

**MINUTES
REGULAR MEETING
THE GORHAM TOWN BOARD
May 11, 2022 7:00pm**

The Gorham Town Board held a Regular Meeting and Public Hearing on Wednesday May 11th, 2022 at 7:00pm at the Town Hall in Gorham, NY.

Present were Supervisor Fred Lightfoote. Councilmembers; Brian S. Case, Jake Chard, Phil Curtis and Brian Lazarus.

Town Officials and employees in attendance; Chief Operator Water & Wastewater Districts Greg Coston, Code Enforcement Officer Jim Morse, Assessor Enza Mineo and Town Clerk Darby Perrotte.

Highway Superintendent Zach Eddinger joined via video/phone conference.

Other guests in attendance; Trevor Grover.

Guests joining via Zoom; Lynn Klotz and Kelly Bateman.

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 – none requested
3. Approval of Minutes – 4/13/2022 Regular Meeting and Public Hearing Minutes
*On page 56 the minutes inaccurately list Councilmember Chard moving a resolution. Supervisor Lightfoote moved the resolution, Councilmember Chard seconded the motion. The 4/13/22 minutes were corrected.

On the motion by Councilmember Case, seconded by Councilmember Chard, the corrected 4/13/2022 meeting minutes were approved. Motion carried unanimously. 5-0
5 - Ayes – Lightfoote, Case, Chard, Curtis, Lazarus.

043-2022

4. Reports of Town Officials -

- A. Chief Operator Water/Wastewater Plants – written report on file.
- B. Highway Superintendent – written report on file.

Highway Superintendent Eddinger said he would like to change the uniform service. Instead the uniform service they currently use he would like to purchase t-shirts and sweatshirts for the employees, with an estimated cost of \$2,859.65 and to supply them with \$600.00 per year to buy their own pants and boots.

Highway Superintendent Eddinger said the Town will see a savings of approximately \$7,000.00 per year.

Councilmember Lazarus asked who will launder the new shirts and pants.

Superintendent Eddinger said "It is up to the guys or we do have a washer and dryer at the shop they could do it at the shop."

On the motion by Councilmember Chard, to approve the purchase of t-shirts and hoodies up to \$3,000.00 for the initial cost. Replace per shirt as needed, and to give each employee up to \$600.00 per year to use for pants, shorts and boots with the approval of Superintendent Eddinger.

Councilmember Chard moved to amend his motion to add each Water Department employee to receive \$600.00 per year for pants, shorts and boots.

The amended motion was seconded by Councilmember Lazarus and carried unanimously. 5-0

The motion for t shirts and hoodies, plus the \$600.00 for each employee was seconded by Councilmember Lazarus and carried unanimously. 5-0

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

044-2022

Highway Superintendent Eddinger said the Highway Department is hosting an open house at their facility on May 18th, 2022.

On the motion by Supervisor Lightfoote, seconded by Councilmember Case, to host an Open House at the Highway Facility on May 18, 2022 from 6:00 pm – 8:00 pm. Motion carried unanimously. 5-0

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

045-2022

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

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 Curtis, seconded by Councilmember Case, the Reports of Town Officials were approved and accepted as submitted. Motion carried unanimously. 5-0

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

046-2022

5. Audit of Bills – Abstract # 5

Abstract prepared by the Billing Clerk and the Town Clerk.

Approval of Vouchers

On the motion by Councilmember Chard, seconded by Councilmember Lazarus, Abstract #5 totaling \$149,394.68 was approved for payment. Motion carried unanimously. 5-0

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

047-2022

6. Business:

a. Proposed Wood Grinding Business –

Trevor Grover owns property on County Road 1 he is interested in putting a wood grinder business on his property.

Code Enforcement Officer Morse said the property is currently a Farming Preferred District that would not allow this type of business, even with a special use permit. It would have to go through the whole process of a Local Law. Mr. Grover would have to petition the Town for re-zoning for this type of business.

Mr. Grover explained the workings of the business to the Board.

The Board held discussion.

Mr. Grover will submit more information along with a video of the type of operation he would like to set up on the property.

The first step would be a formal submission to the Town Board for re-zoning.

Supervisor Lightfoote asked Mr. Grover to present what the decibels would be, some specifics on outside storage and some more information for the Board to review so they have a better idea of how this business operates. The Board will review the information and they will get back to Mr. Grover soon.

