

**MINUTES
REGULAR MEETING & PUBLIC HEARING
THE GORHAM TOWN BOARD
February 12, 2020 7:00pm**

The Gorham Town Board held a Regular Meeting & Public Hearing on February 12, 2020 at 7:00 pm at the Gorham Town Hall. Present were; Town Supervisor Fred Lightfoote, Councilmembers; William Glitch and Brian S. Case. Water/Wastewater Chief Operator Greg Coston, Highway Superintendent Zack Eddinger, Water/Sewer Billing Clerk Brenda Jones and Town Clerk Darby Perrotte.

Councilmember Richard Malcolm & Jake Chard, Building/Zoning Officer Jim Morse and Assessor Enza Mineo were necessarily absent.

1. Call to Order/Pledge to the Flag
2. Privilege of the Floor – none requested
3. Public Hearing Local Law #1 of 2020 - Overriding the Tax Cap Levy for 2021 Budget.

Supervisor Lightfoote opened the Public Hearing regarding the 2021 Tax Cap Override. Town Clerk Perrotte read the legal notice as it appeared in the Daily Messenger, official newspaper of the Town, with no comment from the public Supervisor Lightfoote closed the Public Hearing.

4. Approval of Minutes – 01/08/2020 Organizational Meeting Minutes
Regular Meeting Minutes

On the motion by Councilmember Case, seconded by Councilmember Glitch, the meeting minutes were approved as submitted. Motion carried unanimously. (3-0)

013-2020

5. Audit of Bills -

Abstract #2

A	9-109	\$62,699.30
B	10-109	4,701.76
SL	3 -67	817.17
DB	1-111	100,706.00
SS	3-107	5,704.61
SW1	2-110	14,331.05

On the motion by Councilmember Glitch, seconded by Councilmember Case the bills were approved for payment. Motion carried unanimously. (3-0)

014-2020

6. Reports of Town Officials -

A. Chief Operator Water/Wastewater Plants – written report on file. Chief Operator Greg Coston presented the Board with pricing for a 2020 Ford Pickup.

On the motion by Councilmember Case, seconded by Councilmember Glitch, authorization to purchase a 2020 Ford F350 Pickup truck, with plow and trade in of 2015 pickup, for \$20,997.50 from Shepard Ford (Ford Fleet pricing). Motion carried unanimously. (3-0)

015-2020

Chief Operator Coston said He would like to have his water department employees go up in their pay percentage rate. Kevin Stape and Patrick King are both at ninety percent and he would like to move them to one hundred percent based on their experience in the field.

Chief Operator Coston said he would like Kyle Gruschow to move up early as well. Kyle is working on getting his water license and should have it soon. Councilmembers held a discussion.

On the motion by Councilmember Glitch, seconded by Councilmember Case, to move all three water department employees up in their pay percentage. That puts all three at one hundred percent pay rate. Motion carried unanimously. (3-0)

016-2020

B. Highway Superintendent – written report on file. Highway Superintendent Eddinger gave the Board a quote on a Kubota skid steer from New York State Contract Bid.

On the motion by Supervisor Lightfoote, seconded by Councilmember Glitch, authorization to purchase a new Kubota SVL75-2HFC for \$53,111.30. Motion carried unanimously. (3-0)

017-2020

Highway Superintendent Eddinger showed the Board drawings of the proposed new Highway Building. The Board spent time looking over the drawings to pick a design at a future date.

- C. Zoning/Building Officer – written report on file.
- D. Assessor – written report on file.
- E. Town Clerk – written report on file.
- F. Town Supervisor – written report on file.

On the motion by Councilmember Glitch, seconded by Councilmember Case, the reports of Town Officials were approved as submitted. Motion carried unanimously. (3-0)

018-2020

7. Business:

a. Local Law #1-2020 Override the Tax Levy Limit for 2021 Budget

Supervisor Lightfoote offered the following resolutions and called for their adoption. Councilmember Glitch seconded the motion and both resolutions were adopted unanimously. (3-0)

119-2020

1. Resolution to Adopt Local Law #1-2020

**RESOLUTION #9-2020
AUTHORIZING ADOPTION BY THE TOWN BOARD OF THE TOWN OF GORHAM OF
LOCAL LAW NO. 1 OF 2020**

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 February 12, 2020 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 override the tax levy limit established in General Municipal Law §3-c; and

WHEREAS, notice of said public hearing was duly advertised in the official newspaper of the Town of Gorham, on February 5, 2020 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 February 12, 2020 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. 1 of 2020, entitled, "A local law to override the tax levy limit established in General Municipal Law §3-c", 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 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 February 12, 2020 by the following vote:

