

MINUTES
REGULAR MEETING and PUBLIC HEARING
THE GORHAM TOWN BOARD
November 8, 2023 7:00pm

The Gorham Town Board held a Regular Meeting on Wednesday November 8, 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 Officials in attendance; Chief Operator Water/Wastewater Greg Coston, Highway Superintendent Zach Eddinger, Code Enforcement Officer Jim Morse, Assessor Enza Mineo and Town Clerk Darby Perrotte.

Residents/guests in attendance in person and via zoom.

The full Zoom recording of this meeting is posted on the Town of Gorham Website.

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

Debbie North, County Road 18 resident, Mrs. North read a letter to the Town Board voicing her concern about elected officials and employees increase in compensation. Letter attached.

Catherine Rees and Jan Bardstom, County Road 11 residents, submitted a petition to the Town Clerk, for a speed limit reduction on County Road 11 in the Town of Gorham. The petition asks for a speed reduction to 35 mph. They are hopeful the Town Board will take the steps necessary to submit their request to the State Department of Transportation.

Amanda Gibeau, Director of Stanley, Hall, Gorham Ambulance, updated the Board on the fundraisers coming up for the Ambulance. Pizza nights start December 1st, 2023. Information is on their Facebook Page. The building is coming along with another round of approvals for funding. The Halloween Event at the Gorham Fire Company was a big success. Mrs. Gibeau thanked all those who supported and helped out.

Ann Marie St. George, County Road 11 resident, asked when leaf collection will start. Highway Superintendent Eddinger said the Highway Department will start on Tuesday The 14th of November.

Sally Napolitano, Lake Drive resident, stated discussion of the 2024 preliminary budget is on the agenda, the public has not seen the preliminary budget.

Supervisor Lightfoote said as of yet, he does not have it. There will be a special meeting upcoming very shortly.

Mrs. Napolitano asked that the Board follow the open meeting laws and provide the public with the necessary documents prior to the meeting.

Chrissy Watkins, County Rd 18 resident and Town Councilmember elect, asked Highway Superintendent Eddinger, with the weather changing, what his plans are for monitoring the roads if he can't get out at 2:00am to see what is going on.

Highway Superintendent Eddinger said it is taken care of. He has guys that will do it and he and his wife will be out monitoring roads.

3. Public Hearing – 2024 Preliminary Budget.

The meeting and public hearing were duly advertised, copy of legal notice attached.

Supervisor Lightfoote opened the public hearing.

Chrissy Watkins asked if the amounts for raises and cost of living increases has been determined.

Supervisor Lightfoote said currently the cost of living increase is 3%. It is up for approval by the Town Board with the 2024 Town Budget.

Mrs. Watkins asked if we will have comparables from previous years.

She said that is one of the biggest concerns she had, she doesn't know where the numbers are coming from or how they are compared.

Supervisor Lightfoote said he will provide the preliminary budget before November 15, 2023.

Barb Frank, Goose Street resident, asked if the preliminary budget will be in one document. She said it is very difficult to have any understanding of the budget or provide any kind of constructive comment when so much data is missing or is mislabeled.

Supervisor Lightfoote said he will have the preliminary budget, he is hopeful the comparables will be on it.

Lynn Klotz, Lake Drive resident, said she would echo the same sentiments that the 2022 actuals should be on there and the actuals for 7/31/23 should be on there.

Mrs. Klotz said she asked, on behalf of the Conservation Board, for a line item on the budget for \$2,000.00.

She said the Conservation Board put on "Gorham Green Days" it was a great community event. The Comprehensive Plan Update reiterated that there should be an annual event for the Town of Gorham. She would like to see funds put in the category "Celebrations" in the budget for that purpose.

With no further comments from the public, Supervisor Lightfoote adjourned the public hearing at 7:23pm to be re-opened at a Special Budget Meeting on Wednesday November 15, 2023 at 7:00 pm.

4. Approval of Minutes - 10/11/23 Regular Meeting Minutes

On the motion by Councilmember Chard, seconded by Councilmember Lazarus, the meeting minutes were approved as submitted. 5-0

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

096-2023

5. Reports of Town Officials -

A. Chief Operator Water/Wastewater Plants – written report on file. Chief Operator Coston said one of the new employees resigned. He needs Supervisor Lightfoote to open the position for applications through the Ontario County Civil Service Portal.

Chief Operator Coston has a new backup motor the plant has not used and no longer needs since pumps were upgraded. The Canandaigua Golf Course is interested in purchasing the motor. Operator Coston would like to sell the motor.

On the motion by Councilmember Chard, seconded by Councilmember Curtis, to declare the motor surplus and allow Chief Operator Coston to sell the motor to the Golf Course for \$1,000.00. Motion carried unanimously. 5-0

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

097-2023

B. Highway – written report on file. Councilmember Lazarus asked if any other municipalities assisted Gorham in the month of October or if the highway department worked outside of Gorham.

