

**MINUTES
REGULAR MEETING
GORHAM TOWN BOARD
AUGUST 13, 2008**

The Gorham Town Board held a regular meeting on Wednesday, August 13, 2008 at 7:30 PM at the Town Hall, Gorham, NY. Present were Supervisor Calabrese, Councilmembers Lightfoote, Busch, Glitch and Adam-Anderson, , Chief Operator Water/Wastewater Departments Erb, Highway Superintendent Ayers, Ken and Sheila Lord, Diane Hovey, Joyce Sauer, Barb Lippincott, Michele Cutri-Bynoe and Town Clerk Hollenbeck.

1. Call to Order/Pledge to the Flag:

2. Privilege of the floor:

a. Sheila Lord – Sheila and Ken Lord of County Road #17 stated that they are having a little problem and want to bring it to the attention of the Town Board. She put together a packet of information and photographs of properties on County Road #17 from Depew Road to the Town line. There is a problem with property maintenance. The last two years the assessment on the Lord's property has been raised, despite the condition of the properties on the road. They feel it is time that the Code Enforcement Officer makes these property owners clean up their mess. They are all good neighbors, but we feel it is time to clean up. They feel the neighbor across the street either needs to put up a barn to put the junk in or clean it up. There are a number of unlicensed vehicles on properties on the road. The NYS Property Maintenance Code prohibits these vehicles. The Lord's would very much like the Town Board to review the packet of information and encourage clean up. If anyone has any questions, the Lord's would be more than willing to answer any questions.

The Lord's have been requesting that the property across the street be cleaned up for over three and a half years. It has been an on going thing. Mrs. Lord has talked to Mr. Freida and Supervisor Calabrese a number of times over the last couple of years. There are also rats in the area, they may be coming from the barn next door.

Supervisor Calabrese thanked Mr. and Mrs. Lord for coming to this meeting. It is frustrating when you try to be nice to these people and now we basically have to start over with notifications and time frames before an appearance ticket can be issued. What needs to be done is have court papers prepared.

b. Diane Hovey, Director, Gorham Free Library – she gave an update of the activities at the library. Circulation at the library over the last year has increased from 16- 62% every month. The major remodeling has been completed and we are working on the downstairs. She is requesting additional funding. She was originally hired to work 20 hours a week. The Library is open 35 hours per week. The Library Board has approved a 28 hour work week for Mrs. Hovey but we have put on a lot of new programs. The summer read program has been very

successful with up to 49 attendees at a session, the average was about 25 per week. We have received a number of grants this year which is something new for us. These have helped with the funding, but when you obtain grants, you are required to provide a program or something to comply with the grant and this takes manpower and additional funding. We have Wi-Fi coming to the library which allows people to bring their own wireless computers to the library and access the internet. Right now everyone goes to Panera's, but with the cost of gas, this should be a good service for the community. Mrs. Hovey stated that they are asking the Town to contribute an additional \$3,000 which would be about 50% of the salary required for the additional hours at the library.

Circulation statistics were briefly discussed as well as various programs that are available through the library.

Supervisor Calabrese stated that the request will be discussed when the Board discusses the 2009 budget at a future meeting and will get back to her.

Diane introduced Barb Lippincott, President and Joyce Sauer, Treasurer of the Gorham Free Library Board of Trustees and thanked the Town Board for their time and continued support.

3. Approval of minutes of the July 9, 2008 meeting. On the motion by Councilmember Adam-Anderson seconded by Councilmember Lightfoote, the minutes were approved as submitted. Motion carried unanimously. (5-0)

071-2008

4. Reports of Town Officials

a. Water/WasteWater Plants - Written report is on file.

b. Highway Superintendent - Written report is on file. Mr. Ayers informed the Board that the new C4500 Ton truck will be delivered tomorrow, August 14, 2008.

Mr. Ayers informed the Board that everything for his department has increased in cost over the last several months and we are going to be short on funds and we still have several miles of road to oil and stone which is in our work plan. We expect the cost to be about \$55-60,000.

Supervisor Calabrese explained how the Town can come up with the additional funding to continue the projects we have scheduled.

Mr. Ayers stated that we should wedge County Road #17 from Depew Road to Goose Street and East Swamp Road which would cost about \$90,000. There is no way we can get all of this done. If the prices go down, maybe we could do some of this in the spring. Some of this work really needs to be done, if you put it off for a year, it may be more work and cost more.

In September we will be focusing on the Crystal Beach project.

Mr. Ayers will work closely with Supervisor Calabrese regarding the costs for the projects they are working on this fall.

Councilmember Adam-Anderson asked about having a community clean up day or putting a dumpster in the Crystal Beach area or something for residents to clean up. This was briefly discussed.

