

**MINUTES**  
**REGULAR MEETING and PUBLIC HEARING**  
**THE GORHAM TOWN BOARD**  
**March 10, 2021 7:00pm**

The Gorham Town Board held a Regular Meeting on March 10, 2021 at 7:00 pm at the Gorham Town Hall. Present were; Town Supervisor Fred Lightfoote.

Councilmembers; William Glitch, Brian S. Case and Jake Chard. Chief Operator Water/Wastewater Districts Greg Coston, Highway Superintendent Zach Eddinger, Billing Clerk Brenda Jones and Town Clerk Darby Perrotte.

Town Officials joining via video/phone Conference; Code Enforcement Officer James Morse and Assessor Enza Mineo.

Councilmember Richard Malcolm was necessarily absent.

Other guests in attendance; Town of Gorham Conservation Board Chairman Brett Johnson, Larry Hastings and John Bero.

Other guests joining via video/phone conference; Lynn Klotz, Sally Napolitano, Susan Carpenter, Steve Schinsing, Ben and Adriane Smith.

1. Call to Order/Pledge to the Flag - Supervisor Lightfoote opened the meeting and led the Pledge to the Flag.

2. Privilege of the Floor –

Town of Gorham Conservation Board Chairman, Brett Johnson gave a brief update on the Organic Food Waste Pilot Program the Conservation Board is implementing at the Town Transfer Station.

Chairman Johnson said there is a spreadsheet that has been made available to the Town Board regarding the Organic Food Waste Recycling Program. The Conservation Board asked the Town Board to choose plan A or B and to immediately move it forward. The Conservation Board has been working on the project for several years.

Supervisor Lightfoote said the Board will work with Highway Superintendent Eddinger on the details of the dumpster for the organic waste.

**Organic Waste Recycling Pilot Program, Conservation Board, Town of Gorham  
May, June, July 2021 (3 months = 13 weeks)**

Action Plans, as of 3/10/21 (based on 2/3/21 meeting with Brett, Meg, Keith, Fred, Darby, Brian, Lynn, Georganna & 3/3 with Meg, Lynn, Brett)

Mission: To measure the viability of organic waste recycling with goal of reducing solid waste and determining best practices

Key: VG = Vermi-Green LLC (Ryan Heberle); GTS = Gorham Transfer Station

Option A in Blue; Option B in Green

Materials	Supplier	GCB Contact	Specs	Quantity	Cost per	13 Week Cost	1 Year Cost	Notes
White buckets w/gamma lid (for 50 Participants)	Lowes	Brett	5 gallon	110	\$11.89 / bucket	\$1,308	\$1,308	10 extras for replacement (if buckets or lids are damaged)
Black buckets with lids	Home Depot	Meg	3.5 gallon	120	\$5.09/bucket (pallet of 120)	\$610.80	\$610.80	Includes 20 extras as replacements (need 2x buckets as Participants to provide clean when filled/dropped)
Bucket Cleaning Tool			operates w/ drill	1 (x 2)	\$28	\$28	\$28 (\$56)	requires hot water and electricity; located where?
Rental of roll-off	VG	Brett/Meg	20 cu yard	1	\$99/month	\$297	\$1,188	watertight container (with sealed lid)
Rental of roll-off	VG	Brett/Meg	12 cu yard	1	\$60/month	\$180	\$720	not watertight (but if dumped 1x/week = no issues) can provide cover for trial, but will make custom lid for \$1500 if Town signs 1 yr contract

Location of roll-off: GTS Located where?

