

**MINUTES  
REGULAR MEETING  
GORHAM TOWN BOARD  
APRIL 9, 2008**

The Gorham Town Board held a regular meeting on Wednesday, April 9, 2008 at 7:30 PM at the Town Hall, Gorham, NY. Present were Supervisor Calabrese, Councilmembers Lightfoote, Busch, Glitch and Adam-Anderson, Code Enforcement Officer Freida, Highway Superintendent Ayers, Assessor Davey, Chief Operator Water/Wastewater Departments Erb, and Town Clerk Hollenbeck.

1. Call to Order/Pledge to the Flag:
2. Privilege of the floor:
3. Approval of minutes of the March 12, 2008 meeting. On the motion by Councilmember Adam-Anderson seconded by Councilmember Busch, the minutes were approved as submitted. Motion carried unanimously. (5-0) **037-2008**

4. Reports of Town Officials

a. Water/WasteWater Plants - Written report is on file. Mr. Erb asked the Board for permission to replace their oldest truck, a 2003, that has over 90,000 miles on it and purchase a new one. This purchase has been budgeted for. The new vehicle will be at least \$13,000, but no more than \$15,000. We are looking at the State Bid vehicles and prices. Fords are a little cheaper, Chevy has the flex fuel and is a little more expensive. We are looking at a two wheel drive truck with a long box, V6.

On the motion by Councilmember Busch, seconded by Councilmember Lightfoote, authorization was granted to purchase a new truck from State Bid for the Water Department. Motion carried unanimously. (5-0) **038-2008**

Report of cost analysis for water sales in 2007 was briefly discussed. The report shows number of customers for three routes, Lake, Gorham and Seasonal. Also shows consumption, revenue, excess gallons, minimum gallons, revenue and cost per 1000 gallons. Information for Hopewell consumption, revenue and cost per 1000 gallons is also included.

b. Highway Superintendent - Written report is on file. There is an informational meeting next Wednesday at the Crystal Beach Fire Department, 4/16/08 at 7 PM regarding the Crystal Beach drainage and road project. Everyone is invited to attend. Supervisor Calabrese stated that he will open this meeting with a few remarks, one is that this meeting is not to discuss the proposed subdivision/development, Montebella Estates. Any questions or comments regarding that project must be directed to the Town Planning Board.

Mr. Freida stated that at the last meeting of the Planning Board regarding Montebella, the public hearing was closed because the only thing left to do is an archeological study. Then they have to go to DEC, DOH, etc. for further approvals. There is a list of conditions that must be met before final approval can

be granted. The last meeting there was only one resident in attendance. There have been approximately ten informational and public meetings regarding this project to date.

Councilmember Lightfoote asked Mr. Ayers about dust control on the dirt roads. Mr. Ayers stated that he is thinking of going back to calcium. Both calcium and dust oil cost about the same. On the south side especially, where more Mennonites are, using that dust oil, a horse or a tractor will get a hole started and they get so deep and sharp, we have to continually patch them. The calcium seems to hold up better in that area. They may use the oil on Conklin, Kipp and Powell Roads, the others will probably be calcium. Mr. Ayers stated that they used about 300 tons of gravel, hand shoveled onto the gravel roads this year!

c. Zoning – Written report is on file. A permit report for 2007, by type was prepared and provided for information.

d. Assessor – Written report is on file. Mr. Davey prepared a report for Board members review. Assessed value to selling price ratios for neighborhoods which will be reappraised and reassessed this year. The neighborhoods are Hamlet, without municipal water, with municipal water and waterfront. Report was briefly discussed.

e. Town Clerk – written report on file. The new copier has been purchased and received. All staff will have the option of printing and faxing from their desktop to the new machine. Incoming faxes will go directly to the new machine. It has a scan/email function that all will be trained to use.

f. Supervisor – written report on file. Supervisor Calabrese stated that we have received the environmental report on the Gorham Oil property and are waiting for a letter from DEC.

We are still getting a fuel reading in the basement of the restaurant. We have removed the fuel oil tank from the basement and hope that will help. If it does not, the next step will be sealing the walls. As far as the parking lot, we need to do at least one more round of injections. If only one injection series is needed, it looks like it will be late summer before we can pave. Otherwise it will be next year.

The Flint Creek Project is in the works, we will be applying for a permit from DEC. Once that is received we can get prices on getting the work done.

On the motion by Councilmember Adam-Anderson, seconded by Councilmember Lightfoote, the reports of Town Officials were approved. Motion carried unanimously. (5-0) **039-2008**

5. Communications – on file

6. Audit of Bills:

Abstract #4 A	116-145	\$24,839.07
B	118-136	1,244.18
SL	134	760.12
DB	67-87	55,515.66
SW1	62-87	14,335.37
SS	13-18	1,466.47
HC	5,6	716.84
HN	7	3,504.91

On the motion by Councilmember Adam-Anderson seconded by Councilmember Lightfoote, the bills were audited and approved for payment. Motion carried unanimously.(5-0). **040-2008**

7. Business:

a. Resolution – increase court furniture expenditure by \$400. Supervisor Calabrese met with Court staff and Don from Konen regarding new furniture. Briefly reviewed items to be purchased and what may be needed after the furniture arrives. Court received a grant for furniture in the amount of \$3,000. Another \$400 is needed.

On the motion by Councilmember Adam-Anderson, seconded by Councilmember Lightfoote approval was granted to spend \$400 for Court furnishings. Motion carried unanimously. (5-0). **041-20008**

b. Ontario County Planning Board appointment. George McCadden has served on the Ontario County Planning Board and had agreed to serve another term. He has done a great job in this capacity. County Planning needs a recommendation from this Board. The actual appointment is done by the Ontario County Board of Supervisors.

