

**MINUTES
SPECIAL MEETING
THE GORHAM TOWN BOARD
March 15, 2023 7:00pm**

The Gorham Town Board held a Special Meeting on Wednesday March 15, 2023 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 Clerk Darby Perrotte.

Other guests in attendance, in person and via Zoom; Ben Smith, Jeff & Debbie North, Christine Watkins, Ed Merritt, Sally Napolitano, Dale Stell, Tom Whipple, Woody Daugherty, Ann Marie St. George, Lynn Klotz, Susan Carpenter, Danielle Ayers, Aaron Airth, Scott Lambert, Abbey Allen, Deborah Merritt, Jen Kerrick and several other unidentified callers.

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

Ed Merritt, Deer Run resident, stated he thinks it's time to let residents know what is going on with the Town Highway Superintendent, Zach Eddinger.

Supervisor Lightfoote said "Let's get through everyone and then I'll have a statement on that."

Debbie North, County Road 18 resident, stated enough is enough regarding the Highway Superintendent. Mrs. North addressed concerns similar to Mr. Merritt's.

Supervisor Lightfoote said "At this point in time, Zach has taken a two month leave of absence, as far as he himself goes, any other information beyond that is private."

Full audio of this meeting can be accessed on the Town of Gorham website, www.gorham-ny.org or by visiting the Town Clerk's Office during her regular business hours or by appointment.

3. Business –

Supervisor Lightfoote explained there was discussion, by the Board, about the purchase of a mini excavator. In discussion with the Highway Superintendent the company wants to know if the town will purchase the machine or send it back.

The Town Board has not authorized payment. The Highway Superintendent did not meet the 90 day deadline at the end of February to either purchase or return the mini excavator.

Supervisor Lightfoote said if the Town sends it back the Town's reputation with CAT is on the line.

Supervisor Lightfoote explained, after talking with the salesman, this is what the Town would like to do;

There is money budgeted for a pay loader in the equipment replacement schedule for 2023.

Supervisor Lightfoote said the Town will buy the mini excavator and immediately trade it in on a used CAT Pay Loader to replace the model currently used at the Highway Department.

Much more discussion, with the Board and residents, followed.

Supervisor Lightfoote put forth the following resolution and called for adoption. With no second to the motion, the resolution was not approved.

Supervisor Lightfoote will call CAT, the machine will be returned.

**TOWN OF GORHAM
RESOLUTION 16-2023
TO PURCHASE CAT 304E EXCAVATOR
Then offer as trade Towards Purchase of
Used Cat 938G Pay Loader**

WHEREAS: The Town of Gorham wishes to purchase a Caterpillar 304E Mini-Excavator for \$72,000.00 From Milton Cat, and;

WHEREAS The Town also wishes to trade the newly purchased 304E Mini-Excavator towards a used three year old 938G Pay Loader from Milton Cat, which will reduce the purchase price of said Loader from \$205,000.00 to \$133,000.00, then;

THEREFORE: The Gorham Town Board authorizes the Town Supervisor to effectuate these transactions.

4. Privilege of the Floor –

Sally Napolitano, Lake Drive resident, and Debbie North, thanked the Town Board.

Tom Whipple, County Road 1 resident, stated he worked in Federal Relations for the Government for 15 years. He suggests speaking with the Town Attorney about termination, under lack of candor and deception, regarding the Highway Superintendent. He said there is a broader spectrum to deal with the situation referring to lack of candor.

Mr. Whipple said there seems to be a large pattern of what's going on where this individual is putting the Town in a lot of positions it shouldn't be put in.

Ed Merritt stated he has asked, many times over the past 10 months, if the Highway Superintendent has a valid driver's license.

Supervisor Lightfoote said he felt there was sufficient documentation, provided by Highway Superintendent Eddinger, where he believed he had a conditional license for work.

Once Councilmember Lazarus determined the Highway Superintendent did not have a valid license, Superintendent Eddinger turned in the Town truck.

Mr. Merritt stated Supervisor Lightfoote knew the Highway Superintendent had a hearing with the DMV in January and feels he should have made sure to have the correct information for the protection of the Town.

The discussion became very heated, Supervisor Lightfoote asked Mr. Merritt to leave the meeting.

Supervisor Lightfoote said he will look into the guidelines of lack of candor brought up by Mr. Whipple.

Debbie North recommended the Town Attorney come to a meeting to answer questions that may put residents at ease.

The full digital recording of this meeting is on file in the Town Clerk's Office. Any member of the public is welcome to listen to the recording anytime during regular her business hours or by appointment.

5. Set the Next Meeting Date – The next regular & public hearing meeting will be held April 12, 2023 at 7:00pm at the Gorham Town Hall.

6. Adjournment – with no further business, on the motion by Councilmember Chard, seconded by Councilmember Case, the meeting was adjourned at 9:47pm. The motion carried unanimously. 5-0

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

041-2023

Respectfully Submitted,

Darby L. Perrotte
Town Clerk