

**TOWN OF PAVILION
REGULAR MEETING
November, 2016
7:00 P.M.**

The Town Board of the Town of Pavilion held the regular monthly meeting on November 9, 2016 at the Town Hall, One Woodrow Drive, Pavilion, New York at 7:00PM present were:

Present were: Supervisor Ted Howard
Councilperson Dean Davis
Councilperson Robert LaPoint
Councilperson John Rudgers
Councilperson Linda Thompson

Others: Town Clerk Cindy Starr, Joel Offhaus Highway Superintendent, Don Oberlin,& Keith Clarke

Following the Public Hearing Supervisor Howard opened the regular meeting at 7:36PM.
Additions to the agenda Capital Reserve Resolution
Building/Planning/ Zoning Fee Schedule

Councilperson LaPoint offered a motion, seconded by Councilperson Davis to approve the October 12, 2016, October 25, 2016 Public Hearing & Special Meeting minutes as submitted.

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

Supervisor Ted Howard	Aye
Councilperson Dean Davis	Aye
Councilperson Robert LaPoint	Aye
Councilperson John Rudgers	Aye
Councilperson Linda Thompson	Aye

Councilperson Thompson offered a motion, seconded by Councilperson Davis, to authorize the clerk to draw a warrant on the supervisor to pay bills. General \$7,899.00 T&A \$29,662.88, Library \$1,649.15; Sewer \$4,725.91; Highway \$12,276.04; Water \$1,196.64 TOTAL \$57,409.62

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

Supervisor Ted Howard	Aye
Councilperson Dean Davis	Aye
Councilperson Robert LaPoint	Aye
Councilperson John Rudgers	Aye
Councilperson Linda Thompson	Aye

A motion was offered by Councilperson Davis seconded by Councilperson Rudgers To approve monthly operating statement, bank reconciliation & clerk report.

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

Supervisor Ted Howard	Aye
Councilperson Dean Davis	Aye
Councilperson Robert LaPoint	Aye
Councilperson John Rudgers	Aye
Councilperson Linda Thompson	Aye

Highway- Highway Superintendent Joel Offhaus

- *Trucks have plows on ready for winter months
- *Welcome Pavilion banners need to be replaced

Highway-Councilperson Dean Davis

- *Will be attending training with Joel on November 14, 2016 in Rochester

Library-Councilperson Linda Thompson

- *Street light at 5 Woodrow Drive, Library pays will Town start paying that bill.
- *Working setting polices and procedures.

Code Enforcement-Councilperson John Rudgers

- *Still working on list of properties the owner that have cleaned-up properties so Supervisor Howard can send thank-you letters.
- * New request for wind turbines

Boards-Councilperson Robert LaPoint

- * Planning Board meeting two land separations
- *Comprehensive Board will not meet again until January 2017.
- *Working on solar policy

Councilperson Davis offered a motion, seconded by Councilperson Rudgers

Resolution No. 81, 2016: Building/Planning/Zoning Fee Schedule

RESOLVED: Effective January 1, 2017 the building, planning & zoning fees will be as follows:

Building Permits:

Building permits are valid for one year from issuance date. If the permit expires an extension for the permit shall be applies for only two such extensions shall be permitted.

At the discretion of the Town, projects requiring substantial reviews, i.e. attorney, engineering, ect., would be required to provide a deposit in the amount to be determined.

Residential Structures:

- Area up to 1,200 square feet.....\$250.00
- Area 1,201 to 2,000 square feet\$350.00
- Area greater than 2,000 square feet.....45 cents per sq. ft

Residential Alterations, Additions, Attached Garage, Porch, Decks and Carports

- Area up to 500 square feet.....\$50.00
- Area in excess of 500 square feet...additional..... .50cents per sq. ft.
-

Note: Floor area shall include all floors as well as an accessory garage.

Accessory Structures, Storage Buildings, Etc.

