

MINUTES
REGULAR MEETING and PUBLIC HEARING
GORHAM TOWN BOARD
AUGUST 10, 2016

The Gorham Town Board held a Regular Meeting and Public Hearing on Wednesday August 10, 2016 at 7:00 PM at the Crystal Beach Fire Department. Present were Supervisor Lightfoote, Councilmembers; Glitch, Case, Malcolm and Chard. Highway Superintendent Ayers, Chief Operator Water/Wastewater Plants Coston, Code Enforcement/Zoning Officer Freida, Assessor Mineo and Town Clerk Perrotte. Other guests in attendance; representatives from Middlesex Valley Volunteer Ambulance and a Fire Hall full of local residents.

1. Call to Order/Pledge to the Flag

2. Privilege of the Floor – Mr. Robert Baxter said “I am the owner of two homes within five hundred yards of the Pelican Point Marina. I’m here to initially question the proper posting of public notice for the hearing. Certain sections of Article 9 from Town of Gorham Zoning regulations call for public hearing notice on site ten days prior to the meeting. No notice was posted on the site at all. This severely limits some of the residents on or along East Lake Road or County Road 11. Some are either seasonal or live in Rochester and use their homes on the weekend. They might not otherwise have the ability to find the proper notice for this public hearing tonight. It limits their ability to speak and given the fact that by virtue of the application they have indicated that this re-zoning would substantially change the amount of traffic in the area, I would think that they would want to be able to come and speak should they have had proper notice. So, I question the whole premise of having the public hearing tonight without that proper notice being posted.”

Supervisor Lightfoote said Mr. Baxter is right. When the sign was put up it was found that the sign listed the Gorham Town Hall as the location for the Public Hearing. The August Town Board meeting had been changed to be held at the Crystal Beach Fire Department instead of the Town Hall. The sign was not corrected and put out to show the location of the public hearing. Although the Town posted the public hearing on the signboard, on the website and in the official newspaper of the Town, because the sign was not placed on the property, the Town will hold another public hearing at the next regular Town Board meeting. Regular Town Board meetings are held on the second Wednesday of the month. Supervisor Lightfoote said “to address it properly the Hearing will be opened tonight, we will take public comment. When public comment has been exhausted here instead of closing the public hearing, I will adjourn it, to re-open it next month.”

Zoning Officer Freida summarized the process for re-zoning. Mr. Freida said “Pelican Point wrote a letter to the Town Board requested re-zoning of two

properties they recently purchased. The parcels are zoned R-1 residential. The two properties are adjacent to the marina property. The marina property is zoned General Business. They are requesting the Town Board to re-zone the currently purchased parcels from R-1 residential to General Business. They will then annex the properties into one. The procedure is; the Town Board looks at the application and then refers it to the Town Planning Board. The Planning Board can only make conditions upon the granting of the re-zoning. The public hearing is the informational portion. Everyone within five hundred feet of the adjoining properties gets a written letter. The sign goes on, it's on our website, it's posted in the newspaper. The review process starts at the public hearing prior to re-zoning, at the Town Board level, that's why you're here tonight and possibly next month. It then goes to the Town Planning Board for recommendations, conditions to be set on the use of the property."

3. Public Hearing: Re-zone Pelican Point – Application T-01-2016 Pelican Point LLC requests re-zoning of two parcels at 4789 County Road 11 from R-1 Residential to General Business District. The legal notice as it appeared in the official newspaper of the Town was read. Supervisor Lightfoote opened the public hearing at 7:07pm.

Mr. Robert Baxter provided the Town Board with an informational packet regarding the parcels requesting re-zoning by Pelican Point Marina, LLC.

Mr. Baxter said "The property is located next to my family's home separated by the Gage Creek. So that is the only buffer I have. The property goes behind my property as well as next to my property. I will keep it very brief." Mr. Baxter asked "was the parking plan submitted with the application?"

Supervisor Lightfoote said when the application came to the Town Board the Town Board agreed to send it on to the Planning Board for their review and their comments back to the Town Board, yes we have their comments.