Superintendent Eddinger said Middlesex helped Gorham for a couple days.

Councilmember Lazarus asked for that information to be listed on the highway monthly report.

C. Zoning/Building Officer – written report on file. Councilmember Chard asked Officer Morse about the engineering fees on his report.

Officer Morse said Engineering fees are required to be paid by the applicant before a building permit is issued. Applicants are made aware that plans are immediately sent to the town's engineer for review and the applicant is responsible for those fees.

Officer Morse said Code Enforcement Officers can review building codes because that is what they are trained in. They are not trained to correct an engineer, the towns engineer reviews the applicants engineered plans to ensure accuracy.

D. Assessor - written report on file. Assessor Mineo added that she is getting ready for her part time person to start in January. The Assessing & Zoning Office was busy rearranging furniture and file cabinets to make room for the new hire.

E. Town Clerk – written report on file.

F. Town Supervisor – no report on file. Supervisor Lightfoote said he has been busy with the Auditors, the Budget, Human Resource work and health issues this past month.

On the motion by Councilmember Case, seconded by Councilmember Chard, the reports of Town Officials were approved as submitted. Motion carried unanimously. 5-0

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

098-2023

6. Audit of Bills -

Abstract #11

Abstract prepared by the Bookkeeper, Town Clerk and Highway Clerk
Approval of Vouchers

On the motion by Supervisor Lightfoote, seconded by Councilmember Lazarus, Councilmember Lazarus said he wanted to talk about getting rid of the land line phone at the Transfer Station. Discussion was held.

Councilmember Chard has several questions regarding the bills. He asked that receipts be itemized when employees make purchases for clothing if the Town is reimbursing the bill. He had questions about the MRB Group bills each month.

Discussion was held.

The abstract for November totaling \$512,536.98 was approved for payment. Motion carried unanimously. 5-0

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

099-2023

7. Business –

a. Adopt Resolution to Create the Position of Zoning Clerk

Officer Morse presented a resolution to allow the County to create a clerk position with a job description specific to the needs of the Planning/Zoning/Code Enforcement Office. The current Clerk is retiring in December. This will enable Officer Morse to start interviewing candidates for the position.

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

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

100-2023

**TOWN OF GORHAM
RESOLUTION 29-2023
CREATE SECRETARY TO THE PLANNING AND ZONING DEPARTMENT POSITION**

WHEREAS, the Town Board of the Town of Gorham has determined it necessary to create the position to replace the current secretary to the Planning and Zoning Department

WHEREAS, the Ontario County Human resources do not have a suitable title that fits the job duties that the new position will need to fulfill

WHEREAS, the position of Secretary to the Planning and Zoning Department title will best suit the desired duties required of the new employee

NOW THEREFORE BE IT RESOLVED THAT, the Town of Gorham Town Board wishes to create a new title of Secretary to the Planning and Zoning Department.

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 November 8, 2023 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_____	_____

b. Adopt Resolution to submit Water/Sewer Relevy

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

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

100-2023

**TOWN OF GORHAM
RESOLUTION 30-2023
Submit Unpaid Water and Wastewater District Charges to Ontario County
For Re-levy**

WHEREAS, There are numerous overdue Water District and/or Wastewater District charges due to the Town of Gorham, and;

WHEREAS,: It is the policy of the Town to submit said charges to Ontario County to be added to customers property tax bills for the following year that are overdue by more than 60 "sixty" days on November first of each year, then;

THEREFORE, The Gorham Town Board hereby directs the Town Supervisor to submit the total overdue charges, including late charges, to the Ontario County Department of Real Property Tax for the following amounts:

Water District Number One:	\$21,136.21
Wastewater District:	\$20,031.94
Total:	\$41,168.15

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 November 8, 2023 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_____	_____

8. Privilege of the Floor –

Barb Frank asked when the preliminary budget will be on the website. Supervisor Lightfoote said he will try to have it out in accordance with the open meeting laws.

Catherine Rees, asked for the Town Board’s support for the speed limit reduction. Supervisor Lightfoote asked each Councilmember, all are in favor of supporting the petition for a speed reduction.

Councilmember Curtis said the sewer line installation will start next week. The picnic tables have been delivered.

Lynn Klotz asked if a rain garden at Easton Park is going in at the same time the sewer line is going in. Mrs. Klotz said Gabrielle Fladd drew up plans for the garden. Watershed Manager Kevin Olvany would like to see a rain garden there but Mark’s engineering hadn’t included a rain garden in their plans. Mrs. Klotz said they have a retention pond included but there could be a rain garden on the south side of the building as a demonstration project.

