

**MINUTES  
REGULAR MEETING  
THE GORHAM TOWN BOARD  
January 12, 2022 7:00pm**

The Gorham Town Board held a regular Meeting on Wednesday, January 12, 2022 at 7:00pm at the Town Hall in Gorham, NY.

Present were Supervisor Fred Lightfoote. Councilmembers; Brian S. Case, Phil Curtis and Brian Lazarus. Councilmember Jake Chard joined via video/phone conference.

Town Officials in attendance; Chief Operator Water & Wastewater Districts Greg Coston, Code Enforcement Officer Jim Morse, Town Justice Kathy Schwartz, Billing Clerk Brenda Jones, Tax Collector Adrienne Smith, Deputy Tax Collector Sharon Schinsing and Town Clerk Darby Perrotte.

Town Officials joining via video/phone conference; Highway Superintendent Zach Eddinger and Assessor Enza Mineo.

Other guests in attendance and via Zoom; Town of Gorham Conservation Board Members Lynn Klotz and Ben Smith, Sally Napolitano, Jon Willis, Elke Schmitt, Susan Carpenter and Gorham Free Library Director Ruth Freier.

1. Call to Order/Pledge to the Flag - Supervisor Lightfoote opened the meeting, Councilmember Lazarus led the Pledge to the Flag.
2. Privilege of the Floor – none requested
3. Approval of Minutes – 12/8/2021 Regular Meeting  
12/22/2021 Special Meeting and Public Hearing

On the motion by Councilmember Case, seconded by Councilmember Lazarus, the meeting minutes were approved as submitted. Motion carried unanimously.

5 Ayes – Lightfoote, Case, Chard, Curtis, Lazarus.

**004-2022**

4. Reports of Town Officials -

A. Chief Operator Water/Wastewater Plants – written report on file.

Chief Operator Coston updated the Board on the status of his employees. 3 were out due to covid. All are back to work.

Chief Operator Coston said this time of year they start pulling numbers, he is again requested an audit of the water billing.

Councilmember Case asked if any training has been set up for the Fire Departments in regards to the fire hydrant usage or procedure.

Chief Operator Coston said he has written rules on operation procedures. He said he has reached out to NY Water Environment and the Town will also ask Jeff Harloff, Ontario County

Fire Coordinator, to set up a training event for the Fire Departments on how to operate fire hydrants in order to prevent water hammer from occurring.

B. Highway Superintendent – written report on file.

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

Councilmember Chard asked about the volume of permits and inspections issued. The number of inspections is not printing correctly. Officer Morse said there are many more than what is printed out, the ISO system is not calculating correctly. The number of inspections has gone up because there was no record of them before, comparing to years past.

There were questions about the Long garage. Supervisor Lightfoote said Mr. Long is looking into and bearing the cost of moving the water main so that he can place the garage where he would like.

The shed on Lake Drive has been moved. Officer Morse is doing an inspection. The issue has been resolved.

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 Case, seconded by Councilmember Lazarus, the reports of Town Officials were approved as submitted. Motion carried unanimously.

5-Ayes Lightfoote, Case, Chard, Curtis Lazarus.

**005-2022**

5. Audit of Bills -

Abstract #14

A	1013-1039	\$79,292.32
B	1017	3,052.86
DB	1017-1030	12,923.01
SS	25-134	6,219.80
SW1	1017-1023	8,764.99
T/A	28	164.75
SS	1017, 1023	744.18

Abstract # 1

A	1-98	\$108,443.39
B	3-92	11,710.09
DB	5-96	176,428.80
SW1	5-99	20,622.03
SS	5-100	4,533.59

On the motion by Supervisor Lightfoote, seconded by Councilmember Case, to approve the bills for payment. Councilmember Case had a question with the calculations for fuel bills that didn't add up correctly. The Board held discussion regarding the inaccurate calculations.

Supervisor Lightfoote amended his motion to approve the bills except for the two inaccurate, those will be reviewed at the next meeting. Motion carried.

4 Ayes - Lightfoote, Case, Curtis, Lazarus - Chard abstained

**006-2022**

On the motion by Supervisor Lightfoote, seconded by Councilmember Lazarus, the bills were approved for payment. Motion carried.

4 Ayes – Lightfoote, Case, Curtis, Lazarus - Chard abstained

**007-2022**

6. Business:

a. Town Justice Discussion

The Town of Gorham Town Justice Elect from the November 2021 election did not take office. Town Justice Schwartz is willing to be the sole Justice for 2022 at double her salary. Justice Schwartz has been in this position before with the resignation of a fellow Justice. Justice Schwartz said she feels with her time and experience she can handle the workload.

Supervisor Lightfoote said there is no need for a Resolution just common consent of the Town Board to let Justice Schwartz take the responsibility of both Justice positions for the year.

