

TOWN OF GAINES

Regular Board Meeting – August 10, 2020

The regular meeting of the Town Board of the Town of Gaines, County of Orleans, State of New York was called to order by Town Supervisor Grube at 7:00 P. M. on the 10th day of August, 2020.

The following town officials were present:

Joseph Grube	Supervisor
James Kirby	Councilperson
Mary Neilans	Councilperson
Ronald Mannella	Councilperson
Tyler Allport	Councilperson
Susan Heard	Town Clerk
Mark Radzinski	Highway Superintendent
Douglas Heath	Attorney for the Town of Gaines

The following individuals were present during the meeting: 11 Town residents; Shawn Lessord and Doug Weishaar from GreenSpark Solar

The Supervisor opened the meeting with the Pledge to the Flag and a Moment of Silence in remembrance of Ronald “Butch” Radzinski, a former Town of Gaines Supervisor and Orleans County Legislator, as well as the father our Highway Superintendent Mark Radzinski.

The Supervisor welcomed the gentlemen from GreenSpark Solar. GreenSpark specializes in commercial solar farms for municipalities. They put together a proposal for the Town of Gaines to utilize solar for all the town buildings and water district lighting. NYS grants are available to reduce the upfront cost. The Supervisor asked about batteries and storage solutions. Batteries cost more than the solar panel. Councilperson Allport asked about longevity and warranties against factory defects and the recycling/disposal of the solar panels. Councilperson Kirby asked about the life span. Information regarding recycling and disposal is extremely limited since most panels installed in the last ten or more years haven’t met the life span value. The Board will consider whether or not to move forward.

RESOLUTION NO. 58 – 0820

APPROVAL OF MINUTES OF JULY 13, 2020

Moved by Councilperson Allport and seconded by Councilperson Kirby to approve the minutes of the July 13, 2020 regular meeting.

Ayes 5; Nays 0

RESOLUTION NO. 59 – 0820

PRESENTATION AND ACCEPTANCE OF THE TOWN CLERK’S REPORT

The Town Clerk reported the month of July fee were very good due to the sale of two cemetery plots at Otter Creek, and a deposit on six other plots. Total paid to the Town Supervisor of \$2,800.16; \$54.00 to NYS Ag & Markets; \$47.24 to NYS Environmental Conservation for fishing licenses; and \$45.00 to the State Health Dept. for two marriage licenses. The Town Clerk wanted to inform the Board that our

historian, Adrienne Kirby, had an article in the Western New York Heritage magazine, and copies of the article are on their desks.

Moved by Councilperson Mannella and seconded by Councilperson Kirby to accept the monthly report of the Town Clerk.

Ayes 5; Nays 0

**RESOLUTION NO. 60 – 0820
PRESENTATION AND ACCEPTANCE OF THE SUPERVISOR’S REPORT**

The Town Supervisor did a PowerPoint presentation of all funds, all accounts for the month of July, including all water districts. It was noted Water District #1 is now in the black.

Moved by Councilperson Kirby and seconded by Councilperson Allport to accept the monthly report of the Town Supervisor.

Ayes 5; Nays 0

**RESOLUTION NO. 61 – 0820
HIGHWAY SUPERINTENDENT’S REPORT**

The Highway Superintendent reported the total fuel usage for July of 519 gallons of Diesel and 168 gallons of Gas. The department has been busy and getting ready to pave Brown Road next week.

Moved by Councilperson Mannella and seconded by Councilperson Kirby to accept the report of the Highway Superintendent.

Ayes 5; Nays 0

**RESOLUTION NO. 62 – 0820
APPROVAL OF ABSTRACTS**

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

General	\$ 12,187.56
Highway	\$ 4,993.43
Water	\$ 77,397.03

Ayes 5; Nays 0

DISCUSSION ON SOLAR SITE APPLICATION FEES

Chris Watt, Chairman of the Planning Board, addressed the Board regarding the Solar Application fees. At the present time, the fee is \$250 for any type Solar project, whether it's for use at a single home or a 30 acre project. He pointed out that a windmill has an application fee of \$3,000 and uses less acreage. He also stated that projects like this require reviews over the life span of the project, and the costs associated with the reviews. Supervisor Grube asked how other towns have addressed this; Dan Strong, Code Enforcement Officer, said some are based on megawatt, some are based on acreage; he mentioned the Bond would need to be reviewed every few years. Supervisor Grube wondered if the Town should set up an escrow account for future costs.

