

REGULAR TOWN BOARD MEETING
Gaines, NY July 10, 2007

PRESENT: Richard DeCarlo ----- Supervisor
 David Kast ----- Councilman
 James Kirby ----- Councilman
 Bill Lattin ----- Councilman
 Ron Mannella ----- Highway Superintendent
 Jean Klatt ----- Town Clerk

EXCUSED: Lorraine Oakley ----- Councilwoman
 Douglas Heath ----- Council

OTHERS PRESENT: Nicholas Condoluci, David Condoluci, Dennis Kirby, Aaron Kirby, Connie Mosher, Ken Whitney, David Oakley, Gerard Morrisey, Lorienda Smith, Phiol McKenna, Henry Smith, Taylor

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

PRIVILEGE OF THE FLOOR/PUBLIC CONCERNS

Nicholas Condoluci addressed the board about his neighbor, Dori Green regarding her goats.

David Oakley addressed the board regarding the # of monuments that can be stored at his business, Brigden Memorial.

Tibbs Ahlberg told the board that there was a large turn out for the public hearing re: Jim Kirby's Farm Labor Camp. The meeting will be reopened on July 30th. Attorney Heath will be asked to attend.

Bob McGaffick addressed the board regarding condemned property in the town that needs to be torn down.

RESOLUTION 61 - 07

LEGAL ACTION REGARDING CONDEMNED PROPERTY

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

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

Resolved that the board approves the COE to work with the Attorney to contact the owners of condemned properties for possible demolition.

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RESOLUTION 62 - 07
APPROVAL OF MINUTES

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

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

Resolved that the minutes from the June 12, 21 & July 2, 2007.

RESOLUTION 63 - 07
APPROVAL OF ABSTRACTS

On a motion from
General Councilperson Kast and seconded by Councilperson Lattin
Highway Councilperson Kast and seconded by Councilperson Kirby
Water Councilperson Kast and seconded by Councilperson Lattin
The resolution was declared

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

Resolved that the bills will be paid as presented.

ARTICLE X OF THE PUBLIC SERVICE LAW

Tabled until the meeting is reconvened.

BUDGET TRANSFERS

Tabled until the meeting is reconvened.

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ZONING CHANGES

The Zoning Laws Regulations will be tabled until the August meeting to allow the board & Attorney to study the revisions.

RESOLUTION 66 – 07

ZONING BOARD RESIGNATION

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 the board accepts the resignation of Sandra Thaine from the Zoning Board of Appeals.

RESOLUTION 67 - 07

DRIVEWAY SEALING

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

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

Resolved that JC Montroy will be hired to seal the driveways at Otter Creek Cemetery and the Town Hall.

BASEMENT

Clerk Klatt will contact the town attorney regarding disposing of surplus property.

279 DRAINAGE PROJECT UPDATE

Highway Superintendent Mannella gave an update on the drainage project. The project is moving along. The pond is completed. An excavator needs to be used. It can be borrowed from the county for 2 days at their convenience.

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WD#7 UPDDATE

Lattin Road has been completed and work will begin on Crandall Road soon.

With no further business, on a motion from Councilperson Lattin and Councilperson Kirby the meeting was recessed at 8:50 PM.

Respectfully Submitted,

Jean Klatt

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July 10, 2007 meeting Reconvened
Gaines, NY July 16, 2007

PRESENT: Richard DeCarlo ----- Supervisor
Lorraine Oakley ----- Councilwoman
Bill Lattin ----- Councilman
Jean Klatt ----- Town Clerk

EXCUSED: Douglas Heath ----- Council
David Kast ----- Councilman
James Kirby ----- Councilman

OTHERS PRESENT: None

Supervisor DeCarlo called the meeting to order at 5:00PM with the Pledge to the Flag.