Mr. Baxter said "there are five marina's on this lake not counting Canandaigua Yacht Club. In talking to each of these marina's, without exception, every single marina owns property off site for the storage of, whether it's temporary, seasonal or whatever, of trailers and boats. During a portion of the Planning Board meeting Pelican Point mentioned that they also have off site property. In fact tab 1 being in that book shows the 13.5 acres it currently owns off site. There are pictures attached to that. The site is currently not being used whatsoever and is being described as inconvenient. It is exactly 4.8 miles from location. If you talk to Seager's, Sutter's, German Brothers they all have off site. In fact Seager's, or Sutter's rather, is off County Road 10 just past the fairgrounds. It is being completely utilized for extra trailers and boats to free up space on their location. That's Pelican Point's argument. They need to free up space on their location so they want to move trailers and boats to the lot next door to what we own. So, that's option number one. Option number two; they own 6.4 acres off of Route 364. Exactly one mile from their current location. Certainly they can use that for storage of trailers. Why do they need to turn this residential piece into a commercial piece? Option number three; is the better utilization of their own site.

Even utilize the space that's behind their existing buildings. They're here asking you to turn a piece of residential property, that butts to my family's home, my grandson's live there on two sides. For two and a half months, April, May and the first half of June, until I issued a formal complaint to the zoning officer, we were subject to listening to cars, tractors, trailers being shuffled in and out of the adjoining property. To make matters worse they continue to do it. They've done it this past weekend. It's not a residential use. That clearly is general business use and that needs to be stopped until this issue is resolved. The final point I wanted to make was in review of the requirements to rezone this piece of property to general business. There's certain minimum requirements that need to be met per the Town of Gorham's zoning code. The minimum lot size for a general business lot attaching to public water, public utilities is one acre. Lot 64 in this application which is the lot that butts up to County Road 11 is only .32 acres. The minimum lot coverage per their own zoning code is 200 feet of frontage. This lot only has 70 feet of frontage and is sandwiched between my property and the property owned by Canandaigua Lake's County Sewer District which is on the other side. There is no direct connection, nor ability to have direct connection, without first going through watershed, DEC and County Core of Engineers to be able to build a bridge over Gage Creek to have connectivity to this piece of property. With their application they are going to substantially increase the traffic on County Road 11. That brings into effect huge safety issues for not just the residents but, the people that travel down that road. Having a 70 foot egress on this lot the sight distance for this property is only 40 feet to the left and 130 feet to the right. Traveling 30 MPH takes 120 feet to stop. So any northbound traffic that's coming up that road cannot stop in time if a car pulls out of that lot, plain and simple. There's going to be an accident and there's going to be deaths, that's all. Safety is often the thing that nobody cares about but, there's kids there. My grandson's there. He lives right next door to this property. Nine months out of the year the bus picks him up right in front of the house. Wyant's have a grandson who is there. The school bus picks up him, right in front of his house. These are things that must be considered just on the face forget about the fact that they have three other options to park cars in without taking this residential piece and making a parking lot. The Town of Gorham regulations for general business clearly state that this can't change. It can't meet the requirements of it unless he buys my property and buys the county sewer. There's no way they can have 200 feet of frontage with Gage Creek there. There's no way they can connect this parcel to the existing parcels they have. It's impossible. Just to finish up and I'm throwing this out on the table, in 2009 there was an article published in the Daily Messenger. That article was describing Pelican Point Marina as the last great, commercial development opportunity in the Finger Lakes. The owners put that property up for sale with the Pyramid Company which is one of the largest real estate brokers on the east coast. They received ten sealed offers, bids on the property, nothing happened. I'm a real estate broker by trade. I've done it for 30 years. I've owned my own company for 25 years. The reason this property can't be sold, there is the simple fact that without this being re-zoned there is no ability to connect that side, which is half of the 28 acres, to public water, sewer and gas.

And I'm offering it up, that's the real reason. They have three other sites to park vehicles on, trailers on. They don't need that site. The only real reason is the connectivity to the public system."

Supervisor Lightfoote thanked Mr. Baxter. Supervisor Lightfoote asked if anyone else would like to speak.

Mrs. Linda Roche said "I want to read something only because I was afraid I would leave something out if I didn't write it all down.

