MINUTES REGULAR MEETING THE GORHAM TOWN BOARD April 17, 2024 7:00pm

The Gorham Town Board held a Regular Meeting on Wednesday April 17, 2024 at 7:00 pm at the Town Hall in Gorham, NY.

Present; Supervisor Dale C. Stell. Councilmembers, Jake Chard, Phil Curtis and Chrissy Watkins.

Councilmember Brian Lazarus joined via zoom.

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

Tax Collector Adreinne Smith joined via zoom.

Many residents and 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 –

Win Harper, Co-Chair of the Committee to bring 'The Wall That Heals', a moving replica of the Vietnam Veterans Memorial, to Yates County.

The Wall will be at Penn Yan Fireman's Field on August 8-11, 2024.

Mr. Harper stated he wants to make residents aware of the event and that the Town of Gorham has 2 Veterans on the Wall. Joe Valesko Jr., from Cottage City and Arther Herod, Gorham resident who was killed in Vietnam, both are on the Wall.

Mr. Harper also mentioned there are many volunteer opportunities available.

The Town will have the information posted on the signboard at the Town Hall and on the Town's Facebook Page.

Amanda Gibeau, Director of Operations Stanley Hall Gorham Ambulance Services Inc., updated the Board about the progress the Ambulance is making at their new facility. The Ambulance anticipates moving into their new facility July 1^{st} , 2024.

Debbie North, County Road 18 resident, offered Kudos to Councilmembers Curtis and Watkins for being fiscally responsible regarding proposed highway truck purchase issues a few weeks ago.

Mrs. North stated she attended an event at the new Easton Park on County Road 1. She said it is gorgeous, she hopes residents utilize the beautiful building once it is open.

Mrs. North commended the Town Transfer Station staff, she said she has had many people comment that the guys are very helpful and friendly and there is no more cardboard taped over the windows, Thumbs up!

Mrs. North said she will have questions regarding a couple of bills.

3. Approval of Minutes - 3/21/2024 Regular Meeting Minutes 3/25/2024 Special Meeting

On the motion by Councilmember Chard, seconded by Councilmember Watkins, the 3/21/2024 meeting minutes were approved as submitted.

On the motion by Councilmember Watkins, seconded by Councilmember Chard, the 3/25/2024 meeting minutes were approved as submitted.

Both motions carried unanimously. 4-0

4 Ayes – Stell, Chard, Curtis, Watkins

040-2024

- 4. Reports of Town Officials -
 - A. Chief Operator Water/Wastewater Plants written report on file.
 - B. Highway Superintendent written report on file.
 - C. Zoning/Building Officer written report on file.
 - D. Assessor -written report on file.
 - E. Town Clerk written report on file.
 - F. Tax Collector- verbal report.
- G. Town Supervisor Supervisor Stell mentioned the town will apply for a grant through Senator Chuck Schumer and Congresswoman Claudia Tenney MRB put together a grant request for phase 2 of the WTP Improvements through those offices.

On the motion by Councilmember Watkins, seconded by Councilmember Chard, the reports of Town Officials were approved as submitted. Motion carried unanimously. 4-0

4 Ayes - Stell, Chard, Curtis, Watkins

041-2024

5. Audit of Bills -

Abstract #4

Approval of Vouchers

On the motion by Councilmember Curtis, seconded by Councilmember Chard, Councilmembers had several questions on some of the bills. Discussion was held.

Debbie North asked who has access to the blink cameras at the Highway Barns.

Highway Superintendent Eddinger said he is the only person with access.

Mrs. North respectfully asks that access be given to the Town Supervisor and the Deputy Highway Superintendent.

Councilmember Chard asked why there is a bill from EFPR since they sent their final bill to the Town last fall.

Supervisor Stell said he pulled the voucher, it will not be approved until he reviews it and discusses it with EFPR.

The rest of the bills on the abstract for April, totaling \$339,172.71, were approved for payment. The motion carried unanimously. 4-0

4 Ayes - Stell, Chard, Curtis, Watkins

042-2024

- 6. Business
 - a. Adopt Resolution Authorizing BPD, Inc. as Municipal Advisor to the Town of Gorham

Councilmember Chard offered the following resolution and called for adoption. Seconded by Councilmember Watkins, the resolution was adopted unanimously. 4-0

4 Ayes - Stell, Chard, Curtis, Watkins

043-2024

TOWN OF GORHAM RESOLUTION#13-2024 AUTHORIZING EXECUTION OF LETTER FOR MUNICIPAL ADVISOR SERVICES

At a meeting of the Town Board of the Town of Gorham, Ontario County, New York, held on April 17, 2024 the following were present:

Town Supervisor, Dale C. Stell.

