

**MINUTES
REGULAR MEETING
GORHAM TOWN BOARD
December 9, 2020 7:00pm**

The Gorham Town Board held a Regular Meeting and Public Hearing on December 9, 2020 at 7:00 pm.

Present were Supervisor Fred Lightfoote, Councilmembers; William Glitch, Brian S. Case, Richard Malcolm and Jake Chard. Water/Wastewater Chief Operator Greg Coston, Building/Code Enforcement Officer Jim Morse, Billing Clerk Brenda Jones and Town Clerk Darby Perrotte.

Highway Superintendent Eddinger joined via video/phone conference.

Assessor Enza Mineo was necessarily absent.

Other Guests in attendance; Phil Green.

Others guests joining via video/phone conference; Lynn Klotz and Susan Carpenter.

1. Call to Order/Pledge to the Flag. Supervisor Lightfoote called the meeting to order and led the pledge to the flag.
2. Privilege of the Floor –none requested
3. Approval of Minutes 11/4/2020 Regular & Public Hearing Meeting Minutes.

On the motion by Councilmember Chard, seconded by Councilmember Case, the meeting minutes were approved as submitted. Motion carried unanimously. (4-0)

091-2020

4. Audit of Bills -

Abstract #12

A	789-851	\$53,044.83
B	789-851	3,274.18
DB	789-843	16,636.83
SS	789-852	1,141.53
SW1	786-849	14,475.86

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

092-2020

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. Town Supervisor – written report on file. Supervisor Lightfoote said the pavilion at Easton Park is underway with construction being started. Supervisor Lightfoote addressed the fact that we are facing financial concerns, enough to initiate a Town Tax. Residents may have questions or concerns about the construction of a pavilion that is not absolutely necessary right now. He explained the Town is utilizing a Recreation Reserve Fund which is restricted so that is the only thing we can use those funds for. There is enough in that Fund to continue on with construction of the pavilion at the Park.

Councilmember Glitch joined the meeting at this time.

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

093-2020

6. Business –

a. Holiday Time Off – The Town allows employees an extra day off at Holiday time at the discretion of their immediate Supervisor.

On the motion by Councilmember Glitch, seconded by Councilmember Chard, to provide employees an extra day off at Christmas/New Year Holiday time at the discretion of their immediate Supervisor. Motion carried unanimously (5-0).

094-2020

b. Schill Property –

Code Enforcement Officer Morse said the Town issued a permit for a boathouse to be renovated. There was a question in regards to the interpretation as far as what part is a hoist and what part is floor space. The owner obtained a building permit. What was submitted was what was built.

Code Enforcement Officer Morse said "It's a tough one. The Town issued a building permit. It wasn't completed within the year so, another building permit was issued for the same structure. The permit was issued once, but renewed again a second time, with the same drawing."

The Board held a discussion on the matter and determined it was sufficient to discuss more in executive session.

7. Executive Session – On the motion by Councilmember Glitch, seconded by Councilmember Chard, the Board entered into executive session at 7:37pm for discussion relating to proposed pending or current litigation.

On the motion by Councilmember Glitch, seconded by Councilmember Chard, the Board returned to regular session at 8:54pm. No action was taken in executive session. Both motions carried unanimously (5-0).

095-2020

Supervisor Lightfoote said “Despite the fact that as the structure on the Schill property, the way it was constructed, was not what the intent would have been through the Docks & Mooring Law, because of the place and process we find ourselves, I don’t see anything that we as a Board can do. I move that we don’t stand in the way of Jim issuing a Certificate of Completion. The structure was built the way it was submitted to the Town. The Town Board will not stand in the way of Officer Morse Following through with the rest of the process.”

Supervisor Lightfoote made a motion that the Town Board will not stand in the way of Officer Morse doing his duty to issue a Certificate of Completion for the Schill Property Boathouse. The motion was seconded by Councilmember Glitch. Motion carried (3-2). Ayes - Lightfoote, Glitch, Case. Nays – Malcolm and Chard.

096-2020

Mr. Green asked Officer Morse what the process will be.

Code Enforcement Officer Morse said “You will be issued a Certificate of Completion for the permit that was issued and it will refer to the date that permit was issued. It will say it meets substantial compliance based solely on the permit that was issued on a certain date.”

c. Spring Hill Subdivision –

Supervisor Lightfoote said “Mr. Eldred has made a decision to change away from the Conservation Sub Division idea, or Incentive Zoning, that we were going to have to review and come up with recommendations. We no longer have to do that so I have pulled it from our agenda.”

d. Department of Transportation –

Code Enforcement Officer Morse said a property on Route 364 has a two car garage built over the water main. It was an error on the surveyor’s part. The surveyor didn’t have the easement and referred back to a survey map that didn’t have the easement listed on it. Unfortunately it was a timing error.

