

**TOWN OF PAVILION  
REGULAR MEETING  
October 9, 2013  
7:30 PM**

The Town Board of the Town of Pavilion held the regular monthly meeting on October 9, 2013 at the Town Hall, One Woodrow Drive, Pavilion, New York 14525 at 7:30 p.m. Present were:

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

Others: Clerk Lucinda Starr, John Strathearn, Greg Torrey, Edgar Hollwedel

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

Councilperson Stisser offered a motion, seconded by Councilperson Klapper, to approve the September 11, 2013 minutes as submitted.

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

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

Councilperson Zarbo offered a motion, seconded by Councilperson Thompson, to authorize the clerk to draw a warrant on the supervisor to pay bills. General \$10,568.53; T&A \$26,377.17; Highway \$16,360.10; Library \$1,810.50; Water: \$2,170.49; Sewer \$6,521.95; Youth Rec \$69.44;

TOTAL \$ 37,501.01

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

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

A motion was offered by Councilperson Thompson, seconded by Councilperson Stisser  
To approve monthly operating statement.

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

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

A motion was offered by Councilperson Thompson, seconded by Councilperson Stisser  
To approve monthly bank statement.

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

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

~Report-John Strathearn, Highway Superintendent

\*Boiler is not in working condition needs to be replaced.

\*Alarm system - John checked with Dan Lang CEO, engineer drawings will not be necessary for installation.

A motion was offered by Councilperson Klapper, seconded by Councilperson Thompson, to  
**Resolution No 59: Purchase of new boiler**  
**RESOLVED:** John Strathearn to get bids for new boiler and have it replaced.

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

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

Edgar Hollwedel -Concerns on how meetings are being paid, also that the Senior Citizens did not received 2012 town contribution.

A motion was offered by Councilperson Zarbo, seconded by Councilperson Thompson, to  
**Resolution No 60: Baldwin Business Contract**  
**RESOLVED:** To extend Baldwin Business Service contract and change monthly payroll to bi-weekly payroll.

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

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

Councilperson Zarbo offered a motion, seconded by Councilperson Stisser to adopt  
**Resolution No. 61: 2014 Approval of Official Undertaking Bond of Tax Collector**

**RESOLVED: APPROVAL OF OFFICIAL UNDERTAKING**

For Tax Collection Officer

[The Official Undertaking/Bond must be filed with the County Clerk.]

**APPROVAL OF THE PAVILION TOWN BOARD**

We, the undersigned members of the Town Board of the Town of Pavilion, County of Genesee, State of New York, do hereby approve the attached undertaking or bond as to its form, manner of execution, amount and sufficiency thereof, and to the sureties named thereon. Said undertaking or bond shall be conditioned that the collector of taxes shall well and truly keep, pay over and account for all moneys and property coming into her/his hands as such collector. The Town Tax Collector agrees to forward monies collected by the Tax Collector to the County of Genesee prior to reaching a balance of \$500,000.00

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

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

Councilperson Klapper offered a motion, seconded by Councilperson Zarbo to adopt

**Resolution No. 62: Delinquent Sewer Accounts**

**RESOLVED:** The Town Clerk has prepared a list of all property owners who owe the Town for sewer service as of October 31, 2013; and

**WHEREAS,** Section 198 (3) (d) of Town Law stipulates that such amounts owing shall be levied against the property to which the service is rendered.

**NOW, THEREFORE, BE IT RESOLVED,** that the attached list in the amount of **\$6695.00** or as it may be amended before final submission to the Genesee County Treasurer, be and is hereby approved for levying against the individuals 2014 tax warrant.

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

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

Councilperson Zarbo offered a motion, seconded by Councilperson Stisser to adopt

**Resolution No. 63:** Acknowledge and accept 2012 Audit Preparation

**RESOLVED:** To acknowledge and accept the Audit preparation for the Fiscal Year 2012 by Drescher & Malecki LLP specifically including, but not limited to the Justice Court System.

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

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

Environmental Compliance & Data Security Services-Will be charging .25# for electronic, Town already charges for this. John will check with ARC to see if they charge for this service.

Assessor –Pavilion shares assessment services with LeRoy. Pavilion and LeRoy have entered into a contractual agreement with the Town of Batavia for its assessment services.

Councilperson Klapper offered a motion, seconded by Councilperson Stisser to adopt

**Resolution No. 64: Youth Recreation Program for 2014**

**RESOLVED:** The intention of the Pavilion Town Board to establish a Youth Recreation Program for the year 2014.

The Town Board of the Town of Pavilion is about to submit an application for such project to the New York State Division of Youth for it's approval, and if approved to apply subsequently to NYS for partial reimbursement of funds expended on such project, as provided by Chapter 556 of Law of 1045,

RESOLVED, that such application be in all respects approved and that Theron Howard, Supervisor of the Town of Pavilion, is hereby directed and authorized to duly execute and to present such application to the NYS Division of Youth for its approval (Section 2).

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

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

A motion was offered by Councilperson Thompson, seconded by Councilperson Stisser to approve:

Boy Scouts request to use the gazebo for their wreath sale November 30,2013

Approved by unanimous vote (5-0). Voting was as follows:  
Supervisor Theron Howard  
Councilperson Thomas Klapper  
Councilperson Ron Zarbo  
Councilperson Linda Thompson  
Councilperson Bruce Stisser

Councilperson Zarbo offered a motion, seconded by Councilperson Thompson to adopt

**Resolution No. 65: Waste Management**

**RESOLVED:** Accept 3yr contract with Waste Management to continue to provide the following services:

2-30 yd Solid Wastes roll off containers

\$160.00 per haul

\$60.00 per ton

\$45.00 per month for Rental on each unit

1-30 yd Recycling container

\$160.00 per Haul

\$45.00 per month for rental

Fuel/Environmental charge is locked in at \$14.40 per haul

Approved by unanimous vote (5-0). Voting was as follows:  
Supervisor Theron Howard  
Councilperson Thomas Klapper  
Councilperson Ron Zarbo  
Councilperson Linda Thompson  
Councilperson Bruce Stisser

Reviewed 2014 budget

Councilperson Klapper offered a motion, seconded by Councilperson Stisser to adopt

**Resolution No. 66: Adopt 2014 Preliminary Budget**

**RESOLVED:** Adopt 2014 Preliminary Budget at \$1,540,958.00

Approved by unanimous vote (5-0). Voting was as follows:  
Supervisor Theron Howard  
Councilperson Thomas Klapper  
Councilperson Ron Zarbo  
Councilperson Linda Thompson  
Councilperson Bruce Stisser

Councilperson Klapper offered a motion, seconded by Councilperson Thompson to adopt

**Resolution No. 67: Schedule public hearing for 2014 Budget.**

**RESOLVED:** Schedule Public Hearing for 2014 Budget on November 6, at 7:00PM with regular Town Board Meeting to follow notice will be published in Daily News.

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

Supervisor Theron Howard

Councilperson Thomas Klapper

Councilperson Ron Zarbo

Councilperson Linda Thompson

Councilperson Bruce Stisser

Councilman Klapper offered a motion at 10.42 PM to adjourn the meeting, seconded by Councilman Thompson. Voting all ayes.

Respectfully submitted,

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Lucinda Starr Pavilion Town Clerk