

REGULAR MEETING
April 12, 2023
TOWN OF PAVILION
7:00 P.M.

The Town Board of the Town of Pavilion held the Regular Board meeting on April 12, 2023 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

Others: Cindy Starr, James Cleveland, Charles Sherman, Dorothy & Bill Carringan, David Kinney, Ray Butler, Jesse & Jolene Coots & George Jinks.

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

Report –Highway-James Cleveland

- *Looking for pick-up bids with not much success
- *Brandon Beil will look at foundation for S Lake St pump station
- * Tree work is done

Highway-John Rudgers-

- *May 6, 2023 will be opening day for youth baseball and softball, Wyoming Rd will be closed for parade

Sewer- Donald Oberlin-no report

Code Enforcement-James Thater-

*Issue on property on Telephone Rd, Charles Sherman addressed the board with the many issues, it is being used as a dumping ground.

Code Enforcement Officer has been out to inspect, and the issue has been sent to the Town Attorney.

Water -Dean Davis-no report

David Kinney addresses the board with a W Park St. dog issue, was advised to contact the Town Court.

Supervisor LaPoint offered a motion, seconded by Councilperson Davis

RESOLUTION # 44 of 2023: WATER DISTRICT NO. 7 – APPLICATION TO COMPTROLLER

WHEREAS, it has been determined that it is in the public interest to form a Water District to be known as Water District No. 7 on Perry, Peoria, South Street, NYS Route 63 and York Roads. WHEREAS, the cost of debt service and water service for a typical residence after the first year is estimated to be \$1,313.55, which exceeds the average annual cost established by the State Comptroller for such a District, NOW THEREFORE, be it RESOLVED, that the Supervisor, Town Clerk and Town Attorney are hereby authorized and directed to make application on behalf of the proposed Water District No. 7 to the New York state Comptroller for permission to form such district pursuant to Section 194 of the Town Law.

Approved by vote (5-0). Voting was as follows:

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

Supervisor LaPoint offered a motion, seconded by Councilperson Davis

RESOLUTION # 45 of 2023: WATER DISTRICT NO. 7

BE IT RESOLVED: 1. That the attached Application was prepared at the direction of this Town Board. 2. That this Board believes that the contents of the Application are accurate. 3. That this Board has determined that the Proposed District is in the public interest. 4. That the Proposed District will not constitute an undue burden on the property which will bear the cost thereof. 5. That the cost of the proposed improvements are to be assessed in whole against the benefitted area. 6. That all real property to be so assessed will be benefitted by the proposed improvements. 7. That no benefitted property has been

excluded from the Proposed District.

Approved by vote (5-0). Voting was as follows:

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

Councilperson Davis offered a motion, seconded by Councilperson Oberlin

RESOLUTION # 46 of 2023: Tractor Bid

RESOLVED: To accept bid from Java Farm Supply for 2012 John Deere 6230 tractor, bid amount of \$55,000.00.

Approved by vote (5-0). Voting was as follows:

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

Councilperson Rudgers offered a motion, seconded by Supervisor LaPoint

RESOLUTION # 47 of 2023: Traffic safety trailer renewal service.

RESOLVED: Accept All Traffic Solutions management renewal contract for traffic safety trailer in the amount of \$1500.00/yr.

Approved by vote (5-0). Voting was as follows:

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

Councilperson Oberlin offered a motion, seconded by Councilperson Davis

RESOLUTION # 48 of 2023: Washing Building

RESOLVED: Accept bid from Pristine Housewashing for \$409.00 to wash the town building

Approved by vote (5-0). Voting was as follows:

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

Councilperson Oberlin offered a motion, seconded by Councilperson Davis

RESOLUTION # 49 of 2023: Budget Modification

RESOLVED: The Town Board of the Town of Pavilion approves the following budget modification:

Increase funds for Highway revenue DA2665 (Equipment sales) to \$1805.00

Increase appropriations budget for Highway appropriation DA5130.4B (Parts) by \$1805.00 to total \$15,455.00

The purpose of this modification is the purchase of parts for shared equipment (roller) which was reimbursed by Middlebury and Covington.

Approved by vote (5-0). Voting was as follows:

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

Councilperson Rudgers offered a motion, seconded by Councilperson Oberlin

RESOLUTION # 50 of 2023: Penn Power Contract

RESOLVED: Renewal of Penn Power Generator Contract, 2 year contract for \$2634.00.

Approved by vote (5-0). Voting was as follows:

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

Councilperson Davis offered a motion, seconded by Councilperson Oberlin

RESOLUTION # 51 of 2023: Pre pay Town Insurance

RESOLVED: Pre pay the yearly town insurance policy for \$28,013.93/yr.

Approved by vote (5-0). Voting was as follows:

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

Councilperson Davis offered a motion, seconded by Councilperson Thaterto approve the March 8, 2023 regular board and public hearing meeting minutes.

Approved by vote (5-0). Voting was as follows:

Supervisor Robert LaPoint	Aye
Councilperson John Rudgers	Aye
Councilperson Donald Oberlin	Aye
Councilperson James Thater	Aye
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 \$19,943.37, T&A \$47,073.56, Sewer; \$12,473.72, Highway; \$97,482.17, Capital; \$0, Water District # 7;; Water District; \$0

TOTAL \$176,972.82

Approved by vote (5-0). Voting was as follows:

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

Councilperson Rudgers offered a motion, seconded by Councilperson Davis to Approve March, 2023 operating statement, bank reconciliation & clerk report.

Approved by vote (5-0). Voting was as follows:

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

Councilperson Thater made a motion at 7:5PM to adjourn meeting seconded by Supervisor LaPoint. Voting all ayes.

Respectfully submitted,

Lucinda Starr