

GAINES TOWN BOARD MEETING
Gaines, NY August 13, 2013

A Regular Town Board Meeting of the Town of Gaines, County of Orleans and the State of New York was held at the Gaines Town Hall, 14087 Ridge Road, Gaines, New York on the 13th day of August 2013.

PRESENT: Carol Culhane ----- Supervisor
James Kirby ----- Councilperson
Susan Smith ----- Councilperson
Douglas Syck ----- Councilperson
David Kast ----- Councilperson
Ron Mannella ----- Highway Superintendent
Jean Klatt ----- Town Clerk
Andrew Meier ----- Council

EXCUSED: None

OTHERS PRESENT: Jerry Culhane, David Thom, Ray Burke, Mary Jo Syck, Kathy Kast, Marilynn Miller, Stephen Cox, David Rustay, Lorienda Smith, Henry Smith Jr., Lisa Mannella

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

RESOLUTION 65 -13

APPROVAL OF MINUTES

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

ADOPTED Ayes 5 Smith, Kirby, Culhane, Syck, Kast
Nays 0

Resolved that the minutes of July 9th, 2013 meeting are approved with the correction of a name spelling and on page 6 the general voucher total was corrected to read \$11,322.08.

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RESOLUTION 66 -13

APPROVAL OF MINUTES

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

ADOPTED Ayes 5 Smith, Kirby, Culhane, Syck, Kast
Nays 0

Resolved that the minutes of July 23rd, 2013 meeting are approved with the correction of the date should have been July 23rd, 2013 not August.

RESOLUTION 67-13

APPROVAL OF SUPERVISOR'S MONTHLY REPORT

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

ADOPTED Ayes 5 Smith, Kirby, Culhane, Syck, Kast
Nays 0

Resolved that the June 2013 Supervisor's Monthly report is approved as submitted by the Supervisor Culhane.

RESOLUTION 68-13

APPROVAL OF ABSTRACTS

On a motion from

General Councilperson Kast and seconded by Councilperson Kirby

Highway Councilperson Kirby and seconded by Councilperson Kast

Water Councilperson Kast and seconded by Councilperson Syck

ADOPTED Ayes 5
Nays 0

Resolved that the bills on abstract #8 will be paid as presented.

General	Voucher #	152 - # 170	in the amount of \$	11,346.72
Highway	Voucher #	70 - # 76	in the amount of \$	5,224.15
Water 1	Voucher #	46 - # 53	in the amount of \$	52,222.09
Water 10	Voucher#	21 - # 23	in the amount of \$	12,002.37

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Supervisor Culhane stated that the Iroquois Job Corp had come to inspect the courtroom and basement and would begin painting the courtroom shortly. They will also be sending a carpentry crew to look at the basement door casing.

Superintendent Mannella expressed concern that the water department had flushed 318,000 gallons to keep the testing levels where they need to be for WD#10. The district has 3 Gaines residents, 3 out-of-district users, and 7 Carlton users have transferred back to Gaines. More residents need to connect to the public water to reduce the need for so much flushing. Supervisor Culhane also informed the board that the Town of Carlton has paid for one of the vaults for water district #10.

Supervisor Culhane read a letter thanking the Town employees for the work they had done installing their water line.

Supervisor Culhane open discussion regarding changing accounting firms. She offered a proposal to have a shared services agreement with Yates for accounting services through Millennium Roads. Changing accounting firms would require the town to purchase KVS accounting software. The software would be owned by the town and could be used by any CPA in the future.

A discussion followed between the board members. They discussed errors from the present accounting firm especially regarding payroll and problems completing the recent audit. It was brought up that the proposed accounting firm would be local, attend board meeting, and be more accessible to the board. Concerns about the length of time the board had to review the proposal, the cost, and if the service needed to be put out for bid were discussed. Attorney Meier assured the board that professional services do not need to be put to bid. When the discussion had ended the following motions were made.