Town Councilmembers, Jake Chard, Phil Curtis, Brian Lazarus, Chrissy Watkins

The following resolution was offered by Councilmember Chard who moved its adoption, seconded by Councilmember Watkins, to wit:

BE IT RESOLVED BY THIS TOWN BOARD AS FOLLOWS:

- (1) The firm of Bernard P. Donegan, Inc., is hereby designated Municipal Advisor to the Town of Gorham.
- (2) Said firm shall be compensated for its services to be rendered in accordance with its letter of services dated March 27, 2024 in connection with the Towns proposed Water Project.
- (3) The Supervisor is hereby authorized to execute and deliver said letter of service.
- (4) This resolution shall take effect immediately.
- I, Darby L. Perrotte Town Clerk of the Town of Gorham, do hereby certify that the resolution was adopted by the Town Board of the Town of Gorham on April 17, 2024 by the following vote:

	<u>Aye</u>	<u>Nay</u>
Dale C. Stell Jake Chard Phil Curtis	X X X	

Brian Lazarus	abstain	
Chrissy Watkins	X	

b. Adopt Standard Workday Resolution -

Councilmember Chard offered the following resolution and called for adoption. Seconded by Councilmember Curtis, the resolution was adopted unanimously. 4-0

044-2024

Office of the New York State Comp New York State and Local Retirement 110 State Street, Albarry, New York 1224 Please type or print clearly in blue or black ink	System		Rece	vived Date	I	Re	eporting	Work Day Resolution	on for
Employer Location Code 3 5 4 2 7 BE IT RESOLVED, that the	Town of	Gorham			REVERSE SIDE	e following sta	ndard work day		417-A (Rev. 12/23)
report the officials to the New	Social Security Number	(Name of Empand Local Retirement	ent based on their record of act		Standard Work Day	Record of Activities Result	Not Submitted	Pay Frequency	Tier 1
Elected Officials:			11 57 11 12 12 12 12 12 12 12 12 12 12 12 12		-H				
Zachary Eddinger	7921	4069767-4	Highway Surerintender	1/1/2002 - 10/31/25	8	27.40		hi-weeklu	[5]
Darby L. Pernotte	5311	60144078	Town Clerk	1/202-12/3/25	6	33.64		hi-Lacker	te
Chrissy Wetkins	3500		Town Councilmenter	1/24 12/31/27	6	3.101		hi-Lackly	L
Appointed Officials:					V				
			741						
do hereby certify that I have on file as part of the minutes IN WITHESS WHEREOF, I h	compared the of such meet lave hereunto coretary or Clerk) Note that the continued lave hereunto continued lave hereunto (No. 1)	ing, and that same o set my hand and Leriothe ame of Secretary or Cle for at least 30 days Sorham - M JOWN H	s. That the Resolution was av	whole of such origin Chrham (Name of Employer) orn, deposes and satailable to the public of	(Name of Name	eting held on the on this <u>力</u> 基	day of Apri	y of April., 20 & (sea	20 d \(\frac{1}{2} \).
	044-								

c. Adopt Resolution Authorizing Free Stone Day -

Councilmember Chard offered the following resolution and called for adoption. Seconded by Councilmember Watkins, the resolution was adopted unanimously. 4-0

4 Ayes - Stell, Chard, Curtis, Watkins

045-2024

TOWN OF GORHAM RESOLUTION # 14-2024 APPROVE FREE STONE

Resolution to provide a small amount of stone to any Gorham resident to fill driveway holes close to the intersection of their driveways and the road surface,

Whereas, The Town of Gorham has approximately 100 tons of number 2 crusher run s left over from projects, and;

Whereas, The Town of Gorham has supplied such stone to residents to maintain their driveways close to the road surface for many years, and;

Whereas, The Gorham Town Board understands that by maintaining driveway surface against the road surface, residents help to preserve the edge of the pavement at residents' curb cuts, which ultimately helps the Town and saves the Town money, then;

