feet of 12-inch diameter pipe, extending to the existing watermain along Middle Road in order to form a loop.
 - D. On Middle Road, approximately 1,300 linear feet of 8-inch transmission watermain will be installed to finish the creation of the loop, connecting the new 12"

watermain from Lake-to-Lake Road to the existing watermain end at 4481 Middle Road.

2. The replacement of the single County Road 1 Water Storage Tank with two new 500,000-gallon tanks and auxiliary buildings and equipment.
3. The addition of two (2) pressure reducing valves as follows:
 - A. A pressure reducing valve will be provided near the intersection of County Road 1 and Driftwood Lane.
 - B. A pressure reducing valve will be provided at the base of the County Road 1 water tank site.

WHEREAS, the plan shows the estimated costs of these improvements to be \$11,029,000.00, such estimated costs to be the responsibility of Gorham Water District #1. The Town intends to apply for a NYSEFC grant administered through its NYS Water Infrastructure Improvement Act (WIIA) program to pay for part of the cost of these improvements. Any remaining amount owing for these improvements will be borrowed from the Drinking Water State Revolving Fund and financed and repaid by the owners of property within the Gorham Water District #1.

WHEREAS, the Town Board of the Town of Gorham duly adopted a resolution on April 17, 2024, calling a public hearing to consider said proposed improvements and estimate of expense, to be held at the Gorham Town Hall, 4736 South Street, Gorham, New York, on May 15, 2024, at 7:00 p.m.

WHEREAS, said public hearing was duly held at the time and place aforesaid, at which all persons interested were duly heard.

WHEREAS, the Town Board has duly considered all of the evidence given at such public hearing.

WHEREAS, pursuant to part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law it has been determined by the Town Board that approval of these improvements serving Gorham Water District #1 would not have a significant effect upon the environment and could be processed by other applicable governmental agencies without further regard to SEQR.

NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town of Gorham that, based upon the evidence given at the aforesaid public hearing and its review of the environmental assessment form and findings based thereon, it is hereby found and determined to be in the public interest to provide for the aforesaid improvements of the facilities serving Gorham Water District #1 in the Town of Gorham, as described in the preambles hereof, at an estimated cost of \$11,029,000.00, and the same is hereby authorized.

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 May 15, 2024, by the following vote:

	<u>Aye</u>	<u>Nay</u>
Dale C. Stell	X_____	_____
Jake Chard	X_____	_____
Phil Curtis	X_____	_____
Brian Lazarus	X_____	_____
Chrissy Watkins	X_____	_____

4. Adopt Bond Resolution -

Councilmember Curtis offered the following resolution and called for adoption. Seconded by Councilmember Lazarus, the resolution was adopted unanimously. 5-0
 5 Ayes - Stell, Chard, Curtis, Lazarus, Watkins

059-2024

**TOWN OF GORHAM
 BOND RESOLUTION
 AUTHORIZING GENERAL OBLIGATION SERIAL BONDS TO
 FINANCE WATER SYSTEM CAPITAL IMPROVEMENTS
 WITHIN THE TOWN, AUTHORIZING THE ISSUANCE OF
 BOND ANTICIPATION NOTES IN CONTEMPLATION
 THEREOF, THE EXPENDITURE OF SUMS FOR SUCH PURPOSE,
 AND DETERMINING OTHER MATTERS IN CONNECTION
 THEREWITH.**

WHEREAS, the Town of Gorham Water District #1 is a water district of the Town of Gorham, New York, duly established by the Town Board pursuant to the Town Law and, pursuant to a resolution adopted on May 15, 2024, the Town has duly authorized additional facilities therein pursuant to §202-b of the Town Law; and

WHEREAS, the Town, acting as lead agency under the State Environmental Quality Review Act and the applicable regulations promulgated thereunder ("SEQRA"), has completed its environmental review and, on May 15, 2024, has duly adopted a negative declaration and has determined that the implementation of the type I action as proposed will not result in any significant adverse environmental impacts; now therefore, be it

RESOLVED BY THE TOWN BOARD OF THE TOWN OF GORHAM, NEW YORK (hereinafter referred to as the "Town"), by the favorable vote of not less than two-thirds of all of the members of such Board, as follows:

Section 1. The Town of Gorham shall undertake certain capital improvements consisting of the acquisition and construction of water improvements for the Town of Gorham Water District #1, duly authorized pursuant to Section 202-b of the Town Law, to include various improvements throughout the water system, including, without limitation, the replacement of watermain throughout the Town, an additional linkage from pressure Zone 2 to Zone 1, and the replacement of the County Road 1 Water Storage Tank, and the acquisition of land or rights in land necessary therefor, if any, and the acquisition of original furnishings, equipment, machinery or apparatus, or the replacement of such equipment, machinery or apparatus, and other incidental improvements that may be required in connection therewith for such construction and district use (hereinafter referred to as "purpose"), and general obligation serial bonds in an aggregate principal amount not to exceed \$11,029,000 of the Town are hereby authorized to be issued to finance said purpose, and bond anticipation notes in anticipation thereof (and renewals thereof) of the Town are hereby authorized to be issued to finance said purpose.

Section 2. The estimated maximum aggregate cost to the Town of Gorham of said purpose, which may include preliminary costs and costs incidental thereto and costs of the financing thereof, is estimated to be \$11,029,000, and said amount is hereby appropriated therefor. The plan for financing of said purpose is to provide all of such maximum cost by issuance of bonds or bond anticipation notes as herein authorized, to be offset and reduced dollar for dollar by the amount of grants received, if any.

Section 3. It is hereby determined and declared that (a) said purpose is one of the class of objects or purposes described in Subdivision 1 of Paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is forty (40) years, (b) the proposed maximum maturity of said bonds authorized by this resolution will be in excess of five years, (c) current funds required to be provided prior to the issuance of the bonds or notes herein authorized, pursuant to Section 107.00 of the Local Finance Law, to the extent applicable, if any, will be provided, (d) the notes herein authorized are issued in anticipation of bonds for an assessable improvement, and (e) there are presently no outstanding bond anticipation notes issued in anticipation of the sale of said bonds.

Section 4. The bonds and notes authorized by this resolution shall contain the recital of validity prescribed in Section 52.00 of the Local Finance Law and such bonds and notes shall be general obligations of the Town and all the taxable real property in the Town is subject to the levy of *ad valorem* taxes to pay the principal thereof, and interest thereon, without limitation as to rate or amount, subject to applicable statutory limitations, if any, sufficient to pay the principal of and interest on said bonds and notes.

Section 5. It is hereby determined and declared that the Town reasonably expects to reimburse the general fund, or such other fund as may be utilized, not to exceed the maximum amount authorized herein, from the proceeds of the obligations authorized hereby for expenditures, if any, from such fund that may be made for the purpose prior to the date of the issuance of such obligations. This is a declaration of official intent under Treasury Regulation §1.150-2.

Section 6. The power to further authorize the sale, issuance and delivery of said bonds and notes and to prescribe the terms, form and contents of said bonds and notes, including, without limitation, the consolidation with other issues, the determination to issue bonds with substantially level or declining annual debt service, all contracts for, and determinations with respect to, credit or liquidity enhancements, if any, and to sell and deliver said bonds and notes, subject to the provisions of this resolution and the provisions of the Local Finance Law, including without limitation, the authority to determine whether to accept bids electronically to the extent allowed by the Local Finance Law, and the power to contract and issue indebtedness pursuant to §169.00 of the Local Finance Law, if applicable, is hereby delegated to the Town Supervisor, the Town’s chief fiscal officer. The Town Supervisor and the Town Clerk or Deputy Clerk are hereby authorized to sign by manual or facsimile signature and attest any bonds and notes issued pursuant to this resolution and are hereby authorized to affix to such bonds and notes the corporate seal of the Town of Gorham.

Section 7. The faith and credit of the Town of Gorham, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds and notes as the same respectively become due and payable. Such bonds and notes shall be payable from a levy on real property in such district benefitted or user charges therefor, in the manner provided by law, but if not paid from such source, all the taxable real property in the Town is subject to the levy of *ad valorem* taxes to pay the principal thereof, and interest thereon, without limitation as to rate or amount, subject to applicable statutory limitations, if any, sufficient to pay the principal of and interest on said bonds and notes. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year.