PRIVILEGE OF THE FLOOR/PUBLIC CONCERNS - None

RESOLUTION 68 - 07

ARTICLE X OF THE PUBLIC SERVICE LAW

WHEREAS, Article X of the Public Service Law provides a streamlines siting permit procedure for certain power generation facilities and the law expired December 31, 2002; and

WHEREAS, since January 1, 2003 power generation facilities have been sited via local zoning and state DEC review; and

WHEREAS, this inclusion essentially eliminates local zoning control over wind turbines and has an impact on community host payments; and

WHEREAS, the Town of Gaines, along with numerous municipalities throughout New York State, has undergone considerable time and expense to develop and implement wind turbine siting policies that best fits our community;

NOW THEREFORE BE IT RESOLVES, that the Town Board of the Town of Gaines is opposed to any inclusion of the siting of wind turbines in Article X of the Public Service Law as it removes local control of our landscape and violates the principles of Home Rule that has been the guiding force of our state; and

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IT IS FURTHER RESOLVED that the Town Board of the Town of Gaines encourages and revision of Article X to address health and environmental issues for those who live and work near power generation facilities; and

BE IT FURTHER RESOLVED that the Town Clerk forward copies of this resolution to Governor Eliot Spitzer and elected officials.

Dated: July 16, 2007

BY ORDER OF THE TOWN BOARD
TOWN OF GAINES

On a motion from Councilperson Lattin and seconded by Councilperson Oakley the resolution was adopted.

AYES 3 DeCarlo, Oakley, Lattin
NAYS 0
ABSENT 2 Kast, Kirby

RESOLUTION 68 - 07

BUDGET TRANSFERS

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

ADOPTED 3 Ayes DeCarlo, Lattin, Oakley
0 Nays

Resolved that the budget transfers as recommended from our accountant, St John Baldwin are accepted as presented.

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TOWN OF GAINES

PLEASE MAKE THE FOLLOWING TRANSFERS AT YOUR 7/10/07 MEETING:

GENERAL FUND - TOWNWIDE

<i>Transfer From:</i>		Unanticipated Revenue	
	A1081	Payment in Lieu of Taxes	\$ 14,854.00
		TOTAL:	<u>\$ 14,854.00</u>
<i>Transfer To:</i>			
	A1315.4	Comptroller Contractual	\$ 7,250.00
	A1330.1A	Tax Collector Clerk Svc	\$ 69.00
	A1670.4	Central Printing Contractual	\$ 1,000.00
	A1680.4	Payroll Processing	\$ 1,600.00
	A8090.4	Environmental Contractual	\$ 935.00
	A9010.6	BOND Principal	\$ 4,000.00
		TOTAL:	<u>\$ 14,854.00</u>

GENERAL FUND - OUTSIDE VILLAGE

<i>Transfer From:</i>		Unanticipated Revenue	
	B2590	Permits, Other	\$ 1,701.00
		TOTAL:	<u>\$ 1,701.00</u>
<i>Transfer To:</i>			
	A3620.2	Bld & Fire Insp Equipment	\$ 299.00
	B8010.4	Zoning Contractual	\$ 500.00
	B8020.1B	Planning Svc- Wind	\$ 217.00
	B8020.4A	Planning Contr - Wind	\$ 685.00
		TOTAL:	<u>\$ 1,701.00</u>

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HIGHWAY FUND - TOWNWIDE

<i>Transfer From:</i>	DA4960	Unanticipated Revenue FEMA	\$ 14,133.00
		TOTAL:	<u>\$ 14,133.00</u>

<i>Transfer To:</i>	DA5142.1	Snow Rem Town Svc.	\$ 1,716.00
	DA5148.1	Snow Rem Other Gov't Svc	\$ 1,020.00
	DA9060.8	Hospital/Medical Insurance	<u>\$ 11,397.00</u>
		TOTAL:	<u><u>\$ 14,133.00</u></u>

HIGHWAY FUND - OUTSIDE VILLAGE

<i>Transfer From:</i>	DBUB	Unanticipated Revenue Unexpended Balance	\$ 11,397.00
		TOTAL:	<u>\$ 11,397.00</u>

<i>Transfer To:</i>	DB9060.8	Hospital/Medical Insurance	\$ 11,397.00
		TOTAL:	<u><u>\$ 11,397.00</u></u>

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WATER DISTRICT #1

<i>Transfer From:</i>	SW2148	Unanticipated Revenue Interest & Penalties	\$ 97.00
			TOTAL: \$ 97.00