Hauling Fee (round trip GTS-VG)	VG	20 cu yard	50 hauls for 12 mos	\$250	\$3,250 (13 hauls for pilot)	\$12,500 for (50 hauls for 1 yr) OR \$7,000 for 28 hauls, see next row	3 month trial = 1 hauls x 13 weeks; 1 Year: 1 haul/week - 2 for holidays = 50 hauls
Hauling Fee	VG	12 cu yard	28 hauls for 1 yr (see notes)	\$225	\$2,925	\$5,400	1 yr = 17 hauls (May-Aug) + 4 hauls (Apr & Sept), 1/mo for 6 months (Oct-March) = 28 hauls
OR if reduce hauls to 1x every 10 days			7 hauls for pilot	x \$225	\$1,575 (18 hauls for 1 yr)	\$4,050 (18 hauls for 1 yr)	OR 1 yr = 18 hauls (9 in May-Aug, 2 in Sept, 7 in Oct-Apr)

Roll-off Delivered and Removed: GTS/GCB Meg/Brett Schedule: Sat 8-12, Mon 4-8 Delivered on Friday, removed Tues-Thurs +10

Schedule for Participants' drop: 8 hrs / week Proposed: Saturday 8-12 and Mon 4-8

Tipping Fee	VG	4 gal x 50 buckets = 200 (almost fill 5)	estimate .83 tons per week costs \$42 per haul	\$50/ton	\$546 (13 hauls x \$42)	\$1,176 (for 28 hauls)	Price ranges \$40-60/ton, depending on how "clean" (no plastic, foil, proteins). Just over 240 gallons of water = 1 ton
Tipping Fee	VG	3.5 gal x 50 buckets = 175	estimate .73 tons/week (hauls) costs \$37 per haul	\$50/ton	\$481 (13 hauls x \$37)	\$666 (18 hauls)	

**Labor**

Clean & exchange buckets	GTS	Zach/Brett?	< 8 hours/week	G Highway Dept	no charge if done by Transfer Station Employees			
Clean & exchange buckets	hire outside	?	2, 4 hr shifts	\$12.50/hr	\$12.50 x 8 = \$100/day-week	\$1300 (13 weeks x \$100)	\$2800 (28 weeks x \$100)	Can be exchanged (cleaned as buckets come in: 2, 4 hr shifts, and clean buckets handed out)

**TOTALS**

	13 Week Totals	1 Year Totals	
Cost for Plan A (use 5 gal buckets, hire bucket laborers)	\$6,729	\$19,028 or \$13,528	1 yr = 50 weekshauls 28 weeks/hauls OR 1 yr = 28 weeks/hauls
Cost for Plan B (no labor cost for buckets, using 3.5 gal buckets)	\$4,225	\$7,823	28 hauls/year
	\$2,875 (with 7 hauls for pilot)	\$6,103	18 hauls/year

**Communications**

Call Regina at Ontario County Recycling to initiate \$5,000+ GRANT

Confirm Participants: Lynn/Brett  
Recruit remaining participants: Lynn/Brett via facebook (~34)  
Solicit 16 new (50-34)

Write new flyer/regs: Lynn/Meg  
Write article for Gorham newsletter: Lynn/Meg  
Deadline for next Gorham Newsletter?

**Community Education**

**Resources**

VG brochures	VG								
Dos/Don'ts Flyer	VG			100					
Signs for GTS (with contract)	VG	Ryan	size?	2, 3	0	0	0		Place where?

**Organic Waste Recycling Pilot Proposal  
Conservation Board, Town of Gorham  
March 10, 2021**

***Purpose: To measure the viability of organic waste recycling with the goal of reducing solid waste, determining best practices, and ultimately answering:***

- ***How much waste (tonnage) is removed from the regular waste stream per month/year?***
- ***How many participating households are needed to neutralize the cost of recycling?***

**Dates: May, June, July 2021**

**Questions for Gorham Town Board (in yellow on spreadsheet)**

1. Location of Roll-off?
  - a. Plan A & B = Gorham Transfer Station or
  - b. Roll-off sits on site to across Yautzy Road on gravel pad \*
2. Location of hot water & electric?
3. Select bucket size (5 gallon or 3.5 gallon)?
4. Who will clean & exchange buckets?
5. Schedule for Participants' bucket drop-off days and times?

