



**2021 New York State Consolidated Funding Application, Water Quality Improvement  
Project  
Wastewater Treatment Disinfection Improvements**

**WHEREAS**, the Board of Trustees for the Town of Pavilion, located in Genesee County, supports the submission of a 2021 Consolidated Funding Application (CFA) on behalf of the Town, for the Water Quality Improvement Project (WQIP) program for disinfection upgrades to the wastewater treatment facility; and

**WHEREAS**, the New York State Department of Environmental Conservation (DEC) provides a competitive statewide reimbursement grant program for local governments, administered to directly address documented water quality impairments; and

**WHEREAS**, recent modifications to the Town’s State Pollutant Discharge Elimination System (SDPES) Discharge Permit added an effluent disinfection requirement and included a schedule of compliance for implementing an effluent disinfection process at the Town’s Wastewater Treatment Plant (WWTP); and

**WHEREAS**, findings in the Preliminary Engineering Report found ultraviolet disinfection to be the most cost effective means to implement effluent disinfection at the WWTP and recommended a capital improvements project which included the installation of ultraviolet disinfection tanks and equipment;

**NOW THEREFORE BE IT RESOLVED**, it is anticipated that the Town Board, on behalf of the Town, will complete the necessary actions to authorize expenditures for the proposed project, as well as authorizes Town Supervisor to execute necessary documents relative to and as required for the application; and

**BE IT FURTHER RESOLVED**, the Town Board does hereby accept that they shall provide at least 25% match of the total of any grant funding awarded, as a local match are hereby appropriated in the form of in-kind services, cash contributions and obligated from the sewer fund.

**BE IT FURTHER RESOLVED**, that the Board of Trustees for the Town of Pavilion, located in Wayne County, recognizes and fully supports the submission of the 2021 CFA for WQIP on behalf of the Town for improvements to the wastewater treatment plant.

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

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

Supervisor LaPoint offered a motion, seconded by Councilperson Rudgers

**Resolution No. 62, 2021: Waste Oil Quote.**

RESOLVED: Accept Schiller quote of \$6495.00 for waste oil furnace

Approved by vote (4-0). 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 offered a motion, seconded by Supervisor LaPoint

**Resolution No. 63, 2021: Thank you Highway Department**

RESOLVED: With the elimination of a highway employee the Town Board would like to thank Tyler Schike, Evan Cleveland & Josh McClellan the Highway Department for all their hard work.

Approved by vote (4-0). 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 Oberlin offered a motion, seconded by Councilperson Rudgers

**Resolution No. 64, 2021: INTERMUNICIPAL AGREEMENT BETWEEN THE COUNTY OF GENESEE AND THE TOWN OF PAVILION**

**THIS AGREEMENT**, made the 14 day of July, 2021, between the **COUNTY OF GENESEE**, a municipal subdivision of the State of New York with offices located at the Old County Courthouse, 7 Main Street Batavia, NY 14020, (hereinafter “County”), and the **TOWN OF PAVILION**, a municipal subdivision of the State of New York with offices located at 1 Woodrow Drive Pavilion, NY 14525, (hereinafter “Pavilion”).

WITNESSETH:

**WHEREAS**, Pavilion has constructed a 300,000 gallon Water Storage Tank located on York Road in the Town of Pavilion to improve water pressure to allow for better fire flows and permit the extension of water districts into areas of higher elevation and;

**WHEREAS**, the construction of the Water Storage Tank by the Town is a project that had been identified in the County's county-wide water supply project (Phase2) and;

**WHEREAS**, Pavilion's construction of the Water Storage Tank benefits the County in their efforts to finance and construct Phase 2 of the county-wide water system by reducing the overall costs to county water users by Pavilion seeking its own financing through USDA Rural Development in the form of low interest loans and grants and;

**WHEREAS**, as a result of this mutually beneficial arrangement the County wishes to contribute to the cost of the project by paying for the disinfectant by-product system and;

**NOW, THEREFORE**, in consideration of the mutual covenants and agreements contained herein, it is agreed as follows:

1. The County will pay Thirty Thousand Dollars and no/100 (\$30,000.00) toward the purchase and installation of the disinfectant by-product system for the Water Storage Tank, which shall be to Pavilion within forty-five (45) days after completion of the certification in Paragraph two (2) below.
2. The County's Project Engineers will inspect and certify the installation of the system upon completion.
3. The parties agree to hold each other harmless and will defend each other from any and all claims, costs, liabilities, and/or expenses related directly or indirectly to their respective roles in connection with this agreement and the construction of the system.
4. No waiver of any breach of any condition of the Agreement shall be binding unless it is written and signed by the party waiving said breach. No such waiver shall in any way affect any other term or condition of this Agreement or constitute a cause or excuse for repetition of such or any other breach unless the waiver shall include such other term or condition.
5. This Agreement constitutes the complete understanding of the parties. No modification of any provisions hereof shall be valid unless in writing and signed by both parties.
6. This Agreement is governed by the laws of the State of New York.

**IN WITNESS WHEREOF**, the parties have executed this Agreement by their duly authorized officers to be effective as of the day and year first above written.

Approved by vote (4-0). 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 offered a motion, seconded by Councilperson Oberlin to authorize the clerk to draw a warrant on the supervisor to pay bills. General \$24,086.76; T&A \$28,569.22; Sewer; \$7,845.16 Highway; \$29,337.33, Water District 7; \$1,069.53; Capital \$201,625.50.

TOTAL \$292,533.50

Approved by unanimous vote (4-0). 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 offered a motion, seconded by Councilperson Oberlin to approve June 2021 operating statement, monthly bank reconciliation & clerk report.

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

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

Supervisor LaPoint made a motion at 7:59 PM to adjourn meeting seconded by Councilperson Rudgers Voting all ayes.

Respectfully submitted,

Lucinda Starr  
Pavilion Town Clerk

