

**MINUTES
REGULAR MEETING and PUBLIC HEARING
GORHAM TOWN BOARD
NOVEMBER 8, 2017**

The Gorham Town Board held a Regular Meeting and public hearing on Wednesday November 8, 2017 at 7:00 PM at the Gorham Town Hall. Present were Supervisor Lightfoote, Councilmembers; Glitch, Case, Malcolm and Chard. Water/Wastewater Chief Operator Coston, Zoning/Code Enforcement Officer Freida and Town Clerk Perrotte.

Highway Superintendent Ayers and Assessor Mineo were necessarily absent.

Other guests in attendance; Bill Williams, Marilyn Boothe, Brenda Jones, Rita Kulp, Aaron Airth, Vic and Rosemary Lonsberry and Mr. & Mrs. Robert Johnson.

1. Call to Order/Pledge to the Flag
2. Public Hearing - 2018 Budget: The legal notice as it appeared in the official newspaper of the town was read.
Supervisor Lightfoote opened the public hearing. There were no comments from the public. The hearing was closed.
3. Privilege of the Floor: none requested
4. Approval of Minutes – 10/11/17 Regular Meeting Minutes.
On the motion by Councilmember Malcolm, seconded by Councilmember Glitch, the minutes from the 10/11/17 meeting were approved as submitted. (5-0)

091-2017

5. Audit of Bills:

Abstract # 11		
A	284-316	\$13,060.73
B	284-314	2,136.79
SL	311,315	835.24
DB	192-209	38,132.70
SS	87-95	2,623.92
SW1	188-205	24,372.64
HO	54	575.00

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

092-2017

6. Reports of Town Officials:

a. Water/Wastewater Plants – written report on file. Chief Operator Coston said the work was started this past Monday to cover the exposed water main in the creek on Route 364. The pumps are ordered and should be in by the end of this month. Mr. Coston explained that the service pumps are the ones that are being replaced, they will be bigger to allow for more volume.

b. Highway Superintendent - written report on file.

c. Zoning – written report on file.

Code Enforcement/Zoning Officer Freida said the Town Zoning Board of Appeals has lost a few members. Mr. Vic Lonsberry is interested in serving as a member of the Gorham Zoning Board of Appeals.

Mr. Lonsberry introduced himself to the Board and gave a brief background. He was a member of the ZBA back in the 1990's. He thinks it is an important job and is looking forward to serving once again.

On the motion by Councilmember Case, seconded by Councilmember Chard, to appoint Vic Lonsberry as an alternate member of the Zoning Board of Appeals. Mr. Lonsberry's term will run from 11/8/17-12/31/20. Motion carried unanimously. (5-0)

093-2017

Mr. Freida asked the Board to appoint Mrs. Gabrielle Harris as a permanent member of the Town Planning Board. Mrs. Harris currently serves as an alternate.

On the motion by Councilmember Glitch, seconded by Councilmember Malcolm, to appoint Gabrielle Harris as a permanent member of the Town Planning Board. Her appointment runs from 11/8/17 – 12/31/20. Motion carried unanimously. (5-0)

094-2017

d. Assessor – no report on file.

e. Town Clerk - written report on file.

f. Supervisor – Verbal report on file. Supervisor Lightfoote said there has been a lot of time spent this month on issues related to drainage. He has spent a lot of time at the County level this month. Supervisor Lightfoote is the Chairman of the Public Works committee. The 74 Ontario Street property in Canandaigua, the former jail and Sheriff's Office, is being considered for major upgrades. That has taken up a lot of his time this month.

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

7. Business:

a. Middlesex Valley Volunteer Ambulance Service, Inc., - Mr. Bill Williams was present to answer questions regarding their budget for 2018.

At last year's budget meeting Councilmember Malcolm asked Mr. Williams if the Ambulance has considered charging a minimal amount for service so they can meet their budget needs.

Mr. Williams said they have started a process to establish the correct naming of each district. Because Middlesex Ambulance covers many different constituents the naming of them has to fit a formal process imposed by the State. The hearing process to do this requires a fee of \$8,500.00.