Section 8. This resolution, or a summary hereof, shall be published in full by the Town Clerk of the Town of Gorham together with a notice in substantially the form prescribed by Section 81.00 of said Local Finance Law, and such publication shall be in each official newspaper of the Town, in the manner prescribed by law. The validity of said bonds or of any bond anticipation notes issued in anticipation of the sale of said bonds may be contested only if such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or the provisions of law which should be complied with, at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or if said obligations are authorized in violation of the provisions of the Constitution.

Section 9. This resolution shall take effect immediately upon its adoption.

The motion having been duly seconded, it was adopted and the following votes were cast:

	<u>Aye</u>	<u>Nay</u>
Dale C. Stell	X_____	_____
Jake Chard	X_____	_____
Phil Curtis	X_____	_____

Brian Lazarus
Chrissy Watkins

X _____
X _____

5. Adopt Resolution Authorizing the WIIA Application -

Councilmember Chard offered the following resolution and called for adoption.
Seconded by Councilmember Watkins, the resolution was adopted unanimously. 5-0
5 Ayes - Stell, Chard, Curtis, Lazarus, Watkins

060-2024

**TOWN OF GORHAM
RESOLUTION #22-2024
NEW YORK STATE WATER INFRASTRUCTURE IMPROVEMENT ACT
RESOLUTION OF SUPPORT & AUTHORIZATION FOR DRINKING WATER GRANT
APPLICATION**

WHEREAS, the Town of Gorham, Ontario County, supports the submission of a New York State Water Infrastructure Improvement Act (WIIA) application on behalf of the Town for a Water Systems Improvement Project, hereinafter referred to as the "Project"; and

WHEREAS, the New York State Environmental Facilities Corporation (EFC) administers grants to assist municipalities in funding water quality infrastructure projects that protect public health and improve water quality; and

WHEREAS, an Engineering Report entitled "Preliminary Engineering Report for the Town of Gorham Water System Improvements" recommends implementing the Project to help improve water quality and protect public health; and

NOW, THEREFORE BE IT RESOLVED, the Town of Gorham Board identifies the Town Supervisor as the authorized representative of the Town to submit such grant application on behalf of the Town and execute all associated documents relative to and as required for the grant application, financial application, and funding agreement, as applicable; and

BE IT FURTHER RESOLVED, that the Town may be obligated to provide local matching funds totaling at least 40% of the Project Costs in the form of in-kind services or cash contributions appropriated through State Revolving Fund (SRF) or other approved financing or funds, in accordance with the Bond Resolution; and

BE IT FURTHER RESOLVED that the Town Board of the Town of Gorham fully supports the Project and submission of the 2024 WIIA grant application by MRB Group on behalf of the Town to improve water quality and protect public health.

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 May 15, 2024, by the following vote:

	<u>Aye</u>	<u>Nay</u>
Dale C. Stell	X_____	_____
Jake Chard	X_____	_____
Phil Curtis	X_____	_____
Brian Lazarus	X_____	_____
Chrissy Watkins	X_____	_____

b. Local Law 2-2024 Amend the Zoning Law to Adopt Solar Regulations

1. Adopt SEQR Resolution of Negative-Determination

Councilmember Chard offered the following resolution and called for adoption. Seconded by Councilmember Watkins, the resolution was adopted unanimously. 5-0
 5 Ayes - Stell, Chard, Curtis, Lazarus, Watkins

061-2024

**TOWN OF GORHAM
 RESOLUTION 23-2024
 DETERMINATION OF SIGNIFICANCE – LOCAL LAW NO. 2 OF 2024**

WHEREAS, the Town of Gorham Town Board, hereinafter referred to as Town Board, has determined Local Law No. 2 of 2024 to be a Type 1 Action under the State Environmental Quality Review (SEQR) Regulations, and,

WHEREAS, the Town Board has reviewed and accepted the Environmental Record prepared on said action, and

WHEREAS, the Town Board has considered the potential impacts associated with said action.

