

REORGANIZATION TOWN BOARD MEETING  
Gaines, NY

January 13, 2009

PRESENT: Richard DeCarlo ----- Supervisor  
David Kast ----- Councilman  
James Kirby ----- Councilman  
Bill Lattin ----- Councilman  
Ron Mannella ----- Highway Superintendent  
Jean Klatt ----- Town Clerk  
Douglas Heath ----- Council  
Lorraine Oakley ----- Councilwoman 8:01

EXCUSED: until 8:01 PM Lorraine Oakley ----- Councilwoman

OTHERS PRESENT: Don & Elise Draper, Marilyn Miller, Lorienda Smith, Marita Dumrese, Bruce Schmidt, Jerry Culhane, Jennifer Stillwell, Tibbs Ahlberg, Henry Smith, Guy & Sue Smith, Tibbs Ahlberg

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

Paul Chatfield from Chatfield Engineers explained the results of the Water District #9 construction bids. Mr. Chatfield recommended that the board award the bid to Villager Construction. Villager Construction was the low bidder.

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RESOLUTION 1 - 09  
**Award Wd#9 Construction Bid**

At a regular meeting of the Town Board of the Town of Gaines held on the 13<sup>th</sup> day of January, 2009, the following resolution was moved by Councilman Lattin and seconded by Councilman Kirby:

**RESOLVED**, that upon the recommendation of Chatfield Engineers, P.C., engineers for the Town of Gaines and the Town of Murray in connection with a joint water project known as Gaines Water District 9 and Murray Water District 14, the Town of Gaines hereby accepts the total base bid from Villager Construction, Inc. in the amount of \$374,540, and awards the contract for the construction of the joint district to Villager Construction, Inc., the lowest responsible bidder, at the contract price of \$374,540, subject to the concurrence of the Town of Murray and the approval of USDA Rural Development.

Upon being put to a vote, the following voted in favor of adoption of the resolution:  
DeCarlo, Kast, Kirby, Lattin

The following voted against adoption: None.

The following was absent from the meeting: Oakley.

The resolution was thereupon declared adopted.

CERTIFICATE OF CLERK

STATE OF NEW YORK:  
COUNTY OF ORLEANS: ss.:  
TOWN OF GAINES:

I, JEAN KLATT, Town Clerk of the Town of Gaines, Orleans County, New York, DO HEREBY CERTIFY that I have compared the foregoing resolution duly adopted by the Town Board of the Town of Gaines on the 13th day of January, 2009 with the original thereof now on file in my office, and the same is a correct and true copy of said resolution and of the whole thereof.

Dated: January 13, 2009

(SEAL)

Jean Klatt  
Jean Klatt, Town Clerk

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Supervisor DeCarlo asked Attorney Heath to explain the services that would be provided by Wackenhut for Court security. Justice Schmidt told the board that he was not happy with the services that Wackenhut would be providing.

RESOLUTION 2 - 09

**Wackenhut Security Contract**

On a motion from Councilperson Kast, and seconded by Councilperson Kirby the resolution was declared

ADOPTED 4 Ayes DeCarlo, Kirby, Lattin, Kast  
0 Nays

Resolved that Supervisor DeCarlo is authorized to sign the contract to provide security for the court at the discretion of the Town Justice and the Supervisor.

RESOLUTION 3 - 08

**2009 Appointments**

On a motion from Councilperson Kast, and seconded by Councilperson Kirby the resolution was declared

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

Resolved that the following appointments and declarations are approved as presented.

Budget Officer.....	TBA
Attorney for the Town .....	Heath & Martin (Douglas M. Heath)
Town Engineer.....	Chatfield Engineers
Tax Collector.....	Jean Klatt
Records Management Officer.....	Jean Klatt
Town Registrar.....	Jean Klatt
Deputy Registrar.....	Jessica Klatt
Town Assessor.....	Colleen Pahura
Deputy Town Clerk.....	Loretta Long (\$9.63)

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**2009 Appointments cont.**

Deputy Town Clerk.....	Jessica Klatt [\$ 10.30/hr)
Deputy Town Clerk.....	Jackie Taylor(\$9.00/hr)
Court Clerk.....	Marita Dumrese (\$10.09)
Dog Control Officer.....	William Robinson
Town Historian.....	Delia Robinson
Deputy Historian.....	Janice Thaine
Accountant.....	St. John & Baldwin
Constable.....	William Robinson [\$15.30/trip+\$ .485/mile]
Code Enforcement Officer/Bldg. Inspector....	Robert McGaffick
Depository Institution.....	HSBC Bank 1 <sup>st</sup> Niagara Bank
Legal Publication.....	Batavia Daily News

**Water Department**

Water Supervisor.....	Ronald Mannella
Deputy Water Supervisor.....	Mark Radzinski
Co Deputy Water Supervisor.....	Dave Rustay
Water BillingClerk.....	Jessica Klatt
Water Collection Clerk.....	Jean Klatt

**Highway Department**

Highway Superintendent.....	Ron Mannella	
Dep. Highway Superintendent.....	Dave Rustay	\$19.26/hr
Co Dep. Highway Superintendent.....	Mark Radzinski	\$18.67/hr
MEO.....	Mark Radzinski..	\$18.67/hr
MEO/ Mechanic.....	David Rustay	\$19.26/hr
Seasonal.....		\$13.91/hr
Clothing Allowance.....		\$500.00/year
Cell Phone Allowance.....		\$200.00/year
Election Inspectors.....		\$8.13/hr or \$130.00/day
Town Mileage Rate.....		\$.55/ mile

