

**MINUTES  
REGULAR MEETING  
GORHAM TOWN BOARD  
MARCH 10, 2010**

The Gorham Town Board held a regular meeting on Wednesday, March 10, 2010 at 7:30 PM at the Town Hall, Gorham, NY. Present were Supervisor Calabrese, Councilmembers, Adam-Anderson, Glitch, Hermenet and Lightfoote, Assessor Davey, Code Enforcement Officer Freida, Barb and Don Christmas and Town Clerk Hollenbeck.

1. Call to Order/Pledge to the Flag:
2. Privilege of the floor – none requested
3. Approval of minutes of February 10, 2010 Regular Meeting minutes. Councilmember Adam-Anderson moved to approve the minutes as submitted. Councilmember Lightfoote seconded the motion that carried unanimously. (5-0)

**016-2010**

4. Reports of Town Officials –
  - a. Water/WasteWater Plants – Written report on file. Mr. Erb was excused.
  - b. Highway Superintendent - Written report is on file. Mr. Ayers was excused.
  - c. Zoning – Written report is on file. Mr. Freida informed the Board that the property we have been working at getting cleaned up is in the hands of the Town Court. It appears that the owner may not intend to clean up the property.
  - d. Assessor – Written report is on file. Mr. Davey explained that impact notices will be sent to every property owner within the next week. These notices are mandated by New York State and provide an estimate of the effect of assessment on actual taxes to be paid. “This is a hypothetical estimate based on prior year tax levies and does NOT represent your actual future tax liability.” All staff at the Town Hall have been through this before and are not looking forward to the day after these notices are mailed. We expect many phone calls from distraught residents complaining about information that is just not correct.
  - e. Town Clerk – written report on file.
  - f. Supervisor – written report on file.

On the motion by Councilmember Lightfoote, seconded by Councilmember Hermenet, the reports of Town Officials were approved. Motion carried unanimously. (5-0)

**017-2010**

5. Communications – on file

6.	Audit of Bills:		
	Abstract #3 A	53-92	\$13,669.64
	B	600-92	1,541.83
	SL	74	484.02
	DB	24-39	37,412.76
	SW1	25-45	9,931.55
	SS	10-17	5,052.33
	HN	8	2,333.22
	HO	9	212.00
	HP	10,11	1,990.00

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

**018-2010**

7. Business:

a. Court Audit Resolution – On the motion by Councilmember Adam-Anderson, seconded by Councilmember Lightfoote, whereas the Town Supervisor made available the Judges balance sheets and checkbooks for the year 2009; and resolve that the Town Board did examine to the best of their ability these items; Resolve that a copy of this resolution be sent to NYS Office of Court Administration, Dennis W., Donnelly, CPA at 25 Beaver Street, New York NY, 10004. Motion carried unanimously. (5-0)

**019-2010**

b. Agricultural Advisory Committee – Councilmembers Lightfoote and Adam-Anderson have been working on a resolution to create an Agricultural Advisory Committee. A draft of the document was discussed.

On the motion by Councilmember Hermetet, seconded by Councilmember Glitch, the following resolution creating an Agricultural Advisory Committee was adopted. Motion carried unanimously. (5-0).

**020-2010**

Resolution Creating the  
Town of Gorham  
Agricultural Advisory Committee

WHEREAS, the Town of Gorham Comprehensive Plan dated 2009, does suggest that an Agricultural Advisory Committee be created; and

WHEREAS, The Town of Gorham recognizes the importance of agriculture as both a vital local economic base and as a land form that provides the Town of Gorham with much of its rural, rustic character and charm. The Town wants to assure the continued viability of farming as an industry which is important to the local economy and to the preservation of open space and vistas; and provide for

the most beneficial relationship between the use of land and buildings and the agricultural practices of the community and to further encourage the wise use and management of the town's natural resources through modern farming practices; and

FURTHER provide the Town Board, Planning Board and other relevant boards/committees of our government with a conduit for recommendations from the agricultural community on the long- and short-term impact of a variety of matters and questions considered by these groups.

