

**TOWN OF PAVILION
REGULAR & ORGANIZATIONAL MEETING
JANUARY 9, 2013
7:30 P.M.**

The Town Board of the Town of Pavilion held the regular monthly meeting and organizational meeting on January 9, 2013 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 Thomas Klapper
Councilperson Bruce Stisser
Councilperson Ron Zarbo Absent

Others: Clerk Lucinda Starr, Hwy. Supt. John Strathearn, Steven Sharp & Bill Kegler.

Supervisor Howard opened the meeting at 7:29 PM followed by the pledge to the flag.

ORGANIZATIONAL MEETING

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

Resolution No. 1 2013 (Approve Town Board Meetings)

RESOLVED that Regular Town Board meeting will be held the 2nd Wednesday of the month at 7:30 P.M. at the town building except fro December 26, 2013 at 6:30 PM

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

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

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

Resolution No. 2 2013 (Approve Official depositories)

RESOLVED official depositories for the Town funds will be Five Star Bank, Steuben Trust Company and Bank of Castile.

Approved by unanimous vote (3-0). Voting was as follows:

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

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

Resolution No. 3 2013 (Approve Snow & Ice Removal & Mowing)

RESOLVED Approved Snow, Ice Removal and mowing

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

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

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

Resolution No. 4 2013 (Approve mileage)

RESOLVED Mileage rate for Town officials on Town business will be \$.565 per mile

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

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

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

Resolution No. 5 2013 (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 and direct that the undertaking be filed with the Town Clerk..

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

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

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

Resolution No. 6 2013 (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 (4-0). Voting was as follows:

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

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

Resolution No. 7 2013 (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 (4-0). Voting was as follows:

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

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

Resolution No. 8 2013 (Daily News)

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

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

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

Councilperson Stisser offered a motion, seconded by Supervisor Howard to adopt

Resolution No. 9 2013 (Pavilion Fire District)

RESOLVED pay the Pavilion Fire District the amount of \$187,500.00 for fire protection for 2013.

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

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

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

Resolution No. 10 2013 (Investments)

RESOLVED authorize the Supervisor to invest Town moneys.

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

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

Councilperson Klapper offered a motion, seconded by Councilperson Thompson to adopt **Resolution No. 11** 2013 (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 (4-0). Voting was as follows:

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

Councilperson Thompson offered a motion, seconded by Supervisor Howard to adopt

Resolution No. 12 2013 (Town Board meetings)

RESLOVED meeting dates

TOWN BOARD MEETINGS FOR THE YEAR 2013

January 9, 2013	July 10, 2013
February13, 2013	August 14, 2013
March 13, 2013	September 11, 2013
April 10, 2013	October 9, 2013
May 8, 2013	November 13, 2013
June 12, 2013	December 11, 2013
	December 26, 2013

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 (4-0). Voting was as follows:

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

Supervisor Howard offered a motion, seconded by Councilperson Klapper to adopt

Resolution No. 13 2013 (Planning Board meetings)

RESOLVED meeting dates

PLANNING BOARD MEETINGS FOR THE YEAR 2013

January 8, 2013	July 9, 2013
February 12, 2013	August 13, 2013
March 12, 2013	September 10, 2013
April 9, 2013	October 8, 2013
May 14, 2013	November 12, 2013
June 11, 2013	December 10, 2013

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 (4-0). Voting was as follows:

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

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

Resolution No. 14 2013 (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 (4-0). Voting was as follows:

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

A motion was offered by Councilperson Klapper, seconded by Councilperson Stisser, to approve **Resolution No. 15, 2013** (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 2013 with certain changes to be completed by the next board meeting.

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

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

A motion was offered by Councilperson Thompson, seconded by Councilperson Stisser, to approve **Resolution No. 16, 2013** (Approve prepayment of certain bills prior to board approval)

RESOLVED Authorizing the Supervisor to pay claims for public utilities, postage, freight, express charges, and credit cards before they are audited.

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

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

A motion was offered by Councilperson Klapper, seconded by Councilperson Thompson to approve **Resolution No. 17, 2013** (Approval of Holidays)

RESOLVED To approve 13 Holidays; New Years Day, Presidents Day, Good Friday, Memorial Day, Independence day, Labor Day, Columbus Day, Veteran's Day, Thanksgiving Day and day after, Day before Christmas, Christmas Day, 1 Floating Holiday.