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**2009 Appointments cont.**

Planning Board Members.....	\$25.00/meeting
Zoning Board Members.....	\$25.00/meeting
Zoning Board Secretary.....	\$9.63hr
Board of Assessment & Review.....	\$165.00/year

**Town Board Committees**

HIGHWAY.....	Lattin, Oakley, Kast
WATER.....	Kirby, Kast
BUILDINGS & GROUNDS.....	Oakley, Kirby
PLANNING & ZONING.....	DeCarlo, Oakley
CODES ENFORCEMENT.....	DeCarlo
ASSESSOR.....	DeCarlo
CEMETARIES.....	Oakley, Lattin, Mannella & Jean Klatt
FINANCE.....	Kast, DeCarlo
RECORDS MANAGEMENT.....	Lattin, Klatt, Robinson
FAIR HOUSING OFFICER.....	Jean Klatt

**Town of Gaines: Current Boards as of January 1, 2009**

**Zoning Board**

Douglas Syck.....01/01/2009 – 12/31/2012

**COUNTY PLANNING BOARD [2 Year Appointments]**

Theobert Ahlberg.....01/01/2009-12/31/2011

Elizabeth Capacci.....01/01/2009-12/31/2011

**BOARD OF ASSESSMENT & REVIEW [5 Year Appointments]**

Cornelius Newton.....9/30/2009-9/30/2014

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**2009 Appointments cont.**

**DECLARATIONS**

The 2009 town Board Meetings will be held on the 2<sup>nd</sup> Tuesday of each month @ 7:30 PM.

The Town Clerk, Justice, Highway, Water, Planning, Zoning and Code Enforcement departments are authorized to attend training schools as needed or required at the Town's expense.

Authorization to prepay bills and insurance policies as necessary to avoid late penalties and cancellations if the due date falls prior to the following board meeting.

RESOLUTION 6 - 09

**Non Smoking Resolution**

On a motion from Councilperson Oakley, and seconded by Councilperson Kast the resolution was declared

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

Resolved that there will be no smoking on any Town of Gaines Property.

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RESOLUTION NO. 5

Resolution duly adopted at the organizational meeting of the Town Board of the Town of Gaines, Orleans County, New York, held on the 13th day of January, 2009 at 7:30 p.m. at the Gaines Town Hall, 14087 Ridge Road, Albion, New York, at which the following were:

PRESENT: Richard A. DeCarlo, Sr., Supervisor  
James R. Kirby, Councilman  
David J. Kast, Councilman  
C.W. Lattin, Councilman  
Lorraine Oakley, Councilman

ABSENT:

Councilman Lattin moved the adoption of the following Resolution,  
Councilman Oakley seconded the motion:

"RESOLVED, that upon a finding that the so-called Met Tower constructed on lands located on the west side of Densmore Road lying south of West Transit Church Road, used for purposes of collecting data associated with wind energy production, has been disassembled and removed from the premises to the satisfaction of the property owner and in accordance with the permit issued by the Town of Gaines, the Gaines Town Board does hereby authorize the release and return of any bond or other security pledged by the operator of such facility and the Supervisor is hereby authorized to execute any writing necessary for the release of the same.

Upon being put to a vote, the following voted "Aye" in favor of the adoption of the foregoing resolution: DeCarlo, Lattin, Oakley

The following voted "No" in opposition thereto: None  
The following abstained: Kast, Kirby  
The resolution was approved.

Dated: January 13, 2009

Jean Klatt, Town Clerk

CERTIFICATION

STATE OF NEW YORK:  
COUNTY OF ORLEANS:ss.:

I, JEAN KLATT, Town Clerk of the Town of Gaines, County of Orleans, and State of New York, DO HEREBY CERTIFY that I have compared the foregoing resolution duly adopted by the Town Board of the Town of Gaines, on the 13<sup>th</sup> day of January, 2009, with the original now on file in my office, and the same is a correct and true copy of said resolution and of the whole thereof.

Dated: January 13, 2009  
Town of Gaines

Jean Klatt  
Jean Klatt, Town Clerk

(SEAL)

REORGANIZATION TOWN BOARD MEETING  
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RESOLUTION 6 - 09  
**Approval of Minutes**

On a motion from Councilperson Oakley, and seconded by Councilperson Kast the resolution was declared

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

Resolved that the minutes from December 10 & 30, 2008 are approved as presented.

RESOLUTION 7 - 09  
**Approval of Abstracts**

On a motion from  
General Councilperson Lattin, and seconded by Councilperson Kirby  
Highway Councilperson Oakley and seconded by Councilperson Lattin  
Water Councilperson Kast and seconded by Councilperson Kirby

the resolution was declared

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

Resolved that the bills on abstract #1 be paid as presented.



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PRIVILEGE OF THE FLOOR/PUBLIC CONCERNS:

Elise Draper asked if the rumors she had heard that the Town of Murray was pulling out of water district #9 were true. Supervisor DeCarlo responded that there was no truth to the rumor.

Sue Smith asked the board to consider reducing the number of members on the planning board to five to save money.

With no further business, on a motion from Councilperson Oakley and seconded by Councilperson Lattin the meeting was adjourned at 8:58PM.

Respectfully Submitted,

Jean Klatt,  
Gaines Town Clerk