

**TOWN OF PAVILION  
REGULAR & ORGANIZATIONAL MEETING  
JANUARY 11, 2012  
7:30 P.M.**

The Town Board of the Town of Pavilion held the regular monthly meeting and organizational meeting on January 11, 2012 at the town hall, One Woodrow Drive, Pavilion, New York 14525 at 7:30 p.m. Present were:

Supervisor Theron Howard  
Councilperson Linda Thompson  
Councilperson Ron Zarbo  
Councilperson Thomas Klapper  
Councilperson Bruce Stisser

Others: Clerk Lucinda Starr, Hwy. Supt. John Strathearn, , Bill Kegler, Edgar Hollwedel, Jamie Welch, Lauren Weiss

Supervisor Howard opened the meeting followed by the pledge to the flag.

**ORGANIZATIONAL MEETING**

At 7:35 Councilperson Klapper called executive session to discuss payroll items. Executive session ended 8:14.

Councilperson Klapper offered a motion, seconded by Councilperson Zarbo to adopt **Resolution No. 1** 2012 (Approve Town Board Meetings)

**RESOLVED** that Regular Town Board meeting will be held the 2<sup>nd</sup> Wednesday of the month at 7:30 P.M. at the town building.

Approved by unanimous vote (5-0). Voting was as follows:

Supervisor Howard	aye
Councilperson Thompson	aye
Councilperson Zarbo	aye
Councilperson Stisser	aye
Councilperson Klapper	aye

Councilperson Zarbo offered a motion, seconded by Councilperson Stisser to adopt

**Resolution No. 2** 2012 (Approve Official depositories)

**RESOLVED** official depositories for the Town funds will be Five Star Bank and M&T Bank.

Approved by unanimous vote (5-0). Voting was as follows:

Supervisor Howard	aye
Councilperson Thompson	aye
Councilperson Zarbo	aye
Councilperson Stisser	aye
Councilperson Klapper	aye

Councilperson Thompson offered a motion, seconded by Councilperson Zarbo to adopt

**Resolution No. 3** 2012 (Approve Snow & Ice Removal & Mowing)

**RESOLVED** Approved Snow , Ice Removal and mowing

Approved by unanimous vote (5-0). Voting was as follows:

Supervisor Howard	aye
Councilperson Thompson	aye
Councilperson Zarbo	aye
Councilperson Stisser	aye
Councilperson Klapper	aye

Councilperson Zarbo offered a motion, seconded by Councilperson Stisser to adopt

**Resolution No. 4** 2012 (Approve mileage)

**RESOLVED** Mileage rate for Town officials on Town business will be \$.55 per mile

Approved by unanimous vote (5-0). Voting was as follows:

Supervisor Howard	aye
Councilperson Thompson	aye
Councilperson Zarbo	aye
Councilperson Stisser	aye
Councilperson Klapper	aye

Councilperson Thompson offered a motion, seconded by Councilperson Stisser to adopt

**Resolution No. 5** 2012 (Bonding)

**RESOLVED** Approval of bonding for the Supervisor, Deputy Supervisor, Town Clerk, Deputy Town Clerk, Highway Superintendent , Justices and Court Clerks in the amount of 900,000.00.

Approved by unanimous vote (5-0). Voting was as follows:

Supervisor Howard	aye	Councilperson Zarbo	aye
Councilperson Stisser	aye	Councilperson Thompson	aye
Councilperson Klapper	aye		

Councilperson Stisser offered a motion, seconded by Councilperson Zarbo to adopt

**Resolution No. 6** 2012 (Bonding)

**RESOLVED** filing of resolution No 5 directed that the undertaking be filed with the Town Clerk

Approved by unanimous vote (5-0). Voting was as follows:

Supervisor Howard	aye
Councilperson Thompson	aye
Councilperson Zarbo	aye
Councilperson Stisser	aye
Councilperson Klapper	aye

Councilperson Klapper offered a motion, seconded by Councilperson Thompson to adopt

**Resolution No. 7** 2012 (Supervisor Annual Report)

**RESOLVED** allow the Supervisor 60 days to submit the annual report with an additional extension of 60 days, if properly requested from Office of State Controller.

