

Gaines Regular Town Board Meeting

April 12, 2016

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 12th day of April 2016 at 7:00PM.

PRESENT: Carol Culhane ----- Supervisor
Mary Neilans, DVM ----- Councilperson
Susan Smith ----- Councilperson
Richard DeCarlo ----- Councilperson
Ron Mannella ----- Highway Superintendent
Jean Klatt ----- Town Clerk
Andrew Meier ----- Attorney for the Town

Excused: James Kirby ----- Councilperson

OTHERS PRESENT: Marleen DeCarlo, Jerry Monagan, Bruce Albone, Marcia Thom, David Thom, Kevin Miller, Ray Burke, James Theodorakas, Reynold Klatt, David Kast, Jim Perruzzini, Larry Williams, Joe Grube, Jerry Culhane, Marilynn Miller, Connie Mosher, Lisa Mannella, Gretchen Sepik, Walter Jakubowski, Tibbs Ahlberg, Lorienda Smith

Supervisor Culhane called the meeting to order at 7:00PM with the Pledge to the Flag.

RESOLUTION 31-16

APPROVAL OF MINUTES

On a motion from Councilperson Neilans, seconded by Councilperson DeCarlo the following resolution was

ADOPTED Ayes 4 Culhane, Smith, Neilans, DeCarlo
Nays 0

Resolved that the minutes of the March 8th, 2016 Town Board Meeting are approved as presented.

RESOLUTION 32-16

RETIREMENT RESOLUTION

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

ADOPTED Ayes 4 Culhane, Smith, Neilans, DeCarlo
Nays 0

Resolved that the Standard Work Day and Retirement Resolution for Elected and Appointed Officials is adopted as presented.

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Kevin Miller from the Village of Albion informed the audience that he have given the Town Board a tour of the water treatment plant. He explained that the plant services most of the towns in Orleans County. He offered to give residents a tour if they would like to see the process.

Dawn Allen, Director of Real Property for Orleans County spoke to the audience to explain the process of having your re-assessment reviewed. She explained that we are required to do a re-assessment every 3 years. The re-assessment is based on current market value. She said vacant farm land showed the biggest increase because tillable land has been selling for an average of \$3200.00- \$5000.00/per acre. Some has sold for as much as \$8000.00/per acre. She explained that over the next 30 days residents could meet with the town assessor to review their re-assessment. She advised them to bring any paperwork they had to validate their opinions. After the meeting a second letter will be issued by the assessor. If the resident is still unhappy with the results they can schedule an appointment to meet with the board of assessment review on the 4th Thursday in May. She then answered a few general questions from the public. When asked why she was present and not the town assessor she explained that we contract our assessing services with the County and she oversees that department.

RESOLUTION 33-16

TOWN CLERK RETIREMENT

On a motion from Councilperson Neilans and seconded by Councilperson DeCarlo the following resolution was

ADOPTED Ayes 4 Culhane, Smith, Neilans, DeCarlo
 Nays 0

Resolved that the retirement of Town Clerk, Jean Klatt is accepted with regrets effective May 13th, 2016.

RESOLUTION 34-16

APPROVAL OF ABSTRACTS

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

ADOPTED Ayes 4 Culhane, Smith, Neilans, DeCarlo
 Nays 0

Resolved that the bills on abstract #4,

Vouchers	General	# 1 - 34	\$ 22,944.89
	Highway	#1 - 10	\$ 3668.35
	Water	#1 - 15	\$ 786.46

totaling \$ 27,399.70 will be paid as presented.

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RESOLUTION 35-16

WATER COOLER

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

ADOPTED Ayes 3 Culhane, Smith, DeCarlo
 Nays 0 Neilans

Resolved that the Supervisor Culhane has permission to order a water cooler and water for the Town Hall from Culligan water. The cost will be \$6.25 per month plus &7.99 for each 5 gallons of water and a \$3.00 delivery fee.

PRIVILEGE OF THE FLOOR

Lorienda Smith asked the amount of money the town has spent on attorney fees regarding the Watt turbine. Supervisor Culhane replied just shy of \$50,000.00. Lorienda Smith also asked if the town had been served with a lawsuit from the Watts. Attorney Meier responded that no the town had not been served with a lawsuit. She also asked the status of the fire contract. Attorney Meier addressed the issue. He said it continues to be under negotiation. Attorney Meier said he has had conversations with Mr. Gavenda and the board and is waiting on a response from Attorney Gavenda on behalf of the Village of Albion.

Joseph Grube asked Attorney Meier if the town has had a Notice of Claim filed from the Watts. Attorney Meier responded that yes a Notice of Claim had been served from the Watts.

Lorienda Smith asked what the Notice of Claim was for. Attorney Meier said he was not prepared to address that this evening. He said the board would be addressing it in executive session this evening. She asked if it was a lawsuit and Attorney Meier said it was a Notice of Claim, a different legal instrument.

RESOLUTION 36 -16

EXECUTIVE SESSION

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

ADOPTED Ayes 4 Neilans, Culhane, Smith, DeCarlo
 Nays 0

Resolved that the board will convene into executive session to discuss proposed, pending, or current litigation at 7:40PM.

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RESOLUTION 37 -16

REGULAR SESSION

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

ADOPTED Ayes 4 Neilans, Culhane, Smith, DeCarlo
 Nays 0

Resolved that the board will enter into regular session at 8:18 PM.

MOTION TO ADJOURN

On a motion from Councilperson Smith, seconded by Councilperson Neilans the motion was

ADOPTED Ayes 4 Culhane, Neilans, Smith, DeCarlo
 Nays 0

Resolved that with no further business, the April 12th, 2016 Regular Town Board meeting is adjourned at 8:18 PM.

Respectfully Submitted,

Jean Klatt
Gaines Town Clerk