

**TOWN OF PAVILION
REGULAR MEETING
February 13, 2013
7:30 PM**

The Town Board of the Town of Pavilion held the regular monthly meeting on February 13, 2013 at the Town Hall, One Woodrow Drive, Pavilion, New York 14525 at 7:30 p.m. Present were:

Supervisor Theron Howard
Councilperson Linda Thompson
Councilperson Thomas Klapper
Councilperson Bruce Stisser
Councilperson Ron Zarbo

Others: Clerk Lucinda Starr, Hwy. Supt. John Strathearn, Bill Kegler, Mary Ann Amick, Ajay Pasupuletc, Roger Higley, Kevin & Sue Conklin.

Supervisor Howard opened the meeting at 7:29 PM followed by the pledge to the flag.

Addition to the agenda – Pavilion Day

Councilperson Klapper offered a motion, seconded by Councilperson Zarbo, to amend Resolution No 12 to reflect Town Board Meeting dates: December 26, 2013 is a Thursday and will be the year end meeting.

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

Supervisor Theron Howard	Aye
Councilperson Linda Thompson	Aye
Councilperson Thomas Klapper	Aye
Councilperson Bruce Stisser	Aye
Councilperson Ron Zarbo	Aye

Councilperson Thompson offered a motion, seconded by Councilperson Stisser, to authorize the clerk to draw a warrant on the supervisor to pay bills. General \$202,057.59; T&A Fund \$2,090.89; Library \$2,417.72; Sewer \$3,608.75; Highway \$17,621.64. TOTAL \$227,796.59.

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

Supervisor Theron Howard	Aye
Councilperson Linda Thompson	Aye
Councilperson Thomas Klapper	Aye
Councilperson Bruce Stisser	Aye
Councilperson Ron Zarbo	Aye

~Mary Ann Amick and Ajay Pasupuleti from Nano Ark Corporation presented information on their archiving program.

~Roger Higley inquired about a LED lighting program for the exterior lighting of the building.

~Bill Kegler Board of Fire Commissioners-when the Fire Company can expect the payment from the town. A check for \$187,500.00 is ready and can be picked- up any time.

Report-John Strathearn, Highway Superintendent:

~The John Deere Tractor should be delivered next week.

~Received price for body and plow equipment for new truck in the amount of \$53,494.60

~John attended Superintendent meeting, CHIPS money will stay about the same.

ARC is looking into collecting garbage from the towns.

A motion was offered by Councilperson Klapper, seconded by Councilperson Zarbo, to adopt **Resolution No. 25, 2013:** Purchase of body and plow equipment.

RESOLVED: Purchase body and plow equipment for new 10-wheeler truck in the amount of \$53,494.60 from the Tenco Company.

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

Supervisor Theron Howard	Aye
Councilperson Linda Thompson	Aye
Councilperson Thomas Klapper	Aye
Councilperson Bruce Stisser	Aye
Councilperson Ron Zarbo	Aye

A motion was offered by Councilperson Thompson, seconded by Councilperson Stisser, to adopt **Resolution No. 26, 2013:** Town Historian Appointment

RESOLVED: Appoint Virginia Rigoni 2 yr term as Town Historian.

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

Supervisor Theron Howard	Aye
Councilperson Linda Thompson	Aye
Councilperson Thomas Klapper	Aye
Councilperson Bruce Stisser	Aye
Councilperson Ron Zarbo	Aye

A motion was offered by Councilperson Klapper, seconded by Councilperson Thompson, to adopt **Resolution No. 27, 2013:** Planning Board Appointment

RESOLVED: Appoint James Rudgers as Planning Board member for 7yr term.

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

Supervisor Theron Howard	Aye
Councilperson Linda Thompson	Aye
Councilperson Thomas Klapper	Aye
Councilperson Bruce Stisser	Aye
Councilperson Ron Zarbo	Aye

A motion was offered by Councilperson Thompson, seconded by Councilperson Klapper, to adopt **Resolution No. 28, 2013: Youth Rec.Appointment**

RESOLVED: Appoint Hannah Pike as Youth Rec. member expiring 2017.