NOW, THEREFORE, BE IT RESOLVED THAT the Town Board makes this Determination of Non-Significance based upon: the Long Form Environmental Assessment Form prepared for this action, Town Board Public Hearing Record on said action; and, the Environmental Record prepared on said action.

BE IT FURTHER RESOLVED THAT, the Town Board makes this Determination of Non-Significance based on the following reasons supporting this determination:

1. The Town Board considered the action as defined in subdivisions 617.2(b) and 617.3(g) of Part 617 of the SEQR Regulations; and,
2. The Town Board did review the EAF, the criteria contained in subdivision (c) of 617.7 and other supporting information to identify the relevant areas of environmental concern; and,

3. The Town Board did thoroughly analyze the identified relevant areas of environmental concern to determine if the action may have significant adverse impact on the environment; and
4. The Town Board did set forth its determination of significance in written form containing a reasoned elaboration and providing reference to all supporting documentation.

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 May 15, 2024 by the following vote:

	<u>Aye</u>	<u>Nay</u>
Dale C. Stell	X_____	_____
Jake Chard	X_____	_____
Phil Curtis	X_____	_____
Brian Lazarus	X_____	_____
Chrissy Watkins	X_____	_____

2. Adopt Local Law 2-2024 Amending Zoning Regulations Regulating Solar Energy Systems –

Councilmember Chard offered the following resolution and called for adoption. Seconded by Councilmember Watkins, the resolution was adopted unanimously. 5-0
5 Ayes - Stell, Chard, Curtis, Lazarus, Watkins

062-2024

**TOWN OF GORHAM
RESOLUTION #24-2024
AUTHORIZING ADOPTION BY THE TOWN BOARD OF THE TOWN OF GORHAM OF
LOCAL LAW NO. 2 OF 2024 ENTITLED
"A LOCAL LAW AMENDING THE ZONING LAW TO ADOPT REGULATIONS PERTAINING
TO SOLAR ENERGY SYSTEMS"**

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 May 15, 2024 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 entitled, "A Local Law Amending the Zoning Law to Adopt Regulations Pertaining to Solar Energy Systems" and

WHEREAS, notice of said public hearing was duly advertised in the official newspaper of the Town of Gorham, on May 3, 2024 and other notices required to be given by law were properly served, posted or given; and

WHEREAS, said public hearing was duly held on May 15, 2024 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, pursuant to part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law it has been determined by the Town Board that adoption of said Local Law would not have a significant effect upon the environment and could be processed by other applicable governmental agencies without further regard to SEQ. R.

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. 2 of 2024, entitled "A Local Law Amending the Zoning Law to Adopt Regulations Pertaining to Solar Energy Systems", 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 Local Law Book of the Town of Gorham, to give due notice of the adoption of said local law to the Secretary of State of New York, to publish an abstract of this local law in the Town's official newspaper and to post a copy of this local law conspicuously at or near the main entrance to the office of the Town Clerk.

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 May 15, 2024 by the following vote:

	<u>Aye</u>	<u>Nay</u>
Dale C. Stell	X_____	_____
Jake Chard	X_____	_____
Phil Curtis	X_____	_____
Brian Lazarus	X_____	_____
Chrissy Watkins	X_____	_____

c. Adopt Resolution Authorizing the Supervisor to Expend SLFRF (ARPA) Funding for Drainage Improvement Project -

Councilmember Lazarus offered the following resolution and called for adoption. Seconded by Councilmember Watkins, the resolution was adopted unanimously. 5-0
5 Ayes - Stell, Chard, Curtis, Lazarus, Watkins

063-2024

**TOWN OF GORHAM
RESOLUTION #25-2024
AUTHORIZING THE TOWN SUPERVISOR TO EXPEND \$75,000.00 OF THE SLFRF
FUNDING (formerly known as ARPA funding) FOR A DRAINAGE IMPROVEMENT
PROJECT**

WHEREAS, The Town has a project known as Maple Avenue Drainage Project and;

WHEREAS, the Town sought and received bids for this project and;

WHEREAS, the lowest responsible bidder was Rochester Pipeline Inc. with a bid of \$250,955.00, and

WHEREAS, \$75,000.00 of the SLFR funding will be discussed to pay for a portion of this Project.