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

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

Councilperson Stisser offered a motion, seconded by Councilperson Thompson, to approve **Resolution No. 18, 2013** (approve appointment for 2013)

RESOLVED, that the Town board of the Town of Pavilion, Genesee County, NY approve the following appointments for 2013:

*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 Drescher & Malecki LLP as auditor for the Town of Pavilion.

- * To retain Melody Osterman as the Financial Clerk and Confidential Secretary to the Town Supervisor.
- * To retain Joseph Heukensfeld as Court Clerks subject to the control of the Town Justices.
- * To retain Melody Osterman as Planning Board and Zoning Board secretary
- *To retain Thomas Klapper as Deputy Supervisor
- * To retain Sarah Kingdon as Deputy Town Clerk
- * To retain Lucinda Starr as Sewer Bill Clerk
- * To retain Lucinda Starr as Registrar of Vital Statistics
- * To appoint Kevin Conklin as an alternate member to Planning Board, term ends 12/31/16
- * To appoint Cliff Elliott as a member of the Zoning Board of Appeals replace Eric Volkmar term ending 12/31/2013.
- * To appoint Karen Kingsley to the Library Board of Directors, term ends 12/31/17
- * The correction of Joan Gray Library Board Trustee Term 12/31/15 to 12/31/16
- * To retain Reid Whiting as Prosecutor for the Town of Pavilion upon approval of the District Attorney, to provide legal services as an “at will” independent contractor pursuant to the Retainer Agreement
- * To retain the Town of Batavia as Zoning and Code Enforcement Officials.

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

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

Councilperson Klapper offered a motion, seconded by Councilperson Stisser, to approve **Resolution No. 19, 2013** (Omnibus resolution)

RESOLVED, Adopt Omnibus resolution that the Town Board of the Town of Pavilion NY, Genesee County approve the Supervisor to approve budget transfers which may result from the Auditors findings.

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

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

A motion was offered by Councilperson Klapper, seconded by Councilperson Thompson, to adopt **Resolution No. 20 2013**, (set wages for 2013)

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 \$ 15,000/year
- Deputy Supervisor \$ 1000/year
- Town Councilperson
(4) each @ \$2,950/yr \$ 11,800/ year
- Town Justice #1 \$ 9000/year
- Town Justice #2 \$ 9000/year
- Town Clerk/Tax Coll. \$15,700/year
- Hwy. Superintendent \$52,000/year

Set wages for appointed officials as follows:

- Highway Laborer \$10.25/hr
- Budget Director \$2,850.00/yr
- Financial Clerk \$5.25/hr
- Deputy Clerk /Registrar \$200.00/year
- Janitor \$15.00/hr
- Refuse Laborer \$10.75 & 12.75/hr
- Historian \$950.00/yr
- Registrar Vital Statistics \$500.00/yr
- Planning Board, chairman \$30.00/meeting
- Planning Board, member \$25.00/meeting
- Zoning Board, chairman \$30.00/meeting
- Zoning Board members & alternate \$25/meeting
- Planning/Zoning, Secretary \$15.00/hr
- Board Assessment Review, Chairman \$65.00/day
- Board Assessment Review, Member \$50.00/day
- Court Clerk \$13.00/hr
- Assessor 5hr/wk. contract with LeRoy. Additional hours upon prior approval of Supervisor
- Sewer Bill Collector \$2800.00/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
- Mileage \$.565
- Library Director \$12,453.00/year
- Library Clerk #1 Sally Wellman \$8.40/hr.
- Library Clerk #2 Bonnie \$8.03/hr.
- Library Cleaner \$8.41/hr.

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

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

Councilperson Thompson offered a motion at 7:43 P.M., seconded by Councilperson Stisser, to adjourn Organizational meeting and start Regular Town Board Meeting

REGULAR MEETING

Regular Town Board meeting was called to order by Supervisor Howard at 7:44PM

Councilperson Klapper offered a motion, seconded by Councilperson Thompson, to approve the December 27, 2012 minutes of the year end meeting as submitted.