RESOLVED that an Agricultural Advisory Committee be created as follows:

A. The Committee shall be composed of seven members appointed by the Town Board as follows; five residents of the Town of Gorham from the agricultural community (i.e. farmers and other agri-businessman), including but not limited to representatives from the greenhouse, crop production and dairy segments of the industry; plus two non-farmer members. The members shall recommend a Chairperson to be appointed by the Town Board.

A member of the Planning Board and a member of the Town Board shall serve as liaisons to this committee.

B. The members appointed to the committee shall serve for a three year term. Upon initial formation, one member shall serve for a one year term, two members for a two year term and all others for a three year term. Each year thereafter, reappointments or new appointments will be for three year terms.

C. Appointments shall be from January 1 through December 31.

D. Members shall serve without compensation.

#### POWERS AND DUTIES:

The Committee shall:

A. Advise the Town Board, and any and all boards for advisory purposes (Planning Board, Zoning Board, Conservation Board, or any other Town board) ; or the County Agricultural and Farmland Protection Board in relation to the proposed establishment, modification, continuation or termination of any county agricultural district. The Board shall present advice relating to the desirability of such action, including advice as to the nature of farming and farm resources within any proposed or established area.

B. Review of proposed zoning changes or development in agricultural districts.

1. Whenever a proposed zoning, policy change or development (residential, business or industrial) affecting town agricultural zoning districts is presented to the Town within or contiguous to a county agricultural district or town agricultural zones, it shall be referred to the Agricultural Advisory Committee for review. The Agricultural Advisory Committee shall have 21 days to respond with a recommendation for action.

2. The Committee shall present advice relating to the desirability of such action, including advice as to the nature of farming and farm resources within any proposed or established area. This recommendation shall include a determination as to whether the proposed action will have an unreasonable adverse effect on the continuing viability of a farm enterprise or enterprises within the county or town agricultural districts. This recommendation shall be advisory only.

C. Review county, state and federal legislation affecting agricultural issues and communicate the effect to the appropriate board and/or the Town Board.

D. Serve as a vehicle for communication between the agricultural community, the town and/or the County Agricultural and Farmland Protection Board.

E. Meet as determined necessary by Committee members, but no less than annually for review and recommendation purposes. These annual reviews and recommendations shall focus on zoning, planning activities and other actions within the county agricultural districts and the town agricultural zones.

F. Submit to the Town Board an annual summary of the activities of the Agricultural Advisory Committee

RESOLVED that the Gorham Town Board, pursuant to the authority granted to the Town under Section 272 of Town Law of the State of New York, hereby approves creation of an Agricultural Advisory Committee as stated.

c. Route 245 Detour Resolution. NYSDOT will be installing a new culvert on Route 245 just south of Yautzy Road in the fall of 2010 or summer 2011. The detour involves Yautzy Road to Lake to Lake Road and Lake to Lake Road to Route 247. Boardmembers expressed concerns with the timing of this project. Would hope that it would be done when schools are not in session. We have a fairly large Mennonite community and their children walk or bike to school and this detour could impact them. Councilmember Lightfoote also expressed concern with the depth of the placement of the culvert. There have been occasions where culverts were replaced but they were too high and did not allow run off from the fields. These concerns will be discussed with Mr. Ayers and a note sent to DOT with our concerns.

On the motion by Councilmember Glitch, seconded by Councilmember Adam-Anderson, the following resolution was approved, Motion carried unanimously. (5-0).

**021-2010**

WHEREAS, the New York State Department of Transportation proposes to replace highway culvert, C450103 on S.H. 662 (Rte 245 Over West River Tributary), near the intersection of Yautzy Road and Route 245, in the Town of Gorham, Ontario County, under P.I.N. 4T38.09.

WHEREAS, in conformance with Section 42 of the New York State Highway Law, the New York State Department of Transportation proposes to utilize the following roads and streets as detours during the period of construction.

