

**TOWN OF GAINES**  
**REGULAR MEETING December 11, 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 PM on the 11<sup>th</sup> of December, 2023.

The following town officials were present:

Tyler Allport	Supervisor
James Kirby	Deputy Supervisor
Ron Mannella	Councilperson
Mary Neilans	Councilperson
Ken Rush	Councilperson
Janet Cheverie	Town Clerk
Mark Radzinski	Highway Superintendent
Douglas Heath	Attorney for the Town

The following individuals were present during the meeting: Janet Ward; Jason Dragon; Jeremy Graham, Albion Fire Chief; Fred Piano, Albion Fire Lieutenant; Brianna Caldwell, Albion EMS Captain; Chris Watt; Richard Ebbs; Charles Ricci; Tom Rivers, Orleans Hub; Lorienda Smith; John Fitzak, Orleans County Legislature; Cassidy Albone, Town Bookkeeper; David Bertsch

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

**OPEN PUBLIC HEARING FOR RENEWAL OF MONROE AMBULANCE CONTRACT FOR 2024**

Moved by Councilperson Neilans and seconded by Councilperson Kirby to open Public Hearing at 7:01 PM for the Renewal of the Monroe Ambulance Contract for 2024

Ayes 5; Nays 0

Supervisor Allport advised that this is not a question and answer, it is merely for comments from residents of the Town of Gaines only. Each person will be given 2 minutes to speak. The Clerk will be the timekeeper.

Lorienda Smith inquired if the contract has the same cost and coverage as this year.

Supervisor Allport advised that the cost for the Town of Gaines is less than last year, and the coverage is also less.

**CLOSE PUBLIC HEARING FOR RENEWAL OF MONROE AMBULANCE CONTRACT FOR 2024**

Moved by Councilperson Neilans and seconded by Councilperson Mannella to close Public Hearing at 7:03 PM for the Renewal of the Monroe Ambulance Contract for 2024

Ayes 5; Nays 0

**RESOLUTION 100-1223**

**AUTHORIZE SUPERVISOR ALLPORT TO ENTER INTO CONTRACT WITH MONROE MEDI-TRANS, INC. DBA MONROE AMBULANCE, INC. OF BEHALF OF THE TOWN OF GAINES**

WHEREAS the municipalities of Albion, Barre, Gaines, Carlton, Murray, Clarendon and Kendall are all in need of ambulance services, and

WHEREAS the aforesaid municipalities have engaged in negotiations and dialogue with Monroe Medi-Trans, Co. d/b/a Monroe Ambulance (hereinafter referred to as Monroe) resulting in a proposed written contract/agreement, and

WHEREAS the Town of Gaines believes that the best interests of the health, safety and welfare of Gaines Town residents would be best served by entering into the proposed contract/agreement, and

WHEREAS the proposed contract/agreement is a Type II action not subject to review under the state Environmental Quality Review Act, 6 NYCRR §617.5(c)(42).

NOW THEREFORE BE IT RESOLVED:

Section 1. The Gaines Town Board does hereby approve the contract/ agreement with Monroe Ambulance.

Section 2. The Gaines Town Board does authorize Gaines Town Supervisor Tyler J. Allport to execute the proposed contract/agreement.

Section 3. The above-described authorization and approval is conditioned upon similar authorization and approval by all municipalities listed hereinabove as well as Monroe Ambulance.

Section 4. This Resolution shall take effect immediately.

**ROLL CALL VOTE:**

Councilperson Neilans - Aye

Supervisor Allport - Aye

Councilperson Kirby - Aye

Councilperson Mannella – asked if they gave a quote for the same coverage. Supervisor Allport advised they did, and it was considerably higher cost. Aye

Councilperson Rush – has the same question as Councilperson Mannella. Aye

**APPROVAL OF MINUTES OF NOVEMBER 13<sup>th</sup>, 2023 REGULAR MEETING MINUTES**

Minutes were not available, so this matter was tabled to the Special meeting later this month.

