

REGULAR MEETING

October 20, 2021

TOWN OF PAVILION

6:40 P.M.

The Town Board of the Town of Pavilion held the Regular Board meeting on October 20, 2021 at the Town Hall, One Woodrow Drive, Pavilion, New York 14525 at 6:40 pm

Present were:

Supervisor Robert LaPoint

Councilperson John Rudgers

Councilperson Donald Oberlin

Councilperson James Thater

Councilperson Mark Heineman Absent

Others: Sarah Kingdon, James Cleveland, Don & Patti Yott, Randy Phelps, Tammy & Mike Bradley, Don Davis, Sharon & Gerald Fuerch & George Jinks.

Following the close of the Public Hearing Supervisor LaPoint opened Regular Town Board Meeting at 6:40PM

Supervisor LaPoint offered a motion, seconded by Councilperson Oberlin

RESOLUTION 101, 2021: Establishment of Water District No. 7

WHEREAS, the Town Board of the Town of Pavilion duly adopted a resolution directing MRB Group, the Town Engineer of the Town of Pavilion to supervise the preparation of a map, plan and report for providing the facilities, improvements or services in a portion of the Town of Pavilion wherein Water District No. 7 was proposed to be established, as hereinafter described, and WHEREAS, the said map, plan and report was duly completed and filed with the Town Clerk of the Town of Pavilion, and WHEREAS, there has been filed in the office of the Town Clerk a Petition in due form dated September 18, 2021 and which according to an affidavit sworn to by Rhonda Saulsbury, Town Assessor, on September 24, 2021 contains a majority of both the owners of the total assessed value of real property within the proposed district and the real property owned by persons residing in the proposed district, and WHEREAS, after the said Town Engineer duly filed said map, plan and report, and the said Petition was

received and filed, the said Town Board duly adopted an Order on October 6th, 2021 reciting the description of the boundaries of the proposed district, the maximum amount proposed to be expended for the improvement, the proposed method of financing to be employed, the fact that a plan, map and report describing the same are on file in the Town Clerk's office for public inspection and specifying that said Town Board shall meet at the Town Hall One Woodrow Drive in the Town of Pavilion, New York at 6:00 p.m. on October 20, 2021 for the purpose of conducting a public hearing on such proposal to establish Water District No. 7 with the specified improvements and to hear all persons interested in the subject thereof concerning the same, and WHEREAS, copies of said Order were duly published and posted according to law as evidenced by an Affidavit of Publication from the Batavia Daily News and an Affidavit of Posting sworn to by Lucinda Starr, Town Clerk of the Town of Pavilion, and WHEREAS, the evidence offered at such time and place requires that the Town Board make its determinations hereinafter made; NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town of Pavilion in the County of Genesee, that it be and hereby is determined as follows: A. The petition is signed and acknowledged or proved as required by law and is otherwise sufficient. B. That all of the property and property owners within the proposed Water District No. 7 are benefited hereby. C. That all of the property and property owners benefited are included within the Page 1 of 4 proposed Water District No. 7. D. It is in the public interest to establish the proposed Water District No. 7 as hereinafter described, and be it FURTHER RESOLVED, that the Town Board does hereby approve the establishment of Water District No. 7 as hereinafter described to be known as Water District No. 7: The Town of Pavilion Water District No. 7 shall have an exterior boundary described as follows: ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Pavilion, County of Genesee and State of New York, as shown on a map entitled "Water District 7 to the Town of Pavilion, Map and Plan" prepared by MRB/group and dated 12/2020, and bounded and described as follows: Beginning at a point, said point being the intersection of the centerline of NYS Route 63 with a southerly boundary of the Town of Pavilion Consolidated Water District; thence 1. Northeasterly, 200 feet more or less, along a southeasterly boundary of the Town of Pavilion Consolidated Water District to a point, said point being 200 feet northeasterly of the centerline of NYS Route 63; thence 2. Easterly, 1,534 feet more or less, along a southerly boundary of the Town of Pavilion Consolidated Water District to a point, said point being 250 feet westerly of the centerline of Perry Road; thence 3. Southerly, 150 feet more or less, along a westerly boundary of the Town of Pavilion Consolidated Water District to a point, said point being 250 feet westerly of the centerline of Perry Road; thence 4. Easterly, 500 feet more or less, along a southerly boundary of the Town of Pavilion Consolidated Water District to a point; said point being 250 feet easterly of the centerline of Perry Road; thence 5. Northerly, 900 feet more or less, along an easterly boundary of the Town of Pavilion Consolidated Water District to a point; said point being 500 northerly of the centerline of York Road; thence 6. Easterly, 6,912 feet more or less, along a line parallel to and 500 feet northerly of the centerline of York Road to a point, said point being 500 feet westerly of the centerline of South Street Road; thence 7. Northerly, 2,100 feet more or less, along a line parallel to and 500 feet westerly of the centerline South Street Road to a point, said point being along a southerly boundary of the Town of Pavilion Consolidated Water District to a point; thence 8. Easterly, 500 feet more or less, along a southerly boundary of the Town of Pavilion Consolidated Water District to a point; said point being the intersection with the centerline of South Street Road; thence 9. Northerly, 882 feet more or less, along the centerline of South Street Road to a point, said point being a southerly boundary of the Town of Pavilion Consolidated Water District; thence Page 2 of 4 10. Easterly, 500 feet more or less, along a southerly boundary of the Town of Pavilion Consolidated Water District to a point, said point being 500 feet easterly of the centerline of South Street Road; thence 11. Southerly, 2,981 feet more or less, along a line parallel to and 500 easterly of the centerline of South Street Road to a point; said point being 500 feet northerly of the centerline of York Road; thence 12. Easterly, 6,044 feet more or less, along a line parallel to and 500 feet northerly of

