

**Town of Gaines  
Town Board Meeting Minutes  
October 21, 2024**

The Regular Meeting 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 21<sup>st</sup> day of October, 2024.

The following town officials were present:

Tyler Allport	Supervisor
James Kirby	Deputy Supervisor
Ron Mannella	Councilperson
Ken Rush	Councilperson
Janet Cheverie	Town Clerk
Mark Radzinski	Highway Superintendent

The following town officials were absent:

Rick Ebbs	Councilperson
Douglas Heath	Attorney for the Town

The following individuals were present during the meeting: Lorienda Smith

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

**RESOLUTION NO. 102-1024  
APPROVAL OF MINUTES OF SEPTEMBER 9<sup>th</sup>, 2024 REGULAR MEETING**

Moved by Councilperson Rush and seconded by Councilperson Mannella to approve the September 9<sup>th</sup>, 2024 Regular Meeting.

Discussion: None

Ayes 4; Nays 0; Absent 1

**RESOLUTION NO. 103-1024  
APPROVAL OF MINUTES OF SEPTEMBER 30<sup>th</sup>, 2024 SPECIAL MEETING**

Moved by Councilperson Rush and seconded by Councilperson Mannella to approve the September 30<sup>th</sup>, 2024 Special Meeting with the correction that the next meeting will be October 21, 2024

Discussion: None other than the correction of the next meeting date

Ayes 4; Nays 0; Absent 1

**Town of Gaines  
Town Board Meeting Minutes  
October 21, 2024**

**RESOLUTION NO. 104-1024  
PRESENTATION AND ACCEPTANCE OF TOWN CLERK'S REPORT**

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

Discussion: None

Ayes 4; Nays 0; Absent 1

**RESOLUTION NO. 105-1024  
PRESENTATION AND ACCEPTANCE OF THE SUPERVISOR'S REPORT**

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

Discussion: The Town is  $\frac{3}{4}$  of the way through the year and is on schedule with the budget.

Ayes 4; Nays 0; Absent 1

**RESOLUTION NO. 106-1024  
HIGHWAY SUPERINTENDENT'S REPORT**

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

Discussion: 197 gallons of gas and 624 gallons of diesel fuel were used this month. Highway/Water Superintendent Radzinski thanked water clerk, Kim Niehaus for getting the lead survey results compiled on a spreadsheet and submitted on time. He also reported that since 2013, the hours have been 6:00 am-3:00 pm in the summer. He also reported that from what he can see in the contract, there is nothing in it for the part-time employees in terms of hours, holidays or call-in hours. The Board believes that the rough draft didn't have it, but they put it in the final draft. They will have to investigate that. The truck should be done in 3-4 weeks. Town Attorney Heath has not gotten back to Superintendent Radzinski about the bond yet. He will reach out to him tomorrow to let him know that we are only a few weeks away from the truck being done.

Ayes 4; Nays 0; Absent 1

**Town of Gaines  
Town Board Meeting Minutes  
October 21, 2024**

**RESOLUTION NO. 107-1024  
APPROVAL OF ABSTRACTS**

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

General	\$ 23,370.43
Highway	\$ 8,203.92
Water	\$104,564.78

Discussion: None

Ayes 3; Nays 0; Absent 1; Abstained 1 Rush (did not have an opportunity to review them)

**RESOLUTION NO. 108-1024  
APPROVAL OF AMENDED DECEMBER 2023 VOUCHER/ABSTRACT**

Moved by Councilperson Kirby and seconded by Councilperson Mannella to approve the amended December 2023 Voucher/Abstract (Abstract #13) for Electric Bills for the various Water Districts in the amount of \$151.53

Discussion: None

Ayes 3; Nays 0; Absent 1; Abstained 1 Rush (did not have an opportunity to review them)

**RESOLUTION NO. 109-1024  
SCHEDULE 2025 BUDGET WORKSHOP**

Moved by Councilperson Kirby and seconded by Councilperson Mannella to schedule the Town of Gaines Town Board 2025 Budget Workshop for Monday October 28<sup>th</sup>, 2024 at 6:00 PM at the Town Hall