**\* IF roll-off is located across Yautzy Road, then:**

- Requires putting down a gravel pad
- GTS employees will empty buckets into bucket loader at GTS, clean and stack bucket & lids at GTS (where water supply is)
- Bucket loader later takes waste across street and dumps into roll-off
- Pros = roll-off is away from main GTS (avoiding traffic and potential odor)
- Cons = creates extra steps for GTS employees, cost of putting gravel down, using bucket loader

With a 1 year contract, Ryan will provide a pallet of bagged compost at wholesale (\$5.50 each) to be given as incentive for Participants (and billed to the Town).

***GCB needs Town Board approval to initiate Grant request with Regina Sousa, Ontario County Recycling (granted on 3/10/21 Town Board meeting).***

Thank you,

Brett Johnson, GCB Chair  
Meg Brewin, Lynn Klotz, Keith Eddinger } GCB Committee Members

1. Deep Run Drainage District –

Supervisor Lightfoote opened the Public Hearing regarding Creation of the Deep Run Drainage District. Town Clerk Perrotte read the legal notice as it appeared in the Daily Messenger, official newspaper for the Town of Gorham. With no comment from the public Supervisor Lightfoote closed the public hearing.

2. Local Law # 1 of 2021 – Overriding the Tax Cap Levy for 2022 Budget.

Supervisor Lightfoote opened the public hearing regarding the 2022 Tax Cap Override. Town Clerk Perrotte read the legal notice as it appeared in the Daily Messenger, official newspaper for the Town of Gorham.

Lake Drive resident Lynn Klotz said “I would discourage this especially considering there was a Town Tax adopted.”

With no further comment from the public Supervisor Lightfoote closed the public hearing.

4. Approval of Minutes – 2/10/2021 Regular Meeting

Supervisor Lightfoote asked to amend several sentences of the 2/10/21 meeting minutes to clarify the Town Board discussions regarding lot coverage.

On page 19, Paragraph 4; “The Town Board held a discussion”

Change to: The Town Board held a discussion questioning the need for any change to lot coverage requirements in the Lakefront Overlay District, section 31.4.10 of the Town’s Zoning Local Law.

On page 20, Paragraph 1; “More discussion was held between the Town Board and residents”.

Change to: More discussion was held regarding any need for possible change associated with lot coverage as well as the relationship of the Town’s Design Guidelines to the Zoning Code.

Supervisor Lightfoote moved to accept the amendment to the 2/10/21 minutes. Councilmember Chard seconded the motion and it carried unanimously. (4-0)

**022-2021**

On the motion by Councilmember Chard, seconded by Councilmember Case, the minutes were amended by the Town Clerk and approved. Motion carried unanimously. (4-0)

**023-2021**

4. Reports of Town Officials -

A. Chief Operator Water/Wastewater Plants – written report on file. Chief Operator Coston asked Supervisor Lightfoote for a letter from the Town Lawyer for the Department of

Transportation regarding the Town's liability on the property that has a garage over the water main.

Chief Operator Coston is reminding the Board he has asked for an audit on the Water and Wastewater Billing.

B. Highway Superintendent – written report on file.

C. Zoning/Building Officer – written report on file.

D. Assessor – written report on file. Assessor Mineo said they are in need of residents interested in serving on the Board of Assessment Review.

E. Town Clerk – written report on file.

F. Town Supervisor – written report on file.

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

**024-2021**

5. Audit of Bills -

Abstract #3

A	140-206	\$76,500.72
B	144-206	6,579.68
SL	193,196	737.13
DB	143-214	74,500.52
SS	144-215	1,855.85
SW1	144-217	15,032.16
T/A	16	110.00
HD	9	2,500.00

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

**025-2021**

6. Business:

a. Creation of the Deep Run Drainage District

Supervisor Lightfoote offered the following resolutions and called for adoption. Councilmember Glitch seconded the motion and the resolutions were adopted unanimously. (4-0)

**026-2021**

**RESOLUTION  
TOWN OF GORHAM  
ONTARIO COUNTY, NEW YORK,  
DETERMINATION OF SIGNIFICANCE  
DEEP RUN DRAINAGE DISTRICT**

**WHEREAS**, the Town of Gorham Town Board, hereinafter referred to as Town Board, has determined the above referenced action to be an Unlisted Action under the State Environmental Quality Review (SEQR) Regulations, and,

