

TOWN OF GAINES
REGULAR MEETING – October 3, 2022

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 Tyler Allport at 7:00 P. M. on the 12th day of September, 2022.

The following town officials were present:

Tyler Allport	Supervisor
James Kirby	Deputy Supervisor
Mary Neilans	Councilperson
Ronald Mannella	Councilperson
Kenneth Rush	Councilperson
Susan Heard	Town Clerk
Mark Radzinski	Highway Superintendent

Excused: Douglas Heath, Attorney

The following individuals were present during the meeting: One Town Resident; Sherman Gittis, MRB Group and Chris Watt, Planning Bd. Chairman

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

RESOLUTION NO. 79 – 1022
APPROVAL OF MINUTES OF THE SEPTEMBER 12, 2022 REGULAR MEETING

Moved by Councilperson Rush seconded by Councilperson Kirby to approve the minutes of the September 12, 2022 regular meeting.

Ayes 5; Nays 0

RESOLUTION NO. 80 – 1022
PRESENTATION AND ACCEPTANCE OF THE TOWN CLERK’S REPORT FOR AUGUST 2022

The Town Clerk reported the local shares paid to the Town Supervisor of \$242.23; NYS Ag & Markets was paid \$14.00 for dog licenses; NYS Environmental Conservation was paid \$1,107.57 for fishing and hunting licenses. A big month for hunting licenses.

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

Ayes 5; Nays 0

The Supervisor Report was not available as the October meeting is being held too early in the month. The September report will be available at the November meeting.

RESOLUTION NO. 81 - 1022
HIGHWAY SUPERINTENDENT'S REPORT FOR SEPTEMBER 2022

The Town Highway Superintendent reported the total fuel usage of Diesel 423 gallons; Gas 99 gallons. The Highway Superintendent said the water meters were read, but the laptop used for reading the meters wasn't working. They took the laptop to CH&PC who declared it dead. It was purchased in 2009, therefore, had a good run. They borrowed the Town of Murray's laptop to do the readings. CH&PC sent over a quote for a new laptop.

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

Ayes 5; Nays 0

RESOLUTION NO. 82 – 1022
AUTHORIZING PURCHASE OF NEW LAPTOP FOR THE HIGHWAY DEPARTMENT

Moved by Councilperson Rush and seconded by Councilperson Mannella to purchase a new laptop from CH&PC at the cost of \$1,124.00 for the purpose of reading water meters.

Ayes 5; Nays 0

RESOLUTION NO. 83 – 1022
APPROVAL OF ABSTRACTS FOR OCTOBER 2022

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

General Fund	\$ 10,208.54
Highway	\$ 10,880.65
Water	\$ 7,336.70

Ayes 4; Nays 0; Abstain 1, Neilans (arrived late)

RESOLUTION NO. 84 – 1022
APPOINTMENT TO THE ZONING BOARD OF APPEALS

Moved by Councilperson Neilans and seconded by Councilperson Kirby to appoint Christine Sartwell to the open seat on the Zoning Board of Appeals. ZBA Chairman Gerard Morrisey recommends Chris for this position.

Ayes 5; Nays 0

RESOLUTION NO. 85 – 1022
AUTHORIZING THE JUSTICE COURT TO APPLY FOR JCAP GRANT FUNDING FOR THE 2022-2023 GRANT CYCLE

Moved by Councilperson Neilans and seconded by Councilperson Mannella to authorize the town court to make application to the New York State JCAP Grant Program, as follows:

Be it RESOLVED, The Board of the Town of Gaines authorizes the Town of Gaines Town Court to apply for a JCAP grant in the 2022-2023 grant cycle up to \$30,000.00.

Ayes 5; Nays 0

RESOLUTION NO. 86 – 1022
PRESENTATION AND ACCEPTANCE OF THE TENTATIVE BUDGET FOR 2023

Discussion: The Supervisor said he realized the Tentative Budget is being presented a little later than he would have like (our bookkeeper's first budget) and he would like the Board to review the Tentative budget and hold a Budget Workshop for Board input. Also, the Fire Contract with the Village is still in the works, and the amount required unknown. The Supervisor said by NYS Law, the Tentative budget needs to be adopted at this time.

