

**MINUTES
REGULAR MEETING
GORHAM TOWN BOARD
SEPTEMBER 12, 2018**

The Gorham Town Board held a Regular Meeting on Wednesday September 12, 2018 at 7:00 PM at the Gorham Town Hall. Present were; Supervisor Fred Lightfoote, Councilmembers; William Glitch, Brian S. Case, Richard Malcolm and Jake Chard. Chief Operator Water/Wastewater Departments Greg Coston, Highway Superintendent Zach Eddinger, Code Enforcement/Zoning Officer Gordy Freida, Assessor Enza Mineo, Billing Clerk Brenda Jones and Town Clerk Darby Perrotte.

Other guests in attendance; Stacy Wyant, Rita Kulp, Ruth Freier, Kathy Locke, Brett Johnson, Greg Hotalling, and Lynn Klotz.

1. Call to Order/Pledge to the Flag

2. Condemnation Hearing Blossom Road property - Supervisor Lightfoote opened the hearing at 7:02pm regarding a property at 4582 Blossom Road, Town of Gorham, owned by Joseph Kennedy.

Kathy Locke said "I'm Kathy Locke, I work with Joe Kennedy. I am the property Manager, we've got the pictures and list of what needs to be done on the property. I have before and after pictures, we've been doing a lot to get it up and running it looks quite good right now."

Councilmember Glitch asked how long Ms. Locke has been the property manager.

Ms. Locke said for this property, just since spring but she has worked for Joe Kennedy for five years.

Ms. Locke said "When your letter came that you wanted to knock it down we opened our eyes and said let's get going on it. I live right in the area, I'd rather not have it knocked down."

With no further comment from the public Supervisor Lightfoote closed the hearing at 7:08pm.

The Board discussed the property issues. Resolution No. 12-2018 details the issues with the property.

The Board members, Code Enforcement Officer Freida and a neighbor of the property held a lengthy discussion with Ms. Locke. Specific issues are detailed in Resolution Number 12-2018.

Councilmember Malcolm offered the following resolution and moved for its adoption.

The motion was seconded by Councilmember Case and was adopted by the following vote;

080-2018

**TOWN OF GORHAM, NEW YORK
TOWN BOARD
RESOLUTION NO. 12-2018**

WHEREAS, Town Code Enforcement Officer, Gordon Freida, prepared a written report to this Town Board dated August 2, 2018 (hereafter referred to as the "Report") which Report detailed his recommendation based on an inspection of the property located at 4582 Blossom Road, Town of Gorham and the exterior of the buildings located thereon (which property and buildings are hereinafter referred to as the "Property"), which inspection was conducted by Mr. Freida on June 28, 2018 (said inspection hereinafter referred to as the "Inspection") for purposes of complying with Chapter 34 (Unsafe Building Law) of the Town of Gorham Municipal Code; and

WHEREAS, CEO Freida's Report, which includes a letter, dated June 1, 2018 from CEO Freida to the owner of the Property, Joseph E. Kennedy, details the following:

1. That, based on the Inspection, the following conditions affecting the building on the Property were witnessed:
 - A. The structure has been vacant since 2011.
 - B. Trees have fallen on the structure and caused damage to the structure, such damage creating a fire hazard.
 - C. The structure has numerous holes in several areas of the roofs.
 - D. The roofs of the structure are covered with debris, which also creates a fire hazard.
 - E. There are signs of animal infestation.
 - F. Outbuildings on the Property and attachments to the main structure are in need of repair or removal; and
2. That, based on these personal observations during the Inspection, Mr. Freida has formed the following opinions:

- A. The structural integrity of the roofs and side walls of the main building and the outbuildings on the Property are "unsafe and dangerous"; and
- B. The structure may be unsalvageable and should be demolished.

WHEREAS, CEO Freida recommended to the Town Board, pursuant to Chapter 34 of the Town Code, that, due to the condition of the structure and the outbuildings, the structure and outbuildings should be demolished and removed; and

WHEREAS, this Town Board had fully considered the Report and the opinions and recommendation of CEO Freida contained in his Report; and

WHEREAS, by resolution of the Town Board adopted on August 22, 2018 and identified as Resolution No. 12, this Board concurred with CEO Freida's recommendation in his Report, found that the structure and outbuildings on the Property is unsafe and dangerous and ordered that the structure and outbuildings on the Property be demolished and removed from the Property; and

WHEREAS, by that same resolution, the Town Board scheduled a hearing before this Town Board on September 12, 2018 at 7:00 p.m. at the Gorham Town Hall, 4736 South Street, Town of Gorham, in relation to such unsafe and dangerous buildings; and

WHEREAS, all notices required by law were properly served upon the persons and in the manner provided in Chapter 34 (Unsafe Building Law) of the Town of Gorham Municipal Code, properly filed and otherwise properly given according to law; and

WHEREAS, the Town Board held the aforesaid hearing on September 12, 2018 at 7:00 p.m. at the Gorham Town Hall, 4736 South Street, Town of Gorham a representative for the owner spoke and offered evidence in relation to this matter.

