

TOWN OF GAINES

2022 ORGANIZATIONAL MEETING AND REGULAR MEETING – JANUARY 10, 2022

The Organizational Meeting (as required by Section 62 and 123 of the NYS Town Law) and Regular Meeting of the Town of Gaines, County of Orleans, State of New York was called to order by Supervisor Tyler Allport at 7:00 P. M. on the 10th day of January, 2022.

The following town officials were present:

Tyler Allport	Supervisor
James Kirby	Deputy Supervisor
Ronald Mannella	Councilperson
Mary Neilans	Councilperson
Kenneth Rush	Councilperson
Susan Heard	Town Clerk
Douglas Heath	Attorney for the Town of Gaines

The following individuals were present during the meeting: Kate (Supervisor Allport’s fiancé) and Dan Strong, Code Enforcement Officer

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

ORGANIZATIONAL MEETING

**RESOLUTION NO. 01 – 0122
PROFESSIONAL SERVICE APPOINTMENTS FOR 2022**

Moved by Councilperson Kirby and seconded by Councilperson Mannella to appoint Douglas M. Heath, Esq. as Attorney for the Town of Gaines. Attorney Heath expressed his thanks and will submit his services contract for the Town to sign.

Ayes 5; Nays 0

Moved by Councilperson Mannella and seconded by Councilperson Kirby to designate MRB Group as provider of engineering services for the Town.

Ayes 5; Nays 0

**RESOLUTION NO. 02 – 0122
AUTHORIZING EXAMINATION OF THE RECORDS OF THE JUSTICE COURT, TOWN CLERK AND TAX COLLECTOR**

Moved by Councilperson Mannella and seconded by Councilperson Rush to perform the required annual examination of the records of the Justice Court, the Town Clerk and Tax Collector at 6:00 P. M. on February 8, 2022 and make a report of their findings at the regular meeting of the Town Board.

Ayes 5; Nays 0

RESOLUTION NO. 03 – 0122
SETTING HOLIDAYS FOR THE TOWN HALL

Moved by Councilperson Kirby and seconded by Councilperson Rush to set the holidays for the Town Hall for the year 2022 to match published Federal holidays, plus Election Day, the Day after Thanksgiving, and Christmas Eve.

Ayes 5; Nays 0

THE APPOINTMENTS BY THE TOWN SUPERVISOR ARE AS FOLLOWS:

Deputy Supervisor	James Kirby
Budget Officer	N/A
(Town Law, Section 103 (2) requires the Town Supervisor shall be Budget Officer unless the Supervisor appoints another individual to fulfill the role)	
Historian	Adrienne E. Kirby
Bookkeeper	Timothy Hungerford

COMMITTEE APPOINTMENTS, AS FOLLOWS:

Highway:	Mannella, Rush
Water:	Kirby, Mannella
Finance/Budget:	Neilans, Kirby
Zoning:	Neilans, Rush
Audit:	Entire Board; minimum of three (3) members approving all abstracts

Appointments by the Supervisor do not require Board approval but are required to be made part of the official minutes of the Town.

RESOLUTION NO. 04 – 0122
BOARD APPOINTMENTS

Moved by Councilperson Neilans and seconded by Councilperson Kirby to fill the following positions:

Fair Housing Officer:	Susan Heard
Registrar of Vital Statistics:	Susan Heard
Court Clerk:	Maureen Kline
Water Superintendent:	Mark Radzinski
Deputy Highway Supt.:	Seth Dumrese
Deputy Water Supt.:	Seth Dumrese

Ayes 5; Nays 0

RESOLUTION NO. 05 – 0121

SETTING SALARIES, WAGE RATES AND ALLOWANCES FOR VARIOUS POSITIONS

Moved by Councilperson Neilans and seconded by Councilperson Kirby to set the salaries and wages for appointed positions as follows:

Registrar of Vital Statistics	\$1,035 annual
1 st Deputy Town Clerk	\$15.90 per hour
2 nd Deputy Town Clerk	\$14.35 per hour
Water Billing Clerk	\$14.35 per hour
Zoning Board of Appeals Secretary	\$14.35 per hour
Planning Board Secretary	\$14.35 per hour
Election Inspectors	\$14.35 per hour
Court Clerk	\$16.94 per hour
Water Superintendent	\$7,803 annual
Seasonal Highway Employees	\$20.45 per hour, with paid holiday when scheduled over 30 hours in a work week

Ayes 5; Nays 0

RESOLUTION NO. 06 – 0122

SETTING NON-WAGE REIMBURSEMENT AND ALLOWANCES

Moved by Councilperson Kirby and seconded by Councilperson Rush to set the non-wage allowances and rates as follows:

Clothing Allowance	\$500 for Highway Superintendent
Cell Phone Allowance	\$500 for Highway Superintendent and Town Justice
Mileage for Town Business	Tied to IRS Mileage rate, \$.585 per mile for 2022

Ayes 5; Nays 0

RESOLUTION NO. 07 – 0122

DESIGNATING THE OFFICIAL NEWSPAPER

Moved by Councilperson Kirby and seconded by Councilperson Rush to designate the Batavia Daily News as the official newspaper for the Town of Gaines

Ayes 5; Nays 0

RESOLUTION NO. 08 – 0122
DESIGNATING THE FINANCIAL INSTITUTIONS

Moved by Councilperson Rush and seconded by Councilperson Kirby to designate the financial institutions, as follows:

Official Depository:	Five Star Bank
Official Investment Depositories:	Five Star Bank, M & T, and Key Bank

Ayes 4; Nays 0; Abstain, 1, Allport

RESOLUTION NO. 09 – 0122
SETTING THE TIMES AND LOCATIONS OF MEETINGS FOR THE TOWN BOARD FOR 2021

Moved by Councilperson Kirby and seconded by Councilperson Neilans to set the monthly meeting of the Gaines Town Board to the second Monday of each month at 7:00 P. M. at the Gaines Town Hall, with the exception of the October and November meetings. These will be held October 3, 2022 and November 7, 2022 respectively due to required Budget Presentation and Public Hearings. A second December year-end meeting will be held December 29, 2022 at 7:00 P. M.

Ayes 5; Nays 0

RESOLUTION NO. 10 – 0122
APPOINTMENT OF ZONING BOARD OF APPEALS CHAIR AND VICE CHAIR

Moved by Councilperson Kirby and seconded by Councilperson Mannella to appoint Gerard Morrissey as Chairman of the Zoning Board of Appeals and David Thom as Vice Chairman of the Zoning Board of Appeals

Ayes 5; Nays 0

This concludes the Organizational Meeting. Regular Town Board Meeting to follow.

TOWN OF GAINES
REGULAR MEETING – January 10, 2022

RESOLUTION NO. 11 – 0122
APPROVAL OF MINUTES OF THE DECEMBER 13, 2021 REGULAR MEETING

Moved by Councilperson Neilans and seconded by Councilperson Rush to approve the minutes of the December 13, 2021 meeting.

Ayes 5; Nays 0

RESOLUTION NO. 12 – 0122
APPROVAL OF MINUTES OF THE DECEMBER 30, 2021 YEAR END MEETING

Moved by Councilperson Rush and seconded by Councilperson Mannella to approve the minutes of the December 30, 2021 Year End meeting.
(Minutes were placed on the Board members desk prior to meeting.)

Ayes 5; Nays 0

RESOLUTION NO. 13 – 0122
PRESENTATION AND ACCEPTANCE OF THE TOWN CLERK'S REPORT

The Town Clerk reported the local shares paid to the Town Supervisor as \$861.70; NYS Ag & Markets was paid \$15.00 and NYS Environmental Conservation was paid \$132.30. The first ten days of tax collection is steady, the first payment made to Supervisor, and more this week. The Clerk also wanted to mention the Town Historian, Adrienne Kirby, has submitted her annual report, copies in your drawers.

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

Ayes 5; Nays 0

RESOLUTION NO. 14 – 0122
PRESENTATION AND ACCEPTANCE OF THE SUPERVISOR'S REPORT

The Town Supervisor presented each board member with the monthly report showing all funds, all water districts, etc. Year end adjustments will be made as the final expenses are recorded.

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

Ayes 5; Nays 0

RESOLUTION NO. 15 – 0122
HIGHWAY SUPERINTENDENT’S REPORT

The Town Highway Superintendent was absent because of the snow falling heavily tonight, and Gaines was requested to help the Town of Albion as one of their plows was out of commission tonight. The Town Clerk reported for the Highway Superintendent the total fuel usage as Diesel 305 gallons; Gas 118 gallons. Also, mentioned they had started working with the GPS.

Moved by Councilperson Kirby and seconded by Councilperson Rush to accept the Highway Superintendent report as presented by the Clerk.

Ayes 5; Nays 0

RESOLUTION NO. 16 – 0122
APPROVAL OF ABSTRACTS

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

General Fund	\$ 33,433.54
Highway	\$ 3,185.98
Water	\$ 887.08

Ayes 5; Nays 0

RESOLUTION NO. 17 – 0122
AUTHORIZING THE CREATION OF PETTY CASH ACCOUNT FOR TAX COLLECTION

Moved by Councilperson Neilans and seconded by Councilperson Kirby to authorize the Tax Collector to establish a petty cash account in the amount of two hundred dollars (\$200.00) for use during the collection of taxes. (The Clerk asked if we could remember to do this resolution in December).

Ayes 5; Nays 0

ENTER EXECUTIVE SESSION TO DISCUSS MATTERS RELATING TO A PERSONNEL ISSUE, LEGAL MATTER AND/OR CONTRACT NEGOTIATIONS

Moved by Councilperson Kirby and seconded by Councilperson Rush to enter into an executive session to discuss matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person and/or legal issue at 7:20 P. M.

Ayes 5; Nays 0

Moved by Councilperson Kirby and seconded by Councilperson Mannella to resume the regularly scheduled meeting at 8:00 P. M.

Ayes 5; Nays 0

OTHER NEW BUSINESS

The Supervisor introduced his fiancé, Kate, and announced that he would be starting his 12 week paternity leave as soon as the arrival of his first-born, therefore, this would be his last meeting for a month or so. The baby is due February 5th. Discussion as to whether the February meeting should be cancelled, Deputy Supervisor Kirby announced he would be out of town for the February meeting. No formal action taken.

ADJOURNMENT

Moved by Councilperson Mannella and seconded by Councilperson Kirby to adjourn the meeting at 8:10 P.M.

Ayes 5; Nays 0