

**TOWN OF GAINES MONTHLY TOWN BOARD MEETING APRIL 8th, 2024**

The Regular Meeting of the Town of Gaines, County of Orleans, State of New York was called to order by Deputy Supervisor James Kirby at 7:00 P.M. on the 08<sup>th</sup> day of April, 2024.

The following town officials were present:

James Kirby	Deputy Supervisor
Ron Mannella	Councilperson
Rick Ebbs	Councilperson
Janet Cheverie	Town Clerk
Charles Prentice	Town Justice
Mark Radzinski	Highway Superintendent
Douglas Heath	Attorney for the Town

The following town officials were absent:

Tyler J Allport	Supervisor
Kenneth Rush	Councilperson

The following individuals were present during the meeting: Lorienda Smith, Charles Monacelli, Jr

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

**RESOLUTION NO. 42-0424  
APPROVAL OF MINUTES OF FEBRUARY 12<sup>th</sup>, 2024 REGULAR MEETING**

Moved by Councilperson Mannella and seconded by Councilperson Ebbs to approve the February 12<sup>th</sup>, 2024 Regular Meeting.

Discussion: None

Ayes 3; Nays 0

**RESOLUTION NO. 43-0424  
APPROVAL OF MINUTES OF MARCH 11<sup>th</sup>, 2024 REGULAR MEETING**

Moved by Councilperson Mannella and seconded by Councilperson Ebbs to approve the March 11<sup>th</sup>, 2024 Regular Meeting.

Discussion: None

Ayes 3; Nays 0

**RESOLUTION NO. 44-0424**

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

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

Discussion: None

Ayes 3; Nays 0

**RESOLUTION NO. 45-0424**

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

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

Discussion: None

Ayes 3; Nays 0

**RESOLUTION NO. 46-0424**

**HIGHWAY SUPERINTENDENT'S REPORT**

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

Discussion: 371 gallons of gasoline were used, and 191 gallons of diesel were used. They have been busy turning valves. Since less than 50% of the residents returned the water survey, a second one was sent with the water bills. On 4/22/24, NY leaks is coming out to look for any leaks that there may be. It was asked how much was bonded for the new truck and how much was the partial payment with ARPA funds? Attorney, Douglas Heath will touch base with Supervisor Allport.

Ayes 3; Nays 0

**RESOLUTION NO. 47-0424**

**APPROVAL OF ABSTRACTS**

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

General	\$18,339.40
Highway	\$ 7761.75
Water	\$ 3887.79

Discussion

Ayes 3; Nays 0

**AWARDING MOWING BID FOR THE 2024 SEASON**

Discussion- Matter was tabled as the ad did not go in in time for the bids to be submitted. Mark will contact Perry's Lawn Care who had the contract last year to see if they will mow at the same rate as last year until the bids can be received, opened and awarded.

**RESOLUTION NO. 48-0424  
COMPLETION OF THE TOWN AUDITS**

Moved by Councilperson Mannella and seconded by Councilperson Ebbs to declare all books for the year 2023 have been reviewed and audited by said Town Board.

The Criminal and Civil Dockets of the Town Justice for 2023 having been duly examined with the monthly cash summary being viewed and the fine and fees have been turned over to the proper officials.

The records of the Town Clerk/Tax Collector for 2023 have been duly examined and found all fees have been turned over to the proper officials.

Discussion: None

Ayes 3; Nays 0

**RESOLUTION NO. 49-0424  
AUTHORIZE THE TOWN CLERK TO ADVERTISE FOR POSITION OF PLANNING BOARD AND ZONING BOARD OF APPEALS SECRETARY**

Moved by Councilperson Ebbs and seconded by Councilperson Mannella to Authorize the Town Clerk to Advertise for the position of Town of Gaines Planning Board and Zoning Board of Appeals Secretary.