Therefore, The Gorham Town Board declares approximately 100 tons of number 2 crusher run as surplus and therefore available for Gorham residents to level their driveways close to the road surface, and;

Therefore, The Gorham Town Board declares Saturday June 1st, 2024 to be designated "Stone Day", the one day of any given year that Gorham residents are allowed to take up to one-half of one cubic yard of number 2 crusher run from the Gorham Highway stockpile to be shoveled by Gorham residents into their own containers, for the purpose of maintaining their own driveways near the road edge, and also;

Therefore, Stone will be available to be picked up on June 1st, 2024 between the hours of 9:00 am and 3:00 pm when a representative of the Town of Gorham will monitor the stone pile and have the final say regarding when the one-half cubic yard limit is reached by any and all residents.

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 April 17, 2024 by the following vote:

<u>Aye</u>	<u>Nay</u>
X	
X	
X	
abstain	
X	
	X X X

d. Adopt Resolution for WWTP Change Order -

Councilmember Chard offered the following resolution and called for adoption. Seconded by Councilmember Watkins the resolution was adopted unanimously. 4-0

4 Ayes - Stell, Chard, Curtis, Watkins

046-2024

TOWN OF GORHAM RESOLUTION #15-2024 ACCEPTING CHANGE ORDER GC-01 FOR THE GORHAM WWTP DISINFECTION IMPROVEMENT PROJECT

WHEREAS, the Gorham Town Board entered an agreement with CP Ward, Inc (herein "GC"), dated December 8, 2023, as the General contractor for the Gorham WWTP Disinfection Improvement Project (herring "Project"); and

WHEREAS, the existing roof of the control building is near the end of its useful life, and

WHEREAS, MRB Group (Town Engineer), issued a request for a proposal to replace the existing roof; and

WHEREAS, the GC's proposal to replace the existing roof is \$69,386.85 as detailed and described on the attached Change Order GC-01; and

WHEREAS, this change will increase the contract price for the GC's work to \$926,386.85; and

WHEREAS, the increased cost will be taken from the Project's capital budget contingency line; and

THEREFORE, NOW BE IT RESOLVED, that the said proposal is hereby accepted by the Town Board, and be it

FURTHER RESOLVED, that the Town Supervisor is directed to sign Change Order GC-01 and return a copy to the Town Engineer.

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 April 17, 2024 by the following vote:

	<u>Aye</u>	<u>Nay</u>
Dale C. Stell	X	
Jake Chard	X	
Phil Curtis	X	
Brian Lazarus	abstain	

Chrissy Watkins	X	
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e. Adopt Resolution Calling a Public Hearing for 202-b for WTP Improvements -

Councilmember Chard offered the following resolution and called for adoption.

Seconded by Councilmember Watkins, the resolution was adopted unanimously. 4-0

4 Ayes - Stell, Chard, Curtis, Watkins

047-2024

TOWN OF GORHAM RESOLUTION #16-2024 AUTHORIZING SCHEDULING OF PUBLIC HEARING TO CONSIDER PROPOSED IMPROVEMENTS SERVING GORHAM WATER DISTRICT #1

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, pursuant to § 202-b of the NYS Town Law, to solicit public comment upon proposed improvements to the Town water distribution system, which serves the properties in Gorham Water District #1.

WHEREAS, the Town Engineer has prepared a map and plan showing the proposed improvements being:

- 1. Transmission watermain replacements and extensions as follows:
 - A. On State Route 364 (E. Lake Road), between Town Line and the water treatment plant, the existing 5,790 linear feet of 8-inch diameter cast iron pipe and 7,060 linear feet of 10-inch diameter cast iron pipe be replaced with approximately 12,850 linear feet of 12-inch diameter pipe.
 - B. On County Road 1, between Driftwood Land and Lake-to-Lake Road, the existing 2,040 linear feet of 3-inch diameter asbestos cement pipe be replaced with 2,040 linear feet of 8-inch diameter pipe, from Driftwood Lane to Tank #1. It is also proposed that the existing 1,000 linear feet of 2-inch diameter asbestos cement pipe be replaced with 1,000 linear feet of 12-inch diameter pipe, from Tank #1 to Lake-to-Lake Road. This water main will be used to form a loop down Lake-to-Lake Road to the existing watermain along Middle Road.
 - C. On Lake-to-Lake Road, between County Road 1 and Middle Road, the existing 1,040 linear feet of 2-inch diameter asbestos cement pipe that dead ends midblock be replaced with approximately 5,500 linear feet of 12-inch diameter pipe, extending to the existing watermain along Middle Road in order to form a loop.
 - D. On Middle Road, approximately 1,300 linear feet of 8-inch transmission watermain will be installed to finish the creation of the loop, connecting the new 12" watermain from Lake-to-Lake Road to the existing watermain end at 4481 Middle

Road.

