

GAINES TOWN BOARD MEETING
Gaines, NY April 8, 2014

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 11th day of March 2014 at 7:00PM.

Carol Culhane	-----	Supervisor
David Kast	-----	Councilperson
James Kirby	-----	Councilperson
Doug Syck	-----	Councilperson
Susan Smith	-----	Councilperson
Ron Mannella	-----	Highway Superintendent
Andrew Meier	-----	Attorney for the Town
Excused: Jean Klatt		

OTHERS PRESENT: Jerry Culhane, Rick Harmer, MaryJo Syck, David Thom, Lynne Johnson, Tibbs Ahlberg, Bruce Schmidt.

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

RESOLUTION 31-14

APPROVAL OF MINUTES

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

ADOPTED Ayes 5 Kast, Kirby, Culhane, Syck, Smith
Nays 0

Resolved that the minutes of the March 11, 2014 Town Board Meeting is approved as presented.

RESOLUTION 32 -14

APPROVAL OF ABSTRACTS

On a motion from Councilperson Smith and seconded by Councilperson Kirby the following resolution was

ADOPTED Ayes 5 Kast, Kirby, Syck, Culhane, Smith
Nays 0

Resolved the bills on abstract #4, voucher #'s 616 - 664, and totaling \$55,422.54 will be paid as presented.

Supervisor Culhane was tasked at the last board meeting to check the recommendations for each of the bids accepted for the Lawn Mowing contract for 2014. After reviewing the recommendations, Yard Pro was awarded the contract as the lowest bidder at \$6,850.

RESOLUTION 33 -14

AWARDING LAWN MOWING CONTRACT

On a motion from Councilperson Smith, seconded by Councilperson Kirby lawn mowing contract was

ADOPTED Ayes 5 Kast, Kirby, Culhane, Syck, Smith
Nays 0

There was discussion regarding the new pumps for the highway garage. The Highway Superintendent provided presentation from two vendors at previous meetings.

RESOLUTION 34 -14

HIGHWAY SUPERINTENDENT PURCHASE

On a motion from Councilperson Syck, seconded by Councilperson Smith for the Highway Superintendent to go forward with the purchase of the fuel pumps.

ADOPTED Ayes 5 Kast, Kirby, Culhane, Syck, Smith
Nays 0

RESOLUTION 35-14

SUPPORTING LEGISLATIVE RESOLUTION

On a motion from Councilperson Syck, seconded by Councilperson Kirby to support the Orleans County Legislature in their endeavors to urge structural reform of the State dedicated Highway and Bridge Trust Fund.

ADOPTED Ayes 5 Kast, Kirby, Culhane, Syck, Smith
Nays 0

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RESOLUTION NO. 125-314

URGING STRUCTURAL REFORM OF THE STATE DEDICATED HIGHWAY AND BRIDGE TRUST FUND (DHBTF)

WHEREAS, local governments are responsible for an increasing proportion of the statewide highway and bridge system, including eighty-seven percent of the State's 110,000 miles of roadways and fifty percent of the State's 18,000 bridges; and

WHEREAS, a safe and efficient highway infrastructure is necessary for trade, economic development and revitalization, job creation and retention, schools, agriculture, businesses, health and hospital facilities, emergency responders, as well as the general traveling public; and

WHEREAS, The New York State Comptroller has for two years in a row issued reports calling for the reform and restructuring of the Dedicated Highway and Bridge Trust Fund as taxpayers have paid billions in taxes and fees into a fund that was created to keep our roads and bridges in good repair and more than three-quarters of this money is siphoned off to pay for borrowing and operating costs of state agencies, leaving fewer dollars for improving our infrastructure; and

WHEREAS the State's Dedicated Highway and Bridge Trust Fund was originally designed in 1991 as a pay-as-you-go financing method to support the state's transportation programs and purposes, using revenue from highway taxes, motor vehicle taxes and fees, petroleum business taxes and a number of smaller resources; and

WHEREAS, in an analysis of the State Budget, the State Comptroller reveals that less than 24 percent of the state's Dedicated Highway and Bridge Trust Fund (DHBTF)—originally established to fund transportation on a pay-as-you-go basis—is actually available for transportation capital this fiscal year. This is because total debt service on state bonding paid from the DHBTF is over 40 percent of all DHBTF disbursements; and

WHEREAS, State operations costs also consume an enormous share of the fund: nearly \$1.6 billion in the last fiscal year, including the costs of snow and ice removal by the Department of Transportation and day-to-day staff expenses at the Department of Motor Vehicles and other non-capital expenditures; and

WHEREAS, the structural deficit in the DHBTF will require a state general fund transfer reaching \$787.5 million in State Fiscal Year 2017-18, according to state budget documents; and

WHEREAS, legislation has been introduced in both houses of the Legislature seeks to reform the DHBTF by ensuring that money dedicated through the fund be used for highway and bridge construction and repairs and not diverted for non-capital uses; and a bill to enhance revenues to the DHBTF from heretofore un-committed state gasoline tax receipts is being considered by the Senate; and

WHEREAS, dedicated revenue enhancements must be considered to insure the long term financial stability of the DHBTF and to attain adequate levels of state support to local roads and bridges; now, therefore be it

RESOLVED, that the Orleans County Legislature does hereby urge the Governor and the Legislature of the State of New York to develop a multi-year plan to return structural balance to the DHBTF in order to ensure its ability to meet the State's highway and bridge capital needs today and in the future by, among other actions, adopting the aforementioned legislative initiatives; and be it

FURTHER RESOLVED, that copies of this resolution be sent to NYSAC and Western NY Inter County encouraging member counties to enact similar resolutions; and be it

FURTHER RESOLVED, that copies of this resolution shall be forwarded to Governor Andrew M. Cuomo, State Senator George Maziarz, Assembly Member Stephen Hawley, Assembly Member Jane Corwin, all Towns and Villages in Orleans County, and all others deemed necessary and proper.

Discussion regarding the Drew property being annexed from Water District #10 with Attorney Andrew Meier. The process is underway with expectation of the appropriate resolution at our May meeting.

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Proposal from Amato, Fox & Company, PC was reviewed for an annual audit. Accountant Lynne Johnson, again supported the necessity so her firm can get the hard numbers and reconciliations to bring their accounting for the town correct and current.

RESOLUTION 36-14

APPROVAL OF PROPOSAL FROM AMATO, FOX & COMPANY, PC FOR ANNUAL AUDIT.

On a motion from Councilperson Smith, seconded by Councilperson Kast to approve proposal for an independent audit.

ADOPTED Ayes 5 Kast, Kirby, Culhane, Syck, Smith
 Nays 0

Judge Schmidt spoke regarding the renovations to the Board Room. Giving credit to the JCAP Grants secured by the justice court. Also, Judge Schmidt gave credit for the donation of monies from the Bicentennial committee to replace the rugs in the conference room and the Board Room.

A motion was made by Councilperson Kirby, seconded by Councilperson Kast to enter into executive session. The purpose was for discussion relating to proposed, pending or current litigation. (Ref. Town Lawn Manual 4-6. Executive Sessions. Section C. – 4).

Ayes 5 Kast, Kirby, Culhane, Syck, Smith
 Nays 0

A motion was made by Councilperson Syck, seconded by Councilperson Kirby to go out of Executive Session.

Ayes 5 Kast, Kirby, Culhane, Syck, Smith
 Nays 0

A motion to adjourn at 9:08 pm. by Councilperson Smith, seconded by Councilperson Syck.

Ayes 5 Kast, Kirby, Culhane, Syck, Smith
 Nays 0

Respectfully Submitted,
Carol E. Culhane