Discussion None

Aye 3; Nays 0

**RESOLUTION NO. 50-0424**

**AUTHORIZE THE TOWN CLERK TO ADVERTISE FOR POSITION ON THE BOARD OF ASSESSMENTS**  
*(POSSIBLE COMBINATION WITH BOARD SECRETARY ADVERTISEMENT)*

Moved by Councilperson Mannella and seconded by Councilperson Ebbs to Authorize the Town Clerk to Advertise for position on the Town of Gaines Board of Assessments.

Discussion: Attorney Heath indicated that the positions should be advertised as separate ads

Ayes 3; Nays 0

**SUPERVISOR'S COMMENTS: None**

**OTHER NEW BUSINESS FROM THE TOWN BOARD: None**

**PRIVILEGE OF THE FLOOR**

Lorienda Smith inquired if the Board of Assessment Review member and the Planning/Zoning Board secretary full time or part time positions. She was informed that both are part time.

She also inquired to see what is happening with the property north of the Mannella properties on Gaines Road. She was told that they are looking to put in a solar farm.

Charles Monacelli, Jr. asked what is the board's position on the Fire Department working on forming a Fire District? He also asked what the taxes would be if the Fire District goes through.

Attorney Heath stated that there will be a public hearing with a power point presentation on April 24 @ 6:00 in the LGI room in the Albion High School. There are currently two districts, Gaines and Albion. The Village of Albion cannot afford to continue funding the Fire Department. By going to a Fire District, the taxes can be spread over a larger group. Taxes could possibly be lower, or they may be unchanged. If the public wants to, they can circulate petitions and if they have the required number of valid signatures, then the municipalities would be required to have a public vote. If no valid petitions are submitted, by permissive referendum, the Albion Joint Fire District would be formed effective January 1, 2025. Initially, there would be five Commissioners appointed by the municipalities to act in a manner similar to a town board. There are some firefighters who want to spend a lot of money on a new ladder truck. Some are pushing back. There are other things in the proposal as well. Basically, the two towns are bailing out the Village. The Village says that is not the case. The boards are looking forward to the public hearing to see what people think about this. This will be a time for questions and to hear the pros and cons of creating a Fire District. In 2027, when the current contract expires, if the Joint Fire District has not been created, the contract with the Village will be through the roof. Anyone can be a commissioner if they live in either the Town of Gaines, Town of Albion, or Village of Albion.

Commissioners do not have to be firefighters. The commissioners are not paid, they are all volunteers. This has been in discussion with the committee for 6-8 months.

Town Justice Prentice stated that Supervisor Allport told him that the board was working on a resolution opposing the District Court. There are two public hearings coming up on May 4, 2024 and June 7, 2024 where District Attorney Cardone and the County Legislature will be doing a presentation. Deputy Supervisor Kirby stated that he was unaware of this so he will touch base with Supervisor Allport. Councilperson Ebbs asked what other Towns think of it. Judge Prentice stated that some Towns have already opposed it via resolution. He also stated that at the Association of Municipalities meeting that Supervisor Allport attended, most, if not all of the Supervisors were against it. Councilperson Mannella stated that he thinks that Supervisor Allport opposes it until the State mandates it. Judge Prentice stated that the State has not done anything with mandating it yet. He will touch base with Supervisor Allport. Attorney Heath hasn't had an opportunity to read it yet, however he finds it interesting that Orleans County is the model for District Court, it is curious where it is coming from.

**RESOLUTION NO. 51-0424**

**AUTHORIZE SUPERVISOR TO ISSUE A CORRESPONDENCE OPPOSING THE FORMATION OF A DISTRICT COURT**

Moved by Councilperson Mannella and seconded by Councilperson Ebbs to authorize Supervisor Allport to issue a correspondence indicating that the Town of Gaines Board opposes the formation of a District Court.

Discussion: None

Ayes 3; Nays 0

**ADJOURNMENT**

Moved by Councilperson Mannella and seconded by Councilperson Ebbs to adjourn the meeting at 7:26 PM.

Ayes 3; Nays 0