The Town has the option to appoint someone to the position.

Councilmember Chard thinks it is better to line up an election in June. Thinking of it from the Town’s standpoint, in his opinion, it would be better to have 2 justices sooner rather than later.

Councilmember Chard said he understands if there is no available training that our hands are tied and the Town would have to wait until the November election.

Councilmember Chard would like to put the word out for prospective candidates and feels if we can get someone trained and have an election in June that would be a better route for the Town to take.

For the time being Justice Kathleen Schwartz will take full duty as our Town Justice.

b. Resolution Amending Library Lease

Councilmember Case offered the following resolution and called for adoption. Seconded by Councilmember Curtis the resolution was unanimously adopted.

**008-2022**

**RESOLUTION #2-2022  
TOWN OF GORHAM  
GORHAM FREE LIBRARY LEASE**

Resolution to extend Gorham Free Library lease

**Whereas,** The Gorham Free Library provides residents with many programs and services well beyond the traditional availability of books and materials, and;

**Whereas,** A lease contract between the Town of Gorham and the Gorham Free Library currently exists that provides for the use of the Library Building at 2664 State Route 245, Gorham, New York that expires on December 31<sup>st</sup>, 2030, and;

**Whereas,** The Gorham Free Library Board of Directors has successfully obtained grant money that will help pay for much needed building repairs, and;

**Whereas,** Requirements of the grant dictate that a lease of at least ten (10) years beyond completion of the associated repairs be in place before construction begins, and;

**Whereas,** The Town of Gorham desires to continue to provide the use of the town owned building at 2664 State Route 245, Gorham, New York, known locally as the Library Building, to the Gorham Free Library, as well as the Gorham Historical Society, then;

**Therefore,** The Gorham Town Board resolves to extend the end date of the current lease agreement and associated terms to December 31<sup>st</sup>, 2033

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 January 12, 2022 by the following vote:

	<b><u>Aye</u></b>	<b><u>Nay</u></b>
Frederick Lightfoote	X_____	_____
Brian S. Case	X_____	_____
Jake Chard	X_____	_____
Phil Curtis	X_____	_____
Brian Lazarus	X_____	_____

- c. Resolution for MRB Group Engineering for Kearney Road and Lake to Lake Road Intersection.

Councilmember Curtis offered the following resolution and called for adoption. Councilmember Lazarus seconded the motion and it was adopted unanimously.

**009-2022**

**RESOLUTION #3-2022  
TOWN OF GORHAM  
KEARNEY ROAD & LAKE TO LAKE ROAD INTERSECTION DRAINAGE**

Resolution authorizing contract with MRB Group to provide engineering support for drainage work within the Kearney Road/Lake to Lake road intersection and surrounding area.

**Whereas,** There is a need to improve drainage for the roadbeds of as well as surrounding properties in the area of Kearney Road and Lake to Lake Road in the Town of Gorham; and,

**Whereas,** The area is relatively flat requiring complex solutions; and,

**Whereas,** There is a need for work to be accomplished off Town Right of Way in order to properly drain Town infrastructure; then,

**Therefore,** The Gorham Town Board authorizes the MRB Group to perform engineering services toward the effectuation of improvements to the drainage systems within the Kearney Road/Lake to Lake Road intersection and surrounding area. Contracted services will be provided for an amount not to exceed \$19,600 dollars.

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 January 12, 2022 by the following vote:

	<b><u>Aye</u></b>	<b><u>Nay</u></b>
Frederick Lightfoote	X_____	_____
Brian S. Case	X_____	_____
Jake Chard	X_____	_____
Phil Curtis	X_____	_____
Brian Lazarus	X_____	_____

d. Local Law # 1-2022 Tax Cap Override for 2023 Budget

Councilmember Lazarus offered the following resolution and called for adoption. Seconded by Councilmember Curtis, the Board held discussion.

Sally Napolitano, Lake Drive resident, voiced concern about passing a tax cap override when there is not a preliminary budget in place.

Councilmember Chard said "In years past looking at the town tax we had zero town tax. I understand why we passed the override. Given that we do have a town tax now and we can see what these numbers will be, to me, it's not about finding the cheapest option it is thinking about the people first when we are spending money, that we are doing it appropriately. There are things we can't control but when we pass this so early in the year, to me, it seems we are betting against ourselves and we are going to go over the tax cap. Right now we might not know what the 2 percent might be but we will have a number and I think it's our job as local officials to stay under that percentage."

Supervisor Lightfoote said "Having that in place, I'll guarantee we will look at things just as responsibly with that in place, no differently than we would with it not in place. This allows us to do some advance planning, some long range planning."  
The Board voted. The motion carried. The resolution was adopted.

