

**TOWN OF PAVILION  
ORGANIZATIONAL MEETING  
JANUARY 5, 2021  
7:00 P.M.**

The Town Board of the Town of Pavilion held the organizational meeting on January 5, 2021 at the Town Hall, One Woodrow Drive, Pavilion, New York 14525 at 7:00 pm Present were:

Supervisor Robert LaPoint  
Councilperson John Rudgers  
Councilperson Donald Oberlin  
Councilperson James Thater  
Councilperson Mark Heineman      absent

Supervisor LaPoint opened the Organizational meeting at 7:49 PM

Supervisor LaPoint offered a motion, seconded by Councilperson Rudgers to adopt

**Resolution No. 1, 2021:** Approve Town Board Meetings

**RESOLVED:** Regular Town Board meeting will be held the 2<sup>nd</sup> Wednesday of the month at 7:00 P.M. at the town building except for November 3, 2021 to start at 7:00 PM and December 29, 2021 meeting to start at 6:30 PM.

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

Supervisor Robert LaPoint      Aye  
Councilperson John Rudgers      Aye  
Councilperson Donald Oberlin      Aye  
Councilperson James Thater      Aye  
Councilperson Mark Heineman      absent

Councilperson Rudgers offered a motion, seconded by Councilperson Thater to adopt

**Resolution No. 2, 2021:** Approve Official depositories

**RESOLVED:** official depositories for the Town funds will be Five Star Bank, Community Bank NA, and Bank of Castile.

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

Supervisor Robert LaPoint	Aye
Councilperson John Rudgers	Aye
Councilperson Donald Oberlin	Aye
Councilperson James Thater	Aye
Councilperson Mark Heineman	absent

Councilperson Thater offered a motion, seconded by Councilperson Oberlin to adopt

**Resolution No. 3, 2021:** Approve Snow & Ice Removal & Mowing

**RESOLVED:** Approved Snow, Ice Removal and mowing at county rate

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

Supervisor Robert LaPoint	Aye
Councilperson John Rudgers	Aye
Councilperson Donald Oberlin	Aye
Councilperson James Thater	Aye
Councilperson Mark Heineman	absent

Supervisor LaPoint offered a motion, seconded by Councilperson Thater to adopt

**Resolution No. 4, 2021:** 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 Robert LaPoint	Aye
Councilperson John Rudgers	Aye
Councilperson Donald Oberlin	Aye
Councilperson James Thater	Aye
Councilperson Mark Heineman	absent

Supervisor LaPoint offered a motion, seconded by Councilperson Thater adopt.

**Resolution No. 5, 2021:** Bonding

**RESOLVED:** Approval of bonding for the Supervisor, Deputy Supervisor, Town Clerk, Deputy Town Clerk in the amount of \$900,000.00, Highway Superintendent, Justices and Court Clerks in the amount of \$250,000.00 and direct that the undertaking be

filed with the Town Clerk.

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

Supervisor Robert LaPoint	Aye
Councilperson John Rudgers	Aye
Councilperson Donald Oberlin	Aye
Councilperson James Thater	Aye
Councilperson Mark Heineman	absent

Supervisor LaPoint offered a motion, seconded by Councilperson Thater to adopt.

**Resolution No. 6, 2021:** Supervisor Annual Report

**RESOLVED:** Allow the Supervisor 60 days to submit the annual update 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 Robert LaPoint	Aye
Councilperson John Rudgers	Aye
Councilperson Donald Oberlin	Aye
Councilperson James Thater	Aye
Councilperson Mark Heineman	absent

Councilperson Thater offered a motion, seconded by Councilperson Rudgers to adopt.

**Resolution No. 7, 2021:** 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 Robert LaPoint	Aye
Councilperson John Rudgers	Aye
Councilperson Donald Oberlin	Aye
Councilperson James Thater	Aye
Councilperson Mark Heineman	absent

Supervisor LaPoint offered a motion, seconded by Councilperson Thater to adopt.

**Resolution No. 8, 2021: Daily News**

**RESOLVED:** Designated the Batavia Daily News as the official papers of notice. Approved by unanimous vote (4-0). Voting was as follows:

Supervisor Robert LaPoint	Aye
Councilperson John Rudgers	Aye
Councilperson Donald Oberlin	Aye
Councilperson James Thater	Aye
Councilperson Mark Heineman	absent

Supervisor LaPoint offered a motion, seconded by Councilperson Rudgers to adopt.

