

**TOWN OF PAVILION
REGULAR MEETING
December 12, 2012
7:30 PM**

The Town Board of the Town of Pavilion held the regular monthly meeting on December 12, 2012 at the Town Hall, One Woodrow Drive, Pavilion, New York 14525 at 7:38 p.m. Present were:

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

Other present: Cindy Starr, John Strathearn & Bill Kegler

Supervisor Howard opened the meeting at 7:38 followed by the pledge to the flag.

Councilperson Stisser offered a motion, seconded by Councilperson Klapper, to approve the November 7, 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 \$38,735.46; Library \$4481.00; Water: 2549.27 Sewer \$8577.06, Youth Rec.\$8.23; T&A Fund\$1225.42; Highway \$140,580.04. TOTAL \$196,156.48.

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

Reports-John Strathearn, Highway Superintendent:

*New JD mowing tractor should be delivered by end of January.

*Meeting with Steven Sharp Genesee County Sheriff Dept about County issuing house numbers.

Steven Sharp will address the board at January meeting.

*Town cardboard goes to the Town of East Bethany, they have lost there market, John is not sure if they have found another market, if not Pavilion will have to find a way t to dispose of cardboard maybe check with ARC.

*Checked price on new 10-wheeler truck cab and chassis approximately \$110,000.00, box and plow equipment approximately \$56,000 for total of \$166,000.

*Letter from NYMR the Towns insurance company to James Stiles denying his claim of damage to house when the Town tarred Shephard Rd. The tar on his house was due to private contractor working on his driveway.

Review of November 2012 operating statements

Local Laws 2,3&4 were adopted at the October10,2012 public hearing after checking with Department of State this will not be problem so laws will stand as adopted.

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

Resolution No. 76: Lead Agency for SEQR Study

RESOLVED: Appoint the Town Board as lead agency for SEQR study required for the adoption of land separation law

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

Cindy Starr is working on a Practices and Procedures manual that will be available to all Town employees.

Supervisor Howard had a meeting with Fred Gundell regarding his concerns about increase in Thruway Tolls and the traffic it will cause for the Town.

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

Resolution No. 77: Letter to Thruway Authority

RESOLVED: A letter from the Pavilion Town Board will be sent the Thruway Authority concerning the increase of Thruway Tolls and the effect this will had on the Town with the increase of traffic.

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. 78: Adopt work day for NYS Retirement System

RESOLVED: Adopt a standard 6 hour work day for Theron Howard Town Supervisor for the NYS Retirement System .

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. 79: Appoint Auditors

RESOLVED: Appoint Drescher & Malecki LLP of Cheektowaga NY as new Town Auditors

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

Supervisor Howard will notify Freed Maxick, CPA of the change in auditors.

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

Resolution No. 80: Code Enforcement Officer agreement between the Town of Batavia and the Town of Pavilion.

WHEREAS, the Town of Batavia and the Town of Pavilion wish to enter into a Code Enforcement Officer Agreement; and

WHEREAS, THE AGREEMENT ADDRESSES THE NEED FOR THE Town of Pavilion to have its Codes enforced by the Town of Batavia Code Official.

RESOLVED: pursuant to Article 5-G of the General Municipal Law, the Pavilion Town Board wishes to enter into an agreement between the Town of Batavia and the Town of Pavilion for Code Enforcement services and be it

FURTHER RESOLVED, the Pavilion Town Board hereby authorizes the Supervisor to execute the aforementioned agreement

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

Sign Repair: The Town welcome signs are in need of repair Supervisor Howard will ask for donations the cost of the repairs is \$650.00 per sign.

Memorial: Do to the loss of several community residents, Supervisor Howard has researched into the Town giving memorial monies and has found it is an inappropriate expenditure.

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

Resolution No. 81: Set year end meeting

RESOLVED: Year end has been set for December 27, 2012 at 6:00PM

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

Letter from Jerry Davis-Town of Covington Supervisor regarding refuse. After extensive discussion the Board directed Supervisor Howard to send a bill for ½ of net loss regarding refuse/recycling station and advise Covington Board they are free to study the situation. The Town of Pavilion has no interest in exploring further options regarding the situation. If Covington has any ideas let us know if they don't want to pay their share it will become the Pavilion Transfer Station.

Letter from Deb & Jim Starr regarding sewer tax/debt service assessment Supervisor Howard will send a letter.

Phone call from Charles Cottman Library Board Chairman nominating Karen Kingsley to Library Board Supervisor Howard will ask this in writing.

Informational- Pavilion Fire District Resolution 2% Tax Levy Cap
New "Piggybacking" Law-Exception to competitive bidding
GAM Meeting-December 20, 2012
NYMR letter of denial for claim-James Stiles
Genesee County-911 Address Authentication
Fire Commissioner Minutes

At 9:00PM Supervisor Howard called executive session to discuss employee performance & qualifications seconded by Councilperson Klapper.

At 9:38 a motion was made by Councilperson Thompson and seconded by Councilperson Zarbo to adjourn executive session and return to regular board meeting.

Councilman Thompson offered a motion 9:44 PM to adjourn the meeting, seconded by Councilman Stisser.

Voting all ayes.

Respectfully submitted,

Lucinda Starr, Town Clerk

