

**MINUTES  
REGULAR MEETING  
GORHAM TOWN BOARD  
January 9, 2019**

The Gorham Town Board held a Regular Meeting on Wednesday January 9, 2019 at 7:00 PM at the Gorham Town Hall. Present were Supervisor Fred Lightfoote, Councilmembers; William Glitch, Brian S. Case, Richard Malcolm and Jake Chard. Water/Wastewater Chief Operator Greg Coston, Building/Zoning Officer Gordy Freida, Billing Clerk Brenda Jones and Town Clerk Darby Perrotte. Assessor Enza Mineo and Highway Superintendent Zach Eddinger were necessarily absent.

Other guests in attendance; Jim Morse, Brett Johnson and Lynn Klotz.

1. Call to Order/Pledge to the Flag
2. Privilege of the Floor – none requested
3. Approval of Minutes – 12/12/18 Regular Meeting

On the motion by Councilmember Malcolm, seconded by Councilmember Case, the 12/12/18 meeting minutes were approved as submitted. Motion carried unanimously. (5-0)

**004-2019**

4. Audit of Bills:

Abstract # 13

A	563-648	\$72,173.46
B	586-648	2,763.36
SL	583-643	739.84
DB	565-641	101,621.05
SS	613-650	2,822.16
SW1	599-649	32,127.56
T/A	26,28	4,277.34
HN	9	766.88

Abstract # 1

A	1-6	\$63,950.06
B	3-7	18,061.00

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

**005-2019**

5. Reports of Town Officials:

- a. Chief Operator Water/Wastewater Plants – written report on file.
- b. Highway Superintendent - written report on file.
- c. Zoning/Building Officer– written report on file.
- d. Assessor – written report on file.
- e. Town Clerk - written report on file.
- f. Supervisor – written report on file.

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

**006-2019**

6. Business:

a. Transfer Station Petty Cash – The Transfer Station Petty Cash is \$30.00 short.

On the motion by Supervisor Lightfoote, seconded by Councilmember Chard, replace \$30.00 to the Transfer Station petty cash fund. Motion carried unanimously. (5-0)

**007-2019**

b. Local Law #1 2019 Tax Cap Override

Councilmember Glitch offered the following resolution and called for its adoption. The motion was seconded by Councilmember Malcolm and was adopted unanimously. (5-0)

**008-2019**

**RESOLUTION #1-2019  
INTRODUCING LOCAL LAW AND CALLING A PUBLIC HEARING**

**WHEREAS**, the Town Board of the Town of Gorham, after due deliberation, finds it in the best interests of the Town to schedule a public hearing to solicit public comment upon a proposed Local Law to override the tax levy limit established in General Municipal Law §3-c; and

**WHEREAS**, the Town Board of the Town of Gorham has reviewed the draft of the aforementioned proposed Local Law attached hereto as Exhibit "1" and deems it in the best interests of the Town of Gorham to proceed in accordance with the Code of the Town of Gorham and the Laws of the State of New York in adopting said Local Law,

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Clerk be, and she hereby is, directed to schedule a public hearing to be held on February 13, 2019, at 7:00 p.m. at the Gorham Town Hall, 4736 South Street, Gorham, New York; and be it further

**RESOLVED**, that the Town Clerk, be and hereby is, authorized to forward to the official newspapers of the Town a Notice of Public Hearing in the form substantially the same as that attached hereto as Exhibit "2"; and be it further

**RESOLVED**, that the Town Clerk be, and she hereby is, directed to post a copy of the proposed Local Law on the Town of Gorham sign board and take any and all other necessary actions to properly bring the aforementioned Local Law before the Town Board of the Town of Gorham for its consideration; and be it further

**RESOLVED**, that the Town Clerk be, and hereby is, authorized to provide all other notices as required by law for the adoption of this local law.

I, Darby L. Perrotte, Town Clerk of the Town of Gorham, do hereby certify that the aforementioned resolution was adopted by the Town Board of the Town of Gorham on January 9, 2019 by the following vote:

	<u><b>Aye</b></u>	<u><b>Nay</b></u>
Frederick Lightfoote	X_____	_____
William Glitch	X_____	_____
Brian S. Case	X_____	_____
Richard Malcolm	X_____	_____
Jake Chard	X_____	_____

c. Letter of Support to the Town of Romulus and resolution opposing the proposed incinerator.

Town of Romulus  
Attn: Supervisor  
7073 Ovid Depot Road  
Ovid, NY 14521

Dear Supervisor,

It has come to our attention that Circular EnerG and the State of New York are attempting to build a trash incinerator plant in your town. For the reasons outlined in the included resolution, we feel that this incinerator will have an adverse effect on our community, including; a decrease in tourism, increased air pollution, and increased commercial traffic as dozens of tractor-trailers haul tons of garbage from around our State through our streets on a daily basis.

It is our sense as representatives of local government, that while input from neighboring towns, the state and the company, should all be evaluated and weighed, ultimately this is a towns home rule decision. Please know that while we do not support the building of such a plant in our community, we strongly support your decision, as it should be yours and yours alone.

Again, we offer our support of your decision, and wish you the best of luck moving forward with this process.