If dumpsters are put in one area of town, we must also put them in other areas as well. There is skepticism that it would really work. Would the property owners who really need to clean up, actually take advantage of it. Often times there are those who treasure the items in their yards. Also, the Transfer Station is available to all residents in the Town at the extremely nominal fee of \$60 per year, and they can take almost anything there. It was suggested that this be discussed again in February.

Mr. Ayers informed the Board that we are in need of a new recycle tub. The cost would be about \$9500. We have one or two tubs that are in bad condition, we should order a new one. Discussed whether to power coat a new tub or not. Mr. Ayers will look into the cost and effectiveness of power coating and get back to the Board.

Councilmember Glitch moved to authorize Mr. Ayers to order a new recycle tub. Councilmember Busch seconded the motion that carried unanimously. (5-0).

072-2008

- c. Zoning – Written report is on file. Mr. Freida is on vacation.
- d. Assessor – Written report is on file. Mr. Davey is on vacation.
- e. Town Clerk – written report on file. It is time to order permits for the Transfer Station. Talked about signage at the facility. After a brief discussion, all agreed to continue with the permits as we have in the past. It would be helpful if a handout were prepared for residents that states what can be taken to the facility and where it should be put.

Also talked about Heritage Park. Dogs are not permitted in the park. A handout should be prepared to be sent to anyone who reserves the park so that they are aware of the regulations.

- f. Supervisor – written report on file

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

073-2008

5. Communications – on file

6. Audit of Bills:

Abstract #8 A	268-302	\$14,884.72
B	271-302	4,773.42
SL	279	718.00
DB	151-169	148,964.34
SW1	164-183	12,841.03
SS	45-51	3,664.95
HN	15	32,075.80

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

074-2008

7. Business:

a. Radio Telemetry (Water Department) – Mr. Erb informed the Board that we are looking at a new system designed by Newark Electric that will monitor two pump stations and two tanks. The telemeter we have now has been a problem for a lot of years. We now are running the Turner Road station by hand, our guys have to turn it on and off and physically check the tank. It goes down five or six times a year. We have spent the last year trying to get people to come in and give us quotes. They come out and look and most of them never get back to us. One did get back and said he could not guarantee that it would work because of the elevations. We have got a company that has given us a quote on a computerized system that will run the water plant, the tanks, booster stations. Basically one could sit in the water plant and see that everything is running as it should. We would be able to add to this system the capability to do our State reports, which will be required to be on line in the near future. There are unlimited possibilities. This will enable the employees to know when something goes wrong on a 24/7 basis, they would be notified by text message on cell phones. The cost has tripled from what we thought previously, to about \$65,000. We have checked with several companies regarding this system, but only one has responded. The advantages to having such a system were discussed at length.

Staffing requirements were also discussed. It is anticipated that with the new system we will not need as much manpower.

Councilmember Glitch moved to approve purchase of the telemetry system.

Councilmember Adam-Anderson seconded the motion.

Councilmember Busch suggested that it would be a good idea to have a presentation from the vendor to discuss this further. We have heard all of the positive aspects of the system, but not any possible negative impacts. It would be beneficial to have further discussion with the vendor.

Councilmember Glitch withdrew his motion; Councilmember Adam-Anderson withdrew her second.

The Board unanimously agreed to hold a work session on Wednesday, September 3, 2008 to discuss the telemetry system with Newark Electric.

b. Budget – Hopewell Water Contract. The proposed budget was briefly discussed. The Hopewell Water Contract is to be renewed this fall. Supervisor Calabrese has had tentative discussion with Supervisor Green regarding the contract and proposed 5% increase per year. Supervisor Green suggested a three year contract. The term of the contract was briefly discussed, Board members all agreed that two year contract would be sufficient. The contract and budget will be discussed further at the next meeting.

c. Sidewalks – obstructions. Supervisor Calabrese stated that when the sidewalks were put in five years ago he said it would be nice to not have any obstructions on them such as tables or unsightly sandwich boards. Boardmembers briefly discussed the issue, no one had any problems with the picnic table in front of the store. The sidewalks need to be clear and easily passable by pedestrians. Supervisor Calabrese will send a letter to the local merchants outlining what is

permitted on the sidewalks and that sandwich board signs are allowed but must be neat in appearance.

d. Appoint attorney for Assessment Article 7's - On the motion by Councilmember Busch, seconded by Councilmember Adam-Anderson the Board approved retaining Mary Jo Korona of Leclair Korona Giordano Cole, Attorneys, to represent the Town of Gorham in the Article 7 Assessment litigation. Motion carried unanimously. (5-0). **075-2008**

e. Resolution to authorize Court to apply for grant. On the motion by Councilmember Adam-Anderson, seconded by Councilmember Lightfoote, Gorham Town Court is hereby authorized to apply for a grant through the 2008 Justice Court Assistance Program for a Dutch door to the Court office, judge's robe, hand held scanner and wall mounted court seal. Motion carried unanimously. **076-2008**

f. Accept deed for Gorham Oil Property. On the motion by Councilmember Lightfoote, seconded by Councilmember Glitch, the following resolution was adopted.

