

GAINES TOWN BOARD MEETING
Gaines, NY June 10, 2014

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 10th day of June 2014.

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: Lynne Johnson, Mary Jo Syck, Lorienda Smith. Marilyn Miller, Bruce Schmidt, Ray Burke, Jerry Culhane, E. John DeFilipps, Tibbs Ahlberg, Joseph Cardone

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

RESOLUTION 40 - 14

APPROVAL OF MINUTES

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

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

Resolved that the minutes of May 13, 2014 meeting are approved as submitted.

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RESOLUTION 41 - 14
APPROVAL OF ABSTRACTS

On a motion from Councilperson Smith and seconded by Councilperson Syck

ADOPTED Ayes 5
 Nays 0

Resolved that the bills on abstract #6 voucher #'s 752-756, & 764-804 in the amount of \$49,392.84 are approved for payment as presented.

RESOLUTION 42 - 14
CEMETERY OVERTIME CHARGE

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

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

Resolved that the overtime charge for burials at Otter Creek Cemetery will increase from \$250.00 to \$300.00 effective immediately.

RESOLUTION 43 - 14
AUTHORIZE SUPERVISOR TO SIGN CASH MANAGEMENT AGREEMENT WITH FIRST NIAGAR BANK

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 Supervisor Culhane is authorized to sign the Cash Management Agreement with First Niagara Bank..

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RESOLUTION 44 - 14



Office of the New York State Comptroller
New York State and Local Retirement System
Employees' Retirement System
Police and Fire Retirement System
110 State Street, Albany, New York 12244-0001

**Standard Work Day and
Reporting Resolution
RS 2417-A**

(12/10)

BE IT RESOLVED, that the Town of Gaines / Location code _____ hereby establishes the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees' Retirement System based on the time keeping system records or the record of activities maintained and submitted by these officials to the clerk of this body:

Title	Name	Social Security Number (Last 4 digits)	Registration Number	Standard Work Day (Hrs/day)	Term Begins/Ends	Participates in Employer's Time Keeping System (Y/N)	Days/Month (based on Record of Activities)	Tier 1 (Check only if member is in Tier 1)	Not Submitted (Check box if no record of activities completed or timekeeping system)
Elected Officials									
Town Clerk	Jean M Klatt			6	1/1/14-12/31/17	n	21.36	<input type="checkbox"/>	<input type="checkbox"/>
Highway Superintendent	Ronald Mannella			8	1/1/12-12/31/15	n	31.50	<input type="checkbox"/>	<input type="checkbox"/>
								<input type="checkbox"/>	<input type="checkbox"/>
Appointed Officials									
Court clerk	Marita Dumrese			6	1/1/2014 to 12/31/2014	y		<input type="checkbox"/>	<input type="checkbox"/>
Deputy Town Clerk	Tammy Kelley			6	1/1/2014 to 12/31/2014	y		<input type="checkbox"/>	<input type="checkbox"/>
Bookkeeper	Lynne Johnson			6	2/1/2014 to 12/31/2014	n		<input type="checkbox"/>	<input type="checkbox"/>

If additional rows are needed, please use form RS2417-B and attach.

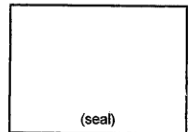
On this 10th day of June, 2014, Jean Klatt (Signature of clerk) Date enacted: 06/10/2014

I, Jean Klatt, clerk of the governing board of the Town of Gaines, of the State of New York, do hereby certify that I have compared the foregoing with the original resolution passed by such board, at a legally convened meeting held on the 10th day of June, 2014 on file as part of the minutes of such meeting, and that same is a true copy thereof and the whole of such original.

I further certify that the full board, consists of 5 members, and that 5 of such members were present at such meeting and that 5 of such members voted in favor of the above resolution.

IN WITNESS WHEREOF, I have hereunto Set my hand and the seal of the Town of Gaines (Name of Employer)

This document consists of 2 page(s) (see additional RS2417-B forms attached).



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Superintendent Mannella asked the board for direction regarding a meter pit that is at the highway garage. The meter pit was originally purchased by the Poelma Family as an out of district water user. Their home was later sold to a new party. When Water District 10 was put into service the meter pit was removed. Mr. Metcalf would like to purchase the used meter pit. Attorney Meier will look into the matter.

RESOLUTION 45 - 14

AUTHORIZE SUPERINTENDENT MANNELLA TO PURCHASE SAFETY T-SHIRTS FOR THE HIGHWAY DEPARTMENT

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

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

Resolved that Superintendent Mannella is authorized to purchase safety t-shirts for the highway department.