Chief Operator Coston would like a letter from the Town Lawyer stating the Town is not responsible for damage to the garage if there is a water main break on the property.

e. Garage on Long Property –

Code Enforcement Officer Morse said there was a garage moved from one property to another without a building permit. The Town will require Mr. Long to move the garage off the sewer easement. Officer Morse said Mr. Long cannot put the garage over the sewer line or the water line. Mr. Long will have to apply for variances to place the garage in a different location on the property.

f. Shed Violation –

Code Enforcement Officer Morse sent a letter of violation to the owners of a shed on Lake Drive. The shed was issued a building permit. There was no application submitted as far as location of the shed on the property. It was installed over the property line. The Town has received numerous complaints from the same gentleman. Officer Morse informed the property owner the shed doesn't meet setback requirements and it has to be moved.

Code Enforcement Officer Morse said "We sent a violation, you guys agreed, if it couldn't be moved over or brought into compliance it needs to be removed completely. November 30th was the deadline to have it moved. It's still there. His attorney contacted Fred and I last week right before the 30th, and asked for all the paperwork. I have a meeting with them on sight tomorrow at 8:30am. He proposes that he can move the shed to meet all the setbacks. He would have to request a lot coverage variance which is a whole other discussion for another Board. Whether or not to allow for that to happen, being that we issued a building permit for a shed, without a map, without lot coverage calculations, without any of that information. I will meet with them, see what they propose and I'll suggest they go to the ZBA for a lot coverage and see where it goes from there."

g. Fee Structure for 2021 –

Supervisor Lightfoote said the Board needs to determine fees that will be put in place for 2021. The Board discussed implementing changes to the 2021 fee structure.

On the motion by Councilmember Glitch, seconded by Councilmember Case, to charge \$100.00 for Transfer Station Permits for 2021. Motion carried unanimously. (5-0)

097-2020

The Board discussed fees for demolition debris, electronics and yard waste. Suggestions were made for a punch card system to eliminate collecting cash at the Transfer Station.

Highway Superintendent Eddinger said he does not want the guys collecting cash at the Transfer Station.

Town Clerk Perrotte said the Town Board established a petty cash fund, hired a new employee to check that residents had a permit and, if not, be able to purchase a permit at the Transfer Station.

Town Clerk Perrotte has voiced that if that convenience was going to be taken away from residents it should be advertised in the Town newsletter so residents have fair warning and are aware they are only able to purchase a permit at the Town Hall in 2021.

On the motion by Supervisor Lightfoote, residents can submit a payment through the website, call in with a card or mail in a check for their Transfer Station Permit. If someone knows they are going to have a project going on they can come to the Town Hall to pay for their construction debris load.

The Board held more discussion. Supervisor Lightfoote withdrew his motion and said the Town will go about the way they have been doing it, with the permit increase to \$100.00 for 2021, and discuss options further at the January Organizational Meeting.

The Board discussed allowing resident that live on the Yates County side of the Village of Rushville to purchase a permit and use the Town of Gorham Transfer Station. Supervisor Lightfoote was looking into the fees and what it would cost the Town to add those residents. The Board decided not to allow that service until Supervisor Lightfoote compiles the cost.

On the motion by Councilmember Glitch, seconded by Councilmember Chard, to not allow Village of Rushville residents to use our Transfer Station in 2021. Motion carried unanimously (5-0).

098-2020

Code Enforcement Officer Morse suggested implementing a Peddler Fee for anyone going door to door in the Town of Gorham. The fee will be determined and listed in the Fee Schedule at the January Organizational Meeting.

Supervisor Lightfoote had one more thing to add for tonight’s meeting. He said “Finally, we got the bond figures back from our bond counsel. I’m going to give you the figures now and I want your opinion on them sometime in the next couple of weeks if you can give me a call and we’ll discuss it. For the proposed Library project, it will be a 9 year bond. Total payment amount will be \$653,027.00 with \$143,027.00 of that being interest. For the proposed Highway Department project it will be a 24 year bond. Total payment will be \$3,910,974.00 with \$1,680,974.00 of that being interest.”

8. Privilege of the Floor –

Susan Carpenter spoke in regards to adding the Transfer Station fee to the taxes.

Mrs. Carpenter said “I bring my little bag of trash and there are people unloading dump trucks. I have neighbors who are there, at the most for a month or so for the summer. It wouldn’t seem very fair for lakefront residents to be paying for everybody else’s garbage. They are already subsidizing it, they subsidize a lot of things in town that they don’t use. It seems to me it’s not really a good idea.”

Supervisor Lightfoote thanked Mrs. Carpenter for her comment.

Chief Operator Coston asked where the Board was regarding Longevity. He has paperwork from 2014 through 2018 to give to the Board members that weren’t at the November Meeting.

Supervisor Lightfoote said they would have that for the Organizational Meeting in January.

9. Set Next Meeting Date – The next Regular and Organizational Meeting will be held on Wednesday January 13, 2021 at 7:00pm at the Gorham Town Hall.

099-2020

10. Adjournment – with no further business on the motion by Councilmember Chard, seconded by Councilmember Glitch, the meeting was adjourned at 10:13pm. Motion carried unanimously (5-0).

100-2020

Respectfully Submitted,

Darby L. Perrotte
Town Clerk