

TOWN OF GAINES
REGULAR MEETING – November 7, 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 7th day of November, 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
Douglas Heath	Attorney for the Town

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

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

PUBLIC HEARING
LOCAL LAW NO. 2 OF 2022 – BATTERY ENERGY STORAGE SYSTEMS

Moved by Councilperson Neilans and seconded by Councilperson Kirby to open the Public Hearing at 7:00 P. M. Ayes 5; Nays 0

No comments were made.

Moved by Councilperson Rush and seconded by Councilperson Mannella to close the Public Hearing at 7:01 P. M. Ayes 5; Nays 0

PUBLIC HEARING
LOCAL LAW NO. 3 OF 2022 – SOLAR ENERGY SYSTEMS

Moved by Councilperson Kirby and seconded by Councilperson Rush to open the Public Hearing at 7:01 P. M. Ayes 5; Nays 0

No comments were made.

Moved by Councilperson Neilans and seconded by Councilperson Kirby to close the Public Hearing at 7:02 P. M. Ayes 5; Nays 0

PUBLIC HEARING
ADOPTION OF THE 2023 BUDGET FOR THE TOWN OF GAINES

Moved by Councilperson Neilans and seconded by Councilperson Kirby to open the Public Hearing for the 2023 Budget at 7:02 P. M. Ayes 5; Nays 0

No comments were made.

Moved by Councilperson Neilans and seconded by Councilperson Mannella to close the Public Hearing at 7:03 P. M. Ayes 5; Nays 0

RESOLUTION NO. 91 – 1122

APPROVAL AND ADOPTION OF THE BUDGET FOR THE TOWN OF GAINES FOR FISCAL YEAR 2023

Moved by Councilperson Kirby and seconded by Councilperson Rush to adopt the tentative budget as the Final Budget for Fiscal Year 2023, with minor adjustments for total levy of \$

Ayes 5; Nays 0

RESOLUTION NO. 92 – 1122

APPROVAL AND ADOPTION OF LOCAL LAW NO. 2 OF 2022 – BATTERY ENERGY STORAGE SYSTEMS

Moved by Councilperson Kirby and seconded by Councilperson Mannella to approve the updated Town of Gaines Battery Energy Storage Systems, with no changes and approved by the County Planning Board.

Discussion: Supervisor Allport asked numerous questions of Sherman Gittis, the Town Engineer, regarding insurance

Ayes 5; Nays 0

RESOLUTION NO. 93 – 1122

APPROVAL AND ADOPTION OF LOCAL LAW NO. 3 OF 2022 – SOLAR ENERGY SYSTEMS

Moved by Councilperson Neilans and seconded by Councilperson Rush to approve the updated Town of Gaines Solar Energy Systems with amendments as suggested by the County Planning Board.

Discussion: Councilperson Kirby asked about setbacks and buffers; Supervisor Allport and Councilperson Rush asked about decommissioning; would like a paper trail. Discussed letters of credit, surety bonds. Sherman Gittis said this requires yearly updates on insurance, decommissioning bond, owner, etc. Under the Special Use Permit, company will be required to update the town of any new LLC's or change in ownership.

Ayes 5; Nays 0

RESOLUTION NO. 94 – 1122

APPROVAL OF MINUTES OF THE OCTOBER 3, 2022 REGULAR MEETING

Moved by Councilperson Rush seconded by Councilperson Mannella to approve the minutes of the October 3, 2022 regular meeting.

Ayes 5; Nays 0

RESOLUTION NO. 95 – 1122

PRESENTATION AND ACCEPTANCE OF THE TOWN CLERK’S REPORT FOR OCTOBER 2022

The Town Clerk reported the local shares paid to the Town Supervisor of \$407.37; NYS Ag & Markets was paid \$51.00 for dog licenses; NYS Environmental Conservation was paid \$334.93 for fishing and hunting licenses issued in October.

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

Ayes 5; Nays 0

RESOLUTION NO. 96 – 1122

PRESENTATION AND ACCEPTANCE OF THE SEPTEMBER 2022 SUPERVISOR’S REPORT

The Supervisor presented the financial reports for the month of September showing each fund and the balances in each. He asked our new accountant if he would add a percentage column going forward, and he agreed to add the column to the reports.

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

Ayes 5; Nays 0

RESOLUTION NO. 97 - 1122

HIGHWAY SUPERINTENDENT’S REPORT FOR OCTOBER 2022

The Town Highway Superintendent reported the total fuel usage of Diesel 303 gallons; Gas 159 gallons. The Highway Superintendent said the new laptop computer is up and running. Getting trucks ready for the winter. Badger water system end points was discussed.

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

Ayes 5; Nays 0

RESOLUTION NO. 98 – 1122

APPROVAL OF ABSTRACTS FOR NOVEMBER 2022

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

General Fund	\$ 59,425.29
Highway	\$ 91,246.60
Water	\$ 4,635.32

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

RESOLUTION NO. 99 – 1122

AUTHORIZING LEASE AGREEMENT WITH TOSHIBA FOR TOWN HALL COPIER

Moved by Councilperson Kirby and seconded by Councilperson Mannella to approve and authorize the lease agreement with Toshiba Business Solutions. The cost will be less than the past five agreement and with added features. Further authorize the Town Clerk to sign said lease agreement at a cost of \$106.93 per month for 63 months.

Ayes 5; Nays 0

RESOLUTION NO. 100 – 1122

RESCINDING RESOLUTION NO. 78-0922 FUNDING OF COVA AMBULANCE

Moved by Councilperson Rush and seconded by Councilperson Neilans to rescind Resolution No. 78-0922 which authorized funding for COVA ambulance services.

Ayes 5; Nays 0

The Supervisor said no action will be taken after the Executive Session.

EXECUTIVE SESSION TO DISCUSS MATTERS RELATING TO A PERSONNEL ISSUE

Moved by Councilperson Kirby and seconded by Councilperson Mannella 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 at 7:25 P. M. 5 Ayes; 0 Nays

Moved by Councilperson Kirby and seconded by Councilperson Rush to close Executive Session at 8:04 P.M. 5 Ayes; 0 Nays

ADJOURNMENT

Moved by Councilperson Kirby and seconded by Councilperson Mannella to adjourn the meeting at 8:05 P.M.

Ayes 5; Nays 0