

**MINUTES
REGULAR MEETING and PUBLIC HEARING
GORHAM TOWN BOARD
April 13, 2016**

The Gorham Town Board held a regular meeting on Wednesday, April 13, 2016 at 7:00 PM at the Gorham Town Hall. Present were Supervisor Lightfoote, Councilmembers; Glitch, Case, Malcolm and Chard. Highway Superintendent Ayers, Code Enforcement Officer Freida, Assessor Mineo and Town Clerk Perrotte. Chief Operator Coston was necessarily absent. Other guests in attendance; Randy Ross and Bob Guschiora.

Supervisor Lightfoote is recovering from surgery, although he is in attendance, Deputy Supervisor Glitch is filling in for him at tonight's meeting. Supervisor Lightfoote will abstain from voting.

1. Call to Order/Pledge to the Flag
2. Privilege of the Floor – none requested
3. Public Hearing – Local Law #2 2016 – A Local Law to repeal Local Law #2 2015. The legal notice as it appeared in the official newspaper of the Town was read. Deputy Supervisor Glitch opened the public hearing. With no comments from the public the hearing was closed.
4. Approval of Minutes – 3/9/16 Meeting. On the motion by Councilmember Malcolm, seconded by Councilmember Chard, the 3/9/16 Regular Meeting minutes were approved as submitted. Motion carried unanimously. (4-0)

024-2016

5. Audit of Bills:

Abstract #4

A	85-113	\$18,539.27
B	85-98	1,829.23
SL	89-92	634.07
DB	44-61	97,340.34
SW1	43-61	14,655.86
SS	19-27	2,306.57

On the motion by Councilmember Case, seconded by Councilmember Malcolm, the bills were approved for payment. Motion carried unanimously. (4-0)

025-2016

6. Reports of Town Officials-

a. Water/Wastewater Plants - written report on file.

b. Highway Superintendent – written report on file. The Highway Department has to install an oil/water separator system at the Highway Department. Utilizing the engineered plans from Clark Patterson Lee Superintendent Ayers said the Highway Department will do the work, installing a 1,200 gallon load bearing concrete tank and 500 feet of tile. Mr. Ayers said the cost of the tank and tile would be approximately \$5,000.00.

On the motion by Councilmember Chard, seconded by Councilmember Case, to approve the upgrade to an oil/water separator system at the Highway Department at a cost of \$5,000.00 not to exceed \$6,000.00. Motion carried unanimously. (4-0)

026-2016

Superintendent Ayers said the highway Department budgeted for new two way radio systems for 2017. There is a rebate being offered to purchase now. The Department needs ten new radios at a cost of \$1,750.00 each with the rebate. The money is budgeted and in reserve for 2017 this subject to permissive referendum.

On the motion by Councilmember Glitch, seconded by Councilmember Malcolm, the following resolution was adopted. Motion carried unanimously. (4-0)

027-2016

ADOPTION OF RESOLUTION SUBJECT TO PERMISSIVE REFERENDUM

WHEREAS the Town Board of the Town of Gorham, Ontario County New York, at a regular meeting held on the 13th day of April, 2016, duly adopted a resolution authorizing purchase of two way radios in the amount of \$17,500.00

On the 13th day of April 2016 the Gorham Town Board duly adopted a resolution authorizing the transfer of \$17,500.00 from the Highway Reserve Fund to the Highway Equipment Fund to complete the purchase and that such resolution is subject to Permissive Referendum pursuant to article seven of Town Law of the State of New York.

Superintendent Ayers asked for permission to get quotes on new trucks for the Highway Department through the State bid process.

On the motion by Councilmember Malcolm, seconded by Councilmember Case, Highway Superintendent Ayers has permission to get quotes on State bid trucks, a single wheel one ton truck and a ten wheeler with equipment. Motion carried unanimously. (4-0)

028-2016

c. Zoning – written report on file.

- d. Assessor – written report on file.
- e. Town Clerk – written report on file.
- f. Supervisor – no report on file.

On the motion by Councilmember Malcolm, seconded by Councilmember Chard, the reports of Town Officials were approved. Motion carried unanimously. (4-0)

029-2016

7. Business:

a. Phone System Update – Zoning Officer Freida was able to add another quote for a new phone system needed at the Town Hall. The quote from Frontier was \$6,677.41, Time Warner was \$6,250.00 for a whole new system with a monthly bill from Frontier of \$174.93 per month and the quote from Greg Schwartz was \$4,852.65. After discussion on all options the Board approved the quote from Greg Shcwartz.

On the motion by Councilmember Glitch, seconded by Councilmember Malcolm, to approve new phone system from in the amount of \$4,852.65 with a bundled monthly bill from Frontier not to exceed \$185.00 per month. Motion carried unanimously. (4-0)

030-2016

b. Spring Clean Up Day – The Board discussed a spring cleanup day that would include the Town providing a dumpster for yard waste such as brush, grass clippings, leaves, tree branches, etc. Councilmember Case will meet with the Town of Gorham Conservation Board and the Crystal Beach Betterment Association to determine a date and a place for the dumpster. Supervisor Lightfoote will check with the Town Attorney and Insurance Representative for guidelines and waivers for placement of the dumpster. The Town will post the date, time and location of the Spring Clean-up Day on the Town website www.gorham-ny.com

- c. Local Law #2-2016 – Local Law #2-2016 to repeal Local Law #2-2015.

