

**MINUTES
REGULAR MEETING
THE GORHAM TOWN BOARD
October 11, 2023 7:00pm**

The Gorham Town Board held a Regular Meeting on Wednesday October 11, 2023 at 7:00pm at the Town Hall in Gorham, NY.

Present were; Councilmembers; Brian S. Case, Jake Chard, Phil Curtis and Brian Lazarus. Supervisor Lightfoote was necessarily absent.

Town Officials in attendance; Chief Operator Water/Wastewater Greg Coston, Highway Superintendent Zach Eddinger, Code Enforcement Officer Jim Morse, Assessor Enza Mineo and Town Clerk Darby Perrotte.

Residents/guests in attendance in person and via zoom.

The full Zoom recording of this meeting is posted on the Town of Gorham Website.

1. Call to Order/Pledge to the Flag
2. Privilege of the Floor –

Ruth Freier, Gorham Free Library Director, spoke on behalf of the Library and the Gorham Historical Society. They are hoping to form a committee to work towards resolving their space needs. She is re-starting the conversations, about the addition to the Library, that were halted by Covid. Mrs. Freier is hopeful someone on the Town Board is willing to sit on the committee.

Ed Merritt, Deer Run resident, stated he recently read about the ex-Highway Department employee bringing a lawsuit against the Town for illegal firing. He stated that a number of residents have asked questions over the past year about the status of the Town Highway Superintendents driver's license after he was charged with DUI.

Mr. Merritt asked if Councilmember Lazarus called the police when he realized the Highway Superintendent was driving without a valid license.

Councilmember Lazarus said he called to check on the status of the Highway Superintendent's license. Councilmember Lazarus called the Sheriff's office and initiated a formal complaint about Zach driving with a revoked license.

Debbie North, County Road 18 resident, state she has submitted FOIL requests regarding job descriptions for Highway Superintendent Clerk 1 position held by Brenda Jones. Mr. North's FOIL requests have not been fulfilled. The FOIL request is precipitated by Ms. Jones operating a payloader at the Transfer Station. Mrs. North is concerned that the Town has an employee performing duties outside their job description. It could set the town up for even more litigation. Mrs. North is concerned that someone in a secretarial position is operating heavy equipment. Mrs. North is frustrated that her emails and FOIL requests have gone unanswered. Mrs. North asked if the employee handbook has been completed.

Sally Napolitano, Lake Drive resident, stated she is not receiving emails from the town.

Town Clerk Perrotte will ask the town IT Specialist to check into it for resolution.

Town Hall computers have recently been updated which may have caused problems with emails.

Mrs. Napolitano said last month's minutes recording said the Crystal Beach audit would be available this month. The Board approved the minutes, she wants to see the audit.

Councilmember Lazarus said Supervisor Lightfoote has the audit.

- 3. Approval of Minutes –

9/13/2023	Regular Meeting Minutes
9/20/2023	Budget Workshop Minutes
9/29/2023	Special Meeting Minutes

On the motion by Councilmember Chard, seconded by Councilmember Lazarus, both meeting minutes were approved as submitted. 4-0

4– Ayes - Case, Chard, Curtis, Lazarus

090-2023

4. Reports of Town Officials -

A. Chief Operator Water/Wastewater Plants – written report on file. Chief Operator Coston added that the water tank on County Road 1 has a leak that will need to be repaired.

B. Highway Superintendent – written report on file.

C. Zoning/Building Officer – written report on file. Councilmembers had questions regarding quotes for new Court doors. Officer Morse reached out to 4 different vendors. Contractors work together and did not want to quote over each other making it difficult to get 4 quotes.

D. Assessor - written report on file.

E. Town Clerk – written report on file.

F. Town Supervisor – no report on file.

On the motion by Councilmember Chard, seconded by Councilmember Case, the reports of Town Officials were approved as submitted. Motion carried unanimously. 4-0

4 - Ayes Case, Chard, Curtis, Lazarus

091-2023

5. Audit of Bills -

Abstract #10

Abstract prepared by the Bookkeeper, Town Clerk and Highway Clerk
Approval of Vouchers

On the motion by Councilmember Lazarus, seconded by Councilmember Curtis, Councilmember Chard has several questions regarding the bills, asked and answered. The abstract for October totaling \$447,806.33 was approved for payment. Motion carried unanimously. 4-0

4 - Ayes - Case, Chard, Curtis, Lazarus

092-2023

6. Business –

a. Doug Eldred, Scenic Ridge Rise Proposed Subdivision-

Mr. Eldred is asking if the Town is in favor of applying for 202b funding to fund a water extension for the proposed development. Mr. Eldred would like a study performed, by MRB Group,

The Town Board held discussion with Town Code Enforcement Officer Jim Morse and Town Planning Board Chairman Thomas Harvey.

Chairman Harvey explained that right now there is sufficient pressure and flow for the proposed development on the parcel Mr. Eldred is proposing. The issue is does the Town want to have a path going forward to build more redundancy in the water system. It would be a benefit for pressure and flow to the development and the redundancy protects the system if there is a fire event or water main break on Route 364.