Approved by unanimous vote (5-0). Voting was as follows:

Supervisor Howard	aye
Councilperson Thompson	aye
Councilperson Zarbo	aye
Councilperson Stisser	aye
Councilperson Klapper	aye

Councilperson Zarbo offered a motion, seconded by Councilperson Stisser to adopt

**Resolution No. 8** 2012 (Purchase stone, salt, crushed aggregate, sluice pipe and oil)

**RESOLVED** purchase stone, salt, crushed aggregate, sluice pipe and oil at County prices.

Approved by unanimous vote (5-0). Voting was as follows:

Supervisor Howard	aye
Councilperson Thompson	aye
Councilperson Zarbo	aye
Councilperson Stisser	aye
Councilperson Klapper	aye

Councilperson Thompson offered a motion, seconded by Councilperson Zarbo to adopt

**Resolution No. 9** 2012 (Daily News)

Resolved designated the Daily News as the official papers of notice.

Approved by unanimous vote (5-0). Voting was as follows:

Supervisor Howard	aye
Councilperson Thompson	aye
Councilperson Zarbo	aye
Councilperson Stisser	aye
Councilperson Klapper	aye

Councilperson Klapper offered a motion, seconded by Councilperson Thompson to adopt  
**Resolution No. 10** 2012 (Pavilion Fire District)

**RESOLVED** pay the Pavilion Fire District the amount of \$131,000.00 for fire protection for 2012

Approved by unanimous vote (5-0). Voting was as follows:

Supervisor Howard	aye
Councilperson Thompson	aye
Councilperson Zarbo	aye
Councilperson Stisser	aye
Councilperson Klapper	aye

Councilperson Klapper offered a motion, seconded by Councilperson Zarbo to adopt  
**Resolution No. 11** 2012 (Investments)

**RESOLVED** authorize the Supervisor to invest Town moneys.

Approved by unanimous vote (5-0). Voting was as follows:

Supervisor Howard	aye
Councilperson Thompson	aye
Councilperson Zarbo	aye
Councilperson Stisser	aye
Councilperson Klapper	aye

Councilperson Klapper offered a motion, seconded by Councilperson Thompson to adopt  
**Resolution No. 12** 2012 ( Highway department General Repairs and Capital Improvement  
accounts)

**RESOLVED** authorize the expenditure of \$10,000.00 for the Highway department General Repairs  
and Capital Improvement accounts without bid or prior board approval.

Approved by unanimous vote (5-0). Voting was as follows:

Supervisor Howard	aye
Councilperson Thompson	aye
Councilperson Zarbo	aye
Councilperson Stisser	aye
Councilperson Klapper	aye

Councilperson Thompson offered a motion, seconded by Councilperson Stisser to adopt  
**Resolution No. 13** 2012 (Town Board meetings)

**RESLOVED** meeting dates

TOWN BOARD MEETINGS FOR THE YEAR 2012

January 11	July 11
February 8	August 8
March 14	September 12
April 11	October 10
May 9	November 14
June 13	December 12

This is a list of regular monthly scheduled meetings on the second Wednesday of each month. All meetings start at 7:30 PM and will be held at the Town Hall.

Approved by unanimous vote (5-0). Voting was as follows:

Supervisor Howard	aye
Councilperson Thompson	aye
Councilperson Zarbo	aye
Councilperson Stisser	aye
Councilperson Klapper	aye

Councilperson Klapper offered a motion, seconded by Councilperson Zarbo to adopt  
**Resolution No. 13** 2012 ( Planning Board meetings)

**RESOLVED** meeting dates

PLANNING BOARD MEETINGS FOR THE YEAR 2012

January 11	July 10
February 14	August 14
March 13	September 11
April 10	October 9
May 8	November 13
June 12	December 11

This is a list of scheduled meetings on the second Tuesday of each month. If there is no need for a meeting, it will be cancelled and notice will be provided. All meetings start at 7:00PM and will be held at the Town Hall.

