

**MINUTES  
REGULAR MEETING  
THE GORHAM TOWN BOARD  
September 8, 2021 7:00pm**

The Gorham Town Board held a Regular Meeting on August 11, 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, Code Enforcement Officer Jim Morse, Billing Clerk Brenda Jones and Town Clerk Darby Perrotte. Councilmember Richard Malcolm and Highway Superintendent Zach Eddinger were necessarily absent.

Assessor Enza Mineo joined via video/phone conference.

Other Guests in attendance; Conservation Board Chairman Brett Johnson, Conservation Board Councilmembers Lynn Klotz and Ben Smith. Sally Napolitano, Dave Peters and Phil Curtis. Mark Becue joined via video/phone conference.

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

Sally Napolitano –

Mrs. Napolitano said she did not see reference in the August Meeting minutes regarding comments from Susan Carpenter during privilege of the floor. Mrs. Carpenter made comments regarding the proposed Canandaigua Shores project. Mrs. Napolitano said there was not a reference to the draft letter Supervisor Lightfoote handed out regarding Gorham's opinion on the proposed project.

Dave Peters –

Mr. Peters had a question about the Code Enforcement Officers Report regarding the shed issue on Lake Drive.

Code Officer Morse clarified the ZBA meeting on 8/19/2021 "Kowal Shed" and the "Deadline for shed on Lake Drive" listed on his report is in fact the same shed.

Officer Morse said "That is why the owners of the shed are at the ZBA with the application. They had a violation, they were given thirty days to remove the shed. They filed the application with the Zoning Board of Appeals, it bought them some time. If the ZBA verifies the violation, the shed gets removed."

Mark Becue –

Mr. Becue said his family has owned property on East Lake Road for over thirty years. There is an issue with the adjacent property applying to turn a garage into a retail operation, although the application was denied apparently they went ahead without any applications, approvals or C of O's. Mr. Becue said the building is right on the property line with his property. Mr. Becue has made the town aware of the apartment in the past. Mr. Becue has a complaint about the heating/ac unit. He believes the unit is over the property line.

Mr. Becue feels the town has not done anything to remedy the situation. Mr. Becue has talked with Supervisor Lightfoote and Town Officials. He has been inquiring and following up for thirteen months.

Mr. Becue is confused on the town's position. He believes it is poor policy. Mr. Becue said the issue is not about just renting, it's about the existence of the apartment. The physical property does not comply with zoning regulations and ordinances.

Code Enforcement Officer Morse said he has talked with the current owner, extensively, she is currently in litigation with the previous owner because she purchased the property, under the assumption from the previous owner along with lawyers and realtors, that she could rent the property as an income source. The owner plans on taking the apartment unit out as soon as the lawsuit is settled.

Officer Morse said the town attorney has advised the Town to do nothing until the lawsuit is resolved.

Supervisor Lightfoote said the Town is working in accordance with the town attorney's advice.

### 3. Approval of Minutes – 8/11/2021 Regular Meeting

Due to technical difficulties, with Zoom and the digital recorder in the meeting room, at the August Meeting Town Clerk Perrotte asked for approval of the minutes to be tabled until the October 13, 2021 meeting so she may clarify and supply additional comments from the public who were in attendance and spoke during privilege of the floor.

### 4. Reports of Town Officials -

A. Chief Operator Water/Wastewater Plants – written report on file. Chief Operator Coston said he needs a letter from the Town Attorney for the Department of Transportation regarding a garage that sits on top of the town's water main on a property on Route 364.

B. Highway Superintendent – written report on file. Councilmember Chard asked if the temporary employee was still at the Highway Department since Kevin Moore returned to work. Supervisor Lightfoote said Kevin Moore is back to work on light duty. There are three employees at the Transfer Station with the understanding that the third employee was temporary until Kevin returned to work. Supervisor Lightfoote agrees there is not a need for three employees at the Transfer Station at one time, he will look in to it.

C. Zoning/Building Officer – written report on file. Code Enforcement Officer Morse informed the Board that the town received a grant to digitize all the files and documents in Gorham. This will improve access to files and simplify the search process. Officer Morse updated the Board on what stage the Planning Board is at regarding Short Term rentals, the progress of Easton Park and the proposed housing development in Gorham.

D. Assessor – written report on file.

E. Town Clerk – written report on file.

F. Town Supervisor – financial report on file.

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

5. Audit of Bills -

Abstract # 9

A	668-740	\$90,651.49
B	668-735	2,445.85
SL	737	658.86
DB	668-732	36,404.84
SS	668-734	3,930.31
SW1	668-739	15,635.97
T/A	21	192.13

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

6. Business:

a. Appointment to the Town Conservation Board –

Conservation Board Chairman Brett Johnson said Brian Mastrosimone, owner of Lincoln Hill Farms in the Town of Gorham, is interested in serving on the Town’s Conservation Board. Mr. Mastrosimone has attended two Conservation Board meetings. Chairman Johnson said the Conservation Board voted unanimously to have Mr. Mastrosimone serve on the Board.

Mr. Mastrosimone was not able to attend tonight’s Town Board meeting but he is looking forward to attending a future meeting to introduce himself to the Board.