**RESOLUTION 101-1223**

**PRESENTATION AND ACCEPTANCE OF TOWN CLERK’S REPORT**

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

Ayes 5; Nays 0

**RESOLUTION 102-1223**

**PRESENTATION AND ACCEPTANCE OF THE SUPERVISOR'S REPORT**

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

Ayes 5; Nays 0

**RESOLUTION 103-1223**

**HIGHWAY SUPERINTENDENT'S REPORT**

Highway Superintendent reported that they used 121 gallons of gasoline and 225 gallons of diesel this month. There was a water main break on Brown Rd the Wednesday night before Thanksgiving that they repaired. Also, there will be letters going out to all water customers with their January bill requesting photos of the supply line for water coming into their dwelling or setting up an appointment for the water department to come out and take photos. This is needed for a lead survey by the Health Department that needs to be completed by October 2024. Councilperson Mannella asked if there would be any trouble meeting that deadline and Superintendent Radzinski indicated that he doesn't foresee any trouble meeting the deadline. The only possible problem may be district 1 since it is so old. Also there was a new meter installed in the 279 meter pit with Carlton agreeing to pay ½ of the cost and also one in the 104 pit going into the Town of Murray with Murray agreeing to pay ½ of the cost.

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

Ayes 5; Nays 0

**RESOLUTION 104-1223**

**APPROVAL OF ABSTRACTS**

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

General	\$27,110.31
Highway	\$ 8,167.10
Water	\$ 8,081.36

Ayes 5; Nays 0

**RESOLUTION 105-1223**

**APPROVAL OF PAYMENT TO THE TOWN OF CARLTON FOR CODE ENFORCEMENT OFFICER**

Moved by Councilperson Neilans and seconded by Councilperson Kirby to approve the payment to the Town of Carlton for Code Enforcement Officer services. The cost to the Town will be \$5,000 per quarter. Resolution 89-1022 approved the agreement with the Town.

Ayes 5; Nays 0

**RESOLUTION 106-1223**  
**AUTHORIZING THE CREATION OF PETTY CASH ACCOUNT FOR TAX COLLECTION**

Moved by Councilperson Rush and seconded by Councilperson Neilans to authorize the Tax Collector to establish a petty cash account in the of Two Hundred Dollars (\$200.00) for use during the collection of real property taxes.

Ayes 5; Nays 0

**RESOLUTION 107-1223**  
**SETTING DATE OF THE YEAR END MEETING 2023**

Moved by Councilperson Neilans and seconded by Councilperson Kirby to set the year end Town Board meeting for 12/27/2023 at 7:00 PM at the Town Gaines Town Hall.

Ayes 5; Nays 0

**RESOLUTION 108-1223**  
**SETTING DATE FOR THE 2024 ORGANIZATIONAL MEETING**

Moved by Councilperson Rush and seconded by Councilperson Mannella to set the 2024 Organizational Meeting in conjunction with the Regular Town Board meeting on January 8, 2024 at 7:00 P. M. at the Gaines Town Hall.

Ayes 5; Nays 0

**RESOLUTION 109-1223**  
**APPROVAL OF DG GAINES, LLC INCREASE RIDER FOR DECOMMISSIONING BOND**

Moved by Councilperson Kirby and seconded by Councilperson Mannella to approve the DG Gaines, LLC Decommissioning Bond for Gaines Solar Project located at 2436 Gaines Waterport Road, Albion, NY. Amount increases from \$944,328.00 to \$1,667,592.00 and was approved by the Town of Gaines Planning Board on 11/14/2023.

Discussion: This is a rider and is just increasing the amount of the bond.

Ayes 5; Nays 0

## **RESOLUTION 110-1223**

### **APPROVAL OF DG GAINES, LLC INCREASE LETTER OF CREDIT AMOUNT**

Moved by Councilperson Kirby and seconded by Councilperson Rush to increase the DG Gaines, LLC letter of credit amount to \$216,707.00 for the Gaines Solar Project located at 2436 Gaines Waterport Road, Albion, NY.

Ayes 5; Nays 0

### **ITEMS OF DISCUSSION**

Cassidy Albone, the accountant for the Town reported that she has been cleaning up 2023 figures and should be able to finalize it in the next two (2) weeks.