**Resolution No. 9, 2021: Pavilion Fire District**

**RESOLVED:** Pay the Pavilion Fire District the amount of \$219,978.00 for fire protection for 2021.

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

Supervisor Robert LaPoint	Aye
Councilperson John Rudgers	Aye
Councilperson Donald Oberlin	Aye
Councilperson James Thater	Aye
Councilperson Mark Heineman	absent

Supervisor LaPoint offered a motion, seconded by Councilperson Thater to adopt.

**Resolution No. 10, 2021: Library**

**RESOLVED:** Pay the Pavilion Library the amount of \$70,852.00 for operating budget for 2020.

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

Supervisor Robert LaPoint	Aye
Councilperson John Rudgers	Aye
Councilperson Donald Oberlin	Aye
Councilperson James Thater	Aye
Councilperson Mark Heineman	absent

Supervisor LaPoint offered a motion, seconded by Councilperson Rudgers to adopt.

**Resolution No. 11, 2021: Investments**

**RESOLVED:** Authorize the Supervisor to invest Town moneys.

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

Supervisor Robert LaPoint	Aye
Councilperson John Rudgers	Aye
Councilperson Donald Oberlin	Aye
Councilperson James Thater	Aye
Councilperson Mark Heineman	absent

Supervisor LaPoint offered a motion, seconded by Councilperson Rudgers to adopt.

**Resolution No. 12, 2021:** 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 Robert LaPoint	Aye
Councilperson John Rudgers	Aye
Councilperson Donald Oberlin	Aye
Councilperson James Thater	Aye
Councilperson Mark Heineman	absent

Supervisor LaPoint offered a motion, seconded by Councilperson Thaterto adopt.

**Resolution No. 13, 2021:** Town Board meetings

**RESOLVED:** Meeting dates

TOWN BOARD MEETINGS FOR THE YEAR 2021

January 13, 2021	July 14, 2021
February 10, 2021	August 11, 2021
March 10, 2021	September 8, 2021
April 14, 2021	October 13, 2021
May 12, 2021	November 3, 2021 *
June 9, 2021	December 8, 2021
	December 29, 2021 @6:30 pm *

This is a list of regular monthly scheduled meetings on the second Wednesday of each month except \* Wednesday November 3 & Wednesday December 29, 2021 meeting.

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

Supervisor Robert LaPoint	Aye
Councilperson John Rudgers	Aye
Councilperson Donald Oberlin	Aye
Councilperson James Thater	Aye

Councilperson Mark Heineman absent

Supervisor LaPoint offered a motion, seconded by Councilperson Thater to adopt.

**Resolution No. 14, 2021:** Planning Board meetings

**RESOLVED:** Meeting dates

Meeting dates Planning Board

PLANNING BOARD MEETINGS FOR THE YEAR 2021

January 20, 2021	July 21, 2021
February 17, 2021	August 18, 2021
March 17, 2021	September 15, 2021
April 21, 2021	October 20, 2021
May 19, 2021	November 17, 2021
June 16, 2021	December 15, 2021

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

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

Supervisor Robert LaPoint	Aye
Councilperson John Rudgers	Aye
Councilperson Donald Oberlin	Aye
Councilperson James Thater	Aye
Councilperson Mark Heineman	absent

Supervisor LaPoint offered a motion, seconded by Councilperson Rudgers to adopt.

**Resolution No. 15, 2021:** Set pay periods

**RESOLVED:** Setting pay periods as follows:

Setting pay periods as follows:

- Biweekly:
  - MEO, Highway Laborers, Highway Superintendent, Financial Clerk, Sewer Clerk, Library Clerk and Library Manager, Supervisor, Budget Director, Councilpersons, Justices, Town Clerk, Labors & Court Clerk
- Quarterly:

- Planning Board
- Annually:
  - Registrar of Vital Statistics, Historian, & Deputy Town Clerk.
- Per Meeting
  - Zoning Board of Appeals
  - Property Maintenance Code Board of Appeals

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

Supervisor Robert LaPoint	Aye
Councilperson John Rudgers	Aye
Councilperson Donald Oberlin	Aye
Councilperson James Thater	Aye
Councilperson Mark Heineman	absent

Supervisor LaPoint offered a motion, seconded by Councilperson Rudgers to adopt.  
**Resolution No. 16, 2021: Procurement Policy**

**RESOLVED:** The Town Board of the Town of Pavilion, Genesee County, NY  
 has reviewed and approves the procurement policy as is for 2021.

