

**TOWN OF GAINES**  
**Regular Meeting - October 4, 2018**

The regular meeting of the Town Board of the Town of Gaines, County of Orleans, State of New York was called to order by Supervisor Joseph Grube at 7:00 P.M. on the 4th day of October, 2018.

The following town officials were present:

Joseph Grube	Supervisor
Mary Neilans	Councilperson
Tyler Allport	Councilperson
Susan Heard	Town Clerk
Ron Mannella	Highway Superintendent
Douglas Heath	Attorney for the Town

Excused: James Kirby, Councilperson

The following individuals were present during the meeting: 18 Town residents; Mallory Deifenbach, Daily News

The Supervisor opened the meeting with the Pledge to the Flag, followed by a moment of silent reflection.

**RESOLUTION NO. 90 - 1018**  
**APPROVAL OF MINUTES OF SEPTEMBER 10TH MEETING**

Moved by Councilperson Neilans and seconded by Councilperson Allport to approve the minutes of the September 10th meeting.

Ayes 3; Nays 0

**RESOLUTION NO. 91 - 1018**  
**PRESENTATION AND ACCEPTANCE OF TOWN CLERK'S REPORT**

The Town Clerk reported the total receipts for the month of September; total local share of \$590.41, paid to Town Supervisor; \$26.00 to NYS Ag & Markets; \$22.50 to State Health Dept.; and \$486.09 paid to NYS Environmental Conservation.

The Town Clerk reported to date she has received 1,076 signatures and/or letters in opposition to the Dollar General store being proposed within the historical district.

Moved by Councilperson Neilans and seconded by Councilperson Allport to accept the monthly report of the Town Clerk.

Ayes 3; Nays 0

**RESOLUTION NO. 92 - 1018  
PRESENTATION AND ACCEPTANCE OF THE SUPERVISOR'S REPORT**

Supervisor Grube displayed the power point presentation showing each fund for the month of September, 2018.

Moved by Supervisor Grube and seconded by Councilperson Neilans to accept the monthly report of the Town Supervisor.

Ayes 3; Nays 0

**RESOLUTION NO. 93 - 1018  
APPROVAL OF ABSTRACTS**

Moved by Councilperson Neilans and seconded by Councilperson Allport to approve the abstracts, as follows:

General	\$21,775.48
Highway	\$25,104.86
Water	\$ 534.13

Ayes 3; Nays 0

**RESOLUTION NO. 94 - 1018  
HIGHWAY SUPERINTENDENT'S REPORT**

The Highway Superintendent reported the total fuel usage for the month of September; 450 gallons of Diesel; 128 gallons of gas. Busy working on equipment and getting it ready for winter. Purchasing the salt needed.

Moved by Councilperson Allport and seconded by Councilperson Neilans to accept the report of the Highway Superintendent.

Ayes 3; Nays 0

**RESOLUTION NO. 95 - 1018  
FILLING THE VACANT POSITION OF WATER CLERK**

Moved by Councilperson Neilans and seconded by Councilperson Allport to appoint Renee Ebbs to the position of Water Billing Clerk, retroactively to September 20, 2018. Said appointment being retroactive to ensure continuity of operations and for the benefit of the public, allowing time for training and a smooth transition.

Discussion: Councilperson Neilans asked if hydrant meters were rented for water. The Highway Superintendent responded they were, but are now finished for the season.

Ayes 3; Nays 0

**RESOLUTION NO. 96 - 1018**

**FILLING THE VACANT POSITION OF SECRETARY TO ZONING BOARD OF APPEALS**

Moved by Councilperson Neilans and seconded by Councilperson Allport to appoint Renee Ebbs to the position of Secretary to the Zoning Board of Appeals.

Discussion: Councilperson Allport suggested the ZBA meet with Renee Ebbs to help make a smooth transition.

Ayes 3; Nays 0

**DISCUSSION ON ZONING PROJECT STEERING COMMITTEE AND APPOINTMENTS THERETO**

Discussion: Based on the suggestions from LaBella, the Town should have an ad-hoc committee to work on this project. LaBella would like to have the first meeting in November. Councilperson Allport suggested we run the advertisement again to seek a wider range of interested parties. Councilperson Neilans reminded the board the Comprehensive Plan needs to part of the project. Al Capurso said the Comp. Plan does not recognize the Historical District and without that in the Plan, it seems it is deficient in that respect. Supervisor Grube mentioned the members of the Town Board or the ZBA Board must be limited to two members in order to not constitute a meeting.

Motion to Table Proposed Resolution by Councilperson Neilans and seconded by Councilperson Allport until next month.

Ayes 3; Nays 0

**RESOLUTION NO. 97 - 1018**

**PRESENTATION OF TENTATIVE BUDGET FOR 2019**

The Town Clerk presented the Tentative Budget for 2019 to the Board Members. Supervisor Grube mentioned some of the changes needed to revenues and appropriations versus the 2018 budget. He also discussed the equalization rate, as set by the State of New York, at 98% rather than 100% as it should be, and the impact it has on the tax rate. The tentative budget has the total levy down -0.52% prior to the scheduled budget workshop.

Motion by Councilperson Neilans and seconded by Councilperson Allport to set the date for a Budget Workshop on October 30, 2018 at 7:00 P.M.

Ayes 3; Nays 0

**PRIVILEGE OF THE FLOOR**

Janet Albanese inquired about Open Meetings Law and the Town of Gaines ZBA meetings. Failure to act on minutes from the previous month or allowing Privilege of the Floor. Attorney Heath responded that according Public Officers Law, a Board may set their own agenda, and may or may not allow Privilege of the Floor.

Al Capurso handed out a proposal to the Board members regarding a moratorium on "any destruction of green space within the Cobblestone Historical District; as well as on any subdivision of property".

Lively discussion followed. Councilperson Allport is 100% pro-business. Attorney Heath contributed additional comments regarding a moratorium, that it must be tied to "something reasonable."

#### **ADJOURNMENT**

Moved by Councilperson Neilans and seconded by Councilperson Allport to adjourn the meeting at 8:25 P. M.

Ayes 3; Nays 0

DRAFT