- 2. The replacement of the single County Road 1 Water Storage Tank with two new 500,000-gallon tanks and auxiliary buildings and equipment.
- 3. The addition of two (2) pressure reducing valves as follows:
 - A. A pressure reducing valve will be provided near the intersection of County Road 1 and Driftwood Lane.
 - B. A pressure reducing valve will be provided at the base of the County Road 1 water tank site.

WHEREAS, the plan shows the estimated costs of these improvements to be \$11,029,000.00, such estimated costs to be the responsibility of Gorham Water District #1. The Town intends to apply for a NYSEFC grant administered through its NYS Water Infrastructure Improvement Act (WIIA) program to pay for part of the cost of these improvements. Any remaining amount owing for these improvements will be borrowed from the Drinking Water State Revolving Fund and financed and repaid by the owners of property within the Gorham Water District #1.

NOW, THEREFORE, BE IT RESOLVED, that the Town Clerk be, and she hereby is, directed to schedule a public hearing, to be held on May 15, 2024, 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, directed 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 "1", such notice to be published not less than ten nor more than twenty days before the day set herein for the public hearing; and be it further

RESOLVED, that the Town Clerk be, and she hereby is, directed to post a copy of the Notice of Public Hearing on the Town of Gorham sign board, not less than ten nor more than twenty days before the day set herein for the public hearing.

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 April 17, 2024, by the following vote:

Nove

<u>Aye</u>	<u>iyay</u>
X	
X	
X	
abstain	
X	
	x x

f. Adopt Resolution for Yearly Cooperative Natural Gas Bid -

Councilmember Chard offered the following resolution and called for adoption.

Seconded by Councilmember Watkins, the resolution was adopted unanimously. 4-0

4 Ayes - Stell, Chard, Curtis, Watkins

048-2024

TOWN OF GORHAM RESOLUTION #17-2024 PARTICIPATE IN A COOPERATIVE NATURAL GAS BID BY BOCES For the Period 10/01/2024 – 09/30/2025

WHEREAS, The Town of Gorham NY desires to participate in a Cooperative Bidding Program conducted by the Board of Cooperative Educational Services of Ontario, Seneca, Wayne and Yates Counties from year to year or, until this resolution is rescinded, for the purchase for supply of natural gas, and;

WHEREAS, The Town of Gorham NY is desirous of participating with the Board of Cooperative Educational Services of Ontario, Seneca, Wayne and Yates Counties in the joint bid of the commodities and/or services mentioned below as authorized by General Municipal Law, Section 119-o, and;

WHEREAS, The Town of Gorham NY has appointed the Board of Cooperative Educational Services of Ontario, Seneca, Wayne and Yates Counties as representative to assume the responsibility for drafting of specifications, advertising for bids, accepting and opening bids, tabulating bids, reporting the results to the Town of Gorham NY and making recommendations thereon;

THEREFORE BE IT RESOLVED that the Town of Gorham NY and the Board of Cooperative Educational Services of Ontario, Seneca, Wayne and Yates Counties hereby accepts the appointment of the Board of Cooperative Educational Services of Ontario, Seneca, Wayne and Yates Counties to represent it in all matters related above and;

BE IT FURTHER RESOLVED that the Town of Gorham NY authorizes the above-mentioned Board of Cooperative Educational Services of Ontario, Seneca, Wayne and Yates Counties to represent it in all matters regarding the entering into contract for the purchase of the belowmentioned commodities and/or services and;

BE IT FURTHER RESOLVED, The Town of Gorham NY agrees to assume its equitable share of the costs incurred as a result of the cooperative bidding and;

NOW THEREFORE BE IT RESOLVED, that the Town Supervisor, on behalf of the Town of Gorham NY, is hereby authorized to participate in cooperative bidding conducted by the Board of Cooperative Educational Services of Ontario, Seneca, Wayne and Yates Counties for supply of natural gas and, if requested, to furnish an estimated minimum number of units that will be purchased by the Board of Cooperative Educational Services of Ontario, Seneca, Wayne and Yates Counties. The Board of Cooperative Educational Services of Ontario, Seneca, Wayne and

Yates Counties is hereby authorized to award cooperative bids to the bidder deemed to be the lowest responsive and responsible meeting the bid specifications and otherwise complying with Article 5-A of the General Municipal Law of the State of New York relating to public bids and contracts.