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

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

Councilperson Thompson offered a motion, seconded by Councilperson Stisser, to authorize the clerk to draw a warrant on the supervisor to pay bills. General \$40,501.82; Water \$1724.92 Library \$818.62; Sewer \$4,765.56; Highway \$7,406.80. TOTAL \$55,217.72.

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

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

Presentation from Steven Sharp Director of Emergency Communications for Genesee County Sheriff. Discussion assigning the Genesee County Sheriff Office as the local addressing authority. Steven explained how the Town and the Sheriff Office would work together on this through the Town Clerks Office. This would also be a help with the 911 calls.

A motion was offered by Councilperson Klapper, seconded by Councilperson Thompson, to adopt **Resolution No. 21 2013**, (Authorizing Genesee County Sheriff Office as local addressing authority).

RESOLVED, that the Genesee County Sheriff and the Director of Emergency Communications are authorized and directed to serve as the addressing authority for the Town of Pavilion for the purpose of establishing and maintaining street address rages, issuing new addresses, issuing corrections for out of sequence or out of range addresses, and other related addressing duties

BE IT FURTHER RESOLVED, That the Town of Pavilion NY shall serve as the final arbiter of all addresses and remain the code enforcement authority within its jurisdiction.

Councilperson Klapper offered a motion, seconded by Councilperson Thompson, to approve the December 27, 2012 minutes of the year end meeting as submitted.

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

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

Reports-John Strathearn, Highway Superintendent

- Checked on price for new 10 Wheeler Truck the cost of chassis is \$109,977.00 the cost of the body and plow equipment will be approximately \$53,000.00
- Approval of paying Royal Employee Assistants of \$300.00
- Town Association of Highway Superintendents would like monthly meetings to be paid by check . A check will be issued for \$85.00 to pay for the year.
- National Grid would like to survey the outside lights at the Town building at no fee

A motion was offered by Councilperson Stisser, seconded by Councilperson Klapper, to adopt **Resolution No. 22, 2013**, (Authorizing purchase of new 10 Wheeler Truck)

RESOLVED, Purchasing of a new 10 Wheeler Truck on the Oneida County bid at the cost of \$109,977.00.

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

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

Reviewed December 2012 operating statement and December 2012 balances.

Bank reconciliations statements on the advise of Town auditor should be reviewed, initialed and dated by Town Board members.

A motion was offered by Councilperson Klapper, seconded by Councilperson Stisser, to adopt **Resolution No. 23, 2013**, (Bank Reconciliation Statements)

RESOLVED, The Town Board will be reviewing the monthly bank reconciliation statements, also initialed and dating them.

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

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

A motion was offered by Councilperson Thompson, seconded by Councilperson Stisser
To accept the Budget adjustment with corrections.

A motion was offered by Councilperson Klapper, seconded by Councilperson Thompson, to
adopt **Resolution No. 24, 2013**, (Blanket resolution for health insurance payment)

RESOLVED, Payment for Health Insurance for Town Clerk Lucinda Starr will be the third
(3rd) week of each month in advance of due date.

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

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

Pavilion Cub Scouts sent a letter asking for donation for the Blue& Gold banquet .

A motion was offered by Councilperson Stisser, seconded by Councilperson Klapper to
send a donation of \$100.00 to the Pavilion Cub Scouts-Pack 6016 for the Blue & Gold Banquet.

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

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

Informational-Association of Towns of NYS

Conflict of Interest of Municipal Officers and Employees

Letter from Steve & Cheryl Nichols-Water hookup

Letter from James & Deborah Starr-Sewer District

Refuse/Garbage expense and revenues breakdown

CEO/ZEO change from Donald Roberts to Town of Batavia , Dan Lang was effective January 1, 2013.

At 8:45PM motion was offered by Supervisor Howard, seconded by Councilperson Klapper for executive session to discuss Employment History.

At 9:30 PM motion was offered by Councilperson Thompson, seconded by Councilperson Stisser to adjourn executive session and return the regular meeting

Councilman Thompson offered a motion 9:31 PM to adjourn the meeting, seconded by Councilman Klapper
Voting all ayes.

Respectfully submitted,

Lucinda Starr, Town Clerk

