

**TOWN OF PAVILION  
REGULAR MEETING  
July 8, 2015  
7:00 P.M.**

The Town Board of the Town of Pavilion held the regular monthly meeting on July 8, 2015 at the Town Hall, One Woodrow Drive, Pavilion, New York at 7:00PM present were:

Supervisor Theron Howard  
Councilperson Thomas Klapper  
Councilperson Linda Thompson  
Councilperson Dean Davis  
Councilperson Robert LaPoint

Others: Town Clerk Cindy Starr, Interim Deputy Highway Superintendent James Cleveland, Dan Lang Steve Thompson, Carl & Mary Traxler, Jesse & Jolene Coots, Don Carney, Don Oberlin, Tom Christman, Keith Clarke, Bill Kegler, Doug Kelkenberg, Dick Herman, Lisa Jackson, Alex Harris, John Zalar, Ray Eighmey, Linda & Phil Egge, Tom & Diane Cochran.

Supervisor Howard opened the meeting at 7:07 PM followed by the pledge to the flag.

Councilperson Thompson offered a motion, seconded by Councilperson Davis, to approve the June 10, 2015 meeting minutes as submitted.

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

Supervisor Theron Howard	Aye
Councilperson Thomas Klapper	Aye
Councilperson Linda Thompson	Aye
Councilperson Dean Davis	Aye
Councilperson Robert LaPoint	Aye

Councilperson Davis offered a motion, seconded by Councilperson LaPoint, to authorize the clerk to draw a warrant on the supervisor to pay bills. General \$20,280.57; T&A \$26,409.72, Library \$8,905.22; Sewer \$5980.30; Highway \$52,300.30; Water \$31.36 TOTAL \$ 113,907.47

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

Supervisor Theron Howard	Aye
Councilperson Thomas Klapper	Aye
Councilperson Linda Thompson	Aye
Councilperson Dean Davis	Aye
Councilperson Robert LaPoint	Aye

A motion was offered by Councilperson Klapper, seconded by Councilperson Davis.

To approve monthly operating statement.

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

Supervisor Theron Howard	Aye
Councilperson Thomas Klapper	Aye
Councilperson Linda Thompson	Aye
Councilperson Dean Davis	Aye
Councilperson Robert LaPoint	Aye

A motion was offered by Councilperson Klapper, seconded by Councilperson Davis.

To approve monthly bank statement.

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

Supervisor Theron Howard	Aye
Councilperson Thomas Klapper	Aye
Councilperson Linda Thompson	Aye
Councilperson Dean Davis	Aye
Councilperson Robert LaPoint	Aye

A motion was offered by Councilperson Klapper, seconded by Councilperson Davis.

To approve monthly clerk report.

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

Supervisor Theron Howard	Aye
Councilperson Thomas Klapper	Aye
Councilperson Linda Thompson	Aye
Councilperson Dean Davis	Aye
Councilperson Robert LaPoint	Aye

Jesse Coots explained his party on Aug 1, 2015 waiting for decision on closing down part of Linwood road for the event. Neighbors Tom Cochran, Mary Traxler, Alex Harris, Dick Herman and John Zalar expressed how they much they enjoy the event.

Don Carney is not in favor of closing Linwood Rd for safety reasons.

Supervisor Howard has not heard back from NYMR Insurance Company as to the Towns liability in closing the Linwood Rd.

Supervisor Howard will not be participating on the Superior Energy Project would be conflict of interest.

A motion was offered by Councilperson Davis, seconded by Councilperson LaPoint to accept

**Resolution No. 55, 2015: Set Public Hearing**

**RESOLVED:** Set public hearing for July 29, 2015 at 7:00PM regarding an application for a rezoning request for Project Superior Energy application of rezoning 32 acres located on Corner of Rt 19 & Junction from AR1 to industrial within the Town of Pavilion. The current tax map number of the parcel is 5.-1-23.1.

Approved by vote (4-1 Abstained ). Voting was as follows:

Supervisor Theron Howard	Abstained
Councilperson Thomas Klapper	Aye
Councilperson Linda Thompson	Aye
Councilperson Dean Davis	Aye
Councilperson Robert LaPoint	Aye

A motion was offered by Councilperson Davis, seconded by Councilperson LaPoint to accept

**Resolution No. 56, 2015: Set Special Town Board Meeting Date**

**RESOLVED:** Special Town Board meeting date was set for July 29, 2015 at 7:15 PM

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

Supervisor Theron Howard	Aye
Councilperson Thomas Klapper	Aye
Councilperson Linda Thompson	Aye
Councilperson Dean Davis	Aye
Councilperson Robert LaPoint	Aye

A motion was offered by Councilperson Davis, seconded by Councilperson LaPoint to accept

**Resolution No. 57, 2015: Reimbursement to American Tower**

**RESOLVED:** Reimburse American Tower Company in the amount of \$3406.61 for the over assessment of Tower Property value.

