

TOWN OF GAINES  
Regular Meeting - December 10, 2018

The regular meeting of the Town Board of the Town of Gaines, County of Orleans, State of New York was called to order by Supervisor Joseph Grube at 7:00 P. M. on the 10th day of December, 2018.

The following town officials were present:

Joseph Grube	Supervisor
James Kirby	Councilperson
Mary Neilans	Councilperson
Tyler Allport	Councilperson
Susan Heard	Town Clerk
Ronald Mannella	Highway Superintendent
Douglas Heath	Attorney for the Town

The following individuals were present during the meeting: 21 Town Residents

The Supervisor opened the meeting with the Pledge to the Flag, followed by a moment of silent reflection.

RESOLUTION NO. 111 - 1218  
APPROVAL OF MINUTES OF OCTOBER 30TH AND NOVEMBER 8TH MEETINGS

Moved by Councilperson Allport and seconded by Councilperson Neilans to approve the minutes of the Special Meeting, Budget Workshop of October 30th; and the November 8th meeting.

Ayes 4; Nays 0

RESOLUTION NO. 112 - 1218  
APPOINTMENT TO FILL VACANCY ON TOWN BOARD

Moved by Councilperson Kirby and seconded by Supervisor Grube to appoint Corey Black to the vacancy in the Town Board created upon the resignation of Richard DeCarlo, Sr. Said appointment to be effective immediately and terminating at the end of 2018.

Ayes 2; Nays 2; Defeated

RESOLUTION NO. 113 - 1218  
PRESENTATION AND ACCEPTANCE OF TOWN CLERK'S REPORT

The Town Clerk reported the total receipts for the month of November; total local share of \$453.80, paid to the Town Supervisor; \$23.00 to NYS Ag & Markets; \$9.45 to NYS Environmental Conservation; and \$45.00 to State Health Dept. The Town Clerk reported an additional 72 signatures, plus two letters (from Clinton Brown Architecture and Russell Bosch, Professional Engineer) received in opposition to the Dollar General store being proposed in the historical district, making a total of 1,255 signatures to date.

The Town Clerk received correspondence from Bob Freeman's office, the Committee on Open Government, which clearly states the Town Clerk has the authority to direct the ZBA to disclose records.

Moved by Councilperson Neilans and seconded by Councilperson Kirby to accept the monthly report of the Town Clerk.

Ayes 4; Nays 0

RESOLUTION NO. 114 - 1218  
PRESENTATION AND ACCEPTANCE OF THE SUPERVISOR'S REPORT

Supervisor Grube presented the Supervisor's report year to date with a Power Point presentation. All accounts are in great condition at this point in the year. The final water billing should have all water accounts in balance for the first time in years.

Moved by Councilperson Kirby and seconded Councilperson Allport to accept the monthly report of the Town Supervisor.

Ayes 4; Nays 0

RESOLUTION NO. 115 - 1218  
HIGHWAY SUPERINTENDENT'S REPORT

The Highway Superintendent reported the department is busy with snow removal. Year to date overtime hours of 116.50 hours. Next week they will be reading the water meters.

Moved by Councilperson Neilans and seconded by Councilperson Kirby to accept the report of the Highway Superintendent.

Ayes 4; Nays 0

RESOLUTION NO. 116 - 1218  
APPROVAL OF ABSTRACTS

Moved by Councilperson Kirby and seconded to approve the abstracts, as follows:

General	\$62,275.17
Highway	\$ 9,576.64
Water	\$ 2,350.54

Town Clerk mentioned the total includes the annual Retirement bill of approximately \$33,000.

Ayes 4; Nays 0

RESOLUTION NO. 117 - 1218  
AWARDING C&H PC IT SERVICES CONTRACT FOR A 3 YEAR TERM COMMENCING JANUARY 1, 2019,  
AND APPROVING PURCHASE OF RECOMMENDED HARDWARE AND SOFTWARE IMPROVEMENTS

Moved by Councilperson Kirby and seconded by Councilperson Allport to award C&H PC with an IT Services Contract in the of \$139.00 per month for a 3 year term commencing January 1, 2019 and ending December 31, 2021, with the option to renew on an annual basis after the term. Also

authorizing the purchase of computer hardware and software in the amount of \$9,660.99 to address immediate needs with town IT infrastructure.

Ayes 4; Nays 0

RESOLUTION NO. 118 - 1218

APPROVING RENEWAL CONTRACT WITH THE ARC OF ORLEANS FOR CLEANING SERVICES AT THE HIGHWAY DEPARTMENT

Moved by Councilperson Kirby and seconded by Councilperson Allport to approve the extension of the contract with the Arc of Orleans for cleaning services at the highway garage, with the new rate set at \$73.79 per month.

Ayes 4; Nays 0

RESOLUTION NO. 119 - 1218

AUTHORIZING PARTICIPATION IN A STUDY INTO A REGIONAL WATER SYSTEM IN COOPERATION WITH ORLEANS COUNTY AND OTHER ORLEANS COUNTY MUNICIPALITIES

Moved by Councilperson Allport and seconded by Councilperson Kirby to participate in a regional water system study sponsored by Orleans County and in cooperation with other towns and villages in Orleans County, said study to be conducted by Wendel Engineers with a Town of Gaines share of \$2,000 to be for equally by each water district.

Ayes 4; Nays 0

PRIVILEGE OF THE FLOOR

Gerard Morrissey wanted to address the Board about recent Zoning Board of Appeals meeting, of which he is a member, the ZBA was not in compliance, the ZBA failed to publish a legal notice for moving the venue from the Town Hall, therefore, taxpayers and residents arrived at the wrong location. He believes any actions taken by the ZBA at that meeting would be illegal. Public business must be done in public.

A letter from Jim Bensley, Orleans County Planning Department, was received requesting the Town Board to make an appointment to the County Planning Board representing the Town of Gaines. Councilperson Allport requested an advertisement be placed in the Pennysaver seeking interested candidates for both the County Planning Board and the Zoning Board of Appeal members.

RESOLUTION NO. 120 - 1218

APPROVING ADVERTISEMENT FOR COUNTY PLANNING AND ZBA MEMBERS

Moved by Councilperson Kirby and seconded by Councilperson Allport to advertise for interested candidates to serve on the County Planning Board position, as well as the primary/alternate ZBA members; with a response due by the December 27th meeting date.

Ayes 4; Nays 0

Al Capurso commented that he was unable to attend the ZBA meeting last week, but it was announced at the last meeting that it would be held at the Town Hall. Citizens are owed an explanation as to why the meeting was moved. Attorney Heath explained the ZBA would be allowed to move the meeting if the anticipated audience exceeded the occupancy at the Town Hall. There has been nothing on the ZBA agenda regarding the Dollar General for the past two months, therefore, the moving of the meeting seems inappropriate at this time. Joseph Marvin commented there should be a sign on the door advising the public the meeting was moved. Gerard Morrisey stated there are two churches in the Town of Gaines, both handicapped accessible, with higher occupancy capacity than the Town building where such meetings could be held. Marilyn Miller apologized to Mr. Morrisey for the lack of communication regarding the ZBA meeting.

Marilyn Miller asked various questions regarding the Solar proposal. Supervisor Grube stated there are no proposal in front of us, but most of her questions would be questions one would ask of an interested vendor. LaBella had planned to present the Solar laws at the December ZBA meeting, but never heard back from the ZBA.

#### ADJOURNMENT

Moved by Councilperson Neilans and seconded by Councilperson Kirby to adjourn the meeting at 7:55 P. M.

Ayes 4; Nays 0