Another issue the Ambulance has recently had to deal with is a new regulation that requires a special kind of stretcher and bracket that need to be installed in the ambulances. The cost for the stretcher is approximately \$14,000.00 and the brackets approximately \$3,500.00. As a Board they decided to outfit the two ambulances so they would be the same for training purposes.

Mr. Williams said they are working on figuring out the different districts so they can move forward.

Councilmember Chard recommended they contact the NYS Volunteer Ambulance and Rescue Association for details on how to get a waiver for the \$8,500.00 fee.

Mr. Williams wants to thank the Town of Gorham Highway Department for allowing the Lions Club to maintain a can collection site at the Transfer Station. Just as an FYI, money raised in the month of September was \$1,500.00 which went towards local scholarships. The Lion's Club contributes every nickel back into our own community.

b. Budget Transfers – On the motion by Councilmember Glitch, seconded by Councilmember Malcolm, the following budget transfers were approved; \$20,000.00 from DB5142.1 to DB5110.1. \$15,000.00 from DB5130.4 to DB5110.4. \$1,000.00 from A1440.4 to A1430.4. \$5,000.00 from A599 to A1430.1. \$15,000.00 from A599 to A3310.4. \$500.00 from A5132.4 to A5010.4. \$12,000.00 from A8160.2 to A8160.1. \$300.00 from SS8110.4 to SS8110.1. \$58.50 from SW-6-599 to SW-69710.7. Motion carried unanimously (5-0).

c. Aaron Airth, representing Gorham Fire Company, Mr. Airth read a letter he wrote as the Assistant Chief for the Gorham Fire Department. The letter is on file.

Mr. Airth is an active member of the Gorham Community. He is concerned with the 2018 Gorham Town Budget and the decision to charge Churches and Fire Departments for water. Currently Churches and Fire Departments are exempt.

Mr. Airth said the Fire Department hosts annual fund raisers to offset the cost of what would fall under their commissioner based funding. Funds go towards training and to purchase equipment.

He strongly urges the Board to reconsider their decision mandating these organizations to pay for water usage.

Mr. Airth wants to set the record straight regarding use of the Town Transfer Station, by the Fire Department, without a permit. Mr. Airth said the Fire Hall was rented out a total of thirty-nine times so far in 2017. Only eight of those times was for the \$300.00 rental fee. The other thirty one events were for benefits, funeral receptions, school functions, meetings...etc. This is how trash is generated at the Fire Hall. The Fire Department either waives the fee or significantly reduces it for these functions.

Councilmember Malcolm said he appreciates Mr. Airth bringing his opinions forth. Mr. Malcolm said "We are trying to address the issues we have to keep our budgets low and to keep the community served as best we can and sometimes we have to make hard decisions as well. Perhaps if you charged a small amount for each function it would be more realistic for you so that you can pay for some of your overhead. We have overhead at the Town that is constantly going higher, we have labor costs that are constantly going higher. We have to be able to balance our budget."

Supervisor Lightfoote said he recently has had some lengthy discussions with Mr. Airth that were enlightening for both of them. It points out that lack of communication breeds misunderstandings. Now is the opportune time for better communications between both organizations.

**d. SEQR – DETERMINATION OF SIGNIFICANCE - LAKE DRIVE
SEDIMENT REMOVAL- TOWN OF GORHAM**

Supervisor Lightfoote offered the following resolution regarding SEQR, and moved for its adoption. Councilmember Case seconded the motion and the resolution was adopted by unanimous vote. (5-0)

097-2017

WHEREAS, The Town of Gorham Town Board has determined the removal of sediment material from the mouth of two tributaries to Canandaigua Lake to be a Type 1 action under the State Environmental Quality Review (SEQR) Regulations.

WHEREAS the State has reviewed and accepted the Environmental Record prepared on said action and the Town Board has considered the potential impacts associated with said action.

NOW THEREFORE BE IT RESOLVED THAT, the Town Board makes the determination of Negative Significance based upon: the Short Assessment Form prepared for this action, the proposed action will not result in any significant environmental impacts. 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, do hereby certify that the aforementioned resolution was adopted by the Town Board of the Town of Gorham on November 8, 2017 by the following vote:

	AYE	NAY
Frederick S. Lightfoote	_X__	____
William Glitch	_X__	____
Brian S. Case	_X__	____
Richard Malcolm	_X__	____
Jake Chard	_X__	____

e. 2018 Budget – The Gorham Town Board held a brief discussion regarding items for the 2018 budget.