the centerline of York Road to a point, said point being the intersection with an easterly Town line of Pavilion; thence 13. Southerly, 1,000 feet more or less, along an easterly Town line of Pavilion to a point, said point being 500 feet southerly of the centerline of York Road; thence 14. Westerly, 2,890 feet more or less, along a line parallel to and 500 feet southerly of the centerline of York Road to a point, said point being along the easterly property line of Tax Account No. 17.-1-17; thence 15. Southerly, 946 feet more or less, along the easterly property lines of Tax Account Nos. 17.-1-17 and 17.-1-35 to a point, said point being the intersection with the southerly property line of Tax Account No. 17.-1-35; thence 16. Westerly, 987 feet more or less, along the southerly property line of Tax Account No. 17.-1-35 to a point, said point being the intersection with a westerly property line of Tax Account No. 17.-1-35; thence 17. Northerly, 1,029 feet more or less, along the easterly property lines of Tax Account Nos. 17.-1-35, 17.-1-20.112, 17.1-34, 17.-1-33 to a point, said point being the intersection with a line 500 feet southerly of the centerline of York Road; thence 18. Westerly, 2,370 feet more or less, along a line parallel to and 500 feet southerly of the centerline of York Road to a point, said point being 500 feet easterly of the centerline of South Street Road; thence 19. Southerly, 3,120 feet more or less, along a line parallel to and 500 feet easterly of the centerline of South Street Road to a point, said point being the intersection with a southerly Town line of Pavilion; thence 20. Westerly, 1,000 feet more or less, along a southerly Town line of Pavilion to a point, said point being 500 feet westerly of the centerline of South Street Road; thence 21. Northerly, 3,105 feet more or less, along a line parallel to and 500 feet westerly of the centerline of South Street Road to a point, said point being 500 feet southerly of York Road; thence 22. Westerly, 6,785 feet more or less, along a line parallel to and 500 feet southerly of the centerline of York Road to a point, said point being 500 feet easterly of Perry Road; thence 23. Southerly, 2,028 feet more or less, along a line parallel to and 500 feet easterly of the centerline of Perry Road to a point, said point being the intersection with a southerly Town line of Pavilion; thence 24. Westerly, 1,000 feet more or less, along a southerly Town line of Pavilion to a point, said point being 500 feet westerly of the centerline of Perry Road; thence 25. Northerly, 250 feet more or less, along a line parallel to and 500 feet westerly of the centerline of Perry Road to a point, said point being 500 feet southwesterly of the centerline of NYS Route 63; thence 26. Northwesterly, 1,880 feet more or less, along a line parallel to and 500 feet southwesterly of the centerline of NYS Route 63 to a point, said point being the intersection with a westerly property line of Tax Account No. 16.-2-25.1; thence Page 3 of 4 27. Northerly, 426 feet more or less, along a westerly property line of Tax Account No. 16.-2-25.1 to a point, said point being the intersection with a southeasterly boundary of the Town of Pavilion Consolidated Water District; thence 28. Northeasterly, 215 feet more or less, along the a southeasterly boundary of the Town of Pavilion Consolidated Water District to a point, said point being the Point of Beginning. The following properties described within the boundary above shall be excluded from the Town of Pavilion Water District No. 7. 16.-2-7.112, 16.-2-7.113, 16.-2-24.11, 16.-2-99.11, 16.-2-14, 16.-2-13.11, 17.-1-5.12. WHEREAS, the proposed improvements consists of the installation of approximately 22,350 linear feet of water main, hydrants and other appurtenances, and WHEREAS, the maximum amount proposed to be expended by the said district is Two Million Dollars (\$2,000,000), and it is anticipated that there will be an annual cost to the typical owner of a one or two family home of One Thousand Three Hundred Thirteen Dollars and Fifty-Five cents (\$1,313.55) after the first year, and the first year cost to the typical owner of a one or two family home is anticipated to be Three Thousand Two Hundred fifty-three and 55/100 Dollars (\$3,253.55), both of which estimates include annual debt service and annual water usage costs, which will be levied upon each of the units in said District, and be it further RESOLVED, that this Resolution is subject to approval of the State comptroller pursuant to Town Law §194 and shall take effect only upon such approval.

Dated: October 20, 2021

Approved by vote (3-1 abstain). Voting was as follows:

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

Supervisor LaPoint offered a motion, seconded by Councilperson Rudgers

RESOLUTION 102, 2021: Purchase of 1-Ton Highway Pick-up

RESOLVED: Approve the purchase of RAM 1-ton highway pick-up at a price of \$50,227.54.

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

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

Councilperson Rudgers made a motion at 7:04PM to adjourn Regular Meeting seconded by Councilperson Oberlin. Voting all ayes.

Respectfully submitted,

Sarah Kingdon

Deputy Pavilion Town Clerk