- b. Local Law #2-2022 – Schedule a Special Election for Qualified Electors to Vote on Whether or Not to Approve Local Law #2 of 2021 to Opt Out of Cannabis Retail Sales and On-Site Consumption

Councilmember Chard offered the following resolution and called for adoption. Seconded by Councilmember Curtis the resolution was adopted unanimously. 5-0

Ayes - Lightfoote, Case, Chard, Curtis, Lazarus

048-2022

**TOWN OF GORHAM
RESOLUTION #18-2022
RESOLUTION AUTHORIZING SCHEDULING OF A PUBLIC HEARING
FOR A PROPOSED LOCAL LAW**

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 entitled "A Local Law to Schedule a Special Election for Qualified Electors to Vote on Whether or Not to Approve Local Law 2 of 2021, Adopted by the Town Board of the Town of Gorham on December 22, 2021 and Entitled "A Local Law to Opt Out of Allowing Cannabis Retail Dispensaries and On-Site Consumption Sites as Authorized under Cannabis Law Article 4", attached hereto as Exhibit 1; and

WHEREAS, the Town Board of the Town of Gorham has reviewed the draft of the aforementioned proposed Local Law 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 June 8, 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 May 11, 2022 by the following vote:

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

c. Local Law #3-2022 - Establish a Moratorium on Solar Farms

Councilmember Chard offered the following resolution and called for adoption. Seconded by Councilmember Case the resolution was adopted unanimously. 5-0

Ayes - Lightfoote, Case, Chard, Curtis, Lazarus

049-2022

**TOWN OF GORHAM
RESOLUTION #19-2022
AUTHORIZING SCHEDULING OF PUBLIC HEARING FOR A
PROPOSED LOCAL LAW ENTITLED
"A LOCAL LAW ESTABLISHING A MORATORIUM ON SOLAR FARMS"**

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 entitled "A Local Law Establishing a Moratorium on Solar Farms"; 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; and

WHEREAS, this action by the Town Board is a "Type II" action under the regulations promulgated by authority contained in the State Environmental Quality Review Act (SEQRA), which appear in 6 NYCRR Part 617.5 (36) ("adoption of a moratorium on land development or construction"), thereby requiring no further action by the Town Board.

NOW, THEREFORE, RESOLVED, that the Town Clerk be, and she hereby is, directed to schedule a public hearing to be held on June 8, 2022 at 7:00 p.m. at the Gorham Town Hall, 4736 South Street, Town of Gorham, New York; and be it further

RESOLVED, that the Town Clerk be and hereby is, authorized to forward to the official newspaper 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 aforesaid Notice of Public Hearing and a copy of the proposed Local Law on the Town of Gorham sign board and to 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.

I Darby L. Perrotte, Town Clerk of the Town of Gorham, do hereby certify that the Town Board of the Town of Gorham adopted the aforementioned resolution on May 11, 2022 by the following vote:

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

- d. Resolution Establishing a Capital Budget for the Wastewater Treatment Plant Project

Councilmember Chard offered the following resolution and called for adoption. Seconded by Councilmember Case the resolution was adopted unanimously. 5-0

**TOWN OF GORHAM
RESOLUTION #20-2022
RESOLUTION ESTABLISHING A CAPITAL BUDGET FOR THE WASTEWATER
TREATMENT PLANT PROJECT**

WHEREAS, New York State Department of Health has changed standards related to effluent sanitation which now requires additional equipment and processes for the Gorham Wastewater Treatment Plant to remain within Department of Health standards, and;

WHEREAS, MRB Group has been contracted by the Town of Gorham to perform needed engineering and inspection services to support the required improvements to the Gorham Wastewater Treatment Plant, and;

WHEREAS, Bernard P. Donagan Inc. has been contracted to supply financial services to support the project, then;

THEREFORE, the Gorham Town Board hereby establishes a Capitol Project to effectuate the completion of this Gorham Wastewater Treatment Plant Upgrade.

**Gorham Wastewater Treatment Plant
Capitol Project Budget**

Construction: \$689,740
Soft Costs: \$210,260
Total: \$900,000
Includes Contingency of \$113,890

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 May 11, 2022 by the following vote

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

e. Resolution Establishing a Capital Budget for the Water Treatment Plant Improvement Project

Councilmember Case offered the following resolution and called for adoption. Seconded by Councilmember Curtis the resolution was adopted unanimously. 5-0
5 - Ayes Lightfoote, Case, Chard, Curtis, Lazarus.

