

TOWN OF GAINES REGULAR BOARD MEETING

May 9, 2017

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 9th day of May 2017.

PRESENT:	Carol Culhane	----	Supervisor
	Richard DeCarlo Sr.	----	Councilperson
	James Kirby	----	Councilperson
	Mary Neilans	----	Councilperson
	Sue Smith	----	Councilperson
	Sharon Harding	----	Town Clerk
	Debra Mitchell	----	Deputy Town Clerk
	Ron Mannella	----	Highway Superintendent

OTHERS PRESENT: Ray Burke, Kieran Prentice, Forrest Herhawk, Al Capurso, Larry Williams, Mark Radzinski, David Rustay, Marilyn Miller, Connie Mosher, Lorienda Smith, Lisa Mannella, Tibbs Ahlberg, Mark Smith, Dan Strong

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

RESOLUTION 36- 17

APPROVAL OF MINUTES - April 11, 2017

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

ADOPTED	Ayes	5	Culhane, Decarlo, Kirby, Neilans, Smith
	Nays	0	

Resolved that the minutes of the April 11, 2017 meeting are approved as presented.

RESOLUTION 37- 17

APPROVAL OF ABSTRACTS

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

ADOPTED	Ayes	5	Culhane, DeCarlo, Kirby, Neilans, Smith
	Nays	0	

Resolved that the bills on Abstract #5 Vouchers, General \$6,420.11, Highway \$1413.21, Water \$77,093.66 will be paid as presented.

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RESOLUTION 38- 17

UNION CONTRACT

On a motion from Councilperson Smith, seconded by Councilperson DeCarlo the following was

ADOPTED Ayes 5 Culhane, DeCarlo, Kirby, Neilans, Smith
 Nays 0

Resolved permission given for the Supervisor to sign contract.

Al Capurso - Pioneer Monument

Historian, Al Capurso has been aware that Chad Fabry, the owner of the Swan Library Building was interested in relocating the Pioneer Statue that presently stands behind his building. In order to preserve the statue and better showcase it, Mr. Capurso has been in contact with Mark Smith, a trustee at Gaines Congregational Church and would like the board to consider placing the Pioneer Monument on a hill at the Gaines Cemetery, the first cemetery in Orleans County, which is located behind the church, where many prominent pioneer settlers are buried and feels it commemorates Pioneer Endurance. Mr. Smith is doubtful that their location is suitable for it to be appreciated but is willing if there is no other location. The Statue weighs 6 tons and Mr. Capurso is looking into how it was mounted in the village and how to remove it. Supervisor Culhane was concerned with the foundation that would be required to mount it and thinks the board would need to discuss this further. Mr. Capurso also mentioned that there is a foundation on the north side of the corner of 279 and 104 that may possibly be repurposed and requests the clerks to look into who owns the property, so that he can investigate.

RESOLUTION 39- 17

NEW WATER BILLING CLERK

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

ADOPTED Ayes 5 Culhane, DeCarlo, Kirby, Neilans, Smith
 Nays 0

Resolved that Rene Colonna will be hired as Water Billing Clerk.

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RESOLUTION 40- 17

CHANGE LOCKS

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

ADOPTED Ayes 5 Culhane, DeCarlo, Kirby, Neilans, Smith
 Nays 0

Resolved that the front and back door locks will be changed with tamper proof locks at a cost of \$450.00/12 keys with payment covered using the JCAP grant (front door) and the Contingency Plan (back door).

RESOLUTION 41- 17

DIRECT DEBIT FOR UTILITIES

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

ADOPTED Ayes 5 Culhane, DeCarlo, Kirby, Neilans, Smith
 Nays 0

Resolved that the Town Utility Bills will be paid by Direct Debit under the accountant, Tim Hungerford's recommendation.

RESOLUTION 42- 17

WATER DISTRICT #10 REFUNDS

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

ADOPTED Ayes 5 Culhane, DeCarlo, Kirby, Neilans, Smith
 Nays 0

Resolved that the discovered double billed service charges for the 17 WD #10 affected customers will be reimbursed at varying rates (depending on time in district) for a total cost of \$1584.00.

RESOLUTION 43- 17

REMOVAL OF \$2 SECOND NOTICE FEE - TAXES

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

ADOPTED Ayes 5 Culhane, DeCarlo, Kirby, Neilans, Smith
 Nays 0

Resolved to remove the \$2.00 notice fee beginning in the upcoming 2018 tax season.