Approved by unanimous vote (5-0). Voting was as follows:

Supervisor Howard	aye
Councilperson Thompson	aye
Councilperson Zarbo	aye
Councilperson Stisser	aye
Councilperson Klapper	aye

Councilperson Thompson offered a motion, seconded by Councilperson Stisser to adopt

**Resolution No. 14** 2012 ( Set pay periods)

**RESOLVED** setting pay periods as follows:

- Biweekly:
  - MEO, Highway laborers, Highway Superintendent, Assessor, Financial clerk, Library clerk.
- Monthly:
  - Supervisor, Budget Director, Councilpersons, Justices, Town Clerk, Zoning officer, Cleaning and refuse laborers, Court clerks.
- Quarterly:
  - Planning & Zoning Board members
- Annually:
  - Registrar of Vital Statistics, Historian, Deputy Clerk, Deputy Supervisor.

Approved by unanimous vote (5-0). Voting was as follows:

Supervisor Howard	aye
Councilperson Thompson	aye
Councilperson Zarbo	aye
Councilperson Stisser	aye
Councilperson Klapper	aye

A motion was offered by Councilperson Zarbo, seconded by Councilperson Klapper, to approve **Resolution No. 15, 2012** (approve procurement policy)

**RESOLVED** that the town board of the Town of Pavilion, Genesee County, NY has reviewed and hereby approve the procurement policy as is for 2012 with certain changes to be completed by the next board meeting.

Approved by unanimous vote (5-0). Voting was as follows:

Supervisor Howard	aye
Councilperson Thompson	aye
Councilperson Zarbo	aye
Councilperson Stisser	aye
Councilperson Klapper	aye

A motion was offered by Councilperson Klapper, seconded by Councilperson Zarbo, to approve **Resolution No. 16, 2012** (Town employment policy)

**RESOLVED** The town employment policy being amended as follows:  
Effective January 16, 2012 all prospective new employees prior to being hired shall: (1) submit to a fingerprint/background check, (2) a drug test, and (3) shall have completed whatever training is deemed appropriate by their department head. Upon the approval of the Town Supervisor and upon hiring the prospective employee may be paid the regular salary for the position while attending training. The Town shall pay the cost for training and testing. The department head may consider the level of competency achieved in training and testing when making the final decision on whether or not to recommend the prospective employee for hiring.

Approved by unanimous vote (5-0). Voting was as follows:

Supervisor Howard	aye
Councilperson Thompson	aye
Councilperson Zarbo	aye
Councilperson Stisser	aye
Councilperson Klapper	aye

A motion was offered by Councilperson Klapper, seconded by Councilperson Zarbo, to adopt **Resolution No. 17, 2012** (approve prepayment of certain bills prior to board approval)

**RESOLVED**, the Town Board of the Town of Pavilion, Genesee County, NY authorizes the Supervisor to pay claims for public utilities, postage, freight and express charges, before they are audited.

Approved by unanimous vote (5-0). Voting was as follows:

Supervisor Howard	aye
Councilperson Thompson	aye
Councilperson Zarbo	aye
Councilperson Stisser	aye
Councilperson Klapper	aye

A motion was offered by Councilperson Klapper, seconded by Councilperson Zarbo, to adopt **Resolution No. 18, 2012** (Retaining Town Prosecutor)

**RESOLVED** the Pavilion Town Board hereby reappoints Lauren Weiss as Prosecutor for the Town of Pavilion as an “at will” independent contractor at the rate of \$350/month plus postage.

Approved by unanimous vote (5-0). Voting was as follows:

Supervisor Howard	aye	Councilperson Thompson	aye
Councilperson Zarbo	aye	Councilperson Stisser	aye
Councilperson Klapper	aye		

Councilperson Zarbo offered a motion, seconded by Councilperson Stisser, to approve **Resolution No. 19, 2012** (approve appointment for 2012)

**RESOLVED**, that the Town board of the Town of Pavilion, Genesee County, NY approve the following appointments for 2012:

To contract with Jamie Welch to provide legal services for the Town of Pavilion as an “at will” independent contractor pursuant to Retainer Agreement at the rate of \$140.00 per hour.