Chairman Harvey said Mr. Eldred is looking for the Board’s opinion on whether or not to set up a special fund, authorize a study by MRB Group to figure out the equitable distribution of costs might be for the project and what the benefits to the existing district and users, the benefits to the Laviano property, the benefit to Eldred’s project and distribute costs and potentially establish a reserve fund. The Town Planning Board would love to have the Town Board comment so that they can complete the final Environmental Impact Statement with what direction they are going.

Chairman Harvey clarified. The study that Mr. Hotelling is proposing is to determine equitable costs. “The benefit to the development is x percentage of the project that is what he pays. The benefit to the district is x amount of dollars, that is what the district pays, not saying the district is subsidizing his development, that is not the proposal. It is perfectly valid for this Board to say we don’t see the overall benefit, we’re not interested in pursuing it. That’s an answer too, because as you’ve heard, the system functions ok, generally, without it.”

Sally Napolitano, Lake Drive resident said, the development could be built without the water district extension. It is redundancy and Mr. Eldred is asking the community to pay for it.

Mr. Eldred said yes, if the community feels it is necessary. Mr. Eldred would also be paying a cost.

Debbie North, County Road 18 resident, said she sees this as a private venture setting a precedence for other people to ask the town to pay for infrastructure for a private venture.

Deputy Supervisor Case read a statement from the Town engineer MRB Group regarding the project. Greg Hotaling said there is a benefit to the parent district but less than 50% of the project. He recommends doing a 202b evaluation to give more of a firm percentage if the Board chooses that direction.

Councilmember Lazarus said he would rather spend the money improving the water main on Route 364 and the Library improvement project.

Councilmember Curtis doesn't see a benefit.

Councilmember Chard said he is not keen on the taxpayer dollar going towards it. He would be interested in doing the study. He said it can provide a benefit to future residents of Gorham but feels the Town shouldn't pay for the study.

Councilmembers do not want to pay for a study.

b. Award the contract for the WWTP Improvements-

On the motion by Councilmember Chard, seconded by Councilmember Lazarus, to award the Contract for the WWTP Improvement Project. Motion carried unanimously. 4-0

4 - Ayes - Case, Chard, Curtis, Lazarus

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8. Privilege of the Floor –

Amanda Gibeau updated the Board on the progress of the Stanley/Hall/Gorham Ambulance.

The Ambulance is once again hosting a costume party for trick or treaters at the Gorham Fire Company for children in the community. This is a tradition the Ambulance would like to bring back to the Gorham community.

Residents asked questions and held discussion regarding response times and yearly budgets for ambulances.

Sally Napolitano, Lake Drive resident, said folks in Angela Way are quite opposed to Mr. Eldred's proposal for a water extension, they would be the one's subsidizing the expansion to the water district.

She also said there is discussion regarding Town Officials pay increases. She found figures on See Through New York and the Town of Canandaigua has comparisons to what other Towns in the County pay their employees.

Councilmember Case said he has seen it, the Town uses it. It is not up to date.

Highway Superintendent Eddinger said it is not accurate.

Mrs. Napolitano said the few she checked were correct to the particular town's budget. She said where things can get thrown off, for example, the Town of Canandaigua Highway Superintendent is a dual position. He gets paid for Highway Superintendent and for his Water responsibilities so to take that total sum of \$108,000.00 and say other Highway Superintendents are not getting paid equitably is not a fair comparison.

Mrs. Napolitano recommends the Board look at what is included in someone's salary, their job description and not just the number itself.

Lynn Klotz, Lake Drive resident, asked about two Milton Cat expenses that were over \$6,000.00. She said it is her understanding that the Town Board has to approve a department expense over \$6,000.00 and there were two of them.

Superintendent Eddinger said "Fred and I talked and we both approved them at that point and time."

Mrs. Klotz said "I thought it had to be full Town Board approval?"

Highway Superintendent Eddinger said "No."

Mrs. Klotz thanked Superintendent Eddinger, she appreciated seeing the comparison breakdowns on the Highway Report it will be very helpful to the Conservation Board.

Highway Superintendent Eddinger said he has been dealing with FEMA for the last month, it's been very tedious. He said he and the Highway Clerk have been spending anywhere from 3 to 4 hours a day, they are spending a lot of time with them doing paperwork. It looks like Gorham will be getting FEMA money.

Councilmember Chard agreed to sit on the Committee for the expansion to the Gorham Library/Historical Society building.

9. Set the Next Meeting Date - The next Regular Meeting and Public Hearing will be held on November 8, 2023 at 7:00 pm.

10. Executive Session –

On the motion by Councilmember Chard, seconded by Councilmember Case, the Board entered into executive session at 9:15 pm to discuss and the medical, financial, credit or employment history of a particular person or corporation or relating to promotion demotion, discipline, appointment or removal.

On the motion by Councilmember Chard, seconded by Councilmember Lazarus, the Board returned to regular session at 9:25 pm. No action was taken in executive session.

Both motions carried unanimously. 4-0

4 - Ayes - Case, Chard, Curtis, Lazarus

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11. Adjournment – with no further business, on the motion by Councilmember Case, seconded by Councilmember Chard, the meeting was adjourned at 9:35 pm. The motion carried unanimously. 4-0

4- Ayes - Case, Chard, Curtis, Lazarus

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Respectfully Submitted,

Darby L. Perrotte
Town Clerk