

**REGULAR MEETING**  
**February 9, 2022**  
**TOWN OF PAVILION**  
**7:00 P.M.**

The Town Board of the Town of Pavilion held the Regular Board meeting on February 9, 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           Absent  
Councilperson Dean Davis

Others: Cindy Starr, James Cleveland, Jesse & Jolene Coats, Todd Hackett & George Jinks

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

Report –Highway-James Cleveland  
\*Freightliner truck #1305 one box is shot will be out of service for at least 3 months.  
\*Lease quote from George & Swede for a loader.

Highway-John Rudgers-no report

Sewer- Donald Oberlin-no report

Code Enforcement-James Thater ( Rob LaPoint)  
\*Planning Board meeting on February 16, 2022.  
\*Possible solar farm on Shepard Rd.  
\*Meeting with Mark Boylan for town violations.

Water -Dean Davis-no report

Councilperson Rudgers offered a motion, seconded by Supervisor LaPoint

**Resolution No. 30, 2022: Leasing of Excavator.**

RESOLVED: Lease a 2017 Hyundai HW140 rubber tire excavator w/ hydraulic angle ditching

bucket and hydraulic thumb, in the amount of \$4000.00/mo. for 9months.

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	Absent
Councilperson Dean Davis	Aye

Councilperson Oberlin offered a motion, seconded by Councilperson Davis

**Resolution No. 31, 2022: Assessment 2022 Exemption Roll-over.**

WHEREAS, on December 26, 2021, Governor Kathy Hochul issued Executive Order No. 11, declaring a State disaster emergency for the entire State of New York due to the Covid-19 pandemic; and

WHEREAS, this State disaster emergency has resulted in limited hours in municipal offices in the Town of Pavilion and rendered senior citizens and individuals with disabilities residing in Pavilion homebound. These factors combined have made it difficult, if not impossible, for many in these populations to file their real property tax exemption applications in person and many, further, lack the ability to file such applications online; and

WHEREAS, in recognition of the above problems caused by the pandemic, Governor Hochul issued Executive Order No. 11.1 on December 26, 2021, thereby extending Executive Order No. 11. This extension of the Governor’s Executive Order modifies 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, the effect of which permits the governing body of an assessing unit (i.e., the Town Board of the Town of Pavilion) to adopt a Resolution directing the Assessor to grant exemptions on the 2022 assessment roll to all property owners who received such exemptions on the 2021 assessment roll (i.e., senior citizens and individuals with disabilities with limited income), thereby dispensing with the need for such persons to file renewal applications to request such exemptions, and further dispensing with the requirement that assessors mail renewal applications to such persons; and

WHEREAS, Executive Order 11.1 further allows the governing body of said assessing unit, in any such Resolution, at its option, to include procedures by which its Town Assessor may require a renewal application to be filed if she has reason to believe that an owner who qualified for the exemption on the 2021 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; and

WHEREAS, pursuant to said Executive Order, the Town Board of the Town of Pavilion wishes to adopt such Resolution directing the Town Assessor of the Town of Pavilion to grant exemptions on the 2022 assessment roll to all eligible senior citizens and individuals with disabilities with limited income, and granting the Town Assessor of the Town of Pavilion the

authority to require renewal applications for due cause, as discussed above, utilizing procedures outlined below;

NOW, THEREFORE, BE IT RESOLVED, pursuant to the authority granted by Executive Order No. 11.1, issued by the Governor of the State of New York, that the Town Board of the Town of Pavilion hereby directs the Town Assessor of the Town of Pavilion to:

1. Grant exemptions on the 2022 assessment roll to all individuals who received the senior exemption on the 2021 assessment roll and all individuals who received the exemption on the 2021 assessment roll because they were recognized as a person with disabilities and limited income, thereby dispensing with the need for any such individuals to file renewal applications for such exemptions, except that;
2. The Town Assessor may, in her sole discretion, require a renewal application to be timely filed with her office if she has reason to believe that any such individual, who qualified for the aforementioned exemption on the 2021 assessment roll, may have since changed their primary residence, added another owner to the deed for the relevant property, transferred such property to a new owner or died. If the Town Assessor required such renewal application be filed, she shall notify the owner of the subject property of such requirement by regular mail, with such notice shall containing instructions on how to file the renewal application. Said renewal application may be returned by mail or by making an appointment.
3. This resolution shall take effect immediately.

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	Absent
Councilperson Dean Davis	Aye

Councilperson Davis offered a motion, seconded by Councilperson Oberlin

**Resolution No. 32, 2022: Concert in the Park**

RESOLVED: Approve Concert in the Park on June 25, 2022 @6:30PM.

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	Absent
Councilperson Dean Davis	Aye

Councilperson Oberlin offered a motion, seconded by Councilperson Davis to approve the Jan. 12, 2022 regular and organizational meeting.

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

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

Councilperson Oberlin offered a motion, seconded by Councilperson Davis to authorize the clerk to draw a warrant on the supervisor to pay bills. General \$26,611.31; T&A \$30,476.55; Sewer; \$6,696.30, Highway; \$92,366.12, Water District #7; \$135.00, Capital Project; \$110.00

TOTAL \$156,395.28

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

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

Councilperson Davis offered a motion, seconded by Councilperson Thater to Approve Jan 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	Absent
Councilperson Dean Davis	Aye

Councilperson Davis made a motion at 8:10PM to adjourn meeting seconded by Councilperson Rudgers. Voting all ayes.

Respectfully submitted,

Lucinda Starr  
Pavilion Town Clerk