NOW THEREFORE, BE IT RESOLVED, that the Resolution of the Town Board, made in Resolution No. 12 on August 22, 2018, finding that the structure and outbuildings on the Property are unsafe and dangerous and ordering that the structure and outbuildings on the Property be demolished and removed from the Property, is hereby continued; and be it further

RESOLVED, that the owner(s) of the Property is/are hereby directed to commence demolition and removal of the structure and outbuildings on the Property within 30 days of the service of the notice upon such owner(s) and to have the structure and outbuildings on the Property completely demolished and removed within 60 days of the service of the notice upon such owner(s); and be it further

RESOLVED, that a copy of this resolution shall be sent to the owner(s) of the Property immediately following its adoption.

I, Darby 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 12, 2018 by the following vote:

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

Supervisor Lightfoote said "What happens from here is the property owner receives written, certified letter that he/she has sixty days to remove the buildings or the town will hire someone to come in and remove and clean the property up and the cost will be assessed to the property owners taxes."

3. Privilege of the Floor – none requested.

4. Approval of Minutes:

On the motion by Councilmember Glitch, seconded by Councilmember Chard, the minutes from the 8/8/18 regular meeting were approved as submitted.

Motion carried unanimously. (5-0)

On the motion by Councilmember Malcolm, seconded by Councilmember Case, the minutes from the 8/22/18 special meeting were approved as submitted.

Motion carried unanimously. (4-0) Councilmember Glitch was absent on 8/22/18, he abstained from voting.

081-2018

5. Reports of Town Officials:

A. Water/Wastewater Chief Operator-written report on file. Chief Operator Coston said Greg Hotalling, from MRB Group, is at tonight's meeting to give the Town an example of a Planning Document similar to the one they plan to put together for the Town of Gorham.

The purpose of a Water Master Plan is to provide the town with a comprehensive planning tool for the future that would provide current data and other information relative to the water system serving the Town. MRB will put together a working

model for future goals and action. The Plan will be shared amongst the Town's Boards as they consider new development and future changes in the Town.

- B. Highway Superintendent-written report on file.
- C. Zoning-written report on file.
- D. Assessor-written report on file.
- E. Town Clerk-written report on file.
- F. Supervisor-written report on file.

On the motion by Councilmember Glitch, seconded by Councilmember Case, the reports of Town Officials were approved. Motion carried unanimously. (5-0)

082-2018

6. Business:

a. Mr. Stacy Wyant, from Stork Insurance Agency, presented the Board with a detailed summary of the Town's Commercial Insurance Policy. He thanked the Town for their many decades of partnership with Stork Insurance. Several items were discussed.

Supervisor Lightfoote thanked Mr. Wyant for the excellent service he provides to the Town.

b. Ruth Freier, Librarian at the Gorham Free Library, presented the Town with an overview of the role the library plays in the community. She detailed the recent renovations taking place inside and outside the library and gave an update on the Library's five year plan. Mrs Freier said the Library relies heavily on funding they get from local sources and they appreciate the generosity of the Town.

c. On the motion by Councilmember Glitch, seconded by Councilmember Chard, the following budget transfers were approved; \$200.00 from A1990.4 to A1010.4, \$2,000.00 from A1990.4 to A1420.4, \$600.00 from A1990.4 to A1430.4, \$6,873.60 from A1990.4 to A1910.4, \$81,600.00 from A878 to A1940.2, \$73.00 from A1990.4 to A9040.8, \$2,000.00 from A1990.4 to A9050.8. Motion carried unanimously. (5-0)

083-2018

d. The Town Board voted to approve settlement of a tax issue.