Mr. Mastrosimone sent the following paragraph via email to the Town Board;

‘As a resident and business owner in the Town of Gorham, I am vested in the long-term success and in the stewardship of the town’s agricultural, natural, cultural, recreational and scenic resources. With a sound understanding and business leadership within the agri-business industry, I will bring to the table a mix of knowledge and experience to help advise, preserve and protect the future development and matters related to Conservation for the Town.’

On the motion by Councilmember Glitch, seconded by Councilmember Chard, to appoint Brian Mastrosimone to the Gorham Conservation Board, term from 9/8/2021 through 9/30/2028. Motion carried unanimously. (4-0)

b. Town of Gorham Water Master Plan –

After discussion by the Board, Councilmember Chard offered the following resolution and called for adoption. Seconded by Councilmember Case the motion carried. (3 Ayes Lightfoote, Case, Chard- 1 Nay Glitch)

**072-2021**

**TOWN OF GORHAM  
RESOLUTION # 21-2021  
ACCEPT & APPROVE WATER MASTER PLAN**

Whereas: The Gorham Town Board has recognized the need for updates and expansion of the Towns ageing Water System, and;

Whereas: Need for additional capacity within the system has become apparent over the last several years, and;

Whereas: A need to be able to remove Cyanotoxins from our incoming raw water has been identified by the NYSDOH, and;

Whereas: Much of the distribution system within the Water District is rapidly approaching its projected service lifetime limit, and;

Whereas: The Town of Gorham contracted with MRB Group to prepare a Water Master Plan for use by the Town to help the Board make decisions regarding needed changes to the Water System and prioritizing changes as needed, and;

Therefore: The Gorham Town Board hereby accepts said Water Master Plan, MRB Project # 0735.18001.000 and directs the Town Supervisor to maintain and consult the plan when considering any upcoming projects regarding the Water District and its appurtenances.

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 September 8, 2021 by the following vote:

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

Richard Malcolm  
Jake Chard

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

c. Set the Public Hearing for the 2022 Budget –

On the motion by Councilmember Chard, seconded by Councilmember Case, to set the public hearing for the 2022 Budget for October 13, 2021 at 7:00 pm at the Gorham Town Hall. Motion carried unanimously. (4-0)

**073-2021**

d. Comprehensive Plan Update -

Councilmember Case updated the Town Board on the status of the Comprehensive Plan Update. Councilmember Case said he attended the meeting held in Crystal Beach the biggest issue brought up at the meeting was a lack of communication from the Town to the residents. The chief complaint was there was not enough dialog from the Town concerning the Update steps for the Comprehensive Plan.

Sally Napolitano asked what the point of the meeting was in Crystal Beach and what exactly was the point of what Linda Phillips presented.

Councilmember Case said Mrs. Phillips point was to present the Comprehensive Plan the Town puts together and updates every ten years. Mrs. Phillips was presenting the changes that are to take place during the Comprehensive Plan Update.

Mrs. Napolitano said Ms. Phillips ran through the results of a town wide survey that was not sufficiently distributed to every town resident. Mrs. Napolitano said there was lack of awareness for the survey. She said it is evident based on the response of the survey. Mrs. Napolitano pointed out that the link on the town website simply says "Community survey." It does not say Comprehensive Plan Update Survey. She found it by accident on the website and realized how important it was. Mrs. Napolitano said in 2009 the survey was mailed to residents. She believes, in an effort to save money on mailing, the town did not get nor does it have accurate data from residents. Due to a lack of getting the survey to town residents the survey resulted in a low 3.17 percent response rate. Mrs. Napolitano said she fully supports updating a Comprehensive Plan but she does not feel the town has gotten data to do a good plan.

Supervisor Lightfoote said "We've talked this through. We're aware of the mistakes that were made. Always, communication is a problem and it's key, at the same time. It is unfortunate. "

Supervisor Lightfoote said there are steering committees created for the update. They are Recreation, Environmental Conservation, Planning, Agriculture, Hamlet and Lakeshore. Mrs. Phillips asked residents to sign up to be involved with a focus group. She gave the list to Supervisor Lightfoote so he will be reaching out to those who signed up. The Town Board has the ability to have as many meetings as needed for the Comprehensive Update. Mrs. Phillips will identify what the sub committees will be working on in the focus groups.

Lynn Klotz said "I agree not enough people participated in the survey to get an accurate opinion, but it would have been helpful to know what Linda and the Planning Committee has already thought our strengths, weaknesses, opportunities and threats are in advance. These are really important opportunities to define where we want to go and what you want Gorham to

look like and it can help streamline what Jim has been dealing with so spending a little bit more money to get it right is going to be invaluable down the road.”

Mrs. Napolitano said it would be nice to see data from the 2009 update plan showing what has been accomplished in the town since that update.

Supervisor Lightfoote said there is not a time line to complete the update, there is a certain amount of time to utilize Linda Phillips’ services. Supervisor Lightfoote will make sure any meetings are publicized for residents to attend.

Lynn Klotz asked if the Water Master Plan would be on the town website once it is approved. Supervisor Lightfoote said it would be once it is voted on and approved.

7. Privilege of the Floor – none requested.

8. Set the next Meeting Date – The next regular Town Board Meeting and Public Hearing will be held on October 13, 2021 at 7:00 pm at the Gorham Town Hall.

9. Adjournment - With no further business, on the motion by Councilmember Chard, seconded by Councilmember Glitch, the meeting was adjourned at 9:14 pm.

**074-2021**

Respectfully Submitted,

Darby L. Perrotte  
Town Clerk