Discussion: Clerk Cheverie, Highway Superintendent Radzinski & Accountant Albone are also requested to be in attendance

Ayes 4; Nays 0; Absent 1

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Town Board Meeting Minutes  
October 21, 2024**

**RESOLUTION NO. 110-1024**

**SCHEDULE AND AUTHORIZE PUBLICATION OF CHARTER FRANCHISE RENEWAL PUBLIC HEARING**

Moved by Councilperson Kirby and seconded by Councilperson Mannella to schedule a Public Hearing for the Renewal of the Charter Franchise Renewal for November 4<sup>th</sup>, 2024 @ 7:00 PM and further Authorize the Town Clerk to Publish as such

Discussion: None

Ayes 4; Nays 0; Absent 1

**RESOLUTION NO. 111-1024**

**AUTHORIZE TOWN CLERK TO ADVERTISE FOR CLEANER POSITION**

Moved by Councilperson Mannella and seconded by Councilperson Kirby to Authorize the Town of Gaines Town Clerk to Advertise for the Cleaner Position due to a resignation effective November 2, 2024

Discussion: None

Ayes 4; Nays 0; Absent 1

**RESOLUTION NO. 112-1024**

**AUTHORIZE TOWN CLERK TO PURCHASE TWO COMPUTERS**

Moved by Councilperson Rush and seconded by Councilperson Kirby to Authorize the Town of Gaines Town Clerk to purchase two (2) new computers for the Clerk's office, from CHPC, in an amount not to exceed a total of \$1610.00, as budgeted.

Discussion: On 9/17/24 the Clerk received a quote of \$629.00 each for the computers, but the quote was only good for 15 days as she was told that prices are changing rapidly. Since there was no Town Board Meeting within those 15 days and she did not want to place the order without Board approval, she requested and received another quote in the amount of \$805.00 each, also good for 15 days. She inquired to see if these were the same computers that were only \$629.00 each and was told that the prior computers were no longer available and that is why the quotes are only good for 15 days. The Board requested that Clerk Cheverie reach out to CHPC to see if there was anything more reasonable, available but authorized the purchase up to the \$805.00 each, if necessary, since the current computers are from 2011 and could stop working at any time, per CHPC.

Ayes 4; Nays 0; Absent 1

The board will need to enter executive session to discuss matters relating to contract negotiations, however nothing further will be discussed at this meeting. Therefore, the Board will allow Privilege of the Floor now.

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**PRIVILEGE OF THE FLOOR:** Lorienda Smith stated that she submitted a letter to the Town regarding the cleaning of the ditch in front of her house on Gaines Road. She is requesting a quarterly cleaning of the ditch since she does not want her yard to flood due to the weed growing too high. Councilperson Mannella indicated that quarterly is not realistic since you can't mow in the winter and mowing is weather dependent. You can't mow if the ground is too wet. Councilperson Kirby indicated that mowing the ditch will not help with drainage if the ground is saturated, it doesn't matter if there are weeds or not. Supervisor Allport will speak with the Town Attorney about the legality of a contract agreeing to keep the ditch mowed.

**ADJOURN MEETING TO ENTER EXECUTIVE SESSION TO DISCUSS MATTERS RELATING TO CONTRACT NEGOTIATIONS**

Moved by Councilperson Kirby and seconded by Councilperson Mannella to enter executive session at 7:24 PM to update the Board relating to ongoing Contract Negotiations.

Discussion: None

Ayes 4; Nays 0; Absent 1

**EXIT EXECUTIVE SESSION TO REJOIN REGULAR MEETING**

Moved by Councilperson Mannella and seconded by Councilperson Kirby to exit Executive Session at 7:43 PM.

Discussion: None

Ayes 4; Nays 0; Absent 1

**ADJOURNMENT**

Moved by Councilperson Mannella and seconded by Councilperson Kirby to adjourn the meeting at 7:43 PM.

Ayes 4; Nays 0; Absent 1

Respectfully Submitted,

Janet K. Cheverie  
Gaines Town Clerk