NOW, THEREFORE, BE IT RESOLVED, that the expenditures will be disburse out of the General Fund.

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 May 15, 2024 by the following vote:

	<u>Aye</u>	<u>Nay</u>
Dale C. Stell	X_____	_____
Jake Chard	X_____	_____
Phil Curtis	X_____	_____
Brian Lazarus	X_____	_____
Chrissy Watkins	X_____	_____

064-2024

d. Adopt Resolution Authoring the Supervisor to sign the Proposal from MRB Group for Structural Assessment of the Town’s Salt Barn –

Councilmember Chard offered the following resolution and called for adoption. Seconded by Councilmember Lazarus, the resolution was adopted unanimously. 5-0
5 Ayes - Stell, Chard, Curtis, Lazarus, Watkins

065-2024

**TOWN OF GORHAM
RESOLUTION #26-2024
AUTHORIZING THE TOWN SUPERVISOR TO SIGN THE PROPOSAL FROM MRB GROUP
FOR A STRUCTURAL ASSESSMENT OF THE TOWN’S SALT BARN**

WHEREAS, the Town Highway Superintendent identified some potential deficiencies with the concrete walls at the Town’s Salt Barn,

WHEREAS, the Town requested a proposal from MRB Group to perform a visual structural assessment of the existing Town Salt Barn,

WHEREAS,MRB Group has submitted a proposal to perform a visual structural assessment of the existing Town Salt Barn,

WHEREAS, the proposal from MRB lists a total compensation for a cost of \$5,000.00 with any required additional services billed separately,

NOW, THEREFORE BE IT RESOLVED that the expenditures will be disbursed out of the General Fund and,

FURTHER RESOLVED, that the Town Supervisor signs the MRB proposal,

FULLY RESOLVED, that the Town Clerk forwards a copy of the signed proposal to Gregory Hotaling PE, MRB Group, and provide a copy of the resolution and the proposal to the Highway Department.

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 May 15, 2024, by the following vote:

	<u>Aye</u>	<u>Nay</u>
Dale C. Stell	X_____	_____
Jake Chard	X_____	_____
Phil Curtis	X_____	_____
Brian Lazarus	X_____	_____
Chrissy Watkins	X_____	_____

e. Appoint Deputy Town Clerk –

On the motion by Councilmember Curtis, seconded by Councilmember Watkins, to appoint Amanda Airth as additional Deputy to the Town Clerk, effective immediately. The Board held discussion. The motion carried 4-1

4 – Ayes Stell, Curtis, Watkins, Lazarus 1 Nay – Chard

066-2024

8. Set the Next Meeting Date – The next regular meeting will be held on Wednesday June 26, 2024 at 7:00pm, at Gorham Town Hall.

9. Privilege of the Floor –

Tom DeBlaere, State Route 247, has concerns with noise from Lincoln Hill Farms.

Mr. DeBlaere said they have some scheduled events during school times when his daughter has finals. He said the stage and all their amplifiers are pointed right at his house. He has some questions regarding noise ordinance and decibels.

Mr. DeBlaere will schedule an appointment to talk with Code Enforcement Officer Morse.

Discussion was held.

Code Enforcement Officer Morse said there is a noise ordinance on weeknights while school is in session. He has the information in his office and is happy to meet with Mr. DeBlaere to discuss his concerns.

10. Executive Session –

On the motion by Councilmember Chard, seconded by Councilmember Watkins, the Board entered into executive session at 7:50pm to discuss pending litigation, Town of Gorham v Kerrick.

On the motion by Councilmember Chard, seconded by Councilmember Curtis, the Board returned to regular session at 8:20pm.

No action was taken in executive session. Both motions carried unanimously. 5-0

5 - Ayes – Stell, Chard, Curtis, Lazarus, Watkins

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11. Adjournment – with no further business, on the motion by Councilmember Watkins, seconded by Councilmember Curtis, the meeting was adjourned at 8:21 pm. The motion carried unanimously. 5-0

5 - Ayes – Stell, Chard, Curtis, Lazarus, Watkins

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Respectfully Submitted,

Darby L. Perrotte
Town Clerk