Councilmember Glitch offered the following resolution and called for its adoption. Councilmember Chard seconded the motion and the resolution was adopted unanimously. (5-0)

**009-2019**

**TOWN OF GORHAM  
RESOLUTION NO. 13-2018  
OPPOSING WASTE-TO-ENERGY PLANT  
PROPOSED FOR FORMER SENECA LAKE ARMY DEPOT SITE**

**WHEREAS**, Circular EnerG, LLC submitted an application for a Special Use Permit in order to construct a waste-to-energy plant on 39.4 acres of land at the former Seneca Army Depot in Romulus, NY; and

**WHEREAS**, Operations of said proposed waste-to-energy plant would involve importation of up to 2,640 tons of municipal solid waste (MSW) per day to be burned to generate 25 to 50 Megawatts of electricity, involving shipping of up to 176 tractor-trailer loads of MSW per day on local roads or up to 30 rail cars of MSW through the City of Geneva per day, and create a major new source of air pollution in the Finger Lakes Region; and

**WHEREAS**, This Board has serious concerns over the negative environmental impacts associated with said proposed waste-to-energy on Finger Lakes Tourism, quality of life, water quality, air quality and thus the negative impact these would have on the economic vitality of the Finger Lakes Region's tourism and agriculture industries, and

**WHEREAS**, This Board is aware that the Special Use Permit application before the Town of Romulus Planning Board for said waste-to-energy facility has been withdrawn and that Circular EnerG, LLC has stated its intent to submit an application to the State Board on Electric Generation Siting and the Environment for said waste-to-energy facility under Article 10 of the Public Service Law of the State of New York; and

**WHEREAS**, The Planning and Environmental Quality Committee recommends adoption of this resolution; now, therefore, be it

**RESOLVED**, That the Gorham Town Board does hereby oppose the Circular EnerG, LLC waste-to-energy plant construction proposal at the former Seneca Army Depot site; and further

**RESOLVED**, That the Gorham Town Board intends to submit substantive comments to each State and Local Agency involved in the event an application to construct a waste-to-energy facility is made by Circular EnerG, LLC at the former Seneca Army Depot; and further

**RESOLVED**, That certified copies of this resolution be sent to Governor Cuomo, State Senator Helming, State Senator Funke, Assemblyman Kolb, the New York Association of Counties, the Intercounty Association of Western New York, the Seneca County Board of Supervisors, Romulus Town Board, Town of Romulus Zoning Board of Appeals, Romulus Town Planning Board and the State Board for Electric Generation Siting and the Environment.

**BE IT FURTHER RESOLVED** that a copy of this resolution will be filed in the office of the Town Clerk

I, Darby L. Perrotte Town Clerk of the Town of Gorham, do hereby certify that the aforementioned resolution was adopted by the Town Board of the Town of Gorham on September 12, 2018 by the following vote:

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

d. Hire Deputy Building/Zoning Officer

With careful consideration the Town Board agreed to hire Mr. James Morse for the position of Deputy Building/Zoning Officer.

Mr. Morse comes to the Town of Gorham with extensive experience as a current Building/Zoning Officer.

On the motion by Supervisor Lightfoote, seconded by Councilmember Case, to hire James Morse for the position of Deputy Building/Zoning Officer, starting February 2019, at a pay rate of ninety percent. Motion carried unanimously. (5-0)

**010-2019**

7. Set Next Meeting Date – The next regular meeting and public hearing of the Gorham Town Board will be held February 13, 2019 at 7:00 pm at the Gorham Town Hall.

8. Privilege of the Floor: Mrs. Lynn Klotz, Councilmember on the Town of Gorham Conservation Board, asked about the commercial dumping at the Transfer Station.

Mrs. Klotz said "Several months ago there was discussion about commercial landscapers dumping at the Transfer Station. I think the agreement was we were going to leave it as it was for 2018 and consider changes for 2019, did I miss that discussion?"

Supervisor Lightfoote said "We didn't have that discussion yet, there is a lot coming up in the next few months. We know we need to have a complete redo of what our policies are at the Transfer Station."

Mr. Brett Johnson, Chair of the Conservation Board, said he has asked Town Clerk Darby Perrotte, while she is selling Transfer Station permits, to question residents on the basis of whether or not they would utilize organic composting at the Transfer Station. Also whether or not they would embrace the idea of vermiculture. Mr. Johnson suggested some type of flyer or questionnaire/survey that residents could fill out regarding that type of recycling at the Transfer Station.

Supervisor Lightfoote said we will work on something formal to put out to residents.

9. Executive Session - Town of Gorham v Cregg and to discuss matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation.

On the motion by Councilmember Chard, seconded by Councilmember Glitch, the Board entered into executive session at 8:37pm.

On the motion by Supervisor Lightfoote, seconded by Councilmember Malcolm, the Board returned to regular session at 9:04pm. No action was taken in executive session. Motions carried unanimously. (5-0).

**011-2019**

10. Adjournment - With no further business, on the motion by Councilmember Malcolm, seconded by Councilmember Case, the meeting was adjourned at 9:10pm. Motion carried unanimously. (5-0)

**012-2019**

Respectfully submitted,

Darby L. Perrotte  
Town Clerk