- *area up to 500 square feet.....\$50.00
 - *Area in excess of 500 square feet... additional10 cents per sq. ft.
- Maximum of \$150.00**

Miscellaneous

- *Fence.....\$40.00
- * Swimming Pool.....\$50.00
- * Wood Stove, Furnace, Fireplace.....\$50.00
- * Demolition Permit.....\$50.00
- * Install Mobile Home\$100.00
- * Ponds.....\$50.00
- * Agriculture Buildings.....\$50.00

Note: No permit is required if pool is capable of containing no more than 24 inches of water. No permit is required for a spa or a hot tub with a safety cover that complies with ASTM F 1346 and as listed in section AG107

Commercial New Construction and Alterations

- Area up to 1000 square feet.....\$350.00
- Area in excess of 1000 square feet..... .35 cents per sq ft.

Building Permit Extension Residential Fee.....\$50.00

Building Permit Extension Commercial Fee\$100.00

Signs

- New Sign\$100.00
- Replacement Sign.....\$50.00

Zoning and Planning Fees

- Appeals for Area or Use Variance.....\$100.00
- Site Plan Review.....\$100.00
- Land Separations.....\$100.00
- Special use Permits.....\$100.00

In the event that work requiring a permit is commenced prior to filling and issuance of the permit, the fee for the permit shall be doubled the regular rate. This shall be in addition to any other penalty provided under the applicable laws.

Note: All fees listed above include all inspections involved in the project the permit was issued for.

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

Supervisor Ted Howard	Aye
Councilperson Dean Davis	Aye
Councilperson Robert LaPoint	Aye
Councilperson John Rudgers	Aye
Councilperson Linda Thompson	Aye

Councilperson LaPoint offered a motion, seconded by Councilperson Davis

Resolution No. 82, 2016: Establishing Capital Reserve Fund to finance trucks and equipment

WHEREAS the Town of Pavilion “The Town” is a municipal corporation existing under the laws of the State of New York and maintains offices at One Woodrow Drive, Pavilion , Genesee Count, New York and as part of the functions of the Town maintains various buildings, highways, roads, structures, sidewalks and grounds within the Town; and

WHEREAS the cost of replacing and or rebuilding the various types of trucks and equipment necessary to carry out the municipal functions of the Town and the cost of running the other necessary and appropriate functions of the Town has reached a level that will not be sustainable going forward based on the current funding sources utilized by the Town; and

WHEREAS it is necessary and appropriate to levy a Town wide property tax to help fund the various functions of the Town including the purchases of trucks and other equipment that has reached and will in the future reach the end of its efficient life expectancy, and it is also noted that Section 271 of the Highway Law of the State of New York places limitations of the amount of funding for Highway equipment which can be raised by a direct tax levy in any year; now

THEREFORE BE IT RESOLVED, that pursuant to Section 6-c of the General Municipal Law, as amended, there is hereby established a capital reserve fund to be known as the "Truck and Equipment Reserve Fund" (hereinafter "Reserve Fund"). The purpose of this Reserve Fund is to accumulate moneys to finance the cost of trucks and other equipment used by the Town. The type of Trucks and equipment to be financed from the Reserve Fund is the acquisition/reconstruction of Trucks, plows, tractors, mowers, pavers, graders, backhoes and all other types of equipment used by the Town of Pavilion; and it is further

RESOLVED that this Reserve Fund shall at no time receive or hold funds except those funds permitted by law. At no time shall the Town Board levy a direct ad valorem property tax in an amount in excess of that permitted by the Highway Law of the State of New York in effect at the time of such levy. The initial funding for the Reserve Fund shall be the sum of Sixty Thousand Dollars (\$60,000.00) from a direct ad valorem property tax raised by a Town wide tax levy and the sum of Ninety Thousand Dollars (\$90,000.00) from general unallocated reserve funds of the Town for a total initial Reserve Fund of One Hundred and Fifty Thousand Dollars. It is anticipated that additional funds will be added from time to time as they become available; and it further

RESOLVED THAT that Town Supervisor is hereby directed to deposit and secure the moneys of this Reserve Fund in the manner provided by Section 10 of the General Municipal Law. The Town Supervisor may invest the moneys in the Reserve Fund in the manner provided by Section 11 of the General Municipal Law, and consistent with the investment policy of the Town of Pavilion. Any interest earned or capital gains realized on the moneys so deposited or invested shall accrue to and become part of the Reserve Fund. The Town Supervisor shall account for the Reserve Fund in a manner which maintains the separate identity of the Reserve Fund and shows the date and amount and source of each sum paid into the fund, the amount and date of each withdrawal from the fund and the total assets of the fund, showing cash balance and schedule of investments, and shall, at the end of each fiscal year, render to the board a detailed report of the operation and conditions of the Reserve Fund; and it is further