On the motion by Councilmember Glitch, seconded by Councilmember Malcolm, the following resolutions were adopted. Motion carried unanimously. (4-0)

031-2016

**RESOLUTION AUTHORIZING ADOPTION BY THE TOWN BOARD OF THE
TOWN OF GORHAM OF LOCAL LAW NO. 2 OF 2016**

WHEREAS, a resolution was duly adopted by the Town Board of the Town of Gorham for a public hearing to be held by said Town Board on April 13th 2016, at 7:00 p.m. at Gorham Town Hall, 4736 South Street, Gorham, New York, to hear all interested parties on a proposed Local Law to Repeal Local Law No.2 of the Year 2015; and

WHEREAS, notice of said public hearing was duly advertised in the official newspaper of the Town of Gorham, on April 5th, 2016, and all other notices required by law to be given were properly served, posted or given; and

WHEREAS, said public hearing was duly held on April 13th, 2016, at 7:00 p.m. at the Gorham Town Hall, 4736 South Street, Gorham, New York, and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said Proposed Local Law, or any part thereof; and

WHEREAS, the Town Board of the Town of Gorham, after due deliberation, finds it in the best interest of the Town of Gorham to adopt said Local Law.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Gorham hereby adopts said Local Law No. 2 of 2016, entitled, “A Local Law to Repeal Local Law No. 2 of the Year 2015”, a copy of which is attached hereto and made a part of this resolution, and be it further

RESOLVED, that the Town Clerk be and she hereby is directed to enter said Local Law in the minutes of this meeting and in the Local Law Book of the Town of Gorham, and to give due notice of the adoption of said local law to the Secretary of State of New York.

I, Darby 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 April 13th, 2016, by the following vote:

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

RESOLUTION

WHEREAS, on December 9, 2015, the Town of Gorham Town Board adopted a resolution that repealed in its entirety the resolution it adopted on February 11, 2015 that authorized the Town Board to adopt a budget for the fiscal year 2016 on behalf of the special districts and/or fire protection districts set forth in an attached schedule that required a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law §3-c; and

WHEREAS, the Town Board wishes to repeal the aforesaid December 9, 2015 resolution.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Gorham hereby repeals in its entirety the resolution it adopted on December 9, 2015 that repealed in its entirety the resolution it adopted on February 11, 2015 that authorized the Town Board to adopt a budget for the fiscal year 2016 on behalf of the special districts and/or fire protection districts set forth in an attached schedule that required a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law §3-c, said resolution to have no force nor effect, and be it further

RESOLVED, that, with the repeal of the aforesaid December 9, 2015 resolution, that resolution's repeal of the aforesaid February 11, 2015 resolution is no longer effective and the aforesaid February 11, 2015 resolution is reinstated to being in full force and effect as of that resolution's date of adoption of February 25, 2015, such that the authority granted by the February 11, 2015 resolution for the Town Board to be able to adopt a budget for the fiscal year 2016 on behalf of the special districts and/or fire protection districts set forth in that resolution's attached schedule that would require a real property tax levy in excess of the limit specified in General Municipal Law §3-c shall be deemed to have been in full force and effect on the date the Town Board adopted the final budgets for such special districts and/or fire protection districts for 2016.

I, Darby 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 April 13th, 2016, by the following vote:

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

- d. Lehigh Valley Snowmobile Riders – moved to May 11, 2016 meeting.
- e. Mowing Contract – The Board reviewed the mowing contract from Bay Landscape. Bay Landscape mows Heritage Park, Dewey Ave Park, the Library and the cemeteries. At a cost of \$685.00 per visit. Supervisor Lightfoote said Mr. Bay goes above and beyond when it comes to service to the Town, he is always available if we need something extra or at the last minute.

On the motion by Councilmember Malcolm, seconded by Councilmember Chard, to approve the mowing contract with Bay Landscape for the 2016 season. Motion carried unanimously. (4-0)

032-2016

- 8. Executive Session – On the motion by Councilmember Glitch, seconded by Councilmember Chard the Board entered into executive session at 8:30pm to discuss employment interviews for the Transfer Station position. No action was taken in executive session.

On the motion by Councilmember Malcolm, seconded by Councilmember Glitch, the Board returned to regular session at 8:42pm.

On the motion by Councilmember Chard, seconded by Councilmember Case, to hire Steven Hershey for the part-time position at the Transfer Station. Motion carried unanimously. (4-0)

033-2016

- 9. Privilege of the Floor – none requested

- 10. Set Next Meeting Date – The next regular Town Board meeting will be held May 11, 2016 at 7:00pm at the Gorham Town Hall.

- 11. Adjournment: With no further business, on the motion by Councilmember Malcolm, seconded by Councilmember Glitch, the meeting was adjourned at 8:50pm.

Respectfully submitted,

Darby Perrotte
Town Clerk