

GAINES TOWN BOARD MEETING
Gaines, NY July 9, 2013

A Regular Town Board Meeting of the Town of Gaines, County of Orleans and the State of New York was held at the Gaines Town Hall, 14087 Ridge Road, Gaines, New York on the 9th day of July 2013.

PRESENT: Carol Culhane ----- Supervisor
James Kirby ----- Councilperson
Susan Smith ----- Councilperson
Douglas Syck ----- Councilperson
Ron Mannella ----- Highway Superintendent
Jean Klatt ----- Town Clerk
Andrew Meier ----- Council

EXCUSED: David Kast ----- Councilperson

OTHERS PRESENT: Jerry Culhane, Ray Burke, Mary Neilans, Tibbs Ahlberg, Mary Jo Syck, Connie Mosher, James Krencik, Gretchen Sepik, Judy Koehler, Marilynn Miller, Martha & Jim Mitchell, Kim Remley, Jim Theodorakus, Haley Rotter

Supervisor Culhane called the meeting to order at 7:30PM with the Pledge to the Flag.

RESOLUTION 56 -13

APPROVAL OF MINUTES

On a motion of Councilperson Syck, seconded by Councilperson Kirby the following resolution was

ADOPTED Ayes 4 Smith, Kirby, Culhane, Syck
Nays 0

Resolved that the minutes of June 11th, 2013 meeting are approved as presented.

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RESOLUTION 57 -13

APPROVAL OF SUPERVISOR'S MONTHLY REPORT

On a motion of Councilperson Smith , seconded by Councilperson Syck the following resolution was

ADOPTED Ayes 4 Smith, Kirby, Culhane, Syck
Nays 0

Resolved that the May 2013 Supervisor's Monthly report is approved as submitted by the Supervisor Culhane.

RESOLUTION 58 -13

APPROVAL OF BUDGET TRANSFERS

On a motion of Councilperson Kirby , seconded by Councilperson Syck the following resolution was

ADOPTED Ayes 4 Smith, Kirby, Culhane, Syck
Nays 0

Resolved that the budget transfers are approved as submitted.

TOWN OF GAINES

PLEASE MAKE THE FOLLOWING TRANSFERS AT YOUR 07/09/13 MEETING:

GENERAL FUND - TOWNWIDE

<i>Transfer From:</i>	A1990.4	Contingency	\$	6,605.00
			TOTAL:	<u>\$ 6,605.00</u>

<i>Transfer To:</i>	A1440.4A	Engineering Contr	\$	930.00
	A1920.4	Dues	\$	24.00
	A1950.4	Taxes & Assessment on Prop	\$	215.00
	A9040.8	Workers Comp	\$	5,436.00
			TOTAL:	<u>\$ 6,605.00</u>

HIGHWAY FUND - TOWNWIDE

<i>Transfer From:</i>		Unanticipated Revenue		
	DA2302	Snow Removal Service	\$	13,600.00
	DA2665	Sale of Equipment	\$	5,600.00
	DAUB	Unexpended Balance	\$	111,819.00
			TOTAL:	<u>\$ 131,019.00</u>

<i>Transfer To:</i>	DA5130.2	Machinery Equipment	\$	118,624.00
	DA9040.8	Workers Comp	\$	2,718.00
	DA9785.6	Principal Install Purchase Debt	\$	9,677.00
			TOTAL:	<u>\$ 131,019.00</u>

HIGHWAY FUND - OUTSIDE VILLAGE

<i>Transfer From:</i>		Unanticipated Revenue		
	DBUB	Unexpended Balance	\$	2,718.00
			TOTAL:	<u>\$ 2,718.00</u>

<i>Transfer To:</i>	DB9040.8	Workers Comp	\$	2,718.00
			TOTAL:	<u>\$ 2,718.00</u>

WATER DISTRICT #1

<i>Transfer From:</i>		Unanticipated Revenue	
	SW2770	Miscellaneous	\$ 114.86
		TOTAL:	<u><u>\$ 114.86</u></u>

<i>Transfer To:</i>	SW1990.4	Contingency	\$ 114.86
		TOTAL:	<u><u>\$ 114.86</u></u>

WATER DISTRICT #2

<i>Transfer From:</i>	SW8320.4	Source of Supply Contractual	\$ 300.00
		Unanticipated Revenue	
	SW2770	Miscellaneous	\$ 79.75
		TOTAL:	<u><u>\$ 379.75</u></u>

<i>Transfer To:</i>	SW1990.4	Contingency	\$ 79.75
	SW8340.4	Transmission & Distr Contr	\$ 300.00
		TOTAL:	<u><u>\$ 379.75</u></u>

WATER DISTRICT #3

<i>Transfer From:</i>		Unanticipated Revenue	
	SWUB	Unexpended Balance	\$ 1,763.00
		TOTAL:	<u><u>\$ 1,763.00</u></u>

<i>Transfer To:</i>	SW1950.4	Taxes & Assessment on Prop	\$ 127.00
	SW8310.4	Admin Contractual	\$ 400.00
	SW8340.2	Transmission & Distr Equip	\$ 1,236.00
		TOTAL:	<u><u>\$ 1,763.00</u></u>

WATER DISTRICT #6

<i>Transfer From:</i>	SW8310.2	Admin Equipment	\$ 10.00
		TOTAL:	<u><u>\$ 10.00</u></u>

<i>Transfer To:</i>	SW8310.1	Admin Personal Services	\$ 10.00
		TOTAL:	<u><u>\$ 10.00</u></u>