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

Supervisor Robert LaPoint	Aye
Councilperson John Rudgers	Aye
Councilperson Donald Oberlin	Aye
Councilperson James Thater	Aye
Councilperson Mark Heineman	absent

Supervisor LaPoint offered a motion, seconded by Councilperson Thater to adopt.  
**Resolution No. 17, 2021:** 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 Robert LaPoint	Aye
Councilperson John Rudgers	Aye
Councilperson Donald Oberlin	Aye
Councilperson James Thater	Aye
Councilperson Mark Heineman	absent

Supervisor LaPoint offered a motion, seconded by Councilperson Thater to adopt.

**Resolution No. 18, 2021:** Approval of Holidays

**RESOLVED:** 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 Robert LaPoint	Aye
Councilperson John Rudgers	Aye
Councilperson Donald Oberlin	Aye
Councilperson James Thater	Aye
Councilperson Mark Heineman	absent

Supervisor LaPoint offered a motion, seconded by Councilperson Rudgers to adopt.

**Resolution No. 19, 2020:** Approve appointment for 2021

**RESOLVED,** that the Town board of the Town of Pavilion, Genesee County, NY approve the following appointments for 2021:

\*To contract with Mark Boylan to provide legal services for the Town of Pavilion as an “at will” independent contractor pursuant to Retainer Agreement at the rate of \$200.00 per hour.

\*To retain Jake Whiting as Town Prosecutor rate of \$400.00/month

\* To retain Baldwin Business Service for accounting and payroll services for the Town of Pavilion

\* To retain Baldwin Business as auditor for the Town of Pavilion Court.

\*To retain Katherine Werner and Lynette Beaumont as Court Clerk subject to the control of the Town Justices

\*To retain Lisa Sauer as Planning Board and Zoning Board secretary.



\*To retain Dean Davis as Deputy Supervisor

\*To retain Tyler Schiske as Deputy Highway Superintendent (As per collective bargaining agreement)

\*To retain Lucinda Starr as Sewer Bill Clerk

\*To retain Sarah Kingdon as Deputy Town Clerk

\*To retain Lucinda Starr as Registrar of Vital Statistics

\*To retain Town of Batavia as Zoning and Code Enforcement officials, also Flood Plan Manager & Fire Inspectors.

\*To retain Town of Batavia & Leroy for Assessment Services

\*To appoint Donald Brooks as a member of the Planning Board member term to end 12/31/2027.

\*To appoint Liz Milligan as a member of the Youth Recreation member term to end 12/31/2025

\*Appoint Jon Tillotson as member of the Zoning Board of Appeals term to end 12/31/2025

\*Appoint Danielle Offhaus as Library Trustee term to expire 12/31/2025

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

Supervisor Robert LaPoint	Aye
Councilperson John Rudgers	Aye
Councilperson Donald Oberlin	Aye
Councilperson James Thater	Aye
Councilperson Mark Heineman	absent

Supervisor LaPoint offered a motion, second by Councilperson Thater

**Resolution No. 20, 2021: Official Undertaking**

**RESLOVED:** The Town Board of The Town of Pavilion, Genesee County, NY approve the Official Undertaking of the Municipal Officials.

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

Supervisor Robert LaPoint	Aye
Councilperson John Rudgers	Aye
Councilperson Donald Oberlin	Aye
Councilperson James Thater	Aye
Councilperson Mark Heineman	absent

Supervisor LaPoint offered a motion, seconded by Councilperson Thater

**Resolution No. 21, 2021:** Omnibus resolution

**RESOLVED:** Adopt Omnibus resolution that the Town Board of the Town of Pavilion NY, Genesee County authorizes the Supervisor's to approval budget transfers which may result from the Auditors findings.

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

Supervisor Robert LaPoint	Aye
Councilperson John Rudgers	Aye
Councilperson Donald Oberlin	Aye
Councilperson James Thater	Aye
Councilperson Mark Heineman	absent

Supervisor LaPoint offered a motion, seconded by Councilperson Oberlin

**Resolution No. 22, 2021:** Pay Town Clerk Insurance

**RESOLVED:** To pay Lucinda Starr Town Clerk health insurance for 2021 in the amount of \$217.50/month.

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

Supervisor Robert LaPoint	Aye
Councilperson John Rudgers	Aye
Councilperson Donald Oberlin	Aye
Councilperson James Thater	Aye
Councilperson Mark Heineman	absent