Yautzy Road from the intersection of Yautzy Road and State Route 245, north ending at the intersection of Yautzy Road and Lake to Lake Road in the Town of Gorham.

Lake to Lake Road from the intersection of Yautzy Road and Lake to Lake Road, west to the intersection of Lake to Lake Road and State Route 247 in the Town of Gorham.

WHEREAS, the New York State Department of Transportation will provide traffic control devices and make improvements or repairs when necessary to the above mentioned roads to make them adequate to handle additional detour traffic.

NOW THEREFORE BE IT RESOLVED, that the Town of Gorham does hereby authorize the New York State Department of Transportation to utilize the above mentioned roads and streets as detours and maintain traffic on them in accordance with the Subsection 619 of its Standard Specifications during the period of necessity.

BE IT FURTHER RESOLVED, that the Town of Gorham will continue to provide routine maintenance on the above mentioned roads and streets, including snow and ice control.

BE IT FURTHER RESOLVED, that the Clerk of this Town is hereby directed to transmit four (4) certified copies of this resolution to the New York State Department of Transportation.

d. Fox Court Decision – This case has been ongoing for quite some time. The Court has ruled and reduced the assessment from \$1,015,000 to \$911,000. There is question regarding what years the reduction applies too, which will be clarified. The property owner was requesting that the assessment be lowered to \$600,000 which was ridiculous. Our legal counsel does not recommend an appeal of the decision.

e. Board appointments – Three people were interviewed. There are two other people who expressed a desire to serve the Town but could not be here tonight. All agreed to getting together later in the month to interview. At present there is a vacancy on the Board of Assessment Review and on the Conservation Board. Board members agreed to meet again the end of March to interview a couple of other candidates before making the appointment.

f. Community Center (Rushville) – Supervisor Calabrese informed the Board that he recently met with the Mayor of Rushville to go over a proposal for a Community Center in Rushville. It will be about 12,000 square feet and have a gym plus other rooms for gatherings. The idea is to raise money for the building through various donors. The biggest thing is after the building is built we need money to support it. One way is for the Towns of Middlesex, Potter, Gorham, and the Village of Rushville to have a ten year agreement with a specific dollar amount per year to support it. This would allow all the residents of the Town of Gorham use of the facility. This is a work in progress. No commitment has been made at this time. Supervisor Calabrese stated that he is just looking for acknowledgment that he is involved in this project and depending on the cost, the Town Board would look into having Gorham help support it.

Boardmembers discussed the proposal and had many questions and comments such as: is there really a need? Maybe a survey should be done to see if there is a need or want; school enrollment is declining, we have three school buildings, each with at least one gymnasium if not two, could these buildings be used?; there are several churches in the area, can that space be utilized?; who is going to do the scheduling of events, maintenance, supervision, etc. etc. etc.

Supervisor Calabrese again indicated that this project is just beginning. There are many questions yet to be answered. He will keep the Board informed.

## 8. Other

a. Hamlet Park – Councilmember Adam-Anderson provided drawings of the Hamlet Park and gazebo. The Park Committee worked to place landscaping etc. at the site. All agreed, the plan looks great. There was question about a Bartlett Pear tree, that may not be a good idea. Some may think those pears are good to throw at things. We do have volunteers who have offered to help with the plan and price quotes.

b. Computer upgrades. Town Clerk Hollenbeck informed the Board that we will be needing upgrades to many of the Town's computers. Some of our software is outdated and will not read information from newer sources. Also most of our computers are five to eight years old and we are running out of memory.

We are in the process of getting a couple of quotes and will look at the possibility of new computers versus upgrades and new software. All agreed to continue.

9. Set next meeting date – The date of Tuesday March 30<sup>th</sup> is tentatively set to interview a couple of other candidates who have expressed interested in serving on the various Boards. The regular meeting will be held Wednesday, April 14, 2010

10. Adjournment: On the motion by Councilmember Hermenet, the meeting was adjourned at 9:22 PM.

Respectfully submitted,

Nancy Hollenbeck  
Town Clerk