On the motion by Councilmember Glitch, seconded by Councilmember Adam-Anderson, it is recommended that George McCadden be appointed to the Ontario County Planning Board as the representative of the Town of Gorham. Motion carried unanimously. (5-0). **042-2008**

c. Policy for appointments – all boards. A policy has been drafted regarding appointments and re-appointments to boards of the Town of Gorham.

This policy has been discussed previously, changes have been made. Board members briefly discussed the document.

On the motion by Councilmember Adam-Anderson, seconded by Councilmember Busch the policy is adopted and shall become a part of the Town of Gorham Policy Book. Motion carried unanimously. (5-0). **043-2008**

d. Bay Landscape, contract for mowing cemeteries and Heritage Park. This contract is the same as last year. They have done a good job of keeping things mowed. There have been no complaints to our knowledge.

On the motion by Councilmember Lightfoote, seconded by Councilmember Adam-Anderson, Supervisor Calabrese is hereby authorized to sign the contract with Bay Landscape for Property Maintenance 2008. Motion carried unanimously. (5-0). **044-2008**

e. Project Updates – Ford Garage – still waiting for letter from DEC. Also need to do more injections before the property is completed.

Gorham Oil – We have the report but still need more information. It is hoped that the deed transfer will happen in 2008.

Hiking Trail – have someone to build the kiosk, that should be done soon.

Welcome Signs – it is planned to put up three more signs this year. We will try to reposition new installations so that they face the road a little more.

Crystal Beach Drainage project – information meeting will be held next week.

Comprehensive Plan Update - interviews of two candidates will be held on Friday. We received two bids from our Request for Proposals.

8. Other:

a. Ontario County Alternatives to Incarceration Contract. The Town has had a contract with the County for many years to accept assistance through their Community Service Program. The contract needs to be updated. Community service volunteers provide a variety of services, clerical, custodial, maintenance, etc. The Highway and Water Departments have both used this program successfully.

On the motion by Councilmember Adam-Anderson, seconded by Councilmember Glitch, Supervisor Calabrese is authorized to sign the Ontario County Alternatives to Incarceration Program, Community Service Agreement. Motion carried unanimously. (5-0). **045-2008**

b. Deferred Compensation Resolution to Amend. The Town offers a deferred compensation program for employees. When changes occur to this plan

the Board must approve them. The changes do not affect our employees but the resolution is necessary.

On the motion by Councilmember Busch, seconded by Councilmember Glitch, approval is granted for Supervisor Calabrese to sign the following resolution. Motion carried unanimously. (5-0). 046-2008

**TOWN OF GORHAM  
RESOLUTION FOR AMENDMENT TO DEFERRED  
COMPENSATION PLAN**

**WHEREAS**, the New York State Deferred Compensation Board (the “Board”) pursuant to Section 5 of the New York State Finance Law (“Section 5”) and the Regulations of the New York State Deferred Compensation Board (the “Regulations”), has promulgated the Plan Document of the Deferred Compensation Plan for Employees of the Town of Gorham (the “Model Plan”) and offers the Model Plan for adoption by local employers;

**WHEREAS**, the Town of Gorham, pursuant to Section 5 and the Regulations, has adopted and currently administers the Model Plan known as the Deferred Compensation Plan for Employees of the Town of Gorham;

**WHEREAS**, effective December 7, 2007 the Board amended the Model Plan to adopt provisions

- Expanding the eligibility for unforeseeable emergency withdrawals
- Permitting law enforcement officers, firefighters, members of a rescue squad or ambulance crew who have retired for service or disability to request a plan distribution of up to \$3,000 annually to pay for health insurance or qualified long term care premiums for themselves, their spouse or dependents.
- Permitting a beneficiary who is not the spouse of the deceased Participant to transfer their Plan account directly to an IRA.
- Permitting a Participant who is eligible for a distribution to rollover all or a portion of their Plan account to a Roth IRA.

**WHEREAS**, the Board has offered for adoption the amended and restate Model Plan to each Model Plan sponsored by a local employer in accordance with the Regulations; and

**WHEREAS**, upon due deliberation, the Town of Gorham has concluded that it is prudent and appropriate to amend the Deferred Compensation Plan for Employees of the Town of Gorham by adopting the amended Model Plan.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town of Gorham hereby amends the Deferred Compensation Plan for Employees of the Town of Gorham by adopting the amended Model Plan effective December 7, 2007, in the form attached hereto as Exhibit A.

**IN WITNESS WHEREOF**, the undersigned have executed this Resolution in Ontario County, New York State this 9<sup>th</sup> day of April and directed that it be filed as appropriate.

c. Molly Melious has submitted a letter of resignation as Town Historian. Molly has worked with the Town of Gorham for many years in many capacities, most recently as Historian.

On the motion by Councilmember Adam-Anderson, seconded by Councilmember Bush, it is with heartfelt thanks that the Town Board accepts Mrs. Melious's resignation. Motion carried unanimously. (5-0). **047-2008**

d. On the motion by Councilmember Lightfoote, seconded by Councilmember Adam-Anderson, the Board went into executive session to discuss a personnel/retirement issue.

On the motion by Councilmember Adam-Anderson, seconded by Councilmember Glitch, the Board returned to regular session. No action was taken in executive session.

9. Privilege of the Floor: None requested.

10. Adjournment: On the motion of Councilmember Busch, seconded by Councilmember Adam-Anderson, the meeting was adjourned at 8:56 PM.

Respectfully submitted,

Nancy Hollenbeck  
Town Clerk