

GAINES TOWN BOARD REGULAR  
AND ORGANIZATIONAL MEETING  
Gaines, NY January 13th, 2015

A Regular and Organizational 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 13<sup>th</sup> day of January 2015 at 7:00PM.

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

EXCUSED: None

OTHERS PRESENT: Jerry Culhane, MaryJo Syck, David & Marcia Thom, Bruce Schmidt, Mary Jo Syck, Connie Mosher, Mary Neilans

Supervisor Culhane called the meeting to order at 7:00PM with the Pledge to the Flag.

RESOLUTION 1-15

**APPROVAL OF MINUTES**

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

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

Resolved that the minutes of the December 29th, 2014 Town Board Meeting are approved with a correction to resolution 102-14 stating 3 ayes.

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RESOLUTION 2-15

**APPROVAL OF ABSTRACTS**

On a motion from Councilperson Syck and seconded by Councilperson Smith the following resolution was

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

Resolved that the bills on abstract #1, voucher #'s 1279 - 1321, totaling \$ 34,839.72 will be paid as presented.

RESOLUTION 3-15

**TO BID FOR PICK UP TRUCK**

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

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

Resolved that Superintendent Mannella will work with Attorney Meier to advertise and prepare specs to go to bid for a new pickup truck.

Superintendent Mannella asked the board to hold off on deciding on additional capital projects for the year 2015 until it can be better determined what the cost of supplies will be. The board agreed.

Superintendent asked the board to hold a water workshop in the near future to discuss NY Leak Detection and other water issues. The board agreed.

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RESOLUTION 4-15

**SUPERVISOR ANNUAL APPOINTMENTS AND ORGANIZATION**

**LEGAL SERVICES**

Andrew W. Meier Esq. from Webster, Schubel and Meier, LLP will provide legal services as Attorney for the Town of Gaines renewing his annual contract for 2015 at the rate of \$7,800. The rate of \$7,800 per year would be locked in for 3 years should the Board choose to engage Andrew but the town will not be under any obligation to do so. Authorize the supervisor to sign said contract.

**SUPERVISOR AUTHORIZED TO SIGN DOG CONTROL CONTRACT**

Supervisor Culhane is authorized to sign the Animal Control Contract with Orleans County.

**APPROVAL OF ENGINEERING SERVICES**

Chatfield Engineers is approved to provide engineering services for 2015.

**PREPAY BILLS**

The Supervisor is authorized to pre-pay bills if due date is prior to the board audit to avoid late fees and penalties. List as follows:

- Utility Bills
- Vacation Pay
- Postage and Freight
- Payment to Federal, State and County Agencies
- Authorized Workshops or Schooling

**AUDIT REPORT**

The criminal and civil dockets of the Town Justice for 2014 having been duly examined with the monthly cash summary being viewed and the fines and fees have been turned over to the proper officials;

The records of the Town Clerk for 2014 having been duly examined and found all fees have been turned over to the proper officials;

The records of the Tax Collector for 2014 having been duly examined and found all fees have been turned over to the proper officials.

**INSURANCE PLAN**

Resolved that Town of Gaines will carry its liability insurance plan for property and vehicles through Albion Agencies, NYMIR insurance for a period of one year beginning in October 2014 and ending October 2015

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**APPROVAL OF SCHOOLING**

Schooling for Elected and Appointed Officials, when school pertains to respective jobs is duly authorized if funding was requested and approved in the 2015 budget.

**Set Holidays for Town Office:**

New Year's Day  
Martin Luther King Day  
Presidents Day  
Good Friday  
Memorial Day  
July 4<sup>th</sup>  
Labor Day  
Columbus Day  
Veteran's Day  
Thanksgiving Day  
Day after Thanksgiving Day  
Christmas Eve  
Christmas Day  
Election Day-Town Office used as polling place

**APPROVAL OF OFFICIAL UNDERTAKING**

The approval of the Official Undertaking as to its form and manner of execution and the sufficiency of the insurance, as surety as prescribed by law.

**TOWN OF GAINES OFFICIAL UNDERTAKING OF MUNICIPAL OFFICERS**

**WHEREAS** CAROL E. CULHANE, of the Town of Gaines, County of Orleans, New York, has been elected to the Office of Supervisor of the Town of Gaines, and

**WHEREAS**, JEAN KLATT, of the Town of Gaines, County of Orleans, New York, has been elected to the Office of Town Clerk of the Town of Gaines, and

**WHEREAS**, JEAN KLATT, of the Town of Gaines, County of Orleans, New York, has been elected to the Office of Town Tax Collector of the Town of Gaines, and

**WHEREAS**, BRUCE R. SCHMIDT, of the Town of Gaines, County of Orleans, New York, has been elected to the Office of Town Justice of the Town of Gaines, and

**WHEREAS**, RONALD MANNELLA, of the Town of Gaines, County of Orleans, New York, has been elected to the Office of Superintendent of Highways of the Town of Gaines, and

**NOW, THEREFORE**, we as respective officers above, do hereby undertake with the Town of Gaines that we will faithfully perform and discharge the duties of our office,

