

TOWN OF GAINES
REGULAR MEETING – JUNE 12, 2023

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 James Allport at 7:00 P. M. on the 12th of June, 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

Absent: Doug Heath, Town Attorney

The following individuals were present during the meeting: Four (4) residents and/or guests

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

RESOLUTION NO. 46 - 0623
APPROVAL OF MINUTES OF MAY 8, 2023 MEETING

Moved by Councilperson Mannella and seconded by Councilperson Kirby to approve the minutes of the May 12, 2023 Regular Meeting.

Ayes 4; Nays 0; Abstain 1, Rush (not in attendance at May meeting)

RESOLUTION NO. 47 – 0623
PRESENTATION AND ACCEPTANCE OF THE TOWN CLERK’S REPORT FOR MAY 2023

The Town Clerk presented the May report, with the payment to the Town Supervisor of \$863.38; \$34.00 paid to NYS Ag & Markets for dog licenses; \$23.62 to NYS Environmental Conservation; and \$22.50 to the State Health Dept. for one marriage license.

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

Ayes 5; Nays 0

PRESENTATION AND ACCEPTANCE OF THE TOWN SUPERVISOR’S REPORT FOR MAY 2023

The Supervisor did not receive the reports in time for tonight’s meeting. Tabled until July.

**RESOLUTION NO. 48 – 0623
HIGHWAY SUPERINTENDENT’S REPORT**

The Highway Superintendent reported the total fuel usage for May of 140 Gallons of Gas and 646 Gallons of Diesel.

We will be paving our side of Transit Road during the week of July 19th. The bids for the replacement truck are in. Peterbilt looks good. Councilperson Rush thinks the Peterbilt truck is the best. The Town of Barre has had good luck with their Peterbilt trucks. The truck chassis is \$199,126, the total with everything is \$323,414.10.

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

Ayes 5; Nays 0

**RESOLUTION NO. 49 – 0623
AUTHORIZING PURCHASE OF PETERBILT TRUCK**

Moved by Councilperson Rush and seconded by Councilperson Kirby to authorize the Highway Superintendent to purchase a 2023 Peterbilt Truck, Model 567, as per Quote Number: 1044020-R3D9S6 in the amount of \$199,926, from Dimmick Group Peterbilt, cost is assuming truck is built in 2023.

Additional items to fully equip the truck with plow, Smith Auger Spreader, etc. in the amount of \$123,488.10 to be purchased separately.

Discussion: The Town intends to use the ARPA funds and issue a bond for the balance of this purchase.

Ayes 5; Nays 0

**RESOLUTION NO. 50 – 0623
APPROVAL OF ABSTRACTS**

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

General Fund	\$ 13,058.12
Highway	\$ 5,578.07
Water	\$ 1,679.83

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

SELECTING AND APPROVAL FOR WATER BILLING UPDATE - TABLED

Re-advertise for Planning Board & ZBA Secretary – TABLED

One letter was received for the secretary position, and the Planning Board may wish to interview the candidate.

RESOLUTION NO. 51 – 0623

APPROVAL OF DG GAINES, LLC DECOMMISSIONING BOND FOR GAINES SOLAR SPECIAL USE PERMIT

Moved by Councilperson Kirby and seconded by Councilperson Mannella to approve the DG Gaines, LLC Decommissioning Bond as presented.

Discussion: Attorney Doug Heath approved and agreed to the form as presented.

Ayes 5; Nays 0

RESOLUTION NO. 52 – 0623

APPROVAL OF THE TOWN OF GAINES EMERGENCY PLAN

Moved by Councilperson Mannella and seconded by Councilperson Kirby to approve the Town of Gaines Emergency Plan as presented.

Discussion: The Emergency Plan was updated in respect to the names listed in the Plan, all other information stays the same.

Ayes 5; Nays 0

RESOLUTION NO. 53 -0623

APPROVAL OF WATER RATE INCREASE

Moved by Councilperson Rush and seconded by Councilperson Mannella to approve the Water Rate increase effective starting with the July, August and September billing cycle. The Village of Albion has raised the rate 40 cents per 1,000 gallons, and the Town has to raise our rates to offset these additional charges. The water rates will increase from \$4.25/1000 to \$4.65/1000 effective on our 3rd Qtr. billing cycle.

Ayes 5; Nays 0

RESOLUTION NO. 54 – 0623

AUTHORIZING DISPOSITION OF VARIOUS TOWN RECORDS

RESOLVED, by the Town Board of the Town of Gaines that Records Retention and Disposition Schedule MU-1, issued pursuant to Article 57-A of the Arts & Cultural Affairs Law, and containing legal minimum retention periods for local government records, is hereby adopted for use by all officers in legally disposing of valueless records listed therein.

FURTHER RESOLVED, that in accordance with Article 57-A:

- (a) Only those records will be disposed of that are described in Records Retention and Disposition Schedule MU-1 after they have met the minimum retention periods described therein;

(b) Only those records will be disposed of that do not have sufficient administrative, fiscal, legal or historical value to merit retention beyond legal minimum periods.

Moved by Councilperson Kirby and seconded by Councilperson Mannella to authorize destruction of documents that exceed the minimum retention period of Local Governments.

Ayes 5; Nays 0

Discussion: By law, in order to dispose of old records, the Town Board must authorize the disposition. Records such as water billings, payment of water bills, old vouchers, certain court records may be disposed of after a seven (7) year period. No permanent records or historical records will be destroyed.

RESOLUTION NO. 55 – 0623

ACCEPTING RETIREMENT OF TOWN CLERK HEARD AND FILL VACANT POSITIONS

The Town Clerk has submitted her retirement date effective June 30, 2023. Janet Cheverie is serving as First Deputy Town Clerk and is eligible to fill the vacancy as Acting Town Clerk effective July 1, 2023 through December 31, 2023. Susan Heard will fill the 1st Deputy Town Clerk vacancy at this time.

Moved by Councilperson Mannella and seconded by Councilperson Kirby to accept the retirement of the Town Clerk, Susan Heard and appoint Janet Cheverie as Acting Town Clerk effective July 1, 2023. Mrs. Heard will fill the vacancy of the 1st Deputy Town Clerk.

ITEMS FOR DISCUSSION

The Supervisor had a few items to mention. The War Memorial in the front of the Town Hall needs to be power washed, and the fences and light poles should be painted this summer.

Water leaks and water loss, and various water pits were mentioned.

The Supervisor discussed Monroe Ambulance and he will talk to Albion Supervisor Remley about the reports we should be receiving, to see if Albion has received them.

PRIVILEGE OF THE FLOOR

Lorienda Smith said she recently read an article where the government is going to “claw back” Covid funds, and wondered if we would lose our money? The Supervisor said he hasn’t heard that, and we will be spending our funds. Mrs. Smith also wondered about the ditch in her front yard and when it would be mowed. As soon as possible.

ADJOURNMENT

Moved by Councilperson Rush and seconded by Councilperson Kirby to adjourn the regular board meeting at 7:35 P. M.

Ayes 5; Nays 0

