

**TOWN OF PAVILION
REGULAR MEETING
October 10, 2012
7:35 PM**

The Town Board of the Town of Pavilion held the regular monthly meeting on October 10, 2012 at the Town Hall, One Woodrow Drive, Pavilion, New York 14525 at 7:35 p.m. following the Public Hearing Meeting Present were:

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

Others: Clerk Lucinda Starr, John Strathearn and Rob LaPoint

Councilperson Stisser offered a motion, seconded by Councilperson Klapper, to approve the September 12, 2012 minutes as submitted.

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

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

Councilperson Klapper offered a motion, seconded by Councilperson Thompson, to authorize the clerk to draw a warrant on the supervisor to pay bills. General \$10,213.63; Library \$1,968.84; Water \$3,730.72; Sewer \$17,343.15 T&A Fund\$1,226.70; Youth Rec.\$944.53; Highway \$23,255.92. TOTAL \$147,596.91.

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

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

Hwy. Superintendent John Strathearn report:

1988 585 Case International tractor bids:	Larry Cooper	\$5000.00
	William Berkermeier	\$4520.57
	John Weidman	\$3479.00
	Bob Reinhart	\$1651.00
	Lenny Wellman	\$4500.00

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

Resolution No. 63: Bid for 1988 585 Case International tractor

RESOLVED: Accept \$5000.00 bid from Larry Cooper for sale of 1988 585 Case International Tractor.

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

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

~Replacement of sewer pump at the home of Gary Freeman at the cost of \$2200.00

~Received 4793.99 bill from National Fuel for broken gas line on Black St.the Town will pay

~Sewer tank- hole has been dug, the concrete work is done, waiting for delivery of tank which should be on Wed. Oct. 17,2012. There will be an additional blower needed for tank.

Reviewed September 2012 operating statement and balances.

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

Resolution No. 64: Schedule public hearing for 2013 Budget.

RESOLVED: Schedule Public Hearing for 2013 Budget on November 7, at 7:20PM with regular Town Board Meeting to follow notice will be published in Daily News.

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

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

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

Resolution No. 65: Adopt 2013 Preliminary Budget

RESOLVED: Adopt 2013 Preliminary Budget as is.

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

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

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

Resolution No. 66: Raising late fees on sewer bills

RESOLVED: Raising late fees on quarterly sewer bills from \$10.00 to \$15.00 per quarter per unit .

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

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

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

Resolution No. 67: 2013 Approval of Official Undertaking Bond of Tax Collector

RESOLVED: APPROVAL OF OFFICIAL UNDERTAKING

For Tax Collection Officer

[The Official Undertaking/Bond must be filed with the County Clerk.]

APPROVAL OF THE PAVILION TOWN BOARD

We, the undersigned members of the Town Board of the Town of Pavilion, County of Genesee, State of New York, do hereby approve the attached undertaking or bond as to its form, manner of execution, amount and sufficiency thereof, and to the sureties named thereon. Said undertaking or bond shall be conditioned that the collector of taxes shall well and truly keep, pay over and account for all moneys and property coming into her/his hands as such collector. The Town Tax Collector agrees to forward monies collected by the Tax Collector to the County of Genesee prior to reaching a balance of \$500,000.00

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

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

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

Resolution No. 68: Delinquent Sewer Accounts

RESOLVED: The Town Clerk has prepared a list of all property owners who owe the Town for sewer service as of October 31, 2012; and

WHEREAS, Section 198 (3) (d) of Town Law stipulates that such amounts owing shall be levied against the property to which the service is rendered.

NOW, THEREFORE, BE IT RESOLVED, that the attached list in the amount of **\$6265.00** or as it may be amended before final submission to the Genesee County Treasurer, be and is hereby approved for levying against the individuals 2013 tax warrant.

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

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

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

Resolution No. 69: State Retirement payment

RESOLVED: Approved to pay State Retirement at reduced rate if paid by December 31,2012

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

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

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

Resolution No. 70: Deputy Supervisor Salary

RESOLVED: To pay Deputy Supervisor \$1,000 for services rendered to be paid from surplus budgeted funds in the year 2012 and to add a regular budget line item starting 1/1/2013 subject to periodic review and adjustment by the Town Board at its Organizational Meeting each year.

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

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

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

Resolution No. 71: Town Prosecutor payment

RESOLVED: To pay Prosecutor Reid Whiting \$500.00 for services rendered to be paid from surplus budgeted funds in the year 2012.

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

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

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

Resolution No. 72: Youth Recreation Program for 2013

RESOLVED: The intention of the Pavilion Town Board to establish a Youth Recreation Program for the year 2013.

The Town Board of the Town of Pavilion is about to submit an application for such project to the New York State Division of Youth for it's approval, and if approved to apply subsequently to NYS for partial reimbursement of funds expended on such project, as provided by Chapter 556 of Law of 1045,

RESOLVED, that such application be in all respects approved and that Theron Howard, Supervisor of the Town of Pavilion, is hereby directed and authorized to duly execute and to present such application to the NYS Division of Youth for its approval (Section 2).

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

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

Rob LaPoint – Planning Board Representative

~ The Planning Board would like to have a meeting with Rep. from the Zoning Board, Town Board, Planning Board and CEO Dan Lang from Batavia. A tentative date of October 22,2012 at 7:00PM has been set.

~Letter of interest from Kevin Conklin for Planning Board position.

~Letter sent to Town of Covington Supervisor Jerry Davis with concerns about recycling center.

~ Schedule presentation from Banks, Auditors and Engineers for the November board meeting.

~ Resignation from Eric Volkmar, Zoning Board Member.

Councilman Thompson offered a motion at 8:45 PM to adjourn the meeting, seconded by Councilman Zarbo.

Voting all ayes.

Respectfully submitted,

Lucinda Starr, Town Clerk