- \* To retain Freed, Maxick & Battaglia as auditor for the Town of Pavilion.
- \* To retain Melody Osterman as the Financial Clerk and Confidential Secretary to the Town Supervisor to serve at the pleasure of the Supervisor.
- \* To retain Pat Spezzano and Pat Reid as Court Clerks subject to the control of the Town Justices.
- \* To retain Melody Osterman as Planning Board and Zoning Board secretary
- \* To retain Sarah Kingdon as Deputy Town Clerk
- \* To retain Lucinda Starr as Sewer Bill Clerk
- \* To appoint Robert LaPoint as an alternate member to Planning Board, term ends 12/31/17
- \* To appoint Joan Gray to the Library Board of Directors, term ends 12/31/15
- \* To appoint Lewis Blue as Board of Assessment Review member, term ends 9/30/17
- \* To Authorize the Town Clerk and the Town Supervisor to retain Ilene Parmeter an/or Lynn Roblee to provide training and assistance to current Town Clerk and/or Financial Clerk.

Approved by unanimous vote (5-0). Voting was as follows:

Supervisor Howard	aye	Councilperson Stisser	aye
Councilperson Zarbo	aye	Councilperson Thompson	aye
Councilperson Zarbo	aye		
Councilperson Klapper	aye		

A motion was offered by Councilperson Zarbo, seconded by Councilperson Stisser, to adopt **Resolution No. 20, 2011** (set wages for 2012)

**RESOLVED**, that the Town board of the Town of Pavilion, Genesee County, NY approve the following wages for 2012:

Set wages for elected officials as follows:

- Supervisor \$ 9,130.00
- Town Councilperson (4) \$ 2,500.00 each
- Town Justice #1 \$ 8,900.00
- Town Justice #2 \$ 8,900.00
- Town Clerk/Tax Coll. \$15,000.00
- Hwy. Superintendent \$50,000.00



Set wages for appointed officials as follows:

- Highway Laborer \$10.25/hr
- Budget Director \$2,850.00/yr
- Zoning/Code Enforcement officer \$9350.00/yr
- Financial Clerk \$14.20/hr
- Town Prosecutor 350.00/mmonth plus postage
- Deputy Clerk /Registrar \$200.00/year
- Janitor \$10.00/hr
- Refuse Laborer \$10.25/hr
- Historian \$950.00/yr
- Registrar Vital Statistics \$500.00/yr
- Planning Board, chairman \$25.00/meeting
- Planning Board, member \$20.00/meeting
- Zoning Board, chairman \$25.00/meeting
- Zoning Board members & alternate \$20/meeting
- Planning/Zoning, Secretary \$14.20/hr
- Board Assessment Review, Chairman \$60.00/day
- Board Assessment Review, Member \$45.00/day
- Court Clerk \$12.85/hr
- Assessor \$28,500.00
- Sewer Bill Collector \$2700.00/yr
- Election worker- short day \$135.00
- Election worker – long day \$160.00
- Election Coordinator – short day \$185.00
- Election coordinator – long day \$210.00
- Library Director \$12,149.00/year
- Library Clerk #1 Sally Wellman \$8.20/hr.
- Library Clerk #2 Bonnie \$7.84/hr.
- Library Cleaner \$8.21/hr.
- Training –Clerks \$20.00/hr

Approved by unanimous vote (5-0). Voting was as follows:

Supervisor Howard	aye	Councilperson Zarbo	aye
Councilperson Thompson	aye	Councilperson Stisser	aye
Councilperson Klapper	aye		

## REGULAR MEETING

Councilperson Klapper offered a motion, seconded by Councilperson Thompson, to approve the December 29, 2011 minutes of the year end meeting as submitted.