My name is Linda Roche. I live at 4785 County Road 11. I speak for my husband Mike and I when I state that we are opposed to the re-zoning of these two parcels from R-1 to General Business. We have two categories of concern. First, the immediate development per Pelican Point's proposal. As proposed the plan would add more commercial driveway to an already busy road. Terry indicated at a prior meeting that the lower area would be used, I believe, for overflow parking for people who store their boats at the marina. Leading one to conclude that the majority of the parking would remain where it should currently be, and yet last Sunday the lower lot was quite full with cars making it difficult to believe it was simply overflow. That is a significant increase in the amount of traffic that that driveway had prior to it being purchased by the marina and if cars take up all the lower area, trailers will be stored up the hill. Regarding the storage of trailers on the upper portion. Currently that area is heavily treed aside from the portion directly behind the Baxter home. Storing any significant number of trailers up there would require the removal of numerous trees. That removal would potentially lead to erosion into the creek as well as greater run-off for the houses in the immediate area. The area used for trailer storage could easily increase to the point where it's directly behind my house. If the request for re-zoning is as stated for a few spill over cars and a few trailers to be stored there then why not clear lands south of the creek behind the current buildings? I think it would be naïve to think that that is all the marina has in mind. If they are not able to increase the size of their own marina more dry dock storage of boats is the answer for expanding. That requires more space and increased traffic on a road that already has significant traffic especially during the late spring, summer and early fall seasons. Our second area of concern is that of future development. Re-zoning these two parcels means that the marina's land north of the creek will have access to public water and sewer. Something I believe it currently does not have. That opens the existing acreage to easier further development. Anything from a hotel or a motel to a restaurant to an office building to a dry cleaning establishment. With a special use permit there could be a brewery or an Inn. All within zoning regulations. These establishments would be directly behind homes, year round homes, mine included. Not exactly promoting the preservation of existing land, residential neighborhood and homes and protecting the character and visual appeal of the neighborhoods. There is a dry creek bed just east of our property line that we have had cleaned out, with Terry's permission, and maintained because without it the water coming down the hill during heavy rains and spring run-off is significant enough to erode the hill in several areas and cause flooding on our property and that of our neighbors. As it has done in the past, water run-off if trees and undergrowth are cleared, already significant,

would be made considerably worse. The marina owners knew when they purchased the property that the piece north of the creek had no access to County Road 11 and that all property except theirs is zoned R-1. Re-zoning these two parcels to general business will benefit no one except the marina. It will have a detrimental effect on all the other properties potentially imposing a significant loss of value. Taking that into account along with the negative impact on the environment and the negative impact on public safety we ask that you deny the re-zoning request."

Mrs. Dorothy Condon said "I live at 4777 County Road 11. I agree with what Linda has just said particularly the second part. My house has had, with a lot of rains, has been flooded many times. Mud and dirt comes down hill and with any development and without the group of trees I'm really concerned about water issues in the future so I would request denial of the re-zoning request also."

Mr. Brian Rawson said "4779 County Road 11. I live between the Roche's and Mrs. Condon. I have the same concern about erosion. We all share the same problem with run-off with heavy rains and again clearing trees would change that dramatically and cause severe flooding. Likewise I am concerned about the traffic safety having such a small access from that property that they want to re-zone. I think it's going to create definite safety issues for everybody."

Mrs. Jennifer Baxter said "I just wanted to state the public safety issue. I know my father-in-law has already mentioned it but, literally standing off at the end of our driveway, with my son waiting for the bus, between the white strip of the road and where we stand for the bus; I put myself on that line to block cars that come speeding down northbound to protect my son. I know every day there are several cars that come by that are not aware, focusing on other things and are not aware of coming around that bend and seeing us standing there. So I've pretty much put myself pretty close to that edge of the road to protect him and I've almost been hit several times too. So just keep that in mind, please, that bus safety."

Mr. Mike Smith said "I live south of the marina. I am literally surrounded on three sides by the marina across the road, out back of my house and next to my house. The marina is nothing but courteous and respectful regarding noise, regarding the help and just taking care of the property. They've always been very good to us and as far as traffic goes, the marina actually slows traffic down. I've been in my house since 1996. Traffic before the marina, people would come down that road between 50 and 55 miles an hour. There was no regard what so ever. At least now they have reason to slow down. We used to not let the kids play or cross the road on Sunday evenings after 4 pm because of the way people would come down the road. As far as the property behind the marina being developable, back in the 80's I was actually a partner in the ownership of the marina. Access to marina from the property cannot be done there is another creek that comes down on the south side of the property that cuts across the back of the property. So all the talk about it being accessible to go back there joining development behind the marina, it can't be done, again, it's environmental. As far as parking, yeah parking is an issue as far as the property being annexed to commercial I can't see where it would make any difference what so ever it's going

to be overflow parking. As a neighbor and somebody on East Lake Road I don't have a problem with it."