GAINES

WATER DISTRICT #7

<i>Transfer From:</i>	SW1990.4	Contingency	\$	300.00
			TOTAL:	<u>\$ 300.00</u>

<i>Transfer To:</i>	SW8340.4	Transmission & Distr Contr	\$	300.00
			TOTAL:	<u>\$ 300.00</u>

WATER DISTRICT #10

<i>Transfer From:</i>		Unanticipated Revenue		
	SW2144	Water Connection	\$	2,516.00
			TOTAL:	<u>\$ 2,516.00</u>

<i>Transfer To:</i>	SW8340.2	Transmission & Distr Equip	\$	2,400.00
	SW8340.4	Transmission & Distr Contr	\$	85.00
	SW9030.8	Social Security	\$	31.00
			TOTAL:	<u>\$ 2,516.00</u>

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RESOLUTION 59 -13
APPROVAL OF ABSTRACTS

On a motion from

General Councilperson Kirby and seconded by Councilperson Syck
Highway Councilperson Kirby and seconded by Councilperson Syck
Water Councilperson Syck and seconded by Councilperson Smith

ADOPTED Ayes 4 Kirby, Smith, Syck, Culhane
Nays 0

Resolved that the bills on abstract #7 will be paid as presented.

General	Voucher #	133 - # 151	in the amount of \$	11,322.89
Highway	Voucher #	64 - # 69	in the amount of \$	53,605.89
Water 1	Voucher #	38 - # 45	in the amount of \$	759.28
Water 10	Voucher#	15 - # 20	in the amount of \$	114,742.49

along with a Master Meter invoice # 110019 in the amount of \$2,331.37 is approved for prepayment.

RESOLUTION 60 -13
LETTER OF SUPPORT FOR SPOC

On a motion of Councilperson Kirby, seconded by Councilperson Syck , the following resolution was

ADOPTED Ayes 4 Culhane, Kirby, Syck, Smith
Nays 0

Resolved that Supervisor Culhane is authorized to write a letter on behalf of the Town Board in support of SPOC regarding the landfill.

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Resolution No. 61 2013, Town of Gaines

WHEREAS, General Municipal Law, §53 requires the towns to file a certificate with the Secretary of State designating the Secretary of State as an agent for service of a notice of claim; and

WHEREAS, General Municipal Law, §53 the certificate to include the applicable time limit for filing the notice of claim and the name, post office address and electronic mail address, if available, of an officer, person, for the transmittal of notices of claim served upon the Secretary as the town's agent; and

WHEREAS, pursuant to General Municipal Law, §50-e(1)(a), the applicable time limit for the filing of a notice of claim upon a town is 90 days after the claim arises, or in the cases of a wrongful death action, 90 days from the appointment of a representative of the decedent's estate; Now therefore Be It

RESOLVED, that the Town Board of the Town of Gaines, County of Orleans designates the Town Clerk of the Town of Gaines in their capacity as Town Clerk, to receive notices of claims served upon the Secretary of State by mail at 14087 Ridge Road, Albion, New York 14411 and e-mail at clerk@townofgaines.org.

BE IT FURTHER RESOLVED, that the Town Board hereby directs the Town Clerk to file the required certificate with the Secretary of State informing him or her of the town's designation and applicable time limitation for filing a notice of claim with the town on or before July 14, 2013.

On a motion of Councilperson Syck , seconded by Councilperson Smith, the following resolution was

ADOPTED Ayes 4 Culhane, Kirby, Syck, Smith
Nays 0

Resolved that the resolution is adopted.

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RESOLUTION 62 -13

HARDING RESIGNATION FROM ZBA

On a motion of Councilperson Smith, seconded by Councilperson Syck, the following resolution was

ADOPTED Ayes 4 Culhane, Kirby, Syck, Smith
Nays 0

Resolved that the Town Board accepts with resignation of Sharon Harding from the position of ZBA Secretary with thanks for her service.

RESOLUTION 63 -13

CLAUS APPOINTMENT AS ZBA SECRETARY

On a motion of Councilperson Smith, seconded by Councilperson Syck, the following resolution was

ADOPTED Ayes 4 Culhane, Kirby, Syck, Smith
Nays 0

Resolved that Carol Claus is appointed as ZBA Secretary effective immediately.

RESOLUTION 64 -13

AGREEMENT WITH IROQUOIS JOB CORPS

On a motion of Councilperson Smith , seconded by Councilperson Kirby, the following resolution was

ADOPTED Ayes 4 Culhane, Kirby, Syck, Smith
Nays 0

Resolved that Supervisor Culhane is authorized to sign an agreement with the Iroquois Job Corp for their services to paint the court room,

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RESOLUTION 65 -13

AWARD BLACKTOP SEALING CONTRACT

On a motion of Councilperson Syck , seconded by Councilperson Kirby , the following resolution was

ADOPTED Ayes 4 Culhane, Kirby, Syck, Smith
Nays 0

Resolved that Pro Seal & Paint is awarded the contract to seal and stripe the upper level parking.

Haley Potter from NYSERDA gave a presentation on the Edge Program. NYSEDRA has residential, small business, municipal, and agricultural grants available to improve energy usage.

PRIVILEGE OF THE FLOOR

Marilynn Miller thanked the Town Board for their support of SPOC regarding the landfill.

MOTION TO ADJOURN

On a motion of Councilperson Syck, seconded by Councilperson Kirby the motion was

ADOPTED Ayes 4 Kirby, Culhane, Syck, Smith
Nays 0

Resolved that with no further business, the July 9th, 2013 regular town board meeting is adjourned at 8:16 PM.

Respectfully Submitted,

Jean Klatt
Gaines Town Clerk