Moved by Councilperson Neilans and seconded by Councilperson Mannella to approve and adopt the 2023 Tentative Budget as presented, with a Public Hearing set for November 7, 2022.

Ayes 5; Nays 0

RESOLUTION NO. 87 – 1022
AUTHORIZING BUDGET WORKSHOP FOR OCTOBER 18, 2022

Moved by Councilperson Kirby and seconded by Councilperson Mannella to authorize a Budget Workshop on Tuesday, October 18, 2022 at 7:00 P. M. Further authorize the Town Clerk to publish a legal notice regarding the workshop.

Ayes 5; Nays 0

RESOLUTION NO. 88 – 1022
AUTHORIZING PUBLIC HEARING FOR THE TOWN OF GAINES 2023 BUDGET

Moved by Councilperson Neilans and seconded by Councilperson Kirby to hold a Public Hearing on the 2023 Town of Gaines Budget on November 7, 2022 at 7:10 P. M. The Town Clerk to publish legal notice as required.

Ayes 5; Nays 0

**RESOLUTION NO. 89 – 1022
AUTHORIZE SUPERVISOR TO ENTER INTO A SHARED SERVICES AGREEMENT FOR CODE ENFORCEMENT
WITH THE TOWN OF CARLTON**

Moved by Councilperson Kirby and seconded by Councilperson Rush to authorize the Town Supervisor to enter into a shared services agreement with the Town of Carlton for Code Enforcement services through December 31, 2022.

Ayes 5; Nays 0

NEW BUSINESS

Sherman Gittis, our Engineer with MRB Group, presented the Solar Energy Systems Law and the Battery Energy Storage Systems Law for the Town Board to review. The Planning Board and MRB Group worked hard to accommodate the concerns they encountered while working on various Solar projects; fire codes; permits; checklists; protecting the Historical District. These documents must now go to the County Planning Board and require a Public Hearing. The Public Hearing will be set for 7:00 P. M. on November 7, 2022.

**RESOLUTION NO. 90 – 1022
AUTHORIZE SENDING THE SOLAR ENERGY SYSTEMS LAW AND THE BATTERY ENERGY STORAGE
SYSTEMS LAW TO THE ORLEANS COUNTY PLANNING BOARD FOR REVIEW**

The Solar Energy Systems Law and the Battery Energy Storage System Law were presented to the Town Board. The Town Board would like to move forward and send on to the County Planning Board for their review and approval.

The Town Clerk asked for a Roll Call vote:

Neilans	Yes
Rush	Yes
Allport	Yes
Kirby	Yes
Mannella	Yes

The motion to send the above-named Laws to the County Planning Board is CARRIED.

Ayes 5; Nays 0

OTHER BUSINESS FROM THE TOWN BOARD

Supervisor Allport wanted to update the Town Board regarding the COVA funding. The four Towns in Central Orleans (Barre, Albion, Gaines and Carlton) have been meeting regularly to discuss the ambulance service. The “gifting of taxpayer money” is the problem they need to figure out. The original resolution said all four Towns must participate. The Town of Barre attorney questioned how to get around the “gift of taxpayer money” and the Town of Barre tabled the resolution.

The Towns want to help COVA but are looking into how to do this and perhaps it's a written contract for services? COVA has had problems for years with their billing and were able to survive with the help of PPE (Covid funds).

The Towns feel the moral obligation to have ambulance services and are working diligently to solve the problem.

PRIVILEGE OF THE FLOOR

Christopher Watt, Chairman of the Planning Board, said he was pleased with his Board and Sherman Gittis from MRB Group for their hard work on rewriting the two Laws. They worked well together and covered everything they could think of.

He also wanted to discuss the \$25.00 Stipend paid to Planning Board members for each meeting they attend; he feels it is time for an increase, as there are many meetings when they are not even paid minimum wage. Supervisor Allport asked if he had an amount in mind, and Mr. Watt said he was thinking \$35.00.

The last thing he wondered about was the required training for Planning Board members. He said due to the limited pool of people willing to sacrifice a day for training, he wondered if the Board was willing to pass a resolution to change the policy. Supervisor Allport said he would discuss with the Town Attorney.

ADJOURNMENT

Moved by Councilperson Neilans and seconded by Councilperson Rush to adjourn the meeting at 7:45 P.M.

Ayes 5; Nays 0