1. Charging Churches and Fire Departments water usage –

On the motion by Supervisor Lightfoote, seconded by Councilmember Chard, to allow Church and Fire Department organizations, in the Town of Gorham, to be exempt from paying for water usage, providing there are assurances that water is not being used for any personal means such as washing personal vehicles at the Fire Departments or Churches. If carelessness arises that entity will revert back to paying a quarterly water bill. Motion carried. (4-1) (Ayes; Lightfoote, Case, Malcolm, Chard - Nays; Glitch)

098-2017

2. Councilmember Glitch moved that elected Officials in the Town of Gorham do not get a two percent salary increase in 2018. Exempt from this motion are the newly elected Highway Superintendent and the newly elected Justice. (Their salaries are determined under resolutions to follow.) The motion was seconded by Councilmember Chard, motion did not carry. (2-3) (Ayes; Glitch, Chard. Nays; Lightfoote, Case, Malcolm.)

099-2017

3. Councilmember Malcolm offered the following resolution and moved for its adoption. The motion was seconded by Councilmember Glitch and the resolution was adopted by 4-1 vote.

100-2017

RESOLUTION AUTHORIZING CHANGING THE SALARY FOR THE NEWLY ELECTED TOWN JUSTICE

WHEREAS, The Gorham Town Board has reviewed the salary for the newly elected Town Justice and deemed it in the best interest of the Town to reduce the salary for the newly elected Justice, term starting January 1, 2018;

NOW THEREFORE BE IT RESOLVED THAT, the Gorham Town Board has determined the salary for the newly elected Justice to start at \$11,268.00 for 2018.

I, Darby L. Perrotte, Town Clerk of the Town of Gorham do hereby certify that the Town Board of the Town of Gorham adopted the aforementioned resolution on November 8, 2017 by the following vote:

	AYE	NAY
Frederick S. Lightfoote	x___	___
William Glitch	___	_x_
Brian S. Case	x___	___
Richard Malcolm	x___	___
Jake Chard	x___	___

4. Councilmember Malcolm offered the following resolution and moved for its adoption. The motion was seconded by Councilmember Chard and the resolution was adopted by 4-1 vote.

RESOLUTION AUTHORIZING CHANGING THE SALARY FOR THE NEWLY ELECTED HIGHWAY SUPERINTENDENT

WHEREAS, the Gorham Town Board has reviewed the salary of the Highway Superintendent and deemed it in the best interest of the Town to reduce the salary of the newly elected Highway Superintendent, term starting January 1, 2018.

NOW THEREFORE BE IT RESOLVED, the Gorham Town Board has determined the salary for the newly elected Highway Superintendent will be \$65,000.00 for 2018.

I, Darby L. Perrotte, Town Clerk of the Town of Gorham do hereby certify that the Town Board adopted the aforementioned resolution on November 8, 2017 by the following vote:

	AYE	NAY
Frederick S. Lightfoote	x___	___
William Glitch	x___	___
Brian S. Case	x___	___
Richard Malcolm	___	_x_
Jake Chard	x___	___

5. Final Adoption of 2018 Budget - On the motion by Councilmember Malcolm, seconded by Councilmember Case, the 2018 Gorham Town budget was adopted. Motion carried unanimously. (5-0)

101-2017

f. Audit - Councilmember Glitch said "Based on recent happenings in and around the area I think we should have an audit done. If something was to go wrong, even by accident, the appearance of impropriety makes us all look like crooks. Based on the current atmosphere in politics it is a good idea to do an audit."

On the motion by Councilmember Glitch, seconded by Councilmember Malcolm, to do an audit of Town Bookkeeping records. The cost of the audit/review not to exceed \$10,000.00.

Councilmember Malcolm suggested putting an audit/review on a regular cycle. After this initial audit to have a review done every two years. Motion carried unanimously. (5-0)

102-2017

g. Employee Holiday Time Off – The Town has granted employees one extra day off for the Christmas/New Year's Holiday in place of the Official Columbus Day holiday in October. This day off to be used at the discretion of their immediate supervisor.