Mr. Andrew Carpentier said "Our family owns the property at 4796 which is directly across from the marina. I'd like to echo your comments (Mike Smith) that the Pelican Point team is tremendous in terms of following of safety rules making sure people stay safe slowing down traffic and really pointing out what's going on. The cars that speed up and down that road really aren't going to be solved here tonight it's with better policing with folks flying through there, marina or not those cars are still going to come flying through. All of us have benefited as the Pelican Point team is a great neighbor to us all. In times of flooding, in times of disaster, they've cleaned up all kinds of areas after many of the floods that you've spoken about have come through the area. We too worry about the erosion that could potentially happen back there. I'm confident that if any development were to ever occur someone would put a plan in place to insure that it doesn't take all of us out. We support having Terry bring that plan together because it does keep cars off the road. We have young kids and we feel no safety concerns in that area. We find that the parking that would go on that road, which would be legal, would then block everything in and so for that reason we support this excess overflow parking.

Mr. Kurt Ruff said "Do you live in the area year round, Sir (Mr. Carpentier) or are you just a summer resident?"

Mr. Carpentier said "we're a summer resident."

Mr. Ruff said "ok 'cause we live in the area year round so we are more impacted by what the marina does and the pollution they cause. Visually, noise pollution, pollution from natural environment, so that's something that we have to deal with, you know, on a monthly basis. It's not just a few months a year."

Supervisor Lightfoote asked Mr. Ruff to please address the Board, not Mr. Carpentier.

Mr. Ruff said "I am addressing everybody. I agree it's not a good idea to expand the marina due to what other people earlier stated. My family has owned our property for over 60 years. The marina parks boats along the borderline in the back. Last year they finally removed some boats that had been there for 10-15 years that were owned by the previous owner, Mr. Walden. Perhaps gas and battery acid had been leaking out of them boats over the years until they had them removed last year."

Mr. Mike Smith said "I live at 4813 County Road 11. I live at the property all year round."

Mr. John Lewis said "I live directly across from the two properties, as a matter of fact I sold the two properties to Pelican Point marina about 8-9 months ago and I've lived there all my life. I have a permanent house on the lake, well, not all my life, since the eighties. I've always found Terry and Pelican Point and everyone around the marina to be very attentive to the wants and needs and desires of all the neighbors. I couldn't find somebody to be better to work with, with the drainage issues and storm problems and things like that. I've worked with Terry because I owned that land and I had a building right on that land worth an awful lot of money that we had to re-direct the creek, couldn't get the DEC to do

anything so Terry and I did it all ourselves and I know there's got to be some kind of happy medium. I don't know what your options are. I live right across the street and they don't bother me. If there's a problem you can talk to Terry and he'll do something about it and I'm sure that if you had all the right conditions and consideration there wouldn't be any problems and I do agree that it does slow down traffic because I can pull right out just like everybody else. Now that I don't own the land across the street, I have four parking places and I have to pull out, and it's very dangerous. I do find that the marina and the way they conduct their business today they do slow down the traffic. I'm not concerned about the value of my property or anything like that because of the marina because of the good job that they do. I think the Town of Gorham, it seems to me in the past has never really been too business friendly and that's why there's not a lot of businesses in the Town of Gorham. I don't see a lot of businesses in the Town of Gorham and I think we need more businesses in the Town of Gorham and we need to be encouraging business in the Town of Gorham. The people can't bear the brunt of all the taxes just for their lakeside homes and their lakeview homes in the Town of Gorham. I've found them to be a great neighbor, everything Mike's said I agree with 100 percent. I just think there's got to be some way you can give them the zoning that they need so they can operate and grow their marina and I for one would be very happy if they grew their marina a little bit and invested more money into it and made it look better. They're not able to do that without the expansion of the marina and that's how I feel about it."

