

**TOWN OF PAVILION
SPECIAL MEETING**

July 29, 2015

7:00 P.M.

The Town Board of the Town of Pavilion held the special meeting on July 29, 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 Ron Zarbo
Councilperson Dean Davis

Others: Town Clerk Cindy Starr, James Cleveland, Dan Lang, Ray Eighmey, John Hart, Al Lyons, Dan Stowell, Terry Bartholomew, Steven & Agnes Main, Doug Kelkenberg, Keith Clarke, Mike Fisher, Bill MacPherson, Jessie & Jolene Coots, Roan Zarbo, Don Carney, Larry Dagan, Russ & Debra Free, Sue Walton & Sandy Howard

Supervisor Howard opened the meeting at 7:00 PM followed by the pledge to the flag.

Town would like to remember the passing of Henry Wright, Henry served as Town Justice and Councilperson.

At 7:00 Public Hearings were called to order.

At 8:14PM motion was offered by Councilperson LaPoint, seconded by Councilperson Thompson to return to special meeting.

Letter was sent to board from Kathryn Murrock requesting \$1000.00 reimbursement, insurance deductable do to her vehicle being hit by John Strathearn at the time of his accident.

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

Resolution No. 62, 2015: Insurance reimbursement

RESOLVED: Reimburse Kathryn Murrock \$1000.00, her insurance deductable due to damage caused by John Strathearn 12/19/2015 accident.

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 LaPoint, seconded by Councilperson Davis to accept

Resolution No. 63, 2015: Appoint Water Committee Member

RESOLVED: Appoint Bryan Smart as water committee member.

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

At 8:16PM motion was offered by Councilperson Davis, seconded by Councilperson LaPoint for executive session in regard to employee personal and litigation.

At 8:50PM motion was offered by Councilperson LaPoint, seconded by Councilperson Davis to return to special meeting.

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

Resolution No. 64, 2015: Road Closure

RESOLVED: The Town board of the Town of Pavilion, County of Genesee and State of New York hereby adopts the following resolution:

Pursuant to Town Law Article 4, Section 64, 10-b, and the requisite Public hearing having been had upon at least five days notice the Town of Pavilion hereby adopts the following regulations authorizing and directing the Town Highway Superintendent to issue permits for the closure of Town streets, highway and roads for the purpose of holding a neighborhood party, celebration or event thereon.

1. Request for such closure shall be made at least 45 days in advance.

2. Such closure, if permitted shall be at the sole discretion of the Town Board and may be conditioned upon such terms and conditions as the Town Board may determine on a case-by-case basis
3. The Town Board shall at a minimum give due consideration to the size of the event, availability of alternate venues, nature of the event and insurance to adequately protect the Town.
4. The permit shall be conditioned on the payment of a fee which shall be calculated to cover the direct costs of and to the Town for closing the street, highway or road.
5. Closure of entire 4-Way intersection shall be avoided whenever possible.
6. Any closure shall be subject to the provisions of Article 4, Section 64, 10-b of the Town Law of the State of New York.
7. Events sponsored by the Town, County or New York shall be exempt from this permitting process, nor shall they be required to pay any costs or fees.
8. Any party aggrieved by the action of inaction of the Town Board hereunder shall be limited to an action under Article 78 of the Civil Practice Law and Rules of the State of New York.
9. Any application not specifically or conditionally granted by the Town Board shall be deemed denied.
10. These regulations shall be effective immediately and may be amended from time to time by the Town Board of the Town of Pavilion.

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 Klapper to accept

Resolution No. 65, 2015: Union Grievance

RESOLVED: Approval for Supervisor Howard to sign union grievance settlement agreement.

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 LaPoint, seconded by Councilperson Thompson to accept

Resolution No. 66, 2015: Surplus equipment

RESOLVED: Declare stainless steel sink as surplus equipment.

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

Councilman Davis made a motion at 9:33PM to adjourn meeting seconded by Councilperson LaPoint. Voting all ayes.

Respectfully submitted,

Lucinda Starr
Pavilion Town Clerk