**010-2022**

**RESOLUTION #1-2022  
TOWN OF GORHAM  
INTRODUCING LOCAL LAW AND CALLING A PUBLIC HEARING**

**WHEREAS**, the Town Board of the Town of Gorham, after due deliberation, finds it in the best interests of the Town to schedule a public hearing to solicit public comment upon a proposed Local Law to override the tax levy limit established in General Municipal Law §3-c; and

**WHEREAS**, the Town Board of the Town of Gorham has reviewed the draft of the aforementioned proposed Local Law attached hereto as Exhibit "1" and deems it in the best interests of the Town of Gorham to proceed in accordance with the Code of the Town of Gorham and the Laws of the State of New York in adopting said Local Law,

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Clerk be, and she hereby is, directed to schedule a public hearing to be held on February 9, 2022 at 7:00 p.m. at the Gorham Town Hall, 4736 South Street, Gorham, New York; and be it further

**RESOLVED**, that the Town Clerk, be and hereby is, authorized to forward to the official newspapers of the Town a Notice of Public Hearing in the form substantially the same as that attached hereto as Exhibit "2"; and be it further

**RESOLVED**, that the Town Clerk be, and she hereby is, directed to post a copy of the proposed Local Law on the Town of Gorham sign board and take any and all other necessary actions to properly bring the aforementioned Local Law before the Town Board of the Town of Gorham for its consideration; and be it further

**RESOLVED**, that the Town Clerk be, and hereby is, authorized to provide all other notices as required by law for the adoption of this local law.

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 January 12, 2022 by the following vote:

	<b><u>Aye</u></b>	<b><u>Nay</u></b>
Frederick Lightfoote	X_____	_____
Brian S. Case	X_____	_____
Jake Chard	_____	X_____
Phil Curtis	X_____	_____
Brian Lazarus	X_____	_____

- e. Resolution to approve EFPR Solutions Accounting Services Contract

Supervisor Lightfoote offered the following resolution. Councilmember Lazarus seconded, the resolution was adopted.

**RESOLUTION # 4-2022  
TOWN OF GORHAM  
EFPR CONTRACT**

2022 Contract Between the Town of Gorham and EFPR Solutions

**Whereas**, The Town of Gorham has utilized the services of EFPR Solutions for the last several years with no increase in rates, and;

**Whereas,** A good relationship has been established with good service being provided to the town, and;

**Whereas,** The Town of Gorham wishes to utilize the services of EFPR Group for budget year 2022, then;

**Therefore,** The Gorham Town Board agrees to direct the Town Supervisor to sign contract with EFPR Group for year 2022 for the yearly rate of \$27,000 along with a one time fee of \$750 to effectuate a change from Williamson Law Book to Accu fund files.

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 January 12, 2022 by the following vote:

	<b><u>Aye</u></b>	<b><u>Nay</u></b>
Frederick Lightfoote	X_____	_____
Brian S. Case	X_____	_____
Jake Chard	X_____	_____
Phil Curtis	X_____	_____
Brian Lazarus	X_____	_____

f. Appointment of Deputy Town Supervisor –

On the motion by Supervisor Lightfoote, seconded by Councilmember Chard, to appoint Councilmember Brian S. Case as Deputy Town Supervisor. Term to coincide with Supervisor Lightfoote’s term of office. The motion carried unanimously.

5 Ayes – Lightfoote, Case, Chard, Curtis, Lazarus.

**011-2022**

g. Budget Transfers -

On the motion by Councilmember Chard, seconded by Councilmember Case, the following budget transfers were approved. The motion carried unanimously.

5 Ayes - Lightfoote, Case, Chard, Curtis, Lazarus.

**012-2022**

**TOWN OF GORHAM**  
**PLEASE MAKE THE FOLLOWING TRANSFERS AT YOUR 1/12/2022 MEETING:**  
**YEAR END ADJUSTMENTS**

**GENERAL FUND - TOWNWIDE**

<i>Transfer From:</i>	A.1990.4	Contingency	\$ 10,000.00
	A1310.1	Bookkeeper	\$ 642.00
	A1355.2	Assessment - Equipment	\$ 1,815.00
	A7410.41	Library - Contr - Wood	\$ 37,336.00
	A9055.8	Disability Insurance	\$ 8.00
			<u>\$ 49,801.00</u>

<i>Transfer To:</i>	A1310.4	Bookkeeper - Contr	\$ 642.78
	A1355.4	Assessment - Contr	\$ 1,815.00
	A1420.4	Attorney- Contr	\$ 1,633.00
	A3310.4	Traffic Control - Contr	\$ 17,334.00
	A5010.13	Highway Administration - Per Ser - Admin	\$ 2,646.00
	A8160.4	Refuse & Garbage	\$ 25,239.00
	A8710.4	Conservation - Contr	\$ 483.00
	A9050.8	Unemployment Ins	\$ 9.00
			<u>\$ 49,801.78</u>