RESOLVED that except as otherwise provided by law, expenditures from this Reserve Fund shall be made only of the purpose for which the Reserve Fund is established. No expenditures shall be made from this Reserve Fund without the approval of The Town Board, the Highway Superintendent, the County Highway Superintendent and such additional actions or proceedings as may be required by Section 6-c of the General Municipal Law or any other law, including a permissive referendum if required by subdivision 4 of Section 6-c of the General Municipal Law. Neither the adoption of this Resolution nor anything contained herein shall be construed as preventing or limiting purchases from sources other than from or through the Reserve fund.

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

Supervisor Ted Howard	Aye
Councilperson Dean Davis	Aye

Councilperson Robert LaPoint	Aye
Councilperson John Rudgers	Aye
Councilperson Linda Thompson	Aye

Councilperson Davis offered a motion, seconded by Councilperson LaPoint

Resolution No. 83, 2016: Raising price of Recycling Ticket

RESOLVED: Effective January 1, 2017 the price of the recycling tickets will increase to \$20.00 (4 punch ticket) which will be \$5.00 per bag.

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

Supervisor Ted Howard	Aye
Councilperson Dean Davis	Aye
Councilperson Robert LaPoint	Aye
Councilperson John Rudgers	Aye
Councilperson Linda Thompson	Aye

Councilperson Thompson offered a motion, seconded by Councilperson LaPoint

Resolution No. 84, 2016: Pavilion Day Date

RESOLVED: 2017 Pavilion Day date will be June 24, 2017 at 10:00am.

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

Supervisor Ted Howard	Aye
Councilperson Dean Davis	Aye
Councilperson Robert LaPoint	Aye
Councilperson John Rudgers	Aye
Councilperson Linda Thompson	Aye

Councilperson Davis offered a motion, seconded by Councilperson LaPoint to adopt

Resolution No. 85 2016 (Adopt preliminary budget as final budget for 2017)

WHEREAS, the Pavilion Town Board has held a Public Hearing on November 9, 2016 on the Preliminary budget for the fiscal year beginning January 01, 2017 to hear all persons present for or against any item contained in the Preliminary Budget. Be it hereby.

RESOLVED that the Town Board hereby adopt the Preliminary budget as the Final budget for the fiscal year beginning January 01, 2017 as follows:

Total budget \$1,829,473.00

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

Supervisor Ted Howard	Aye
Councilperson Dean Davis	Aye
Councilperson Robert LaPoint	Aye

Councilperson John Rudgers Aye
Councilperson Linda Thompson Aye

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

Resolution No. 86 2016: Year End Meeting & Town Christmas Party Date

RESOLVED: Town Christmas Party will be December 28, 2016 following year end meeting at 6:00pm.

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

Supervisor Ted Howard Aye
Councilperson Dean Davis Aye
Councilperson Robert LaPoint Aye
Councilperson John Rudgers Aye
Councilperson Linda Thompson Aye

Councilperson LaPoint offered a motion, seconded by Councilperson Rudgers to adopt

Resolution No. 87 2016: Organizational Meeting Date

RESOLVED: Organization meeting will be January 3, 2017 at 7:00pm.

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

Supervisor Ted Howard Aye
Councilperson Dean Davis Aye
Councilperson Robert LaPoint Aye
Councilperson John Rudgers Aye
Councilperson Linda Thompson Aye

At 8:27 PM motion was offered by Councilperson Davis, seconded by Councilperson Thompson for executive session in regard to union contract.

At 9:07PM motion was offered by Councilperson Thompson, seconded by Councilperson Rudgers to return to regular meeting.

Councilman Davis made a motion at 9:07PM to adjourn meeting seconded by Supervisor Howard
Voting all ayes.

Respectfully submitted,

Lucinda Starr, Town Clerk