**WHEREAS**, the Town Board has reviewed and accepted the Environmental Record prepared on said action, and

**WHEREAS**, the Town Board has considered the potential impacts associated with said action.

**NOW, THEREFORE, BE IT RESOLVED THAT** the Town Board makes this Determination of Non-Significance based upon: the MRB Group map, plan and report for the Proposed Deep Run Drainage District dated May, 2020 and last revised August, 2020; the March 10, 2021 Town Board Public Hearing Record on said action; and, the Environmental Record prepared on said action.

**BE IT FURTHER RESOLVED THAT**, the Town Board makes this Determination of Non-Significance based on the following reasons supporting this determination:

1. The Town Board considered the action as defined in subdivisions 617.2(b) and 617.3(g) of Part 617 of the SEQR Regulations; and,
2. The Town Board did review the EAF, the criteria contained in subdivision (c) of 617.7 and other supporting information to identify the relevant areas of environmental concern; and,
3. The Town Board did thoroughly analyze the identified relevant areas of environmental concern to determine if the action may have significant adverse impact on the environment; and
4. The Town Board did set forth its determination of significance in written form containing a reasoned elaboration and providing reference to all supporting documentation.

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 March 10, 2021 by the following vote:

	<b><u>Aye</u></b>	<b><u>Nay</u></b>
Frederick Lightfoote	X_____	_____
William Glitch	X_____	_____
Brian Case	X_____	_____

Richard Malcolm  
Jake Chard

absent \_\_\_\_\_  
X \_\_\_\_\_

**RESOLUTION # 6-2021  
OF THE TOWN BOARD OF THE TOWN OF GORHAM  
APPROVING CREATION OF THE  
DEEP RUN DRAINAGE DISTRICT**

**WHEREAS,** a written Petition dated October, 2020, has been presented and filed with the Town Clerk of the Town of Gorham, Ontario County, New York, requesting establishment of the Deep Run Drainage District ("District") with boundaries as described in a Map, Plan and Report relating to the establishment of the District, attached hereto as Exhibit 1, and the Map, Plan and Report, dated May, 2020 and last revised August, 2020, was prepared by MRB Group in a manner and such detail as has been determined by this Town Board to be sufficient, in accordance with the requirements of Article 12 of the Town Law; and

**WHEREAS,** an Order was duly adopted by this Town Board on March 10, 2021 reciting the filing of said Map, Plan and Report, the improvements proposed, the boundaries of the proposed District, the fact that the Map, Plan and Report describing the same were on file in the Town Clerk's Office for public inspection, and stating all other matters required by law to be stated, and specifying March 10, 2021 at 7:00 p.m., at the Town of Gorham Town Hall, 4736 South Street, Gorham, New York, as the place where this Town Board would meet and consider said Map, Plan and Report and to hear all persons interested in the subject thereof, concerning the same, and to take such action thereon as required or authorized by law; and

**WHEREAS,** the hearing on said matter was duly held by said Town Board on March 10, 2021, at the Gorham Town Hall, at which all interested persons desiring to be heard were heard; and

**WHEREAS,** pursuant to part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law it has been determined by the Town Board that approval of this District would not have a significant effect upon the environment and could be processed by other applicable governmental agencies without further regard to SEQR.

**NOW, THEREFORE,** upon the evidence given at said public hearing, be it RESOLVED as follows:

1. That said Petition is signed, acknowledged or proved as required by law and is otherwise sufficient;
2. The Order Calling Public Hearing was duly published in the Town's official newspaper on February 24 & 26, 2021 and duly posted on the Town's official sign board on February 24, 2021 all as required by law and is otherwise sufficient;