Approved by unanimous vote (5-0). Voting was as follows:

Supervisor Howard	aye
Councilperson Thompson	aye
Councilperson Zarbo	aye
Councilperson Stisser	aye
Councilperson Klapper	aye

Councilperson Stisser offered a motion, seconded by Councilperson Zarbo, to authorize the clerk to draw a warrant on the supervisor to pay bills. General \$29,652.03; Water \$3617.96; Library \$1,744.25; Sewer \$4,544.73; T & A \$60.00; Highway \$8,517.01. TOTAL \$48135.98.

Approved by unanimous vote (5-0). Voting was as follows:

Supervisor Howard	aye
Councilperson Thompson	aye
Councilperson Zarbo	aye
Councilperson Stisser	aye
Councilperson Klapper	aye

### CORRESPONDENCE:

Genesee County Treasures Office-reimbursement of re-levied delinquent taxes

Office of State Comptroller- Accounting Seminar March 20-22,2012 at Town of Pittsford

A motion was offered by Councilperson Thompson, seconded by Councilperson Klapper, to adopt **Resolution No. 22**, 2012 (Accounting Seminar)

**RESOLVED** The Town will pay for any Town official or employee to attend accounting seminar .

Approved by unanimous vote (5-0). Voting was as follows:

Supervisor Howard	aye
Councilperson Thompson	aye
Councilperson Zarbo	aye
Councilperson Stisser	aye
Councilperson Klapper	aye

Hwy. Superintendent John Strathearn report:

Bids for surplus equipment:

Ford Tractor	Forklift
\$2051.00 Bob Reinhart	\$301.00 Harold Hill
\$11611.11 William Hilderbrant	\$100.00 Jay Kurts
\$2230.00 Caledonia Diesel	\$430.00 Caledonia Diesel
\$1000.00 Dumbletons	\$500.00 Dumbletons

A motion was offered by Councilperson Thompson, seconded by Councilperson Zarbo, to adopt

**Resolution No. 22, 2012 (Surplus equipment)**

**RESOLVED** Bids for surplus equipment was awarded to the following

Ford Tractor Caledonia Diesel for \$2230.00 and Dumbletons \$500.00 for the Forklift

Approved by a vote (4-0). Voting was as follows:

Supervisor Howard	abstained
Councilperson Thompson	aye
Councilperson Zarbo	aye
Councilperson Stisser	aye
Councilperson Klapper	aye

A motion was offered by Councilperson Klapper, seconded by Councilperson Zarbo, to adopt

**Resolution No. 23, 2012 (Drug testing contract)**

**RESOLVED** Contract with Royal Employer Services for \$300.00 for Highway employees drug testing

Approved by unanimous vote (5-0). Voting was as follows:

Supervisor Howard	aye
Councilperson Thompson	aye
Councilperson Zarbo	aye
Councilperson Stisser	aye
Councilperson Klapper	aye

A motion was offered by Councilperson Klapper, seconded by Councilperson Stisser, to adopt

**Resolution No. 24, 2012 (Budget adjustments)**

**RESOLVED** Amend 12-29-2011 budget adjustments to coincide with budget adjustment in packet to \$44,276.79.

Approved by unanimous vote (5-0). Voting was as follows:

Supervisor Howard	aye
Councilperson Thompson	aye
Councilperson Zarbo	aye
Councilperson Stisser	aye
Councilperson Klapper	aye

A motion was offered by Councilperson Zarbo, seconded by Councilperson Stisser, to adopt **Resolution No. 25**, 2012 (Petty Cash)

**RESOLVED** Petty Cash fund for Town Clerk in the amount of \$100.00

Approved by unanimous vote (5-0). Voting was as follows:

Supervisor Howard	aye
Councilperson Thompson	aye
Councilperson Zarbo	aye
Councilperson Stisser	aye
Councilperson Klapper	aye

There was discussion about looking into Medtok in Batavia for new hire drug testing.  
Time clock for highway employees to be installed  
Retirement system Town Officials and Employees  
Office space issues  
Community involvement for the newsletter

Councilperson Zarbo offered a motion at 10:20 P.M., seconded by Councilperson Thompson, to adjourn the meeting. Voting all ayes.

Respectfully submitted,

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Lucinda Starr, Town Clerk