Town Attorney Heath suggested the Town be consistent and raise the fee to the same cost as a windmill project; and the Board can look at this again in the future if they feel the cost should be adjusted upwards. The following resolution was then presented:

RESOLUTION NO. 63 – 0820

SETTING APPLICATION FEE FOR SOLAR PROJECTS

Moved by Councilperson Mannella and seconded by Councilperson Kirby to set the Solar Application fee for community solar installation projects over 4,000 square feet at \$3,000.

Ayes 5; Nays 0

RESOLUTION NO. 64 – 0820

APPOINTING GARY DAVY TO SERVE ON THE ZONING BOARD OF APPEALS

Moved by Councilperson Kirby and seconded by Councilperson Mannella to appoint Gary Davy to the Zoning Board of Appeals in the position vacated by the resignation of Corey Black.

Ayes 5; Nays 0

RESOLUTION NO. 65 – 0820

AUTHORIZING TOWN CLERK TO ADVERTISE FOR A ZONING BOARD OF APPEALS AND PLANNING BOARD SECRETARY

Moved by Councilperson Allport and seconded by Councilperson Kirby to authorize the Town Clerk to advertise for applicants to serve as Secretary to the Zoning Board of Appeals and Planning Board.

Ayes 5; Nays 0

OTHER NEW BUSINESS FROM THE TOWN BOARD

Supervisor Joseph Grube announced that he would no longer be able to serve as Supervisor for the Town, due to changes and demands of his other job. It is a hard decision to make, but unfortunately he needs to spend more time away from home than he has in the past.

7:37 PM: Councilperson Allport submits a letter of resignation to the Town Clerk from his role as Councilperson effective immediately. Duly noted.

7:38 PM:

**RESOLUTION NO. 66 – 0820
APPOINTMENT OF KENNETH RUSH TO VACANT COUNCILPERSON SEAT**

Moved by Councilperson Mannella and seconded by Councilperson Kirby to appoint Kenneth Rush to the vacant Councilperson seat.

Ayes 4; Nays 0

The Town Clerk swears Kenneth Rush into the Oath of Office for the position of Councilperson. Mr. Rush joins the Board at the podium.

7:41 PM:

Supervisor Joseph Grube presents the Town Clerk with his official resignation from the elected position of Town Supervisor, effective immediately upon presentation and delivery. The Town Clerk duly notes receipt of.

Deputy Supervisor James Kirby resumes the meeting.

**RESOLUTION NO. 67 – 0820
APPOINTMENT OF TYLER ALLPORT AS TOWN SUPERVISOR TO FILL THE REMAINDER OF THE TERM
ENDING DECEMBER 31, 2021**

Moved by Councilperson Mannella and seconded by Councilperson Neilans to appoint Tyler Allport to fill the vacant Town Supervisor, effective immediately, for the remainder of the term (December 31, 2021).

Ayes 4; Nays 0

The Town Clerk swears Tyler Allport into the Oath of Office for the position of Town Supervisor. Supervisor Allport returns to the podium.

Supervisor Allport resumes the meeting.

PRIVILEGE OF THE FLOOR

Lorienda Smith wanted to thank Joe Grube for his commitment to the Town for these past few years; his dedication and determination to complete tasks that had been neglected for years. Updating the Towns Zoning Laws, which indicated the need for the Planning Board to be brought back to the Town. She also thanked him for always answering her many questions, of which there have many.

Joe Grube wanted to explain his resignation a little further. This was an extremely difficult decision for him, as he enjoyed his time here, but the time commitment was getting too difficult. He is the type that gives 110% to everything he does, and when he could no longer do that, he felt the need to step down. He thanked the Board and has appreciated all their support over the years for moving the Town forward in the right direction.

Supervisor Allport thanked outgoing Supervisor Joe Grube for years of dedicated service and his support.

ADJOURNMENT

Moved by Councilperson Kirby and seconded by Councilperson Rush to adjourn the meeting at 7:45 PM.

Ayes 5; Nay 0