

GAINES TOWN BOARD MEETING
Gaines, NY May 10, 2011

A Regular Town Board Meeting of the Town of Gaines, County of Orleans and the State of New York was held at the Town Hall, 14087 Ridge Road, Gaines, New York on the 10th day of May 2011.

PRESENT: Bill Lattin ----- Supervisor
 David Kast ----- Councilperson
 James Kirby ----- Councilperson
 Susan Smith ----- Councilperson
 Lorraine Oakley ----- Councilperson
 Ron Mannella ----- Highway Superintendent
 Jean Klatt ----- Town Clerk
 Douglas Heath ----- Council

EXCUSED: None

OTHERS PRESENT: Marilyn Miller, Doug Syck, Tibbs Ahlberg, Lisa Mannella, Ray Burke, James Theodorakos, Carol Culhane, Lorienda Smith, Guy Smith

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

PRIVILEGE OF THE FLOOR/PUBLIC CONCERNS

Jim Theodorakus, Realtor, on behalf of potential buyers for 14462 Ridge Road, formally Eagle Outfitters, came to speak about the possibility of a special use permit being issued during the recent moratorium. Attorney Heath believes that it is a similar business and that since there will be no changes to the building and it is also a retail business there will not be a problem.

Supervisor Lattin told the board that he had spoke with Roger Lamont who would like the town to establish the boundaries for the Lattin Road/Transit Church Road Cemetery with markers or a fence. Superintendent Mannella will mark the boundaries with stakes.

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RESOLUTION 27 -11

FINDING CLARIFYING LL#1 OF 2011

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

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

Resolved the Town of Gaines issues a finding on Local Law #1 of 2011. The board wishes to make clear the moratorium was not intended to include special use permit application where as the new applicant is applying for a special use permit to operate the same business as the past applicant with no major changes to the existing structure.

RESOLUTION 28 -11

APPROVAL OF MINUTES

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

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

Resolved that the minutes of April 12th, 2011 meeting are approve as submitted by the Deputy Town Clerk.

RESOLUTION 29-11

APPROVAL OF ABSTRACTS

On a motion from

General Councilperson Oakley and seconded by Councilperson Kirby
Highway Councilperson Kirby and seconded by Councilperson Smith
Water Councilperson Kast and seconded by Councilperson Oakley

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

Resolved that the bills on abstract #5 will be paid as presented.

General	Abstract # 78&96 - # 115	in the amount of \$ 13,747.47
	# 100 for \$229.00	Not Approved
Highway	Abstract # 50 - # 59	in the amount of \$ 2,369.73
Water 1	Abstract # 16 - # 2	in the amount of \$ 32,398.37
Water 9	Abstract # 1 - # 1	in the amount of \$ 1,200.00

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**RESOLUTION 30-11
APPROVAL OF SUPERVISOR'S MONTHLY REPORT**

On a motion of Councilperson Kast, seconded by Councilperson Kirby the following resolution was

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

Resolved that the March 2011 Supervisor's Monthly report is approved as submitted by the Supervisor Lattin.

**RESOLUTION 31-11
STANDARD WORK DAY RESOLUTION**

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

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

Resolved that the Standard Work Day Resolution for NYS Retirement is approved.

Standard Work Day and Reporting Resolution

BE IT RESOLVED, that the GainesTown Board hereby establishes the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by these officials to the clerk of this body:

Title Elected Official	Name Registration # Social Security #	Standard Work Day Hrs/Day	Term Begins/Ends	Participates in Employer's Time Keeping System (Y/N)	Days/Month (based on record of activities)
Town Clerk	Jean Klatt 4195719-2 xxx-xx-4343	6	01/01/2010 to 12/31/2013	N	24.33
Highway Superintendent	Ronald Mannella 3510096-5 xxx-xx-2413	8	01/01/2008 to 12/31/2011	N	26.71

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On this 10th day of May, 2011

Date enacted: May 10th, 2011

(Signature of clerk)

I, Jean M. Klatt, clerk of the governing board of the Town of Gaines, of
(Name of Employer)

the State of New York, do hereby certify that I have compared the foregoing with the original resolution passed by such board, at a legally convened meeting held on the 8th day of May, 2011 on file as part of the minutes of such meeting, and that same is a true copy thereof and the whole of such original.

I further certify that the full board, consists of 5 members, and that 5 of such members were present at such meeting and that 5 of such members voted in favor of the above resolution.

IN WITNESS WHEREOF, I have hereunto
Set my hand and the seal of the

Town of Gaines



RESOLUTION 32 -11

APPROVAL OF DONATION FOR VILLAGE FIREWORKS

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

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

Resolved that the Town of Gaines will make a \$500.00 donation to the Village of Albion for a fireworks display on the 4th of July. Should the fireworks not take place the Town wishes to have the \$500.00 returned immediately.

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RESOLUTION 33 -11

ORLEANS COUNTY ANIMAL CONTROL CONTRACT

On a motion of Councilperson Kast, seconded by Councilperson Kirby the following resolution was

ADOPTED Ayes 4 Smith, Kast, Kirby, Lattin
Nays 1 Oakley

Resolved that Supervisor Lattin is authorized to sign the 2011 Orleans County Animal Contract.

Clerk Klatt gave an update on the upcoming renewal of the Orleans County Assessing Contract. She will review the contract agreements from 5 years ago and work with Attorney Heath to prepare a report.

RESOLUTION 34 -11

ELECTRICAL UPGRADE FOR TOWN BUILDINGS

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

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

Resolved that the Town of Gaines will participate in National Grid's Upstate NY Small Business Program to upgrade the lighting in both the highway garage and town hall. Suburban Electric will be contracted to do the installation of the lighting at a cost of \$3076.99 to the Town of Gaines with the balance of \$ 8446.63 being paid for by National Grid. The total cost of the project is \$12,066.61.

Water Superintendent informed the board that the meter pit on Brown Road needs to be updated and that he is working to have estimates prepared.

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Discussion regarding Amending Zoning Laws pertaining to LL#1 of 2011

Councilperson Smith thought that an advisory committee similar to the wind advisory committee would be best. Councilperson Kast respectfully disagreed with Councilperson Smith. He thought the planning board should be charged with the task do to the limited time restraints. Members of the public thought that the planning board and zoning board of appeals working together would be best. Attorney Heath explained that if both boards were to meet it would mean double the expenses for salary, public notices, minutes, ect.

After a lengthy discussion regarding who would propose the changes to the zoning laws regarding the moratorium (LL#1 of 2011) it was decided that the planning board would be charged with the duty with input from the public being entertained for consideration.

RESOLUTION 35 -11

PLANNING BOARD CHARGED WITH THE TASK OF DRAFTING ZONING CHANGES PERTAINING TO LL#1 OF 2011

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

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

Resolved that the Town of Gaines Planning Board is charged by the Town of Gaines Town Board to review and propose zoning law amendments in a public forum at their regular monthly planning board meetings or at special meetings. The task is to be completed by September.

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With no further business, on a motion from Councilperson Oakley, seconded by Councilperson Kast the following resolution was

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

Resolved that the May 10, 2011 board meeting is adjourned at 9:25 PM.

Respectfully Submitted,

Jean Klatt
Gaines Town Clerk