Orleans County Legislature E. John DeFilipps ask the board to pass a resolution supporting the County to apply for a grant to study consolidated Code Enforcement. He will be asking all towns in Orleans County to do the same.

RESOLUTION 47 - 14

SUPPORT COUNTY GRANT TO STUDY CONSOLIDATION OF CODE ENFORCEMENT

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 Town of Gaines is in support of Orleans County applying for a grant to study Consolidated Code Enforcement and send a letter of support.

A short discussion was held regarding old electronics and furniture in the basement. It was determined most of the items are junk to be discarded and the items of value should be donated to a charitable organization.

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RESOLUTION 46-14

URGING THE NEW YORK STATE LEGISLATURE AND GOVERNOR TO CONTINUE TO ADDRESS UNFUNDED MANDATES THAT USE LOCAL TAX DOLLARS TO FUND STATE AND FEDERAL PROGRAMS AND SERVICES

WHEREAS, many municipalities in New York State face significant fiscal challenges that are amplified by a slow economic recovery and a state imposed restriction on local revenues; and

WHEREAS, in most instances the county fiscal challenges are directly tied to state imposed mandates and reduced state reimbursement; and

WHEREAS, counties play a central role in delivering state services, due to our state mandated role in the administration and financing of a wide variety of state programs; and

WHEREAS, in 2013, the state enacted Medicaid reforms to assume all of the growth in spending from the local taxpayers by 2015; and

WHEREAS, local taxpayers continue to fund \$7.5 billion of Medicaid costs; now be it

RESOLVED, that the Town of Gaines strongly encourages the Governor and State Legislature to work to address the underlying causes of fiscal stress facing so many localities; and be it

FURTHER RESOLVED, that the Town of Gaines believes the State must work diligently to enact a no new unfunded mandates law and constitutional protections against future unfunded mandates; and be it

FURTHER RESOLVED, that copies of this resolution shall be forwarded to Governor Andrew M. Cuomo, State Senator George Maziarz, Assembly Member Stephen Hawley, Assembly Member Jane Corwin, NYSAC, all Towns and Villages in Orleans County, and all others deemed necessary and proper.

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CERTIFICATION OF CLERK

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

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

STATE OF NEW YORK }
COUNTY OF ORLEANS]

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 10th day of June, 2014 with the original now on file in my office, and the same is correct and true copy of said resolution and of the whole thereof.

Dated: June 12, 2014
Gaines, New York

Jean Klatt, Gaines Town Clerk

Supervisor Culhane stated that she had provided the board with 3 tax exemption resolution for their review and consideration at a later date.

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Orleans County District Attorney, Joseph Cardone, addressed the Town Board regarding court consolidation. He asked the board to consider holding a public hearing in July to present to the public the idea of consolidating the Gaines Town Court with the Town of Albion Court and possibly the Town of Kendall Court. The Town of Albion has already agreed to the public hearing. He explained that this court consolidation has worked on the west side of Orleans County and he feels it would be beneficial to the central part of the county as well. Each town would still elect a judge from their town, however the judges would have jurisdiction over all towns that participate in the consolidation. Court could be held in each town or in just one court house depending on how the Town Boards decide to proceed. He explained that he didn't feel there would be much cost savings to the town but it would offer better coverage in a judges absence.

Judge Schmidt was present and spoke in favor of the consolidated court proposal.

Legislature Lynne Johnson brought up the fact that this would be a shared service and that it would support the new requirements regarding the 2% tax cap and the residents of Gaines being able to receive their tax rebate checks.

RESOLUTION 48 - 14

AGREE TO HOLD COURT CONSOLIDATION PUBLIC HEARING

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 Town Gaines Town Board is in favor of holding a public hearing in July for the consideration of court consolidation.

PRIVILEGE OF THE FLOOR

Tibbs Ahlberg stated that he knew the town had received a letter from Ag and Markets regarding the Watt wind tower and wondered how they plan to address the issue. Supervisor Culhane replied that although she was copied in on the letter that his question should be addressed to the Zoning Board of Appeals. He then asked how much money the town had paid to Attorney Dan Spitzer from 2011 to present. Supervisor Culhane didn't know the answer to that without researching the facts.

Ray Burke addressed the issue of the flag not having a light shining on it at night. Supervisor Culhane explained that Suburban Electric would be coming tomorrow to advise Superintendent Mannella on the issue and quote the cost.

Ray Burke asked why the town has a no weapons policy. He feels town officials would be safer if they could carry a weapon.

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 June 10th regular town board meeting is adjourned at 8:19PM.

Respectfully Submitted,

Jean Klatt
Gaines Town Clerk