<i>Transfer To:</i>	SW8310.1B	Admin Clerk Asst Svc	\$ 97.00
			TOTAL: \$ 97.00

WATER DISTRICT #2

<i>Transfer From:</i>	SW2140A	Unanticipated Revenue Relevied Water	\$ 217.00
	SW2770	Miscellaneous	\$ 799.60
			TOTAL: \$ 1,016.60

<i>Transfer To:</i>	SW1990.4	Contingency	\$ 799.60
	SW8310.1B	Admin Clerk Asst Svc	\$ 17.00
	SW9710.7	BOND Principal	\$ 200.00
			TOTAL: \$ 1,016.60

WATER DISTRICT #3

<i>Transfer From:</i>	SW2140A	Unanticipated Revenue Relevied Water	\$ 17.00
	SW2770	Miscellaneous	\$ 712.30
			TOTAL: \$ 729.30

<i>Transfer To:</i>	SW1990.4	Contingency	\$ 712.30
	SW8310.1B	Admin Clerk Asst Svc	\$ 17.00
			TOTAL: \$ 729.30

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WATER DISTRICT #4

<i>Transfer From:</i>	SW8320.4	Source of Supply Contr.		\$ 17.00
			TOTAL:	<u>\$ 17.00</u>

<i>Transfer To:</i>	SW8310.1B	Admin Clerk Asst Svc		\$ 17.00
			TOTAL:	<u>\$ 17.00</u>

WATER DISTRICT #5

<i>Transfer From:</i>		Unanticipated Revenue		
	SW2140	Metered Sales		\$ 21,900.00
	SW2140.A	Relevied Water		\$ 1,300.00
	SW2680	Insurance Recoveries		\$ 1,840.00
	SW5031	Interfund Transfer		\$ 23,024.00
	SW2770	Miscellaneous		\$ 775.06
	SWUB	Unexpended Balance		\$ 1,426.00
			TOTAL:	<u>\$ 50,265.06</u>

<i>Transfer To:</i>	SW1990.4	Contingency		\$ 775.06
	SW8310.1B	Admin Clerk Asst Svc		\$ 13.00
	SW8320.4	Source of Supply Contr		\$ 15,000.00
	SW8340.2	Trans. & Dist. Equipment		\$ 8,477.00
	SW8340.4	Trans. & Dist. Contractual		\$ 26,000.00
			TOTAL:	<u>\$ 50,265.06</u>

WATER DISTRICT #4 & #5 CAPITAL

<i>Transfer From:</i>		Unanticipated Revenue		
		Grant		\$ 25,433.15
	SWUB	Unexpended Balance		\$ 10,665.00
			TOTAL:	<u>\$ 36,098.15</u>

<i>Transfer To:</i>	SW'9950.9	Interfund Transfer		\$ 36,098.15
			TOTAL:	<u>\$ 36,098.15</u>

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WATER DISTRICT #6 CAPITAL

<i>Transfer From:</i>		Unanticipated Revenue		
	GR6-2144	Water Connection	\$	900.00
	GR6-2401	Interest & Earnings	\$	272.00
		Rural Dev. Grants	\$	123,258.00
	GR6-LB	Unexpended Balance	\$	62,878.00
		TOTAL:	\$	<u>187,308.00</u>
<i>Transfer To:</i>	GR6-8340.4	Trans. & Dist. Contractual	\$	187,308.00
		TOTAL:	\$	<u>187,308.00</u>

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RESOLUTION 70 - 07
CHANGE ORDER WD#7

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

ADOPTED 3 Ayes DeCarlo, Oakley, Lattin
0 Nays
2 Absent Kirby, Kast

Resolved that change order #1 for WD #7 is approved.

RESOLUTION 71 - 07
CONSOLIDATION STUDY REPRESENTATIVES

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

ADOPTED 3 Ayes DeCarlo, Oakley, Lattin
0 Nays
2 Absent Kast, Kirby

Resolved that Lorraine Oakley and Royce Klatt will be appointed to the Municipal Consolidation Study Committee.

With no further business, on a motion from Councilperson Lattin and Councilperson Oakley the meeting was adjourned at 5:15 PM.

Respectfully Submitted,

Jean Klatt