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

2. Resolution adopting Special Districts

RESOLUTION #10-2020

WHEREAS, the Town Board of the Town of Gorham is the governing body of the special districts and/or fire protection districts set forth in the Schedule attached hereto and made a part hereof; and

WHEREAS, it is the intent of this resolution to override the limit on the amount of real property taxes that may be levied by the Town of Gorham, on behalf of the aforesaid special districts and/or fire protection districts, pursuant to General Municipal Law §3-c, and to allow the Town of Gorham, on behalf of the aforesaid special districts and/or fire protection districts, to adopt a budget for the fiscal year 2021 that requires a real property tax levy in excess of the “tax levy limit” as defined by General Municipal Law §3-c; and

WHEREAS, this resolution is adopted pursuant to subdivision 5 of General Municipal Law §3-c, which expressly authorizes a local government’s governing body to override the tax levy limit for the coming fiscal year by the adoption of a local law approved by a vote of sixty percent (60%) of said governing body.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Gorham, County of Ontario, is hereby authorized to adopt a budget for the fiscal year 2021 on behalf of the special districts and/or fire protection districts set forth in the Schedule attached hereto and made a part hereof that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law §3-c.

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 February 12, 2020 by the following vote:

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

b. Appointments – Supervisor Lightfoote offered the following resolutions and called for their adoption. Councilmember Glitch seconded the motion and the resolutions were adopted unanimously. (3-0)

020-2020

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

TOWN OF GORHAM

Fred Lightfoote, Supervisor

4736 South St. - PO Box 224 - Gorham, NY 14461

Phone: 585-526-5231 Fax: 585-526-4799

TDD 1-800-662-1220 (For Hearing Impaired)

flightfoote@gorham-ny.org

Gorham Town Board Resolution number 6

Whereas: The Town of Gorham maintains and oversees the Town of Gorham Planning Board, which is made up of seven regular and two alternate members whom are also Town residents, and;

Whereas: There is an open regular member seat on the Planning Board, and;

Whereas: It is the regular practice of the Gorham Town Board to promote a Serving alternate member to fill any open regular member seat;

Therefore: The Gorham Town Board finds in the best interest of the Town to promote Mr. Mike Kestler from alternate to regular member of the Gorham Town Planning Board. This promotion is to take effect immediately.

Signed:

Frederick S. Lightfoote
Town Supervisor

Mr. Mike Kestler
Gorham Town Planning Board

Town of Gorham is an equal opportunity provider, and employer. To file a complaint of discrimination, write: USDA, Director, Office of Civil Rights, Washington, D.C. 20250-9410, or call (800) 795-3272 (voice) or (202) 720-6382 (TDD).

TOWN OF GORHAM

Fred Lightfoote, Supervisor

4736 South St. - PO Box 224 - Gorham, NY 14461

Phone: 585-526-5231 Fax: 585-526-4799

TDD 1-800-662-1220 (For Hearing Impaired)
flightfoote@gorham-ny.org

Gorham Town Board Resolution number 7

Whereas: The Town of Gorham oversees and maintains the Town of Gorham Zoning Board of Appeals, which is made up of seven regular and two alternate members, and;

Whereas: There is an open regular member seat on the Zoning Board of Appeals, and;

Whereas: It is the regular practice of the Gorham Town Board to promote a serving alternate member to fill any open regular member seat, then;

Therefore: The Gorham Town Board finds in the best interest of the Town to promote Mr. Robert Morris from alternate to regular member of the Gorham Zoning Board of Appeals. This promotion is to take effect immediately.

Signed:

Frederick S. Lightfoote
Town Supervisor

Mr. Robert Morris
Gorham Zoning Board of Appeals

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TOWN OF GORHAM

Fred Lightfoote, Supervisor

4736 South St. - PO Box 224 - Gorham, NY 14461

Phone: 585-526-5231 Fax: 585-526-4799

TDD 1-800-662-1220 (For Hearing Impaired)

flightfoote@gorham-ny.org

Gorham Town Board Resolution number 8

Whereas: Ontario County maintains and oversees the Ontario County Planning Board, which is made up of representatives from the Local Governments from around Ontario County, and;

Whereas: The Town of Gorham appoints and sends one representative to serve on the Ontario County Planning Board, and;

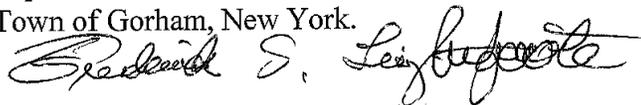
Whereas: Mr. Jack Dailey has recently completed his first appointed term on the Ontario County Planning Board, to which he has served with honor, and;

Therefore: The Gorham Town Board does hereby appoint Mr. Jack Daily to serve on the Ontario County Planning Board for a second term, effective immediately.

