

TOWN OF GAINES
REGULAR MEETING – JULY 10, 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 10th of July 2023.

The following town officials were present:

Tyler Allport	Supervisor
James Kirby	Deputy Supervisor
Ronald Mannella	Councilperson
Mary Neilans	Councilperson
Kenneth Rush	Councilperson
Janet Cheverie	Town Clerk
Mark Radzinski	Highway Superintendent
Doug Heath	Town Attorney

The following individuals were present during the meeting: Six (6) residents and/or guests.

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

RESOLUTION NO. 56 - 0723
APPROVAL OF MINUTES OF JUNE 12th, 2023, MEETING

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

Ayes 5; Nays 0

RESOLUTION NO. 57 - 0723
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 \$1160.54; \$28.00 paid to NYS Ag & Markets for dog licenses; and \$33.06 to NYS Environmental Conservation.

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

Ayes 5; Nays 0

RESOLUTION NO. 58 - 0723
PRESENTATION AND ACCEPTANCE OF THE TOWN SUPERVISOR'S REPORT FOR MAY 2023

The Supervisor handed out paper copies of the Supervisor's Report listing all balances in each fund, including General, Highway and all Water Districts through May 2023.

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

Ayes 5; Nays 0

RESOLUTION NO. 59 – 0723

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

The Supervisor handed out paper copies of the Supervisor’s Report listing all balances in each fund, including General, Highway and all Water Districts through June 2023. He also distributed copies of the Monroe Ambulance Incident Request and Response Statistics/Summary for the months of April, May & June, 2023

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

Ayes 5; Nays 0

RESOLUTION NO. 60 - 0723

HIGHWAY SUPERINTENDENT’S REPORT

The Highway Superintendent reported the total fuel usage for May of 193 Gallons of Gas and 314 Gallons of Diesel.

The Highway Superintendent spoke with other towns to see if there was a different rate charged for bulk users and if it is up to the individual towns whether there is a different rate. For most, there is not a different rate. At the next meeting the Highway Superintendent will have the payment options for the Peterbilt Truck that was approved for purchase. He received confirmation that it will be built in 2023 so the quoted amount is accurate. Town Clerk is asked to call Shane Ireland with Edmunds Gov to set up a time for a demonstration of the updated software for the water program. Ronald P. Mannella, the Director of Weights and Measures for the County came & calibrated the meters for gallons used at the meter pits and they are within 1 gallon.

Moved by Councilperson Kirby and seconded by Councilperson Mannella to accept the July monthly report of the Town Highway Superintendent.

Ayes 5; Nays 0

RESOLUTION NO. 61 – 0723

APPROVAL FOR HIGHWAY EMPLOYEE TO ATTEND WATER TRAINING

The Highway Superintendent requested permission for employee, John Jeff Page to attend a class to obtain his Class D water certification license which will allow him to work on the water lines without supervision. It is scheduled for 9/11-9/13/23 in Dunkirk, NY at a cost of \$725.00.

Moved by Councilperson Mannella and seconded by Councilperson Kirby giving permission for John Jeff Page to attend the above training, with the understanding that there is a cost involved.

Ayes 5; Nays 0

RESOLUTION NO. 62 - 0723
APPROVAL OF ABSTRACTS

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

General Fund	\$ 25384.55
Highway	\$ 43543.97
Water	\$ 404.52

Ayes 4; Nays 0; Abstain 1, Neilans (did not review)

SELECTING AND APPROVAL FOR WATER BILLING UPDATE - TABLED

RESOLUTION NO. 63 -0723
APPOINTMENT OF WATER BILLING CLERK

Moved by Councilperson Rush and seconded by Councilperson Kirby to appoint Kim Niehaus as Town of Gaines Water Billing Clerk

Ayes 5; Nays 0

ITEMS FOR DISCUSSION

Janet Ward from NextEra Energy Resources, LLC said that they submitted a special use application for a Solar Facility on the Uderitz property on Gaines Road. A condition for approval was a letter of credit. MRB approved the amount for the letter of credit. It was referred to the Town Attorney, for approval. They need either comments or approval in order to move forward. Town Attorney, Douglas Heath, approves. Attorney Heath will send a letter of approval to NextEra Energy Resources, LLC. Planning Board Chairman, Christopher Watt reminded Ms. Ward that there are more steps that they need to go through besides the letter of credit. She stated that they should have copies of the answers to the four (4) questions by the end of the week. Mr. Watt also reminded her that they cannot move forward without these answers and approval. He needs to have proof.

OTHER OLD BUSINESS FROM THE TOWN BOARD/ATTORNEY

The Town Attorney, Douglas Heath gave an update on the Proposed Fire District. The Towns and Village have agreed that all apparatus, trucks, gear & equipment will be turned over to the Fire District without remuneration. The current Fire Hall is still up for discussion. The Village wants to retain it, but they are open to a long-term lease agreement but there is a question of who would be responsible for paying for any necessary repairs and who will be doing them. There is still some discussion on the naming of the district. The proposed name is Albion Joint Fire District. Attorney Heath suggested adding Gaines in the name, however it was not well received. A legal services agreement still needs to be signed by Town Attorney, Douglas Heath to retain an outside attorney, Ray DiRaddo. They anticipate that the Fire District may take over as of January 1, 2025. The Town Attorney is very familiar with the process of

forming a Fire District since he has gone through this before when the Holley Fire District was formed and more recently when the Murray Joint Fire District was formed. There are still a lot of things that need to be worked out, however it appears that it will be happening. The costs have skyrocketed and are beyond the means of the Village budget. All things considered; it seems to be going well so far.

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