

**TOWN OF GAINES**

**2023 ORGANIZATIONAL MEETING AND REGULAR MEETING – JANUARY 9, 2023**

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 9<sup>th</sup> day of January, 2023.

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
Mark Radzinski	Highway Superintendent
Douglas Heath	Attorney for the Town of Gaines

The following individuals were present during the meeting: One town resident

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

**ORGANIZATIONAL MEETING**

**RESOLUTION NO. 01 – 0123**

**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 – 0123**

**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 13, 2023 and make a report of their findings at the regular meeting of the Town Board.

Ayes 5; Nays 0

**RESOLUTION NO. 03 – 0123**  
**SETTING HOLIDAYS FOR THE TOWN HALL**

Moved by Councilperson Neilans and seconded by Councilperson Kirby 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	Roberts Accounting CPA's

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 – 0124**  
**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 – 0123**

**SETTING SALARIES, WAGE RATES AND ALLOWANCES FOR VARIOUS POSITIONS**

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

Registrar of Vital Statistics	\$1,066 annual
1 <sup>st</sup> Deputy Town Clerk	\$19.85 per hour
2 <sup>nd</sup> Deputy Town Clerk	\$14.80 per hour
Water Billing Clerk	\$14.80 per hour
Zoning Board of Appeals Secretary	\$14.80 per hour
Planning Board Secretary	\$14.35 per hour
Election Inspectors	\$14.80 per hour
Court Clerk	\$17.45 per hour
Water Superintendent	\$7,898 annual
Seasonal Highway Employees 30 hours in a work week	\$20.86 per hour, with paid holiday when scheduled over

Ayes 5; Nays 0

**RESOLUTION NO. 06 – 0123**

**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, \$.655 per mile for 2023

Ayes 5; Nays 0

**RESOLUTION NO. 07 – 0123**

**DESIGNATING THE OFFICIAL NEWSPAPER**

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

Ayes 5; Nays 0

**RESOLUTION NO. 08 – 0123**  
**DESIGNATING THE FINANCIAL INSTITUTIONS**

Moved by Councilperson Mannella and seconded by Councilperson Neilans 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 – 0123**  
**SETTING THE TIMES AND LOCATIONS OF MEETINGS FOR THE TOWN BOARD FOR 2023**

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 2, 2023 and November 6, 2023 respectively due to required Budget Presentation and Public Hearings. A second December year-end meeting will be held December 28, 2023 at 7:00 P. M.

Ayes 5; Nays 0

**RESOLUTION NO. 10 – 0123**  
**APPOINTMENT OF ZONING BOARD OF APPEALS VICE CHAIRMAN**

Moved by Councilperson Neilans and seconded by Councilperson Kirby to appoint 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 9, 2023**

**APPROVAL OF MINUTES OF THE DECEMBER 29, 2022 YEAR END MEETING**

Tabled until February.

**RESOLUTION NO. 11 – 0123**

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

The Town Clerk reported the local shares paid to the Town Supervisor as \$825.75; NYS Ag & Markets was paid \$19.00. The first few days of tax collection has been steady, the first payments have been made to Supervisor of \$155,000, and the County Treasurer for Recycling Fees of \$17,496.

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

Ayes 5; Nays 0

**PRESENTATION AND ACCEPTANCE OF THE SUPERVISOR’S REPORT FOR DECEMBER 2022**

The Town Supervisor Report has been tabled until the February meeting.

**RESOLUTION NO. 12 – 0123**

**HIGHWAY SUPERINTENDENT’S REPORT**

The Town Highway Superintendent reported the total fuel usage of Diesel 683 gallons; Gas 223 gallons.

Also, mentioned they had started working with the GPS, and working with Sensus to get the new water accounts onto their system.

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

Ayes 5; Nays 0

**RESOLUTION NO. 13 – 0123**

**APPROVAL OF ABSTRACTS**

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

General Fund	\$ 30,010.49
Highway	\$ 4,776.14
Water	\$ 2,510.23

Ayes 5; Nays 0

### **SUPERVISOR'S COMMENTS**

The Supervisor received a Code Enforcement Officer's report from Jeff Gifaldi, reporting the 10 (ten) outstanding permits have been issued; as well as 2 (two) Certificate of Occupancy permits.

### **OTHER NEW BUSINESS**

Attorney Doug Heath said he has spoken with the Village of Albion's attorney, John Gavenda, regarding the Fire Contract. Due to the delay in receiving the contract, the Town budget reflects the 2022 amount and the Board would like to keep that rate for 2023, and move forward from there.

### **ADJOURNMENT**

Moved by Councilperson Kirby and seconded by Councilperson Rush to adjourn the meeting at 7:24 P.M.

Ayes 5; Nays 0