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and will promptly account for and pay over all moneys or property received as a Town Officer, in accordance with the law;

and

This undertaking of the Town Supervisor is further conditioned upon that she will well and truly keep, pay over and account for all moneys and property, including any special district funds, belonging to the Town and coming into her hands as such Supervisor;

and

This undertaking of the Town Clerk is further conditioned that she will well and truly keep, pay over and account for all moneys and property coming into her hands as such Town Clerk;

and

This undertaking of the Tax Collector is further conditioned that she will well and truly keep, pay over and account for all moneys and property coming into her hands as such Tax Collector;

and

This undertaking of the Town Justice is further conditioned that he will well and truly keep, pay over and account for all moneys and property coming into his hands as such Town Justice;

and

The Town does and shall maintain insurance coverage, presently with NYMIR Insurance, in the sum of \$ 500,000.00 for the Tax Collector, Supervisor and Town Clerk to indemnify against losses through the failure of the officers, clerks and employees covered there under faithfully to perform their duties or to account properly for all monies or property received by virtue of their positions. All other employees are covered at \$250,000.00 through fraudulent or dishonest acts committed by the officers, clerks and employees.

## **SUPERVISOR'S APPOINTMENTS**

**DEPUTY SUPERVISOR** - Sue Smith

**CONFIDENTIAL SECRETARY** – Jean Klatt

**BUDGET OFFICER** – Carol E. Culhane @ \$2000.00 per year

## **2015 APPOINTMENTS**

**HIGHWAY/WATER COMMITTEE** – Highway Superintendent Mannella, Councilpersons Kast and Kirby

**FINANCE AND BUDGET COMMITTEE**– Supervisor Culhane, Deputy Supervisor Smith, Councilperson Syck

**OFFICIAL DEPOSITORIES** for funds (all accounts) shall be:

First Niagara Bank 48 N. Main Street, Albion, NY

### **INVESTMENTS:**

First Niagara Bank 48 N. Main Street, Albion, NY

**OFFICIAL PUBLICATION** shall be Batavia Daily News, Batavia, NY

**FAIR HOUSING OFFICER** – Jean Klatt

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**TOWN REGISTRAR** – Jean Klatt @ \$914  
**DEPUTY TOWN CLERK** – Tammy Kelley @ \$11.22 per hour  
**DEPUTY TOWN CLERK** – Sharon Harding @ \$11.22 per hour  
**WATER BILLING CLERK** – Devin Rogers @ \$11.00 per hour  
**WATER COLLECTION CLERK** – Jean Klatt @ \$6752.00 per year  
**ZONING BOARD OF APPEALS AND PLANNING SECRETARY** – Devin Rogers  
**COURT CLERK** – Maureen Kline \$13.00 per hour  
**WATER SUPERINTENDENT** – Ronald Mannella @ \$ 18,294.00 per year  
**DEPUTY WATER SUPERINTENDENT** –Mark Radzinski  
**CO-DEPUTY WATER SUPERINTENDENT** –David Rustay  
**DEPUTY HIGHWAY SUPERINTENDENT** –David Rustay  
**CO-DEPUTY HIGHWAY SUPERINTENDENT** –Mark Radzinski  
**MEO** – Mark Radzinski@ \$21.25 per hour  
**MEO/MECHANIC** David Rustay - \$21.88 per hour  
**SEASONAL EMPLOYEES** - \$ \$15.51  
**CLOTHING ALLOWANCE** - \$500.00 per year for MEO's and HIGHWAY  
SUPERINTENDENT  
**CELL PHONE ALLOWANCE FOR HIGHWAY SUPERINTENDENT** - \$500.00 per year  
**CELL PHONE ALLOWANCE FOR TOWN JUSTICE** - \$500.00 per year  
**CELL PHONE ALLOWANCE FOR FULLTIME HIGHWAY EMPLOYEES** - \$300.00/YEAR  
**ELECTION INSPECTORS** - \$8.13 per hour or \$130.00 daily minimum  
**OFFICIAL MILEAGE** shall be based on the federal rate which has been established at \$.56  
per mile for 2014.  
**ZONING BOARD OF APPEALS ORGANIZATIONAL MEETING** – Chairman Michael  
Grabowski, Vice Chairman, Marilyn Miller  
**ZONING BOARD OF APPEALS APPOINTMENT:** Curtis Strickland 12/31/2014 –  
12/31/2018  
**COUNTY PLANNING BOARD REPRESENTATIVE:** shall receive \$25 per meeting  
attended  
**ZONING BOARD MEMBERS** shall receive \$25 per meeting attended

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

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

Resolved that the Supervisor's Annual Appointments and Organization for the year 2015  
are approved as listed.

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Supervisor Culhane explained to the board that to the voltage fluctuation from National Grid the town had incurred many repair cost for the electronics and security system within the town hall. The service from the security company was inadequate on many occasions. This prompted her to seek quotes from other companies.

RESOLUTION 5-15

**SUPERVISOR AUTHORIZED TO SIGN A CONTRACT WITH ADG SECURITY**

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

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

Supervisor Culhane is authorized to sign the ADG contract for security services.

**PRIVILEGE OF THE FLOOR**

Marilynn Miller asked about the Town's response regarding the judge's decision in the Christopher Watt law suit. Supervisor Culhane explained they were waiting on a response from Attorney Spitzer. She stated that if Mr. Watt appeals the decision it would go to an appallet court.

**MOTION TO ADJOURN**

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

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

Resolved that with no further business, the January 13th, 2015 regular and organizational town board meeting is adjourned at 7:27PM.

Respectfully Submitted,

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Jean Klatt  
Gaines Town Clerk