Mr. Robert Baxter said "One more comment. I would ask the board members to take a quick look at the book I gave you under tab number 1 if you would. This is in relationship to Mr. Lewis' comments. If you look at the pictures on tab number 1. This is the condition that Mr. Lewis left the property on the slope where you'll note his Morton building. You can see there's 25 foot change in elevation between his property, or now the marina's property, and my property. There has been constant erosion of this slope nothing has been done with it. It runs out into the street it runs out into the creek, and if that is how Mr. Lewis is describing how they take care of the property there, then I want nothing to do with this re-zoning."

Councilmember Case asked Mr. Baxter if the picture in the booklet was a picture of the side of his house.

Mr. Baxter said yes.

Mr. Lewis asked if he could answer Mr. Baxter's comment.

Supervisor Lightfoote said we're not getting into back and forth discussion we're just taking comment to the Board at this time.

Mr. Mike Gerrin said "4796 County Road 11. I'd just like to echo the positive comments about Terry as a business owner. We've been here since 1976. Compare the situation today versus some of the previous owners I would have to say it is dramatically improved. I've got confidence in Terry."

Some procedural questions were brought up. Supervisor Lightfoote said the application is going through the State Environmental Quality Review (SEQR) process. It's type 1 action and re-zoning itself does not approve the use. These would have to be established by a special use permit and a site plan review. In

that process conditions could be imposed that would limit the extent of use. What this board does is address the actual re-zoning. After this, it has to go to site plan review and the Planning Board would then address it and any conditions they felt were necessary they then attach to the application.

One audience member (did not state her name) said "I think everyone is aware the creek does empty into the lake and we have observed, having great storms, where silt going into the lake has impacted water quality. So, I think there is a concern about the extent of tree removal and things of that sort. So those things would be sorted out during the site plan review?"

Supervisor Lightfoote said "Yes, that is right."

With no further comment Supervisor Lightfoote adjourned the public hearing at 7:42pm. The public hearing will re-open at the next regular meeting which will be held on Wednesday, September 14, 2016 at the Gorham Town Hall at 7:00pm. 4736 South Street Gorham, NY.

4. Approval of Minutes – 7/13/16 Meeting. On the motion by Councilmember Malcolm, seconded by Councilmember Glitch, the 7/13/16 regular meeting minutes were approved as submitted. Motion carried unanimously. (5-0)

055-2016

5. Audit of Bills:

Abstract #8

A	215-232	9,203.07
B	223-231	212.04
SL	190-201	621.19
DB	122-140	140,128.49
SW1	130-148	11,995.76
SS	48-54	1,704.42
HD	37	5,416.25

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

056-2016

6. Reports of Town Officials-

a. Water/Wastewater Plants - written report on file. Councilmembers asked Chief Operator Coston if we set any records at the Water Plant. Mr. Coston said they were approximately 40,000 gallons short of pumping one million gallons in one day. Supervisor Lightfoote asked if there was a water restriction yet. Chief Operator said it is advised but nothing mandatory yet.

b. Highway Department – written report on file.

c. Zoning – written report on file. Councilmember Case asked if the Town Hall was all set with the new phones. Zoning Officer Freida said yes, they were

three phones shy so Mr. Schwartz is coming back to install those. The phone system is up and working and we are learning the ins and outs of the new phones.

d. Assessor – written report on file.

e. Town Clerk – written report on file. Councilmember Malcolm asked Town Clerk Perrotte if there is a breakdown for the electronic and refrigerant fees and transfer station permit fees. Miss Perrotte said yes the electronics, refrigerant and construction load fees print out on her report under transfer truckload. She is able to print a separate report for each of those accounts.

f. Supervisor – no report on file.

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

057-2016

7. Business:

a. Middlesex Valley Volunteer Ambulance (MVVA) – David Harrington spoke on behalf of the Volunteer Ambulance. Mr. Harrington is the treasurer. There were also five other members from the Ambulance in attendance. Mr. Harrington said the ambulance provided the Town of Gorham with their projected budget for 2017. The tax levy increase is approximately 19.31 percent over last year. Mr. Harrington discussed the operating costs and reasons for the substantial increase in their budget. Mr. Harrington said after building a new base to house their ambulance, entirely from tax reserves, they wiped out that fund. With very close budgeting there is no extra money, no rainy day fund. The ambulance is trying to put some type of capital reserve fund back into existence so that building repair funds are not taken out of their operating funds. He said Towns really have three choices; appropriate the taxes needed to cover expenses, go to a combination of tax funding and low cost patient billing or the current ambulance disbands. The Town would then have to contract with a commercial agency for ambulance coverage meaning patients would receive high bills and response times would increase. A commercial service would require additional tax funding as well.