WHEREAS, the premises owned by IPT, LLC (the "Owners") located at 4710 Main Street in the Town of Gorham, being tax map #144.10-1-24.000 (the "Property") has been offered to the Town of Gorham by the Owners for no consideration.

NOW THEREFORE, BE IT RESOLVED, that the Town Board has determined that the Property could be used for public purposes; and

BE IT FURTHER RESOLVED, that the Town Board would like to acquire the Property; and

BE IT FURTHER RESOLVED, that the Town Board does accept the Warranty Deed from the Owners for the Property; and

BE IT FURTHER RESOLVED, that the Town Supervisor is hereby authorized and directed to execute all necessary documents to effectuate the transfer of title to the Property into the Town of Gorham and to have such documents recorded in the Ontario County clerk's Office, the fees for recording to be paid for by the Town.

Motion carried unanimously. (5-0) **077-2008**

g. Marcus Whitman – Environmental Resolution. There is contaminated soil at the Middlesex Valley School. They do not have enough land there to do an aeration program and propose to do it in back of the High School far enough away from the student body. NYSDEC requires approval from the Town to conduct on-site remediation of petroleum impaired soil within the limits of the Town of Gorham.

On the motion by Councilmember Lightfoote, seconded by Councilmember Adam-Anderson, the following resolution was adopted.

WHEREAS the Middlesex Valley School is involved in Petroleum Impaired Soil Bio-Remediation at the elementary school and bus garage. It is proposed that the impaired soil will be excavated, transported and remediated in accordance with

NYSDEC recommended guidelines and taken to the parcel behind the MWCS D bus garage on Baldwin Road.

NOW THEREFORE BE IT RESOLVED, that the Gorham Town Board accepts the proposed remedial plan to address the petroleum impacted soils identified at the Site and accept the proposed location of the bio cell.

Motion carried unanimously. (5-0).

078-2008

h. Insurance - Supervisor Calabrese has been researching Insurance Companies for Town Liability and Vehicle Insurance. He recommends that we continue with the company we have been working with. The difference in cost is minimal and there are some differences in coverage that may not be to our advantage with another company.

8. Other:

a. Accept bid on 2004 Chevy 2WD – Regular Cab, Long Box, 2WD, 4.8 liter engine, 98,353 miles (Water Department Truck) Bids opened 8/12/08 at 10:00 AM. One bid was received in the amount of \$4300. Mr. Erb recommended accepting the bid.

On the motion by Councilmember Adam-Anderson, seconded by Councilmember Lightfoote, the bid of \$4300, from Ken Rowlands, was accepted for the 2004 Chevy pick up truck. Motion carried unanimously. (5-0). **079-2008**

b. Resolution to authorize clean up on Greenbriar Drive. This property has been an eye sore for years. We have talked about it many times and have had numerous complaints from the neighbors. Mr. Freida has sent letters to Mr. Jensen and did have a telephone conversation with him informing him that if the clean up was not done by August 1, 2008, that the Town would have the work done and he would be billed for the work. The bill will be filed with the County as a lien on the property and if not paid, will be levied on to the next tax bill.

Councilmember Glitch. Moved the following resolution. Seconded by Councilmember Busch. Carried unanimously. (5-0). **080-2008**

**Darrell R. Jensen
1640 Silver Street
Clifton Springs, NY 14432**

**4541 Greenbriar Drive
Tax Map # 127.19-2-57.000**

The Town Board of the Town of Gorham authorizing Gordon Freida, Code Enforcement Officer to have Liddiard's Tree Service clean up the property at 4541 Greenbriar Drive.

The cost of this clean up shall be charged and assessed against the owner of the property, Darrell R. Jensen.

The expense so assessed shall constitute a lien and charge on the real property on which it is levied until paid or otherwise satisfied or discharged and shall be collected in the same manner and at the same time as other town charges.

This resolution shall be retroactive to August 1, 2008.

9. Privilege of the Floor: None requested.

10. Adjournment: On the motion of Councilmember Busch, seconded by Councilmember Glitch, the meeting was adjourned at 9:35 PM.

Respectfully submitted,

Nancy Hollenbeck
Town Clerk