

**TOWN OF GAINES**

**Regular Board Meeting – April 12, 2021**

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 Tyler J. Allport at 7:00 P. M. on the 12<sup>th</sup> day of April, 2021.

The following town officials were present:

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

Excused, Councilperson Kenneth Rush

The following individuals were present: 1 Town resident, Dan Strong, Code Enforcement Officer

The Supervisor opened the meeting with the Pledge to the Flag.

**RESOLUTION NO. 33 – 0421**

**APPROVAL OF MINUTES OF THE MARCH 8, 2021 MEETING**

Moved by Councilperson Mannella and seconded by Councilperson Kirby to approve the minutes of the March 8, 2021 regular meeting.

Ayes 4; Nays 0; Excused 1, Rush

**RESOLUTION NO. 34 – 0421**

**PRESENTATION AND ACCEPTANCE OF TOWN CLERK’S REPORT**

The Town Clerk reported the total fees collected for March, 2021; paid the Town Supervisor \$552.20 and NYS Ag & Markets \$29.00.

The Town Clerk gave each Board member a copy of the Historian’s 2020 Annual Report; wanted to make sure it was noted in the minutes.

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

Ayes 4; Nays 0; Excused 1, Rush

**RESOLUTION NO. 35 – 0421**

**PRESENTATION AND ACCEPTANCE OF THE SUPERVISOR'S REPORT**

The Town Supervisor reviewed the monthly report for March 2021 (paper copy of all accounts and funds were included in the Board packet) and said all accounts are looking pretty good; cash receipts look good year to date. No questions were asked.

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

Ayes 4; Nays 0, Excused 1, Rush

**RESOLUTION NO. 36 – 0421**

**HIGHWAY SUPERINTENDENT'S REPORT**

The Highway Superintendent reported the total fuel usage for the month of March as 245 gallons of Gas and 69 gallons of Diesel. He stated there is an old automatic flusher (used for water lines) at the Highway garage which hasn't been used for quite some time and the town no longer has a use for it. He said the Town of Carlton is interested in purchasing it for \$1,000. Attorney Heath said the automatic flusher could be declared as surplus property and then the town could sell it.

The Highway Superintendent said the new GPS system has arrived, but they are seeking the best price for an iPad to get the system up and operating. Also looking into purchasing weather stripping for the overhead doors at the garage. The Superintendent indicated the Highway men would be able to do the job to save money on the installation.

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

Ayes 4; Nays 0; Excused 1, Rush

**RESOLUTION NO. 37 – 0421**

**APPROVAL TO AWARD MOWING BID**

The Supervisor opened the sealed envelopes marked "2021 Lawn Mowing Bids". The first bid was from Vick's for \$10,500; the second was from Perry's Lawn Maintenance for \$7,093.20.

Moved by Councilperson Kirby and seconded by Councilperson Neilans to award bid for lawn mowing services for the 2021 season to Perry's Lawn Maintenance, upon proof of insurance.

(Clerk note: Proof of Insurance was received on 4/13/21)

Ayes 4; Nays 0; Excused 1, Rush

**RESOLUTION NO. 38 – 0421  
APPROVAL OF ABSTRACTS**

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

General Fund	\$24,538.22
Highway	\$ 3,348.45
Water	\$ 4,547.64

Ayes 4; Nays 0; Excused 1, Rush

**RESOLUTION NO. 39 – 0421  
APPROVAL TO APPOINT JOSEPH MARVIN TO THE ASSESSMENT REVIEW BOARD VACANCY**

Moved by Councilperson Neilans and seconded by Councilperson Kirby to appoint Joseph H. Marvin to fill the vacancy and the remainder of the term on the Board of Assessment Review, ending September 30, 2023. (To fill the vacancy created by the death of Cornelius Newton)

Ayes 4; Nays 0; Excused 1, Rush

**RESOLUTION NO. 40 – 0421  
APPROVAL TO RE-APPOINT JOHN LONG TO A 5 YEAR TERM ON THE ASSESSMENT REVIEW BOARD**

Moved by Councilperson Kirby and seconded by Councilperson Mannella to re-appoint John Long to the Board of Assessment Review, for a five-year term ending September 30, 2025.

Discussion: The Clerk mentioned John Long as served on the Assessment Review Board for 31 years.

Ayes 4; Nays 0; Excused 1, Rush

**RESOLUTION NO. 41 – 0421  
ESTABLISHING STANDARD WORKDAY FOR ALL TOWN EMPLOYEES**

The following standard workday for each Town position is as follows:

Town Supervisor	6.00 hours
Town Councilperson	6.00 hours
Town Clerk/Tax Collector	6.00 hours
Deputy Town Clerk	6.00 hours
Water Clerk	6.00 hours
Town Justice	6.00 hours
Court Clerk	6.00 hours
ZBA Secretary	6.00 hours
Planning Board Secretary	6.00 hours
Highway Superintendent	8.00 hours
Deputy Highway Supt.	8.00 hours
M. E. O. Highway	8.00 hours

The purpose of creating a standard workday for all positions in the Town is in the event an employee wishes to join the New York State Retirement System, the hours of work need to have been established by resolution of the Town Board.

Discussion: The Town Clerk said the State Comptroller has advised the Town should have a resolution setting the required hours for each position for Retirement purposes.

Moved by Councilperson Mannella and seconded by Councilperson Kirby to establish standard workday hours for each Town position.

Ayes 4; Nays 0; Excused 1, Rush

**RESOLUTION NO. 42 – 0421  
RETIREMENT RESOLUTION FOR ELECTED AND APPOINTED OFFICIALS**

Moved by Councilperson Mannella and seconded by Councilperson Kirby to adopt the Standard Work Day and Reporting Resolution for Elected and Appointed Officials (Form RD-2417-A) as presented. At this time, the only elected official participating in the Retirement System is the Highway Superintendent.

Ayes 4; Nays 0; Excused 1, Rush

**OTHER BUSINESS FROM THE TOWN BOARD**

The Supervisor included attachments to the Agenda, including Eligo Energy, talking about green energy and their goals; European Fruit Flies information; and a copy of The Hub's article "Governor Signs Legislation Legalizing Adult-Use Marijuana". Dan Strong wanted to point out the Municipal Opt-Out section which allows towns to opt-out of allowing retail dispensaries or on-site consumption licenses by passing a local law by December 31,2021 or nine months after the effective date of the legislation.

**PRIVILEGE OF THE FLOOR**

None

**ADJOURNMENT**

Moved by Councilperson Kirby and seconded by Councilperson Mannella to adjourn the meeting at 7:30 P. M.

Ayes 4; Nays 0; Excused 1, Rush