On the motion by Councilmember Chard, seconded by Councilmember Glitch, to allow Assessor Mineo to enter into a settlement agreement. Motion carried unanimously. (5-0)

084-2018

e. Councilmember Glitch offered the following Resolution and moved for its adoption. The motion was seconded by Councilmember Case and the resolution was adopted by the following vote;

085-2018

**TOWN OF GORHAM
RESOLUTION NO. 13-2018
OPPOSING WASTE-TO-ENERGY PLANT
PROPOSED FOR FORMER SENECA LAKE ARMY DEPOT SITE**

WHEREAS, Circular EnerG, LLC submitted an application for a Special Use Permit in order to construct a waste-to-energy plant on 39.4 acres of land at the former Seneca Army Depot in Romulus, NY; and

WHEREAS, Operations of said proposed waste-to-energy plant would involve importation of up to 2,640 tons of municipal solid waste (MSW) per day to be burned to generate 25 to 50 Megawatts of electricity, involving shipping of up to 176 tractor-trailer loads of MSW per day on local roads or up to 30 rail cars of MSW through the City of Geneva per day, and create a major new source of air pollution in the Finger Lakes Region; and

WHEREAS, This Board has serious concerns over the negative environmental impacts associated with said proposed waste-to-energy on Finger Lakes Tourism, quality of life, water quality, air quality and thus the negative impact these would have on the economic vitality of the Finger Lakes Region's tourism and agriculture industries, and

WHEREAS, This Board is aware that the Special Use Permit application before the Town of Romulus Planning Board for said waste-to-energy facility has been withdrawn and that Circular EnerG, LLC has stated its intent to submit an application to the State Board on Electric Generation Siting and the Environment for said waste-to-energy facility under Article 10 of the Public Service Law of the State of New York; and

WHEREAS, The Planning and Environmental Quality Committee recommends adoption of this resolution; now, therefore, be it

RESOLVED, That the Gorham Town Board does hereby oppose the Circular EnerG, LLC waste-to-energy plant construction proposal at the former Seneca Army Depot site; and further

RESOLVED, That the Gorham Town Board intends to submit substantive comments to each State and Local Agency involved in the event an application to construct a waste-to-energy facility is made by Circular EnerG, LLC at the former Seneca Army Depot; and further

RESOLVED, That certified copies of this resolution be sent to Governor Cuomo, State Senator Helming, State Senator Funke, Assemblyman Kolb, the New York Association of Counties, the Intercounty Association of Western New York, the Seneca County Board of Supervisors, Romulus Town Board, Town of Romulus Zoning Board of Appeals, Romulus Town Planning Board and the State Board for Electric Generation Siting and the Environment.

BE IT FURTHER RESOLVED that a copy of this resolution will be filed in the office of the Town Clerk

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 12, 2018 by the following vote:

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

On the motion by Councilmember Glitch, seconded by Councilmember Case, to send a letter of support of Home Rule to the Town of Romulus as a standalone separate document in regards to the proposed incinerator. Motion carried unanimously. (5-0)

086-2018

7. Audit of Bills: On the motion by Councilmember Glitch, seconded by Councilmember Malcolm, the bills contained in Abstract #9 have been reviewed by the Town Board and are authorized for payment in the following amounts:

Abstract #9

A	238-284	\$89,838.38
B	254-275	755.23
SL	279,282	693.75
DB	196-271	119,067.02
SS	65-270	3,602.12

SW1	162-277	8,131.84
TA	22	210.00
HN	3,4	8,710.26

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

087-2018

8. Privilege of the Floor:

Mrs. Lynn Klotz asked if the temporary fencing at the old Thendara property is supposed to come down.

Supervisor Lightfoote said he would check with our Code Enforcement Officer and get an answer for her.

Mrs. Klotz asked if the Water Master Plan, proposed by MRB Group, will address the ability to filter out and check for cyanobacteria.

Supervisor Lightfoote said yes it will, part of the plan will include expanding the capacity of the plant to deal with those issues.

Councilmember Glitch said "I brought up the thing about the brush pile last month. I was looking at the rules that are posted at the transfer station it says no commercial dumping. Would commercial dumping include businesses bringing stuff there?"

Supervisor Lightfoote said "What I'm suggesting, as we go into the winter we need to do some revue, looking at the transfer station, regarding several different things. Electronic recycling, construction debris and the brush pile."

Councilmember Glitch asked about the comment made about mowing County Roadsides.

Highway Superintendent Eddinger said the Town of Gorham is one of three or four Towns in the County that do not mow County roadsides. He was approached by the County to see if we would do that.

Supervisor Lightfoote said it would be contracted to mow, much like we contract to maintain the snow removal on County roads.

9. Set Next Meeting Dates:

Budget Workshop meeting	9/26/18
Next Regular Meeting	10/10/18

Both meetings will be held at the Gorham Town Hall, 4736 South Street at 7:00pm.

10. Adjournment- with no further business, on the motion by Councilmember Malcolm, seconded by Councilmember Glitch, the meeting was adjourned at 9:35pm.

Respectfully submitted,

Darby Perrotte
Town Clerk