

REGULAR MEETING
October 12, 2022
TOWN OF PAVILION
7:00 P.M.

The Town Board of the Town of Pavilion held the Regular Board meeting on October 12, 2022 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 Dean Davis Absent

Others: Cindy Starr, James Cleveland, Don & Patti Yott, Amy Gaston, Jesse Coots, Ray & Kim Butler, Gay Lasser, Rod West, Mike & Tammy Bradley, Todd Hackett, & George Jinks

Following pledge to the Flag, Supervisor LaPoint opened the meeting at 7:00 PM

Report –Highway-James Cleveland-no Report

Highway-John Rudgers-no report

Sewer- Donald Oberlin-no report

Code Enforcement-James Thater

*Working on building permits.

* The 9/11/2022 house fire on Big Tree Rd, house has been torn down.

Water -Dean Davis-Robert LaPoint

*No update on water district #7 and water district #8 in holding pattern.

Ray Butler and Guy Lasser addressed the board with concerns of the proposed new zoning law updates.

Information from Amy Gaston on Pavilion Fall Festival and the Library Trunk or Treat.

Jim McKenzie has resigned from mowing Covell Rd Cemetery, have two individuals interested in continuing the mowing.

Councilperson Rudgers offered a motion, seconded by Councilperson Oberlin

Resolution No. 64, 2022: Genesee County 5 yr. Ice & Snow Contract

WHEREAS, the County owns, operates, and maintains a highway system in the towns and villages of the County; and

WHEREAS, the County Superintendent of Highways has general charge and supervision of the work of constructing, improving, repairing and maintaining all County roads; and

WHEREAS, County funds may be expended for the control and removal of snow and ice from County roads; and

WHEREAS, County funds may be expended for roadside mowing and removal of noxious weeds along County roads; and

WHEREAS, the County desires to enter into an agreement with the Town for snow removal and for salting and treating County roads for the purpose of removing the danger of ice and snow and the mowing along the sides of County roads; and

WHEREAS, the Town has appropriate snow and ice removal and mowing equipment and sufficient snow and ice control and mowing personnel to contract with the County for snow and ice control services and roadside mowing services

NOW THEREFORE, in consideration of the mutual covenants, agreements, and consideration hereinafter set forth and pursuant to Sections 118-b, 135-a and 142-d of the New York State Highway Law, the parties hereto mutually agree that the Town will provide snow and ice control services and roadside mowing on the County highway system and that the County will reimburse the Town for the provision of these services under a lump sum reimbursement contract.

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

Supervisor Robert LaPoint	Aye
Councilperson John Rudgers	Aye
Councilperson Donald Oberlin	Aye
Councilperson James Thater	Aye
Councilperson Dean Davis	Absent

Councilperson Thater offered a motion, seconded by Councilperson Rudgers

RESOLUTION 65, 2022: Adopt 2023 Preliminary Budget

RESOLVED: Adopting of 2023 Preliminary Budget.

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

Supervisor Robert LaPoint	Aye
Councilperson John Rudgers	Aye
Councilperson Donald Oberlin	Aye
Councilperson James Thater	Aye
Councilperson Dean Davis	Absent

Councilperson Thater offered a motion, seconded by Councilperson Rudgers

RESOLUTION 66, 2022: 2023 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 \$900,000.00

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

Supervisor Robert LaPoint	Aye
Councilperson John Rudgers	Aye
Councilperson Donald Oberlin	Aye
Councilperson James Thater	Aye
Councilperson Dean Davis	Absent

Councilperson Rudgers offered a motion, seconded by Councilperson Oberlin

RESOLUTION 67, 2022: 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, 2022; 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 **\$9990.00**

or as it may be amended before final submission to the Genesee County Treasurer, be and is hereby approved for levying against the individuals 2023 tax warrant.

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

Supervisor Robert LaPoint	Aye
Councilperson John Rudgers	Aye
Councilperson Donald Oberlin	Aye
Councilperson James Thater	Aye
Councilperson Dean Davis	Absent

Councilperson Thater offered a motion, seconded by Supervisor LaPoint

RESOLUTION 68, 2022: Appoint 2023 County Tax Collector

RESOLVED Appoint Lucinda Starr as 2023 County Tax collector

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

Supervisor Robert LaPoint	Aye
Councilperson John Rudgers	Aye
Councilperson Donald Oberlin	Aye
Councilperson James Thater	Aye
Councilperson Dean Davis	Absent

Councilperson Rudgers offered a motion, seconded by Councilperson Thater

RESOLUTION 69, 2022: Town of Bethany water debt service charge.

RESOLVED: Add Town of Bethany water debt service to 2023 county tax bill for property owner Faye Howell tax map 1.-1-2.11 in the amount of \$663.00.

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

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

Councilperson Dean Davis Absent

Councilperson Rudgers offered a motion, seconded by Councilperson Thater

RESOLUTION 70, 2022: Town of York water debt service charge.

RESOLVED: Add Town of York water debt service to 2023 county tax bill for property owner Gary & Joanne Graham tax map 11.-1-23 and Gary & Sharon Swede tax map 17.-1-16-21 in the amount of \$544.82 each.

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

Supervisor Robert LaPoint	Aye
Councilperson John Rudgers	Aye
Councilperson Donald Oberlin	Aye
Councilperson James Thater	Aye
Councilperson Dean Davis	Absent

Councilperson Thater offered a motion, seconded by Councilperson Rudgers

RESOLUTION 71, 2022: 2023 Budget Public Hearing Date

RESOLVED: Public Hearing for the 2023 Budget will be November 2, 2022 @ 7:00PM.

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

Supervisor Robert LaPoint	Aye
Councilperson John Rudgers	Aye
Councilperson Donald Oberlin	Aye
Councilperson James Thater	Aye
Councilperson Dean Davis	Absent

Councilperson Oberlin offered a motion, seconded by Councilperson Rudgers to approve the Septwmbber14, 2022 regular meeting minutes.

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

Supervisor Robert LaPoint	Aye
Councilperson John Rudgers	Aye
Councilperson Donald Oberlin	Aye
Councilperson James Thater	Aye
Councilperson Dean Davis	Absent

Councilperson Rudgers offered a motion, seconded by Councilperson Thater to authorize the clerk to draw a warrant on the supervisor to pay bills. General; \$19,544.51; T&A; \$27,849.05; Sewer; \$8,054.88; Highway \$29,516.92; Water District #7 \$0; Water District; \$, Capital Project; 0; TOTAL; \$84,965.36

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

Supervisor Robert LaPoint	Aye
Councilperson John Rudgers	Aye
Councilperson Donald Oberlin	Aye
Councilperson James Thater	Aye
Councilperson Dean Davis	Absent

Councilperson Rudgers offered a motion, seconded by Councilperson Thater to Approve September, 2022 clerk report, operating statement & bank statements.

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

Supervisor Robert LaPoint	Aye
Councilperson John Rudgers	Aye
Councilperson Donald Oberlin	Aye
Councilperson James Thater	Aye
Councilperson Dean Davis	Absent

Councilperson Rudgers made a motion at 8:14 PM to adjourn meeting seconded by Councilperson Thater. Voting all ayes.

Respectfully submitted,

Lucinda Starr
Pavilion Town Clerk

