

TOWN BOARD MEETING
PUBLIC HEARING
GAINES, NY MAY 2, 2011

PRESENT: Bill Lattin ----- Supervisor
 David Kast ----- Councilperson
 James Kirby ----- Councilperson
 Lorraine Oakley ----- Councilperson
 Susan Smith ----- Councilperson
 Mary Pettit ----- Deputy Town Clerk
 Doug Heath ----- Council

EXCUSED: Jean Klatt ----- Town Clerk

OTHERS PRESENT: Gary Davy, Connie Mosher, Tibbs Ahlberg, Mike Grabowski, Doug Syck, Mary Jo Syck, Molly Preston, Jim Theodorakos, Jennifer Stillwell, Carol Culhane, Ray Burke, Marilyn Miller, Glen Brown

Supervisor Lattin called the meeting to order at 7:30 PM with the Pledge to the Flag.

LEGAL NOTICE

NOTICE IS HEREBY GIVEN, that the Gaines Town Board will conduct a public hearing upon the proposed adoption of Local Law No. 1 of the Year 2011, entitled “A Local Law Imposing a Moratorium on the Acceptance, Processing, and/or Approval of all Applications for Building Permits, Area and Use Variances, Special Use Permits, and Site Plan Approvals in the Town of Gaines”, on May 2, 2011 at 7:30 p.m. in the Gaines Town Hall, 14087 Ridge Road, Albion, New York 14411. The duration of the proposed moratorium is for a term of six months with exceptions provided for certain types of projects and/or uses. All persons wishing to be heard in favor or against its adoption will be given an opportunity to be heard. Copies of proposed Local Law No. 1 are available for public inspection in the Town Clerk’s office prior to the public hearing.

Dates: April 15, 2011

Jean Klatt, Gaines Town Clerk

Supervisor Lattin read the legal notice above and the meeting was turned over to Attorney Heath who opened the public hearing at 7:31 PM.

Attorney Heath introduced the moratorium with a brief explanation of the regulations. The hearing was then opened to the floor for any questions.

Marilynn Miller and Connie Mosher expressed their favorable opinion of adopting the moratorium.

With no more comments from the public, the public hearing was closed at 7:44 PM

Attorney Heath prepared a draft resolution attached with the County Planning Boards recommendations for the board to approve

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There was a brief discussion among the board about whether or not some more exceptions should be added. Councilperson Smith voiced that the moratorium should be passed as written and everything should be looked at on a case by case matter.

RESOLUTION 26-11
ADOPTION OF LOCAL LAW NO. 1

On a motion of Councilperson Smith, seconded by Councilperson Oakley, the following resolution was

ADOPTED Ayes 5 Lattin, Kast, Kirby, Oakley, Smith
 Nays 0

Resolved that the Town adopt Local Law No. 1 for a six month moratorium.

RESOLUTION DULY ADOPTED AT A SPECIAL MEETING OF THE GAINES TOWN BOARD HELD ON THE 2ND DAY OF MAY, 2011 AT 7:30 P.M., AT WHICH THE FOLLOWING WERE:

PRESENT: C.W. Lattin, Supervisor
 Susan Smith, Councilman
 Lorraine Oakley, Councilman
 David Kast, Councilman
 James Kirby, Councilman

ABSENT: None

Councilman Smith moved the adoption of the following resolution; Councilman Oakley seconded the motion;

WHEREAS, Local Law No. 1 of the Year 2011 of the Town of Gaines, Orleans County, New York; entitled “A Local Law Imposing a Moratorium on the Acceptance, Processing, and/or Approval of all Applications for Building Permits, Area and Use Variances, Special Use Permits, and Site Plan Approvals in the Town of Gaines”, was introduced and placed on the desks and the tables of the members of the Town Board at least seven (7) days prior to final adoption, and

WHEREAS, Local Law No. 1 was referred to the Orleans County Planning Board (CPB) for review and comment and the CPB did APPROVE the proposed adoption of Local Law NO. 1 at its April 28, 2011 meeting; and

WHEREAS, the Gaines Town Board did conduct a public hearing to consider the adoption of proposed Local Law No. 1 on the 2nd day of May, 2011 at 7:30 p.m., at which public hearing all persons wishing to be heard in favor or against said adoption were heard, and

WHEREAS, the Gaines Town Board has determined that no further action is needed within the meaning of SEQR prior to adoption of Local Law No. 1, and

WHEREAS, it is now the intent and desire of the Town Board to adopt Local Law No. 1 of the Year 2011, now therefore, be it

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RESOLVED, that Local Law No.1 of the Year 2011 of the Town of Gaines, Orleans County, New York, entitled “A Local Law Imposing a Moratorium on the Acceptance, Processing, and/or Approval of All Applications for Building Permits, Area and Use Variances, Special Use Permits, and Site Plan Approvals in the Town of Gaines”, be and the same is hereby adopted.

Upon being put to a vote, the following voted “Aye” in favor of adoption: Lattin, Kast, Kirby, Oakley, Smith

The following voted “No” in opposition thereto: none.

The resolution was declared adopted.

Dated: May 2, 2011

Gaines Town Board

With no further business, on a motion, from Councilperson Smith, and seconded by Councilperson Oakley the meeting was adjourned at 7:56 P.M.

Respectfully Submitted,

Mary E. Pettit
Deputy Town Clerk