RESOLUTION 69 -13

PURCHASE KVS ACCOUNTING SOFTWARE

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

ADOPTED	Ayes	3	Culhane, Syck, Smith
	Nays	2	Kirby, Kast

Resolved that the town will purchase KVS accounting software to be paid in 2 increments. 50% to be paid immediately in the amount of \$8,854.50 and 50% to be paid in January 2014 in the amount of \$8,854.50 for a total cost of \$17,709.00.

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RESOLUTION 70 -13

PAYMENT FOR KVS ACCOUNTING SOFTWARE

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

ADOPTED Ayes 3 Culhane, Syck, Smith
Nays 2 Kirby, Kast

Resolved that the town will purchase the KVS accounting software from the General funds contingency account.

RESOLUTION 71 -13

SUPERVISOR AUTHORIZED TO SIGN SHARED SERVICES AGREEMENT WITH THE TOWNS OF YATES

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

ADOPTED Ayes 3 Culhane, Syck, Smith
Nays 2 Kirby, Kast

Resolved that Supervisor Culhane is authorized to sign the shared services agreement with the Town of Yates for accounting services. The accounting service would be provided by Millennium Roads.

Supervisor Culhane stated she had received a resolution to reappoint the assessor for 6 years. Following a short discussion it was decided that Attorney Meier should review it before the board proceeds.

RESOLUTION 72-13

APPROVAL FOR COURT TO APPLY FOR JCAP GRANT

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

ADOPTED Ayes 5 Smith, Kirby, Culhane, Syck, Kast
Nays 0

Resolved that Judge Schmidt is authorized by the Gaines Town Board to apply for the JCAP grant.

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RESOLUTION 73-13

RE-APPOINT BOARD OF ASSESSMENT REVIEW MEMBER

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

ADOPTED Ayes 5 Smith, Kirby, Culhane, Syck, Kast
Nays 0

Resolved that Cornelius Newton is re-appointed to the Board of Assessment Review for a 5 year term beginning September 1, 2013 and commencing on August 31, 2018.

Supervisor Culhane informed the board that the neighborhood children have been playing in the parking lot and around the building unsupervised. She was concerned about their safety. It was decided that Supervisor Culhane would speak to the family about the situation.

Supervisor Culhane advised the board that the town had received a letter from the Village of Albion regarding a water rate increase of 2 1/2%. The rate will increase to \$2.94 / 1000 gallons from \$2.86 / 1000 gallons.

Henry Smith Jr. addressed the board regarding the mowing of a ditch located on his property at 2371 Gaines Waterport Road. He would like the town to mow the ditch more often than has been done or continue the ditch further down the road past his property to prevent water flooding near his barn. The board responded that they are only required to mow one time after July 1st but had already mowed the ditch two times this year. Gaines Waterport Road is a County Road therefore Mr. Smith Jr. would need to put in a request to the County to provide any additional work on the ditch.

PRIVILEGE OF THE FLOOR

Lorienda Smith had several concerns. She thinks the new CPA is too costly and doesn't think that the board should have voted on the accounting proposal when two board members had not had enough time to review the proposal. She asked why the public can't speak until the end of the meeting. Supervisor Culhane stated that is the usual format of our agenda and the town is not required to allow the public to speak at all. Lorienda also asked what the purpose for the last zoning board meeting was. Supervisor Culhane told her it was a public hearing for the Watt wind tower as ordered by Judge Punch. There were four attorneys present. Two were paid by the town. The zoning board now has 62 days to rule.

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Lorienda asked if using the accounting firm of Lynn Johnson would be a conflict of interest because she is a county legislature. Attorney Meier responded it would not. Steven Cox stated that he was involved in the accounting business and that a flat rate accounting contract fee of \$ 6,476.82 from the present to the end of the year is a good deal in his opinion.

Councilperson Kast where we stood on the audit. Supervisor Culhane said she wasn't sure but would be attending a meeting on Thursday at noon.

MOTION TO ADJOURN

On a motion of Councilperson Smith, seconded by Councilperson Kirby the motion was

ADOPTED Ayes 5 Kirby, Culhane, Syck, Smith, Kast
Nays 0

Resolved that with no further business, the August 13th, 2013 regular town board meeting is adjourned at 8:35PM.

Respectfully Submitted,

Jean Klatt
Gaines Town Clerk