Supervisor LaPoint offered a motion, seconded by Councilperson Oberlin

**Resolution No. 23, 2021:** Set wages for 2021

**RESOLVED:** That the Town board of the Town of Pavilion, Genesee County, NY approve the following wages for 2021:

Set wages for elected officials as follows:

- Supervisor \$ 16,000/yr
- Deputy Supervisor \$ 2000/yr
- Town Councilperson \$ 15,200/yr  
(4) each @ \$3,800/yr
- Town Justice #1 \$ 9380/yr includes \$400.00 for  
administrated duties
- Town Justice #2 \$ 8980/yr
- Hwy. Superintendent \$61,000/year
- Town Clerk \$18,000/yr

Set wages for appointed officials as follows:

- Budget Director \$5000/yr
- Tax Collector \$2600/yr
- Personal Services \$5,500/yr
- Deputy Clerk /Registrar \$200.00/year
  
- Registrar Vital Statistics \$500.00/yr
- Sewer Clerk Collector \$2800.00/yr
- Planning Board, chairman \$600.00/yr
- Planning Board, member \$400.00/yr

- Zoning Board, chairman \$40.00/meeting
- Zoning Board members & alternate \$35/meeting
- Planning Secretary \$50.00/meeting
- Board Assessment Review, Chairman \$65.00/day
- Board Assessment Review, Member \$50.00/day
- Court Clerk \$15.00/hr
- Assessor 5hr/wk. contract with LeRoy.  
Additional hours upon prior approval of Supervisor
- Sewer Bill Collector \$2800.00/yr
- Election worker- short day Set by Genesee County
- Election worker – long day Set by Genesee County
- Election Coordinator – short day Set by Genesee County
- Election coordinator – long day Set by Genesee County
- Mileage \$.565
- Highway Laborer \$13.70/ Seasonal help \$15.00/hr
- Deputy Highway Superintendent Per union contract
- MEO Highway Per union contract

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

Supervisor Robert LaPoint	Aye
Councilperson John Rudgers	Aye
Councilperson Donald Oberlin	Aye
Councilperson James Thater	Aye
Councilperson Mark Heineman	absent

Supervisor LaPoint offered a motion, seconded by Councilperson Rudgers

**Resolution No. 24, 2021:** Return check fee

**RESOLVED:** Set return check fee in the amount of \$35.00

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

Supervisor Robert LaPoint	Aye
Councilperson John Rudgers	Aye
Councilperson Donald Oberlin	Aye
Councilperson James Thater	Aye
Councilperson Mark Heineman	absent

Supervisor LaPoint offered a motion, seconded by Councilperson Thater

**Resolution No. 24, 2021: Senior Citizens receiving the RP-467 Senior Citizen exemption.**

Whereas, the Town of Pavilion has been affected by the Corona Virus, and  
 Whereas, the Town Board recognizes that by state law senior citizens receiving the RP-467 Senior Citizens exemption, and persons receiving the RP-459 Partial Tax Exemption for Real Property of Persons with Disabilities and Limited Incomes, must renew annually, and

Whereas, the Honorable Andrew Cuomo, Governor of New York State has signed executive order 202.83 to include “Subdivisions 7, 7-a and 8 of section 459-c of the Real Property Tax Law, and subdivisions 5, 5-a, 5-b, 5-c and 6 of section 467 of the Real Property Tax Law, to the extent necessary to permit the governing body of an assessing unit to adopt a resolution directing the assessor to grant exemptions pursuant to such section on the 2021 assessment roll to all property owners who received that exemption on the 2020 assessment roll, thereby dispensing with the need for renewal applications from such persons, and further dispensing with the requirement for assessors to mail renewal applications to such persons. Provided however, that the governing body may, at its option, include in such resolution procedures by which the assessor may require a renewal application to be filed when he or she has reason to believe that an owner who qualified for the exemption on the 2020 assessment roll may have since changed his or her primary residence, added another owner to the deed, transferred the property to a new owner, or died;”

Be it Resolved that The Town Board of the Town of Pavilion supports this decision and approves its enactment.

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

Supervisor Robert LaPoint	Aye
Councilperson John Rudgers	Aye
Councilperson Donald Oberlin	Aye
Councilperson James Thater	Aye
Councilperson Mark Heineman	absent

Supervisor LaPoint made a motion at 7:10PM to adjourn meeting seconded by

Councilperson Oberlin. Voting all ayes.

Respectfully submitted,

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Lucinda Starr, Town Clerk