3. All of the property owners within the proposed District are benefited thereby;
4. All of the property and property owners benefited are included within the limits of the proposed District;
5. It is in the public interest to establish said District;
6. The proposed expenses for operation and maintenance and capital improvements, as set forth in the Map, Plan and Report referred to herein, be and are hereby approved;
7. The costs and expenses of the proposed on-going construction, on-going maintenance and improvements associated with said District be assessed, levied and collected from the several lots and parcels of land within said District in proportion as nearly as may be to the benefit which each lot or parcel will derive therefrom;
8. That the establishment of the District, as set forth in said Map, Plan and Report, be and hereby is approved and such District shall be bounded and described as set forth in Exhibit 1 attached hereto and made a part hereof; and be it further resolved
9. That the Town Board members execute the Order Establishing this District and that the Town Clerk be, and hereby is, authorized and directed to file a certified copy of the Order Establishing the District in the Office of the Clerk of the County of Ontario and in the office of the State Department of Audit and Control at Albany, 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 March 10, 2021 by the following vote:

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

b. Local Law #1 - 2021 Override the Tax Levy Limit for the 2022 Budget

Supervisor Lightfoote offered the following resolutions and called for adoption. Councilmember Glitch seconded the motion and the resolutions were adopted by the following vote.

**027-2021**

1. Override the Tax Levy Limit for 2022 Budget

**RESOLUTION #7-2021  
AUTHORIZING ADOPTION  
OF LOCAL LAW NO. 1 OF 2021**

**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 March 10, 2021 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 24, 2021 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 March 10, 2021 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 2021, 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 March 10, 2021 by the following vote:

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

Jake Chard

\_\_\_\_\_ X\_\_\_\_\_

2. Special Districts

**RESOLUTION #8-2021  
LOCAL LAW #1-2021  
SPECIAL DISTRICTS**

**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 2022 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 2022 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 March 10, 2021 by the following vote:

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

c. Highway Department Security System/Cameras.

Supervisor Lightfoote tabled until further notice.

7. Correspondence –

March 4, 2021

Town Board Members  
Town of Gorham  
4736 South Street  
Gorham, NY 14461

Town Board Members,

I am in receipt of the February Town Board meeting minutes. I feel compelled to address concerns regarding two topics of discussion from the meeting.

I have spoken with Supervisor Lightfoote on three different occasions over the past four years about the longevity increases for employees given by the Town. I do not disagree that the Town has a talented and dedicated work force who deserve to be treated with dignity and respect. I do however strongly disagree with giving an increase to an employee for simply hitting a milestone anniversary. The Town Board adopted a resolution stating these milestones represented additional knowledge and experience. The realization is these employees have received a cost-of-living increase throughout their career which SHOULD acknowledge their experience and knowledge. Furthermore, a standard practice throughout any workforce is to offer additional compensation to an exemplary employee consistently performing above their peers or supervisor's expectations. This would, however, require annual reviews to be conducted by an employee's supervisor.

The world, and the Town, has just experienced an interruption of life and operation unlike any other in modern history with the Covid pandemic. Multiple town employees remained at full pay for several weeks from March through May while quarantining at home. All around you are residents who have lost employment, family members, and acquaintances. The Town just adopted a Town tax in 2021 for the first time in over 30 years, citing the need for sound financial planning. For the Town to offer employees a financial increase simply for a milestone anniversary in this environment is unthinkable and a complete insult to the constituents of this town, especially those financially struggling through this pandemic.

Additionally, I reviewed the comments regarding the discussion whether to increase lot coverage for the lakefront area. Discussion ensued regarding the ZBA history of granting

variances along the lake. There were also comments from current Zoning and Planning board members about the need for the ZBA to narrowly look at allowing ANYTHING above the proposed 30% lot coverage and look to the Town Board for direction on how to act. I am in agreement with Chairman Harvey that in the event of and Article 78 courts look at the history of variances granted by the ZBA.