Signed by:

Supervisor Frederick S. Lightfoote,

Town of Gorham, New York.



Mr. Jack Daily,

Town of Gorham Planning Board Member

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c. Resolution to enter into agreement with Bernard P. Donegan, Inc. for Municipal Advisory Services.

Supervisor Lightfoote offered the following resolution and moved for its adoption. Seconded by Councilmember Case it was unanimously adopted by the following vote:

021-2020

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

RESOLUTION #03-20

TOWN OF GORHAM

RESOLUTION AUTHORIZING EXECUTION OF LETTER FOR
MUNICIPAL ADVISOR SERVICES

At a REGULAR meeting of the Town Board of the Town of Gorham, Ontario County, New York, held on the 8th day of JANUARY, 2020, the following were:

PRESENT:

ABSENT:

The following resolution was offered by Supervisor Lightfoot, who moved its adoption, seconded by Councilmember Case, to wit:

BE IT RESOLVED BY THIS TOWN BOARD AS FOLLOWS:

- (1) The firm of Bernard P. Donegan, Inc., is hereby designated Municipal Advisor to the Town of Gorham.
- (2) Said firm shall be compensated for its services to be rendered in accordance with its letter of services dated December 4, 2019.
- (3) The Supervisor is hereby authorized to execute and deliver said letter of services.
- (4) This resolution shall take effect immediately.

d. Resolution Calling for Public Hearing regarding Franchise Agreement

Supervisor Lightfoote offered the following resolution and called for its adoption. The motion was seconded by Councilmember Glitch and the resolution was adopted. Motion carried. (3-1)

022-2020

Please Take Notice

That the Town of Gorham will hold a public hearing on March 11th, 2020 at 7:00pm at the Gorham Town Hall, 4736 South Street, Gorham, NY regarding renewal of the cable television franchise agreement by and between the Town of Gorham and Time Warner Cable Northeast LLC, locally known as Charter Communications.

A copy of the agreement is available for public inspection during normal business hours at the Town Clerk’s Office 4736 South Street, Gorham, NY.

At such public hearing all persons will be given an opportunity to be heard. Written and oral statements will be taken at that time. Time limitations may be imposed for each oral statement, if necessary.

By order of the Town Board, Town of Gorham.

Supervisor Lightfoote offered the following resolution and called for its adoption. The motion was seconded by Councilmember Glitch and the resolution was adopted. Motion carried. (3-1)

023-2020

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

8. Change in Town Hall Hours -

The Town Hall Hours will be changing as of March 1st, 2020.

The Building/Zoning Office is going to be open Monday through Thursday 7:00am- 3:00pm, Friday 7:00am-1:00pm and by appointment.

The Town Clerk’s Office will be open Tuesday, Thursday and Friday 9:00am-1:00pm. Wednesdays 9:00am-7:00pm and by appointment.

Updated hours will be posted on the Town of Gorham website www.gorham-ny.org

Town offices can be reached by phone at 585-526-6317

9. Executive Session – Town of Gorham v Cregg

On the motion by Supervisor Lightfoote, seconded by Councilmember Glitch, the Board entered into executive session at 9:18 pm to discuss a legal matter.

On the motion by Councilmember Glitch, seconded by Councilmember Case, the Board returned to regular session at 9:31pm. No action was taken in executive session. Both motions carried unanimously. (3-0)

024-2020

10. Set Next Meeting Date – Regular Meeting and Public Hearing March 11th, 2020
Meeting will be held at the Gorham Town Hall at 7:00pm.

Privilege of the Floor – Supervisor Lightfoote congratulated the Town of Gorham Water/Wastewater Plants Chief Operator Greg Coston for being awarded with 2019 Finger Lakes Water Works Conference “Operator of the Year”.

Supervisor Lightfoote said Greg goes above and beyond and thanked him for doing a great job.

11. Adjournment - with no further business, on the motion by Supervisor Lightfoote, seconded by Councilmember Case, the meeting was adjourned at 8:46pm. Motion carried unanimously. (430)

025-2020

Respectfully Submitted,

Darby L. Perrotte
Town Clerk