**GENERAL FUND - OUTSIDE VILLAGE**

<i>Transfer From:</i>	B2115	Planning Board Fees	\$ 4,450.00
	B2110	Zoning Fees	\$ 500.00
	B1601	Public Health Services	\$ 2,348.00
			<u>\$ 7,298.00</u>

<i>Transfer To:</i>	B9060.8	Hospital & Medical Insurance	\$ 7,298.00
			<u>\$ 7,298.00</u>

**HIGHWAY FUND - OUTSIDE VILLAGE**

<i>Transfer From:</i>	DB5110.4	General Repairs - Contr	\$ 30,636.00
			<u>\$ 30,636.00</u>

<i>Transfer To:</i>	DA5110.1	General Repairs - Per Ser	\$ 30,636.00
			<u>\$ 30,636.00</u>

**UNANTICIPATED REVENUE**

<i>Transfer From:</i>	DB5103	Consolidated Highway Aid	\$ 211,424.00
	DB1120	Non-Property Tax Distr by County	\$ 53,299.00
			<u>\$ 264,723.00</u>

<i>Transfer To:</i>	DB5112.2	CHIPS Permanent Improvement	\$ 211,424.00
	DB5142.4	Snow Removal - Contr	\$ 34,644.00
	DB9060.8	Hospital & Medical Ins	\$ 18,655.00
			<u>\$ 264,723.00</u>

**SEWER DISTRICT**

<i>Transfer From:</i>	SS130.2	Sewage Treatment/Disposal - Equip	\$ 387.00
			<u>\$ 387.00</u>

<i>Transfer To:</i>	SS8130.1	Sewage Treatment/Disposal- Per Serv	\$ 40.00
	SS8130.12	Sewage Treatment/Disposal- Deputy Serv	\$ 347.00
			<u>\$ 387.00</u>

**WATER DISTRICT**

<i>Transfer From:</i>	SW1-8310.4	Water Administration - Contr	\$ 20,000.00
	SW1-8320.12	Source of Supply - Deputy Per Serv	\$ 1,700.00
	SW1-8340.21	Transmission & Distribution - Cap Outlay	\$ 29,282.00
	SW1-9060.8	Hospital & Medical Insurance	\$ 674.00
			<u>\$ 51,656.00</u>

<i>Transfer To:</i>	SW1-8310.12	Water Administration - Clerk Serv	\$ 1,390.00
	SW1-8310.13	Water administration - Deputy	\$ 43.00
	SW1-8320.1	Source of Supply - Per Serv	\$ 2,004.00
	SW1-8320.2	Source of Supply - Equip	\$ 12,461.00
	SW1-8320.4	Source of Supply - Contr	\$ 14,392.00
	SW1-8340.1	Transmission & Distribution - Per Serv	\$ 8,696.00
	SW1-8340.2	Transmission & Distribution - Equip	\$ 11,996.00
	SW1-9030.8	Social Security	\$ 674.00
			<u>\$ 51,656.00</u>

7. Discussion – The Board, along with Greg Hotaling from MRB Group, held a lengthy discussion on all the upcoming projects in the Town. Supervisor Lightfoote’s report identifies each of the projects and what stage they are at.

8. Privilege of the Floor –

Lynn Klotz asked how the Town’s open positions are posted, such as for various Boards and committees, and for positions such as the Town Justice opening that the Town has right now.

Supervisor Lightfoote said the Town would list openings in the town newsletter and by phone if someone is interested they can call the Town Clerk or the Town Supervisor.

Mrs. Klotz asked about information regarding legal notices and public hearing information. She wants to know how those are advertised so the public is aware of meetings.

Town Clerk Perrotte said it is her statutory duty to advertise the legal notice of public hearing in the newspaper as well as post it on the Town Clerk’s sign board in the Town Hall and on the Town website. She said she also posts it at the post office and to the Town Facebook page.

Town Clerk Perrotte said it is her duty to notify the public of the meetings, it is the Town Supervisor and Town Board, who are required to make documents, and any information to be discussed at the meeting, available to the public.

9. Set the Next Meeting Date – The next meeting and public hearing will be held on February 9, 2022 at 7:00pm at the Gorham Town Hall.

10. Adjournment – with no further business, on the motion by Councilmember Case, seconded by Councilmember Glitch, the meeting was adjourned at 9:55pm. The motion carried unanimously.

5 Ayes – Lightfoote, Case, Chard, Curtis, Lazarus.

**013-2022**

Respectfully Submitted,

Darby L. Perrotte  
Town Clerk