051-2022

**TOWN OF GORHAM
RESOLUTION #21-2022
RESOLUTION TO ESTABLISH A CAPITAL PROJECT BUDGET
TO PROVIDE GREATER FILTERING OF WATER AT THE
GORHAM WATER TREATMENT PLANT**

WHEREAS, Blue Green Algae levels have increased over the years to the point where there is great health concern from time to time about Mycosistis, which is a toxin that can often be found in blue green algae, and;

WHEREAS, the Town of Gorham Water Treatment Plant is not equipped to remove Mycosistis from the drinking water that the Town provides to residents in the Town's Water District, and;

WHEREAS, the New York State Department of Health has required the Town to make changes needed to remove the risk presented by Blue Green Algae, and;

WHEREAS, the Town has contracted with MRB Group for engineering and inspection services needed for this project, and;

WHEREAS, the Town has contracted with Bernard P. Donagan Inc. for needed financial services, then;

THEREFORE, the Gorham Town Board hereby establishes this Capital Project Budget:

Construction: \$5,497,000
Soft Costs: \$1,444,129
Total: \$7,971,000
*includes contingency \$ 1,029,871

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 May 11, 2022 by the following vote

Aye

Nay

Frederick Lightfoote	X_____	_____
Brian S. Case	X_____	_____
Jake Chard	X_____	_____
Phil Curtis	X_____	_____
Brian Lazarus	X_____	_____

f. Resolution Establishing a Capital Budget for the Highway Garage Construction Project

Councilmember Lazarus offered the following resolution and called for adoption. Seconded by Councilmember Chard the resolution was adopted unanimously. 5-0

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

052-2022

**TOWN OF GORHAM
RESOLUTION #22-2022
RESOLUTION TO ESTABLISH A CAPITAL BUDGET FOR THE HIGHWAY GARAGE
CONSTRUCTION PROJECT**

WHEREAS, the Town of Gorham Highway Department has needed additional space for many years, and;

WHEREAS, the current shop building needs significant work for it to continue to be a heated repair facility, and;

WHEREAS, our equipment is much larger now, making conditions crowded and dangerous, then;

THEREFORE, the Gorham Town Board now establishes this Capital Project Budget for the construction of a new Highway Building.

Construction: \$4,542,235
Soft Costs: \$ 567,779
Contingency: \$ 681,335
Total \$5,791,350

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 May 11, 2022 by the following vote:

	<u>Aye</u>	<u>Nay</u>
Frederick Lightfoote	X_____	_____

Brian S. Case	X_____	_____
Jake Chard	X_____	_____
Phil Curtis	X_____	_____
Brian Lazarus	X_____	_____

7. Privilege of the Floor –

Lynn Klotz, Lake Drive resident -

Mrs. Klotz said the Town Clerk if it is a possibility to license cats in a densely populated area such as Crystal Beach. Mrs. Klotz said feral cats are everywhere and are a very big nuisance in Crystal Beach.

Supervisor Lightfoote suggested talking about this with a State representative because it would fall under Ag and Markets Regulations.

Mrs. Klotz asked if the wood grinding business is a Bio-Char. She said she is curious about this business and she is always interested in economic development in Gorham.

Code Enforcement Officer Morse said no, it is not a Bio-Char.

Kelly Bateman, County Road 18 resident -

Mrs. Bateman said she wanted to talk to the Town Board about the speed limit on County Road 18. She said traffic and speeding is a big issue. Especially towards the curve on County Road 18. She has difficulty getting in and out of her driveway. Mrs. Bateman said she spoke with a representative at Ontario County and they told her the Town would have to fill out a TE-9 Form to send over to the County and then the County will send it on to the Department of Transportation.

Supervisor Lightfoote said the Town is following up on that.

8. Set the Next Meeting Date – Supervisor Lightfoote said the Town Board will hold a Special Meeting on May 25th, 2022 at the Town Hall at 7:00 pm.

The next regular meeting will be held on June 8, 2022 at 7:00 pm at the Gorham Town Hall.

9. Executive Session –

On the motion by Supervisor Lightfoote, seconded by Councilmember Case, the Board entered into executive session at 8:39 pm to discuss medical, financial, credit or employment of history of a particular person or corporation.

On the motion by Councilmember Chard, seconded by Supervisor Lightfoote, the Board returned to regular session at 9:20 pm. No action was taken in executive session. Both motions carried unanimously. 5-0

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

053-2022

The Board held discussion about water usage for Fire Departments in the Town of Gorham.

On the motion by Supervisor Lightfoote, seconded by Councilmember Chard, to not charge Crystal Beach Fire Department for water usage. No personal use of water will be allowed. Motion carried unanimously. 5-0

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

054-2022

10. Adjournment – with no further business, on the motion by Supervisor Lightfoote, seconded by Councilmember Chard, the meeting was adjourned at 9:35 pm. The motion carried unanimously. 5-0

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

055-2022

Respectfully Submitted,

Darby L. Perrotte
Town Clerk

