

REGULAR TOWN BOARD MEETING
Gaines, NY September 11, 2007

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

EXCUSED: None

OTHERS PRESENT: Elise Draper, Marilyn Miller, Glen Brown, Don Draper, Ken Whitney, Edward Steuber, Jerry Culhane, Gerard Morrissey, Lorienda Smith, John Mosher, Ron Helgerman, Hazel Sprague

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

We observed a moment of silence in honor of the 9/11 anniversary.

PRIVILEGE OF THE FLOOR/PUBLIC CONCERNS

Hazel Sprague addressed the board regarding Otter Creek Cemetery. She praised the town on how well the Otter Creek Cemetery looks and wondered if water could be put in for the patrons to water the flowers.

RESOLUTION 88 - 07

APPROVAL OF MINUTES

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

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

Resolved that the minutes from the August 14, 2007 are approved.

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RESOLUTION 89 - 07
APPROVAL OF ABSTRACTS

On a motion from

General - Councilperson Kast and seconded by Councilperson Kirby
Highway – Councilperson Oakley and seconded by Councilperson Lattin
Water- Councilperson Lattin and seconded by Councilperson Kast

The resolution was declared

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

Resolved that the bills will be paid as presented.

RESOLUTION 90 - 07
GRAY, CERTIFIED PUBLIC ACCOUNTANTS

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

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

Resolved that the Supervisor is authorized to sign the engagement letter for Gray Accounting, Certified Public Accountant, to do our annual audit if it becomes necessary. An audit may be necessary based on the amount of federal funding we receive in the year 2007.

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RESOLUTION 91 – 07

TOWN OF GAINES
WATER DISTRICT NO. 8

LEAD AGENCY RESOLUTION

At the meeting of the Gaines Town Board held on September 11, 2007,
Councilman Kirby moved adoption of the following resolution; Councilman
Oakley seconded the motion and was passed.

"RESOLVED, that in accordance with the New York State Environmental Quality Review (SEQR) regulations, the Town Board of the Town of Gaines hereby announces its intent to serve as lead agency to conduct an environmental review of a project to construct a series of public water supply improvements to serve the Town of Gaines Water District No. 8. The project involves the installation of approximately 10,670 feet of 8-inch watermain within the rights-of-way of Zig Zag Road, Densmore Road and West Transit Church Road. The proposed project would provide public water to residents of this area who are currently dependent on individual wells that produce an inadequate supply of poor quality water.

FURTHER RESOLVED, the Town Board has determined that, as portions of the project are located in Orleans County Agricultural District No. 3, the proposed action is a Type I action as defined under SEQR; and, be it

FURTHER RESOLVED, that the Town Board hereby accepts the Environmental Assessment of this project, prepared by Stuart I. Brown Associates, Inc., and be it

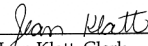
FURTHER RESOLVED, the Town Board will notify the Involved Agencies of its intention to act as Lead Agency for this project and will provide them with a copy of the full Environmental Assessment Form. The Town Board further declares that, based on the Environmental Assessment which has been prepared, it finds that the project will result in no significant damage to the environment. Therefore, the Town Board does not anticipate the preparation of an Environmental Impact Statement for the project.

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 11th day of September 2007, 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:
(SEAL)

2007



Jean Klatt, Clerk

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There was a short discussion regarding the Swan Library request for funds. Swan Library has asked for \$1000.00 for a feasibility study of the Newberry's Building. The board will consider this issue at a future board meeting

RESOLUTION 92 - 07

APPOINTMENT OF ZONING BOARD MEMBER

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

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

Resolved that Carol Culhane will be appointed to the Zoning Board of Appeals effective immediately to a 5 year term.

REGULAR TOWN BOARD MEETING
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RESOLUTION NO. 93-07 adopted at a regular meeting of the Gaines Town Board held on the 11th day of September, 2007 at 7:30 p.m. in the Gaines Town Hall at which the following were:

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

ABSENT: None

Councilperson Oakley moved the adoption of the following resolution; Councilperson Kast seconded the motion;

WHEREAS, the Gaines Town Board has heretofore authorized participation with the Town of Albion in a Coordinated Assessment Program pursuant to the provisions of RPTL Section 579 and further authorized execution of an agreement with the County of Orleans to provide assessment services to the Town pursuant to RPTL Section 1537; and

WHEREAS, the New York State Office of Real Property Tax Services (NYSORPS) has notified the Town that it is necessary to appoint an assessor for the period October 1, 2007 to September 30, 2012 to fulfill the duties imposed upon the Town under the provisions of the Real Property Tax Law of the State of New York and under its existing agreements with the Town of Albion and the County of Orleans pursuant to RPTL Sections 579 and 1537; and

WHEREAS, NYSORPS has certified in writing to the Town that Colleen Pahura meets the minimum qualifications necessary for appointment as sole appointed assessor for such purposes; now, therefore, be it

RESOLVED, that the Gaines Town Board does hereby appoint Colleen Pahura as sole appointed assessor for the Town to fulfill the duties and obligations of the Town as they relate to assessing services pursuant to the provision of the Real Property Tax Law of the State of New York, and, specifically, those duties and obligations imposed upon the Town under the provisions of the aforementioned agreements with the Town of Albion and County of Orleans under RPTL Sections 579 and 1537; and be it

FURTHER RESOLVED, that this appointment shall be conditioned upon Colleen Pahura meeting the minimum qualification standards and training as required by NYSORPS in a timely manner.

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

Opposed: None

The resolution was deemed adopted.

September 11, 2007

Jean Klatt, Gaines Town Clerk

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With no further business, on a motion from Councilperson Kast and seconded by Councilperson Lattin the meeting was adjourned at 7:57 PM.

Respectfully Submitted,

Jean Klatt
Gaines Town Clerk