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

Supervisor Theron Howard	Aye
Councilperson Thomas Klapper	Aye
Councilperson Linda Thompson	Aye
Councilperson Dean Davis	Aye
Councilperson Robert LaPoint	Aye

Water Advisory Committee is looking for another member Councilperson LaPoint will contact Bryan Smart. Committee will meet July 14, 2015 at 7:00PM.

Report-James Cleveland, Interim Deputy Highway Superintendent

- ~Linwood Rd has been paved
- ~Started paving work on Hutchinson St.
- ~Mowing roads sides is being done
- ~Still working on outdoor lighting bids
- ~Dollar bill machine in bulk water building has been sent out for repair will take about 6 weeks to repair.

A motion was offered by Councilperson LaPoint, seconded by Councilperson Thompson to formally thank Highway Employees James Cleveland, Dennis Kingsley and Peter Greene for all their hard work.

Code Enforcement-Dan Lang

- ~Dollar General has County approval will start in about 2 weeks
- ~Town Planning Board meeting, land separations for Clayton Kelkenberg and Sarah Noble Moag will be on the agenda
- ~House on Asbury Rd will be torn down
- ~Library addition has gone to County Planning Board.

Councilperson Thompson-Library

- ~NIOGA grant \$263,000.00
- ~Hope to break ground for Library addition on August 14, 2015
- ~January 2015 opened 3 bank accounts with Bank of Castile, when ordering check, 500 check were ordered for each account, 2 of these account will never use that many check and Bank of Castile will not let them be returned. Request to have the Town Board pay for these checks

A motion was offered by Councilperson Klapper, seconded by Councilperson LaPoint to accept

**Resolution No. 58, 2015: Library checks**

**RESOLVED:** Pavilion Town Board will pay for the Library checks for two accounts in the amount of \$172.90.

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

Supervisor Theron Howard	Aye
Councilperson Thomas Klapper	Aye
Councilperson Linda Thompson	Aye
Councilperson Dean Davis	Aye
Councilperson Robert LaPoint	Aye

Councilperson LaPoint-Planning & ZBA board members  
 ~Planning Board Alternate position need to be fill, Elizabeth Conway is interested

A motion was offered by Councilperson Thompson, seconded by Councilperson Davis to accept

**Resolution No. 59, 2015: Planning Board Alternate position**

**RESOLVED:** Appoint Elizabeth Conway as Planning Board Alternate member with term to expire on 12/31/2016.

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

Supervisor Theron Howard	Aye
Councilperson Thomas Klapper	Aye
Councilperson Linda Thompson	Aye
Councilperson Dean Davis	Aye
Councilperson Robert LaPoint	Aye

Councilperson Davis-Planning Board

~Meeting with Code Enforcement Officer Matthew Mahaney reviewed town violation.

Councilperson Klapper-Highway

~June 17, 2015 was the first workshop for Highway Superintendent position, next workshop is scheduled July 15, 2015

A motion was offered by Councilperson Thompson, seconded by Councilperson Davis to accept

**Resolution No. 60, 2015: Budget Transfers**

**RESOLVED:** Approved the following budget transfers:

**GENERAL FUND-TOWNWIDE**

Transfer From: A1990.4	Contingency	\$ 25,065.00
	UNANTICIPATED REVENUE	
	Unexpended Balance	\$ <u>1,604.00</u>
	<b>TOTAL:</b>	\$ 26,669.00

Transfer To: A1110.2	Justice Equipment	\$ 687.00
A1620.4	Town Hall Contr.	\$ 1,000.00
A3410.4	Fire Contr.	\$ 250.00
A5010.4	Highway Sup Contr.	\$ 1,756.00
a7310.4	Youth Program Contr.	\$ 1,604.00
A8340.4	Water Trans & Distrib. Contr.	\$ 1,074.00
A8510.4	Comm. Beautification	\$ 175.00
A9040.8	Workers Comp	\$ <u>20,123.00</u>
	<b>TOTAL:</b>	\$ 26,669.00

Councilman Klapper made a motion at 8:25PM to adjourn meeting seconded by Councilperson LaPoint. Voting all ayes.

Respectfully submitted,

Lucinda Starr  
Pavilion Town Clerk