She further stated the reason she brought it up 5 months ago was to coordinate with the installation of the sewer line to save money by not having to hire a separate contractor for the rain garden.

Dale Stell, County Road 1 resident and Town Supervisor Elect, will look over the design plans Gabrielle Harris prepared for Easton Park.

Councilmember Chard asked about trees getting trimmed in the hamlet, specifically ones that hang over the sidewalks that force walkers out into the street. He asked what the town can do to get those cleaned/trimmed up.

The Board held discussion.

Supervisor Lightfoote said he will talk to Matt Bay about it.

9. Set the Next Meeting Date - The next meeting will be a Special meeting with continuation of the 2024 Preliminary Budget Public Hearing. Wednesday November 15, 2023 at 7:00pm at the Gorham Town Hall.

10. Executive Session –

On the motion by Supervisor Lightfoote, seconded by Councilmember Case, the Board entered into executive session at 8:35 pm to discuss pending litigation.

On the motion by Supervisor Lightfoote, seconded by Councilmember Case, the Board returned to regular session at 10:45 pm. No action was taken in executive session.

Both motions carried unanimously. 5-0

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

101-2023

11. Adjournment – with no further business, on the motion by Councilmember Chard, seconded by Councilmember Curtis, the meeting was adjourned at 10:45 pm. The motion carried unanimously. 5-0

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

102-2023

Respectfully Submitted,

Darby L. Perrotte
Town Clerk

Privilege of the floor commentary, 11/8/23
Deborah S. North

One year ago at the budget hearing, board member Brian Case blindsided our tax collector by recommending she not receive the cost of living increase. Her alleged misdeed was not responding to voice mail messages in an expeditious manner.

There are much more serious incompetencies to address in the current climate in our town. Tonight, I am outlining why Board Member Brian Lazarus, Highway Superintendent Zachary Eddinger, and Highway Clerk 1 Brenda Jones have not earned nor deserve an increase in compensation.

BRIAN LAZARUS:

He has been absent from several meetings over the last year either by in person absence or via ZOOM link. He is the chair of the Public Works Committee, yet there are no agendas, ZOOM links provided prior to the meetings nor are there minutes available for public viewing.

ZACHARY EDDINGER AND BRENDA JONES:

Together, they are responsible for the \$11,000 lawsuit settlement with Aramark earlier this year due to their inability and ignorance in understanding contractual obligations. There have been overpriced expenditures for comfort and convenience items such as crew tee shirts, cases of Gatorade, a mini fridge and air conditioner, and a mailbox at the town barns. Additionally, they have been routinely observed taking hour long plus coffee breaks in Crystal Beach instead of attending to town business.

ZACHARY EDDINGER, Individually:

Most recently, \$9000 in rental fees, over his \$6000 limit, conveniently earmarked to the Easton Park fund to avoid board discussion and approval.

\$30,000 roller that has been sitting in the cold storage building for most of its time since purchase.

A mini excavator, also languishing in cold storage.

Thankfully, the board denied purchase of a payloader that Mr. Eddinger ordered without prior approval from Caterpillar.

BRENDA JONES, Individually:

As she is the one assigned to drive Mr. Eddinger in a town vehicle due to his loss of license for a DWI incident, she is wasting taxpayer dollars by not being at her assigned work location to provide administrative duties as Highway Clerk 1.

I also have grave concerns as a resident that all three of these people have recently used their access to the security camera footage with the express purpose of harassment in order to squash my inquiries into town matters.

I have no issue with the hardworking men and women who work for our town. I take issue with nepotism, favoritism, half truths, and cover ups. For the reasons outlined, Brian, Zach, and Brenda have not earned our trust nor an increase in pay.



LEGAL NOTICE

NOTICE IS HEREBY GIVEN that the annual preliminary budget of the Town of Gorham for the year 2024, has been completed and filed in the office of the Clerk of the Town of Gorham; that the Town Board will, at a meeting to be held at the Gorham Town Hall on Wednesday the 8th day of November 2023 at 7:00 PM, hold a public hearing and review the Budget, Water District Budget, and Ambulance & Fire District Contracts. Any person may be heard in favor or against any item or items therein contained.

That the proposed salaries of Town Officials, are as follows:

1. Supervisor - \$40,000.00
2. Councilmembers - \$4,709.00 per annum each(4)
3. Town Clerk - \$43,428.00
4. Highway Superintendent - \$79,240.00
5. Tax Collector - \$8,832.00
6. Town Justice - \$13,065.00
7. Town Justice - \$12,684.00

A copy of the preliminary budget is available at the office of the Town Clerk where it may be inspected by any interested person during office hours.

Dated: October 11, 2023
By Order of the Town Board
Darby L. Perrotte, Town Clerk
Town of Gorham,
Ontario County, New York