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

Supervisor Theron Howard	Aye
Councilperson Linda Thompson	Aye
Councilperson Thomas Klapper	Aye
Councilperson Bruce Stisser	Aye
Councilperson Ron Zarbo	Aye

A motion was offered by Councilperson Zarbo, seconded by Councilperson Stisser, to adopt **Resolution No. 29, 2013: OFFICIAL UNDERTAKING OF MUNICIPAL OFFICIALS**

WHEREAS, various sections of New York State Town Law and Public Officers Law require that certain officials execute an Official Undertaking; and

WHEREAS, we, the Town Board of the Town of Pavilion hereby require the Supervisor, Deputy Supervisor, Town Clerk, Tax Collector, and Highway Superintendent to execute said Official Undertaking as required by said law;

NOW, THEREFORE BE IT RESOLVED that we, the Town Board of the Town of Pavilion approve the document entitled "Town of Pavilion Official Undertaking of Municipal Officers" as to its form and manner of execution and the sufficiency of the insurance; and

BE IT FURTHER RESOLVED that said Official Undertaking containing the notarized signatures of those named municipal officials be filed in the Office of the Town Clerk, as well as the original copies of the insurance policies indicating the sufficiency of the sureties to indemnify the Town against losses which may arise from failure of such officials to properly discharge their duties.

TOWN OF PAVILION
OFFICIAL UNDERTAKING OF MUNICIPAL OFFICERS

WHEREAS, Theron Howard, of the Town of Pavilion, County of Genesee, New York, has been elected to the Office of Supervisor of the Town of Pavilion; and

WHEREAS, Thomas Klapper, of the Town of Pavilion, County of Genesee, New York, has been appointed to the Office of Deputy Supervisor of the Town of Pavilion; and

WHEREAS, Lucinda Starr, of the Town of Pavilion, County of Genesee, New York, has been elected to the Office of Town Clerk of the Town of Pavilion; and

WHEREAS, Lucinda Starr, of the Town of Pavilion, County of Genesee, New York, has been elected to the Office of Town Tax Collector of the Town of Pavilion; and

WHEREAS, John Strathearn, of the Town of Pavilion, Genesee County of, New York, has been elected to the Office of Superintendent of Highways of the Town of Pavilion; and

NOW, THEREFORE, we as respective officers above, do hereby undertake with the Town of Pavilion that we will faithfully perform and discharge the duties of our office, and will promptly account for and pay over all moneys or property received as a Town Officer, in accordance with the law; and

This undertaking of the Town Supervisor is further conditioned upon that he will well and truly keep, pay over and account for all moneys and property, including any special district funds, belonging to the Town and coming into his hands as such Supervisor; and

This undertaking of the Deputy Town Supervisor is further conditioned upon that he will well and truly keep, pay over and account for all moneys and property, including any special district funds, belonging to the Town and coming into his hands as such Deputy Town Supervisor; and

This undertaking of the Town Clerk is further conditioned that she will well and truly keep, pay over and account for all moneys and property coming into her hands as such Town Clerk; and

This undertaking of the Tax Collector is further conditioned that she will well and truly keep, pay over and account for all moneys and property coming into her hands as such Tax Collector; and

The Town does and shall maintain insurance coverage, presently with NYMIR Insurance, in the sum of \$900,000.00 for the Tax Collector, Supervisor, Deputy Supervisor, Town Clerk and Highway Superintendent to indemnify against losses through the failure of the officers, clerks and employees covered there under faithfully to perform their duties or to account properly for all monies or property received by virtue of their positions or employment, and through fraudulent or dishonest acts committed by the officers, clerks and employees covered there under.

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

Supervisor Theron Howard	Aye
Councilperson Linda Thompson	Aye
Councilperson Thomas Klapper	Aye
Councilperson Bruce Stisser	Aye
Councilperson Ron Zarbo	Aye

~Date for Pavilion Day was set for June 29, 2013.

~Supervisor Howard will review and updated investment policy

~Councilperson Zarbo will review Procurement Policy.

At 8:43 a motion by Councilperson Klapper seconded by Councilperson Zarbo for executive to discuss employee performance.

At 9:30 a motion by Supervisor Howard seconded by Councilperson Zarbo to return to regular meeting.

Councilman Klapper offered a motion 9:50 PM to adjourn the meeting, seconded by Councilman Thompson
Voting all ayes.

Respectfully submitted,

Lucinda Starr, Town Clerk