The Board needs to recognize two facts regarding this discussion. The ZBA is an Appellate Board. The Town Board or Supervisor should in NO WAY guide or attempt to influence the ZBA in its decision making. The ZBA is required, under Town Law, to consider each application, individually and uniquely, and accept all testimony, public comments, and personal visual observations before acting on an application. In a court case, the judge looks to ensure the board followed proper procedure and MAY ask to see how the board acted on similar properties in similar circumstances prior. The record of each application should clearly show the uniqueness of each property and the board discussion supporting their decision. The Town has successfully defended several Article 78 lawsuits based on following these procedures. To entertain discussion, on public record, with ZBA members and the Town Board suggesting these elements is reckless and concerning. I refer specifically to Page 2, paragraphs 3-5 of the board minutes.

I am respectfully requesting that you consider my concerns and discuss whether a policy for pay increases due to milestone anniversaries versus exemplary performance is in the best interest of your town constituents, especially given the current financial environment and implementation of a Town tax. I am also requesting your consideration to ensuring there is no discussion that would indicate that any (ZBA, Planning, Town) has a pre-disposed determination on any future applications to the town under a current or future zoning law. A court may also look at all town discussion, including Town Board minutes, when considering an Article 78 proceeding. If a court identifies that multiple ZBA members (Amato, Bentley) have shown predisposed determinations before testimony is delivered it severely inhibits the Town's argument that board members are acting in an unbiased manner and considering each application in a unique and independent fashion.

Thank you for your consideration.

Sincerely,



Jerry Hoover

Frederick 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.com](mailto:flightfoote@gorham-ny.com)

Mr. Jerry Hoover  
4568 Kearney Road  
Stanley, NY 14561

March 7<sup>th</sup>, 2021

Mr. Hoover,

I am in receipt of your letter of March 4<sup>th</sup>, 2021. The following is in response to the concerns that you identified within said letter.

Yes, you and I have discussed the use of Longevity Pay for Town employees several times over the past several years. Each time we have agreed to disagree in regards to the issue. Please do not think that I ignore your concerns. We board members have had and continue to have discussions in regards to the many aspects of town operations including employee compensation. Rest assured that the Town Board takes the fiduciary responsibility entrusted to this board very seriously. The board also understands that we, as you mention, "have a talented and dedicated work force", and try to provide adequate compensation for our employees. Of course, there are different means by which any board can accomplish this. Longevity pay is one tool that our board has utilized for many years now. Your letter states that an employee should not receive additional compensation for "simply hitting a milestone anniversary". The board has discussed and has unanimously agreed that the additional compensation is a means by which to reward employees for the value of the institutional knowledge and experience that they continuously build on while performing their duties, and are able to call on that knowledge at key times which saves the town both time and money. Before Longevity Pay was instituted several longer term employees complained to me about being paid the same as anyone with only a few years of experience. This makes sense with close to eighty centerline miles of town roads to maintain with an additional almost thirty centerline miles of county roads to plow. Please remember that much of the water and sewer infrastructure is under-ground, with the old original blueprints sometimes quite inaccurate or missing altogether. You also mention that "a cost of living increase SHOULD acknowledge their experience and knowledge". I disagree with this thought, as a cost of living increase is meant to address just that, an increase in the cost of living. It is an adjustment for inflation. Supervisor Calabrese and now I have brought any increase reflected in the Consumer Price Index for our region during the current year to the board for consideration annually when constructing the following year's budget. You also mention that several employees remained at home at full pay for several weeks during our current Pandemic. This is true, but you may recall that the only guidance we were given was that this was mandatory except for essential employees. The defined meaning of the term essential actually changed over time, and essential activity has changed with the calendar. We have done our best to adhere to regulations while at the same time doing our best to keep our employees and residents safe. As it was, several of our employees and elected officials contracted Covid 19. I worked with both the local office of the State Department of Health and Ontario County while also adhering to both Federal guidelines and State Executive Orders, some of which contradicted each other, to provide our residents with the services that they both needed and deserved. At this writing we are still doing our best in these pursuits. I am VERY proud of our people for the way that we covered for each other, took care of our residents, and

provided help to the county when needed during the worst of the pandemic, the worst so far anyway.

