

TOWN OF GAINES  
Regular Board Meeting – July 13, 2020

The regular meeting of the Town Board of the Town of Gaines, County of Orleans, State of New York was called to order by Deputy Supervisor James Kirby at 7:00 P. M. on the 13<sup>th</sup> day of July, 2020.

The following town officials were present:

James Kirby	Deputy Supervisor
Ron Mannella	Councilperson
Mary Neilans	Councilperson
Tyler Allport	Councilperson
Susan Heard	Town Clerk
Mark Radzinski	Highway Superintendent
Douglas Heath	Attorney for the Town of Gaines

Absent: Joseph Grube, Supervisor

The following individuals were present during the meeting: Six (6) residents

The Deputy Supervisor opened the meeting with the Pledge to the Flag.

RESOLUTION NO. 51 – 0720  
APPROVAL OF MINUTES OF JUNE 8, 2020 MEETING

Moved by Councilperson Allport and seconded by Councilperson Neilans to approve the minutes of the June 8<sup>th</sup> regular meeting.

Ayes 4; Nays 0; Absent, Grube

RESOLUTION NO. 52 – 0720  
PRESENTATION AND ACCEPTANCE OF THE TOWN CLERK'S REPORT

The Town Clerk reported the total amount paid to the Town Supervisor for the month of June as \$1,743.06; paid \$36.00 to NYS Ag & Markets; paid \$9.44 to NYS Environmental Conservation for fishing licenses. The Clerk mentioned the flowers in front of the Veterans Memorial were donated by Highway Superintendent Mark Radzinski. Local Law No. 1 of 2020 has been filed as of June 30, 2020 with the Department of State.

The Highway Superintendent mentioned the cost to replace the brass rose on the Veteran Memorial would be \$750, but he would like board approval prior to ordering. He looked at costs for using other inexpensive materials, but Brigden Memorial said most wouldn't adhere to the stone.

Moved by Councilperson Mannella and seconded by Councilperson Allport to accept the monthly report of the Town Clerk.

Ayes 4; Nays 0; Absent, Grube

RESOLUTION NO. 53 – 0720

PRESENTATION AND ACCEPTANCE OF THE SUPERVISOR’S REPORT

The Supervisor’s report for the month of June was placed on the desks of each board member for review. Any questions or concerns may be addressed to the Supervisor at the next meeting.

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

Ayes 4; Nays 0; Absent, Grube

RESOLUTION NO. 54 – 0720

HIGHWAY SUPERINTENDENT’S REPORT

The Highway Superintendent reported the Fuel usage for the month of June; Gas 216 gallons and Diesel fuel of 865 gallons. The highway crew is busy helping the County with road projects.

Councilperson Allport wanted to thank the Superintendent for donating the flowers for the Veterans Memorial.

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

Ayes 4; Nays 0; Absent, Grube

RESOLUTION NO. 55 – 0720

APPROVAL OF ABSTRACTS

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

General Fund	\$12,887.83
Highway	8,628.60
Water	379.01

Ayes 4; Nays 0; Absent, Grube

RESOLUTION NO. 56 – 0720

AUTHORIZING TOWN CLERK TO ADVERTISE FOR OPEN POSITIONS ON ZONING BOARD OF APPEALS AND PLANNING BOARD

Moved by Councilperson Mannella and seconded by Councilperson Allport to authorize the Town Clerk to advertise in local media for Gaines residents interested in serving on the Zoning Board of Appeals (open position, plus alternates) and the Planning Board (alternates).

Ayes 4; Nays 0; Absent, Grube

OLD BUSINESS: Councilperson Neilans questioned again why Water District 7 had reoccurring Bond Counsel fees. Attorney Heath stated it was set up at the beginning as the BAN (Bond Anticipation Note) and each year the Town pays down the principal and interest, and the Note rolls over each year, which requires Bond Counsel. He was not attorney at the time this Water District was established but would look into the matter.

PRIVILEGE OF THE FLOOR

Chris Watt, Chairman of the Planning Board, had three items he wished to discuss.

- A Solar Project is moving forward, and he believes the Town Engineer has projected his expenses related to the project; and attorney fees would run approximately the same; therefore would like to suggest the Town request \$15,000 to be held in escrow for the expenses incurred as the project moves forward.
- In regard to fees: A solar complex may be a 30 acre project, but only has an application fee of \$250, which is extremely low in comparison to a wind project that may use one acre of land at a cost of \$3,000. The Town should review the fee schedule and make the necessary adjustments.
- Maintenance of Solar Farms needs to be discussed further. Looking at the Albion site or the Medina site, with grass growing sky high and the property looks uncared for, these sites are becoming health and safety issues, a haven for rodents and fire hazards.

In response to Mr. Watt's questions and concerns, Attorney Heath addressed the problem of maintenance, as the company who may start the project and understand the Town expectations regarding the upkeep; these projects have a tendency to change companies and ownership and the Town loses sight as to who to deal with regarding the upkeep. Dan Strong, Code Enforcement, read some of the language from the Solar Law, and our attempt for maintenance of these sites.

Gerard Morrisey, Chairman of the Zoning Board of Appeals, said the ZBA is in need for alternates and would like to make sure this allowable.

Attorney Heath suggested the following resolution for the upcoming Solar project, to move the project forward, and not have the Town incur any costs;

RESOLUTION NO. 57 – 0720  
AUTHORIZING AN ESCROW ACCOUNT FOR SOLAR FARM PROJECT

Moved by Deputy Town Supervisor Kirby and seconded by Councilperson Allport to authorize the Chairman of the Planning Board (or Code Enforcement Officer Strong) to contact the Solar Farm applicant requesting a down payment of \$15,000 to be held in escrow, during the review period, for engineering and attorney fees, as needed.

Ayes 4; Nays 0; Absent, Grube

ADJOURNMENT

Moved by Councilperson Allport and seconded by Councilperson Mannella to adjourn the meeting at 7:33 P. M.

Ayes 4; Nays 0; Absent, Grube

DRAFT