On the motion by Supervisor Lightfoote, seconded by Councilmember Chard, to grant employees one extra day off during Thanksgiving/Christmas/New Year Holiday. Motion carried unanimously. (5-0)

103-2017

h. Shared Services - The Town provides the EAP (employee assistance program) which allows employees the ability to seek counseling in many areas such as; emotional, financial, health related topics. The Town can contract through the County to save more than half the cost. The Town of Gorham would have to sign a three year contract with the County.

On the motion by Councilmember Chard, seconded by Councilmember Case, to sign a three year contract with Ontario County to provide the EAP at a substantially lower cost for the Town.

On the same lines, the County will contract with the Town for Health Officer services. Dr. Robert Ostrander is the Town's current Health Officer. The Town pays him \$1,415.00 per year. The Town can utilize the County Health Officer free of charge.

On the motion by Councilmember Glitch, seconded by Councilmember Case, to use the County Health Officer instead of Dr. Ostrander. Supervisor Lightfoote will call Dr. Ostrander to inform him of the change. Motion carried unanimously. (5-0)

104-2017

i. Appoint Deputy Town Clerk – Town Clerk Perrotte would like to appoint Amanda Lee as one of her Deputy Clerk's. Mrs. Lee comes to the job with experience from the Village Clerk's office in Rushville. Mrs. Lee's appointment is contingent on a positive interview at the next Board meeting, she was not able to attend tonight's meeting.

On the motion by Councilmember Glitch, seconded by Councilmember Case, to appoint Amanda Lee as Deputy Town Clerk. Effective date December 5, 2017. Motion carried unanimously. (5-0)

105-2017

7. Correspondence -



NEW YORK STATE
DEPARTMENT *of*
FINANCIAL SERVICES

Andrew M. Cuomo
Governor

Maria T. Vullo
Superintendent

October 11, 2017

Re: Vacant and Abandoned Properties

Dear Public Official:

Last year Governor Cuomo signed new legislation to confront the lingering vacant and abandoned property epidemic that continues to blight neighborhoods long after the end of the Great Recession. The new law helps identify delinquent properties and holds banks and mortgage servicers accountable for their inaction. The Department of Financial Services (DFS) serves as the lead State agency in this initiative and seeks local government partners to help in achieving these important goals. DFS has created a webpage that provides additional information:
http://www.dfs.ny.gov/banking/zombie_prop_maintenance.htm.

Pursuant to the new legislation:

- Mortgage servicers are obligated to maintain vacant and abandoned properties and are subject to enforcement actions and daily fines if they fail to comply.
- A vacant and abandoned property registry has been created and mortgagees are required to report vacant properties into the DFS registry. Information from the registry will be shared with Public Officials, such as county executives and other local officials.
- A new expedited foreclosure process was created to allow mortgagees to quickly foreclose on vacant properties.

To provide a clearer understanding of the new legislation, DFS will be holding informational sessions across the State. At the session, DFS representatives will be on site and available to provide information regarding the new law as well as respond to questions and comments. Please see the attached document for the full session schedule.

Please RSVP at DFSEvents@dfs.ny.gov and include your name in addition to other attendees you wish to bring, with their titles, as well as the name and date of the event you would like to attend.

We strongly encourage your participation in the upcoming events and look forward to working with you on this important issue.

Sincerely,

Maria T. Vullo
Superintendent
Department of Financial Services

8. Privilege of the Floor: none requested

9. Set Next Meeting Date – the next regular meeting of the Gorham Town Board will be held on December 13, 2017 at 7:00pm at the Gorham Town Hall.

10. Executive Session - at 10:14pm on the motion by Councilmember Glitch, seconded by Councilmember Chard, the Board entered into executive session to discuss litigation regarding Cregg v Town of Gorham and Daugherty v Town of Gorham.

At 10:35pm on the motion by Councilmember Glitch, seconded by Councilmember Chard, the Board returned to regular session. No action was taken in executive session. Motions carried unanimously. (5-0)

106-2017

11. Adjournment - With no further business, on the motion by Councilmember Malcolm, seconded by Councilmember Glitch, the meeting was adjourned at 10:46pm.

Respectfully submitted,

Darby Perrotte
Town Clerk