### **OTHER NEW BUSINESS FROM THE TOWN BOARD**

Town Clerk Cheverie reported that Patrick Jamoua from Revize has been reaching out to her to see if the Town would be receptive to a quick demonstration of their website content management software. Supervisor Allport indicated that he is comfortable using what we currently have and is not interested in changing at this time.

Town Clerk Cheverie also reported that she received an email from the New York State Town Clerk's Association encouraging Town Boards to review the bills A.04282B/S.3505B which propose changing the local elections to coincide with the State and Federal elections. If the Board is against it, they provided a sample letter to request Governor Hochul veto the bills. The Board didn't feel that there was enough information at short notice so the matter was tabled. It was requested that the email be forwarded to the Town Attorney, all Town Board members, and Councilperson-elect Richard Ebbs. Attorney Heath stated that there are several sections that are key to local elections that would have to be changed.

### **PRIVILEGE OF THE FLOOR**

Albion Fire Department (AFD) Chief, Jeremy Graham, spoke regarding the Ambulance Contract. He stated that the numbers are skewed. As an example, just the other day there was a head-on accident on Eagle Harbor Rd in the Town of Gaines, there were no Monroe Ambulances available. An ambulance from Medina Fire Department transported the most seriously injured patient but the remaining patient had to wait 33 minutes for a Monroe Ambulance to respond from the Greece Ridge Mall Area. On another priority 3 call, the AFD EMS personnel had to wait for over an hour for a Monroe Ambulance to arrive from Irondequoit. That is a long time. Since 4/1/22 to yesterday, there have been 22 calls in the Town of Gaines outside the Village of Albion. Unlike Barre and Carlton, AFD only goes out when it is the third ambulance being requested or there is no ambulance available. During that same time, AFD has had 180 EMS calls. It is a real problem. There is much more volume than is reflected and Monroe Ambulance cannot provide enough ambulances with the current contract, not to mention with reduced coverage. He stated that he is not against Monroe Ambulance, however he believes there needs to be more choices for ambulances in time of need.

Jason Dragon reported that when he read the ambulance contract, it appears that the breakdown that was used to determine call volumes and therefore the pro rata share of the cost, an error was made regarding the calls in the Village of Albion. He believes that all those calls were counted as the Town of Albion when some were in the Town of Gaines. The Town of Gaines collects \$24.5 million in taxes from Village residents, and therefore something should be done to correct this error. Supervisor Allport stated that he was not aware of this, but he will investigate this and speak with the Town of Albion Supervisor Remley.

David Bertsch is concerned that only having 1 ALS ambulance in the Central part of the County, if it goes to the East end of the County, the center has no ambulance at all. Also, overnight having only 1 ambulance in the center and none in the East end of the county is going backwards. It seems that \$300,000.00 for less service should not be acceptable. For the East end of the County, it might be fine due to their proximity to ambulances in Monroe County, however the Center has much more difficulty finding an ambulance to cover the shortage.

Charles Ricci inquired if the Town Board would be open to working with Carlton on a contract for the two towns if it doesn't pass in Carlton tomorrow night. Supervisor Allport reminded him that this was a time for comments, not questions, and answers.

Lorienda Smith said she read on the hub that the County Legislature may not share tax money with the town.

Tom Rivers from the Hub indicated that he doesn't believe that was what was reported on the Hub. Legislator John Fitzak stated the County will continue sharing tax money at the same level it has been sharing it.

Mrs. Smith also expressed concern that she asked if she could review the tentative budget prior to the budget hearing and was told that it will be available at the hearing. When she received it the night of the hearing, there wasn't enough time to thoroughly review it so that she could ask questions. The budget was then passed the same night. She believes that the budget should be available to the residents 2-3 days before the hearing, or at least before passing it so that all questions can be addressed in case it has an impact on the budget.

Supervisor Allport stated he would be happy to talk about it with her to answer any questions. Going forward, the Town will make it available ahead of time.

## **RECESS**

Moved by Councilperson Neilans and seconded by Councilperson Kirby to recess the meeting at 7:31 PM to Wednesday, December 27, 2023 @ 7:00 PM.

Ayes 5; Nays 0