

SPECIAL TOWN BOARD MEETING  
Gaines, NY            March 31, 2011

A Special 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 31st day of March 2011.

PRESENT:	Bill Lattin	-----	Supervisor
	Jim Kirby	-----	Councilman
	Lorraine Oakley	-----	Councilperson
	Susan Smith	-----	Councilperson
	Douglas Heath	-----	Council
	Mary Pettit	-----	Deputy Town Clerk
EXCUSED:	David Kast	-----	Councilman
	Jean Klatt	-----	Town Clerk

OTHERS PRESENT: Carol Culhane, Gary Davy

Supervisor Lattin called the meeting to order at 4:00PM with the Pledge to the Flag.

**LEGAL NOTICE**

**NOTICE IS HEREBY GIVEN**, that the Gaines Town Board will conduct a special meeting of said Board on Thursday, March 31, 2011 at 4:00 p.m. in the Gaines Town Hall, 14087 Ridge Road, Albion, New York 14411.

Dated: March 24, 2011

Jean Klatt, Gaines Town Clerk

The meeting was handed over to Attorney Heath for discussion regarding Local Law NO.1 of 2011. The terms and details of the local law for a moratorium to be put in place were handed out to the board members. Attorney Heath briefly discussed the law and answered any questions. The moratorium lasts for 6 months from adoption and pertains to permits that have not yet been submitted, not those that are already in place. The moratorium expires upon the adoption of a resolution, the lapse of 6 months or if it is extended by the board. Since there are properties within 500 ft. of State roads, this would need to be heard by the County before the Town could go forward with a public hearing. The County Planning Board meets on April 28<sup>th</sup>, so it was suggested that a public hearing be scheduled for May 2<sup>nd</sup> at 7:30 pm.

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LOCAL LAW NO.1 OF 2011

**RESOLUTION NO. 21-11** DUL Y ADOPTED AT A SPECIAL MEETING OF THE TOWN BOARD OF THE TOWN OF GAINES, ORLEANS COUNTY, NEW YORK, HELD ON THE 31 TH DAY OF MARCH, 2011 AT 4:00 P.M. IN THE GAINES TOWN HALL, RIDGE ROAD, ALBION, NEW YORK, AT WHICH THE FOLLOWING WERE:

PRESENT: Supervisor Lattin, Councilperson Kirby, Councilperson Oakley, Councilperson Smith

ABSENT: Councilperson Kast

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

"RESOLVED, that Local Law No. 1 of the Year 2011 of the Town of Gaines, Orleans County, New York, being 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 introduced and placed on the tables and the desks of the members of the Town Board at least seven (7) days prior to final adoption, exclusive of Sundays; and, be it

FURTHER RESOLVED, that the Town Board shall conduct a public hearing to consider adoption of proposed Local Law No. 1 of the Year 2011 on the 2 day of May, 2011 at 7:30 p.m. in the Gaines Town Hall, 14087 Ridge Road, Albion, New York 14411, at which time all persons wishing to be heard in favor or in opposition thereto shall be heard; and, be it

FURTHER RESOLVED, that the Town Clerk shall cause notice of said public hearing to be posted on the official signboard of the Town of Gaines and published in the Batavia Daily News, the official newspaper of the Town at least five (5) days prior to the date of said public hearing; and be it

FURTHER RESOLVED, that the Town Clerk shall cause a review of said action to be conducted in accordance with the applicable provisions of SEQRA.

Upon being put to a vote, the foregoing resolution was unanimously adopted.

Dated: March 31, 2011

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Supervisor Lattin was contacted by USDA to set up a meeting time for Water District 10. He wanted to know if he should meet with them and sign paperwork. Attorney Heath said it was alright to and the Town would not be bound to anything and could still back out if we choose. However, the board should make their decisions regarding WD10 at the April Town Board meeting.

**PRIVILEGE OF THE FLOOR/PUBLIC CONCERNS**

None

With no further business, on a motion from Councilperson Oakley and seconded by Councilperson Smith the meeting was adjourned at 4:15 PM.

Respectfully Submitted,

Mary Pettit  
Gaines Deputy Town Clerk