Councilmember Malcolm asked how many calls they respond to.

Mr. Harrington said the last three years has shown an average of 300-325 calls per year.

Councilmember Malcolm said "I think you really need to explore charging for services. It doesn't have to be a huge amount but it's got to be something realistic that helps to defray some costs. You always need building reserves for future. I don't see any lines here in the budget that are outrageous. I don't see any big parties, seems to be frugally run maybe a little too frugally run. The reserves need to be built up."

Mr. Harrington agreed and said "That is the issue. We do have substantial reserves for our ambulance but we hold to this, it is for our ambulance and that's where we stay. If you told us flat out no then we'd have to raise that fund to just operate. It's kind of like robbing Peter to pay Paul."

Councilmember Case expressed his frustration with rising costs he said "this is a problem that isn't going to go away, and you're not the only one that has it. It's frustrating to me that we always seem to work our way into these problems with services that are almost expected to be there. Whether it be an ambulance or fire truck or what have you. The rates for these things just keep going up. It's like going out and buying a pill, prescriptions, everything just keeps going up. At some point it's going to break and I don't know how much more you can keep going back to the Towns and saying we need more money. The Town needs more money. Do we just continue to say to the general public, sorry folks but we need more of your money. It's frustrating to me that the State doesn't have more of a responsibility to the people in this State with services that are required like ambulances and fire trucks."

Councilmembers agreed that the Middlesex Valley Volunteer Ambulance needs to explore implementing a minimal fee.

Mr. Harrington said they have explored it superficially and they will go back to the drawing board and certainly look at those options further. They will work towards that for the 2018 budget. Mr. Harrington thanked the Board for the opportunity to speak.

Mr. Everett Ferguson said "I have been involved in EMS for over 40 years. These folks make it work. They are expanding the number of volunteers; they are covering a very large number of calls. If we cannot keep MVVA going there's going to be a lot of calls that aren't going to be responded to in your home town. I would like to thank you for your time."

Supervisor Lightfoote said "It is amazing if you are able to expand your base of volunteers that certainly is bucking the trend, my hats off to you for doing that." He thanked MVVA for the in depth review they provided saying it is very helpful.

b. Re-zone Pelican Point - On the motion by Councilmember Glitch, seconded by Councilmember Case, to table the re-zoning of Pelican Point until the next Board meeting, September 14, 2016. Motion carried unanimously. (5-0)

058-2016

c. Solar Exemption – A solar energy system is "real property" once it has been permanently affixed to land or a structure. As such, it is taxable unless it qualifies for an exemption. Each municipality may decide for itself whether to offer the exemption. This exemption applies within a municipality unless the municipality has taken action to dis-allow it. The local option that's attached to the exemption is structured as an opt-out, not an opt-in. That means the exemption is automatically in effect within a municipality unless it has adopted a resolution opting out. Mrs. Mineo suggests the Town of Gorham opt out of the exemption. She said "Right now solar panels on homes do not add any value, at this point. The market is showing it is a deterrent. This exemption really isn't worth anything. The exemption only works if you are adding value to a property. To use this exemption I would have to add the value of the panel and then take the value away because I have an exemption. Then keep track of the depreciation and so on and so forth. In order to alleviate that we have to opt-out. Now it's

becoming more of an issue with solar businesses and farms coming through. If we do have the exemption it would be more attractive to solar farms to come into Gorham because there would be this big exemption that I would have to apply to their property. I am just supplying you the information it is totally up to you."

The Board agreed to opt out.

On the motion by Councilmember Malcolm, seconded by Councilmember Glitch, to opt-out of the solar exemption. Motion carried unanimously. (5-0)

059-2016

d. Proposed Zoning Changes – Proposed zoning changes include ways to avoid overbuilt lakefront lots. Zoning Officer Freida said there are other updates that are needed as well. Mr. Freida said "Tom and I worded it for last month, gave it to the planning Board for general discussion and hopefully it will be back to you guys for approval and we'll set a public hearing for a local law."

e. Draft Septic Law – The Town Board has reviewed the Draft Septic Law. Zoning Officer Freida would like to make a change in wording and wait for the informational meeting to be held on the west side of the lake before our Board approves the final draft.

f. Lyons National Bank (LNB) – Supervisor Lightfoote recommends switching to LNB for our banking services. After reviewing the information provided last month the Board agreed to move accounts to Lyons National Bank.