You also mention the initiation of the real property tax in Gorham for the first time in over thirty years. This is true, and time will tell what will be needed in regards to this. I am keenly aware of this and have been affected personally just as so many others have. Just imagine what a slap in the face it would be to our residents if we ignored our current situation, which I remind you is also SO much different than anything experienced by the town in the last thirty years, or ever, for that matter, and financially ran the town into the ground! I will guarantee that it would cost our taxpayers much more to wait until that happened, than to be pro-active and address the situation NOW!

In regards to the "discussion" that took place during Privilege of the Floor about zoning regulations in regards to lot coverage within the Lakefront Overlay District, somehow people have come to the conclusion that not only has the Town Board already decided that we will change the percentage of lot coverage to thirty percent, but at least one person suggested that the Town Board should give guidance to the ZBA regarding HOW the ZBA should interpret our zoning regulations. What actually took place were simply two people exercising their right to voice their opinion, while under the mistaken assumption that the Town Board was actually acting on a change that night! I can see where your concern lies when reading the draft minutes of that meeting and I will move changes to better reflect what "discussion" actually took place before the minutes are accepted and approved. The Town Board knows and understands where the board's authority lies, as well as where it ends. The only discussion by the Town Board that night was in regard to why there was concern enough for any potential change. If and when there is any discussion with any changes in mind it will be done properly. The only guidance that the Town Board has issued to the ZBA in regards to this is the Zoning Code itself. It is the job of the ZBA to actually interpret the code, as you well know.

Jerry, I value your opinion as a Code Officer; a long time ZBA chairman; a local zoning expert, a long time municipal employee, and friend. If you have any further questions or concerns, please let me know.

Thanks!!

Fred

8. Set the next Meeting Date – The next Town Board Meeting will be held on April 14, 2021 at 7:00 pm at the Gorham Town Hall.

9. Privilege of the Floor – Lynn Klotz, Lake Drive resident and President Elect of the Canandaigua Lake Watershed Association, said September 2019 was the last time she asked about the MRB proposal to upgrade the Water Treatment Plant. She wondered where the Town stood with that.

Supervisor Lightfoote said "That is part of the long term Water Plan. Greg has that plan right now, I've leafed through it a little bit and the Board will have to look at it also. We will be, this coming month, sending out materials to the Board looking at some potential changes to the plant that would address blue green algae, being one thing, there are potential changes to the plant that could address other things that may be on the horizon."

Mrs. Klotz said "Everything changes every couple of years including what we are finding in the water. So you've gotten an estimate or a proposal back from them?"

Supervisor Lightfoote said "Yes, we haven't put it out to bid yet, the Board needs to go through the process of sifting it out, approving it, and then we can put it out to bid."

Mrs. Klotz said "Does this type of thing normally take four or five years to work through?"

Supervisor Lightfoote said "Well, it depends because we'll have to bond it. It will be well over a million dollars. MRB has a grants department that's working with us on that."

Mrs. Klotz said question number two is on the Comprehensive Plan Update, where do they stand on that process and will there be an interim report given to the Town Board at some point.

Supervisor Lightfoote said "Yeah, where that is currently, we're in the initial stages of that and there will be informational meetings."

Mrs. Klotz is interested in joining any of the sub-committees for the Comprehensive Plan Update and she offered "If the Watershed Association can be of any assistance on any of this we're here to work with you and support this being productive and efficient."

10. Executive Session -

On the motion by Supervisor Lightfoote, seconded by Councilmember Case, the Board entered into executive session at 8:15pm to discuss matters relating to appointment, demotion, discipline or removal of a particular person or corporation and matters relating to proposed, pending or current litigation.

On the motion by Supervisor Lightfoote, seconded by Councilmember Chard, the Board returned to regular session at 8:23pm. No action was taken in executive session. Both motions carried unanimously. (4-0)

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11. Adjournment – with no further business, on the motion by Councilmember Case, seconded by Councilmember Glitch, the meeting was adjourned at 8:25pm. Motion carried unanimously. (4-0)

**029-2021**

Respectfully Submitted,

Darby L. Perrotte  
Town Clerk