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RESOLUTION 44- 17

LOCAL LAW 1 OF 2017

Changing the date established for Grievance Day of Real Property Assessment Review

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

ADOPTED Ayes 5 Culhane, DeCarlo, Kirby, Neilans, Smith
 Nays 0

Resolved to introduce LL1 of 2017 consisting of changing the wording to be more precise.

A public hearing to be scheduled for the June 13, 2017 meeting.

Update from Attorney Andrew Meier regarding the Village of Albion - Meters

Andrew explained that he emailed the Village of Albion's Attorney John Gavenda weeks ago and was unable to connect with him, he followed up today but Mr. Gavenda was unable to address the issue at this time. Andrew expects to connect with him by next week.

Update Water Regulations - Irrigation Meters

The Water Committee forwarded a skeleton outline of the water regulations, that affect irrigation to Attorney Andrew Meier to add any other pertinent information.

Privilege of the Floor

Ron Mannella - Speaking as a tax payer

Mr. Mannella wanted to let the board know that he does not agree with the decision they made to purchase the new meter reading system at a cost of \$35,000.00 plus \$1900.00 for a new computer, when we could have done this with the Town of Murray for \$5500.00. The system is used 10 - 12 hours per year. It was voted on last month after executive session, and wasn't on the agenda. He believes that since he has spoken to some board members that they may not have voted for this now that they have this information.

Councilperson Jim Kirby stated that he would not have, and that he was under the impression that there were problems with the meter reading system

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Supervisor Culhane -

- We did not do this behind closed doors. It was done at the February meeting. Voted on as a board. On February 2nd, she had received an email from Ron stating that Murray was not going to upgrade, which prompted her to look into getting our own.

-Addressing the statement of what was decided after executive session Supervisor Culhane stated that the only thing decided was how to pay for the new system as they offered us time payments.

-Supervisor Culhane feels the board made an informed decision and did not waste tax payer's money.

Supervisor Culhane addressed the wasting of taxpayer money-

- Sensus update- July 2015 - We did not have a licensed copy of the Sensus Software, we had to pay for a Licensed Sensus Copy of the Software.

- Supervisor Culhane explained that this (water system) is the only source of revenue for the town and she feels she has diligently managed the water system in terms of the money:

- -we lost 60,000,000 gallons of water @ \$170,000.00 with no billable consumer,
- which came off the backs of the taxpayers.
- -\$205,000.00 that was over levied, went to pay off water district #4, that was \$105,000.00 out of everybody's pocket, that shouldn't have been taken, that broke the rules. That money paid off WD#4 and paid down 7 water districts.

-Supervisor Culhane went on to explain the Town of Gaines taxes:

- -in 10 years our town had a second bump in tax rate
- -from her first year the tax rate was \$4.19 town-wide and has gone down 20% to date.

Supervisor Culhane stated that this was a good business decision for the town and that the computer cost would not cost \$1900.00, only \$283.00.

Superintendent Mannella questioned why there was not 1 gallon of accountable loss put in her plan and recalled that the engineer she hired said that the reality is 18%-24% loss.

Supervisor Culhane and Superintendent Mannella disagreed about the accountable loss experienced in former quarters. Superintendent Mannella explained that there will always be leaks and believes the numbers to be higher.

Supervisor Culhane reiterated that the board has voted and that is where it stands.

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Superintendent Mannella stated he believes the town is wasting money and for \$5500.00 we could do the same thing with Murray.

Supervisor Culhane explained the difference in offers she heard from Murray - not going to upgrade to \$18,000.00 to \$5500.00. Superintendent Mannella explained that he told her that they were deciding at their April meeting. Supervisor Culhane interjected that we decided in February.

Superintendent Mannella stated that he thinks it is wrong.

Lorienda Smith-

1. Stated that they hadn't mentioned the Union Contract - Supervisor Culhane answered that they had, it was voted on and passed, to sign it for an extension of 1 year.

2. Asked how many water clerks we have gone through in the past 2 years, she feels it has been 50. Supervisor Culhane chose not to answer.

MOTION TO ADJOURN

On a motion from Councilperson DeCarlo, seconded by Councilperson Smith the following was

ADOPTED	Ayes	5	Culhane, DeCarlo, Kirby, Neilans, Smith
	Nays	0	

Resolved that with no further business the May 9, 2017 Regular Town Board Meeting is adjourned at 7:35 PM.

Respectfully Submitted,

Debra S. Mitchell

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