On the motion by Councilmember Case, seconded by Councilmember Glitch, to transfer accounts from Five Star Bank to Lyons National Bank Canandaigua Office. Motion carried unanimously. (5-0)

060-2016

g. Fuel Pumps – Supervisor Lightfoote did not hear back from the companies that said they would provide quotes for the electrical code work that needs to be addressed before installing the new pump system at the highway department. He will get quotes for the next meeting.

h. Cripps Property – Supervisor Lightfoote said there are several reasons to purchase the property at 4740 South Street Gorham, NY which is property next to the Town Hall. The property is being offered to the Town of Gorham for \$20,000.00 under assessed value. One reason is to house the Gorham Stanley Hall Ambulance. They are in need of a new facility for their ambulance because the Gorham Fire Company needs the space at the fire department that the ambulance currently occupies. Other purposes for purchasing the property would be for future parking needs at the Town Hall and for access to property located behind the Town Hall that will be on the market in the near future.

Councilmember Glitch said "I don't think we should buy the property. We have enough property, we've got property all over the place, we can put any building we want any place we want. I am going to vote no."

Councilmember Chard asked how much the property is being offered for.

Supervisor Lightfoote said \$55,000.00. Supervisor Lightfoote is confident that even if we don't utilize the property the Town could recover their investment.

On the motion by Supervisor Lightfoote, seconded by Councilmember Case, to purchase the Cripps property located at 4740 South Street Gorham, NY for \$55,000.00. Motion carried. (4-1) Ayes- Lightfoote, Case, Malcolm and Chard. Nays- Glitch

061-2016

i. Budget Transfer – On the motion by Councilmember Glitch, seconded by Councilmember Case, the following budget transfer was approved. \$25,942.61 from HD599 to HD5110.4. Motion carried unanimously (5-0)

062-2016

8. Executive Session – On the motion by Councilmember Glitch, seconded by Councilmember Chard, the Board entered into executive session at 9:42pm to discuss matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation. No action was taken in executive session.

On the motion by Councilmember Glitch, seconded by Councilmember Case, the Board returned to regular session at 9:48pm.

063-2016

9. Privilege of the Floor – Councilmember Chard informed the Board that he was approached by the Chairperson from the Substance Abuse Prevention Coalition of Ontario County to put a medication drop box in our community. The Coalition promotes the safe disposal of medication. It is essentially a lock box where you can dispose of prescription drugs. Councilmember Chard is relaying the information to the Board for consideration.

Mr. Randy Magin said – “I heard about this meeting in Crystal Beach and was happy to stop in. This is my first town meeting it was very informative. I have a comment about the ambulance squad. Is there any way the town can help repair their driveway? I don't know the situation but maybe the Town could help.” Supervisor Lightfoote suggested the various Town's that the ambulance works with can work together. Supervisor Lightfoote said “in other words their actual facility is in the Town of Middlesex and they cover the Town of Middlesex. The thing is that group could get together and say ok we'll do whatever is necessary there providing it's within the scope of the work that they typically do. If the main thing they need is to apply asphalt to the driveway they could do the sight work, all but the paving, and they would call someone else to do the paving. It gets into a gray area. Sometimes it works out and they can make everything work in an equitable fashion and sometimes they can't.” Mr. Lightfoote suggested the highway departments get together and see what they can do.

Mr. Magin went on to say he was a customer of Pelican Point over the past two years. He said “Terry is a great guy the whole crew down there, they're great.

Traffic and parking of my boat was an issue. During the week it's been fine, weekends I decided to let it go. It got dangerous with all the traffic but I think they do slow the traffic down. Parking is a big issue. It was always a hard time finding a place to park."

10. Set Next Meeting Date – The next regular Town Board meeting and re-opening of tonight's public hearing will be held on September 14, 2016 at the Gorham Town Hall at 7:00pm.

11. Adjournment - With no further business, on the motion by Councilmember Malcolm, seconded by Councilmember Glitch, the meeting was adjourned at 9:58pm.

Respectfully submitted,

Darby Perrotte
Town Clerk