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 April 17, 2024 by the following vote:

	<u>Aye</u>	<u>Nay</u>
Dale C. Stell	X	
Jake Chard	X	
Phil Curtis	X	
Brian Lazarus	abstain	
Chrissy Watkins	X	

g. Adopt Resolution Calling a Public Hearing for the Town Solar Law –

Councilmember Chard offered the following resolution and called for adoption. Seconded by Councilmember Watkins, the resolution was adopted unanimously. 4-0

049-2024

TOWN OF GORHAM RESOLUTION # 18-2024

SCHEDULING OF PUBLIC HEARING FOR A PROPOSED LOCAL LAW ENTITLED, "A LOCAL LAW AMENDING THE ZONING LAW TO ADOPT REGULATIONS PERTAINING TO SOLAR ENERGY SYSTEMS"

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 Amending the Zoning Law to Adopt Regulations Pertaining to Solar Energy Systems"; 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 May 15, 2024, at 7:00 p.m. at the Gorham Town Hall, 4736 South Street, Gorham, New York; and be it further

RESOLVED, that this local law is referred to the Town Planning Board for report thereon, in accordance with §31.1.7 B. of the Town Zoning Code and is also referred to the County Planning Board; 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 this 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 aforementioned resolution was adopted by the Town Board of the Town of Gorham on April 17, 2024 by the following vote:

<u>Aye</u>	<u>Nay</u>
X	
X	
X	
abstain	
X	
	X X X

- 7. Set the Next Meeting Date The next regular meeting & Public Hearing will be held on May 15, 2024 at 7:00pm, at Gorham Town Hall.
- 8. Privilege of the Floor –

Ed Merritt, Deer Run resident, asked "Are we ever going to see Mr. Lazarus again?" Supervisor Stell said Councilmember Lazarus called to say he would join via zoom and he did join the meeting via zoom.

Sally Napolitano, Lake Drive resident, thanked Supervisor Stell for pushing the County to get the dredging started at Deep Run Park.

Lynn Klotz, Lake Drive resident, asked where the Town stands with the storm water management and what plan they are going with at Easton Park.

Supervisor Stell stated there is a plan, Mark's Engineering is involved. He hasn't had a chance to discuss with the Highway Department regarding their involvement but he has talked with the Water Department. Supervisor Stell anticipates both Departments can collaborate and work with Mark's. The parking lot needs to be re-established and enlarged.

Mrs. Napolitano asked if Easton Park went before the Planning Board, if a Certificate of Occupancy has been issued and if there is insurance issued on Easton Park.

Supervisor Stell said he is not sure if or when the plan went before the Town Planning Board and a certificate has not been issued yet. The Insurance agent is aware of the building and he's certain there is a liability policy in place.

9. Executive Session –

On the motion by Councilmember Chard, seconded by Councilmember Watkins, the Board entered into executive session at 7:50pm to discuss pending litigation, Town of Gorham v Kerrick and to discuss the medical, financial, credit or employment of history of a particular person or corporation.

On the motion by Councilmember Chard, seconded by Councilmember Curtis, the Board returned to regular session at 9:25pm.

No action was taken in executive session. Both motions carried unanimously. 4-0

4 - Ayes – Stell, Chard, Curtis, Watkins

050-2024

h. On the motion by Councilmember Curtis, seconded by Councilmember Chard to raise Highway employee, John Grzeskowiak and Transfer Station employee, Michael Ayers to 100% pay rate, starting immediately. Motion carried unanimously. 4-0

4 - Ayes – Stell, Chard, Curtis, Watkins

051-2024

10. Adjournment – with no further business, on the motion by Councilmember Watkins, seconded by Councilmember Curtis, the meeting was adjourned at 9:34 pm. The motion carried unanimously. 4-0

4 - Ayes – Stell, Chard, Curtis, Watkins

052-2024

Respectfully Submitted,

Darby L. Perrotte Town Clerk