

REGULAR MEETING
March 22, 2017
TOWN OF PAVILION
7:00 P.M.

The Town Board of the Town of Pavilion held the regular monthly meeting on March 22, 2017 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 Absent

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

Supervisor Howard opened the meeting at 7:13 PM followed by the pledge to the flag.

Councilperson LaPoint offered a motion, seconded by Councilperson Davis to approve the February 8, 2017 minutes as submitted.

Approved by unanimous vote (4-0). Voting was as follows:

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

Councilperson Davis offered a motion, seconded by Councilperson Rudgers, to authorize the clerk to draw a warrant on the supervisor to pay bills. General \$15,798.29 T&A \$50,575.15, Library \$1,935.14; Sewer \$5,196.50; Highway \$26,888.28; Water \$543.22 TOTAL \$100,936.58

Approved by unanimous vote (4-0). Voting was as follows:

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

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

Approved by unanimous vote (4-0). Voting was as follows:

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

Keith Clarke inquired on progress of York Rd property for new water tower.

James Cleveland presented information of NYS Deferred Compensation Plan for Town employees. Councilperson LaPoint is looking into it.

Highway- Highway Superintendent Joel Offhaus

- Town needs to enter into shared services agreement with New York StateDOT

Councilperson Davis offered a motion, seconded by Councilperson LaPoint

Resolution No. 30, 2017: Shared Services Agreement between NYSDOT and Town of Pavilion

RESOLVED: THIS AGREEMENT, dated 3-22-2017, is between the People of the State of New York hereinafter referred to as “State” or “NYSDOT” and the Town of Pavilion, hereinafter referred to as “Municipality.” Pursuant to Section 99-r of the General Municipal Law, the State and the Municipality wish to share services, exchange or lend materials or equipment which shall promote and assist the maintenance of State and Municipal roads and highways and provide a cost savings by maximizing the effective utilization of both parties’ resources. Shared Services shall mean any service provided by one party (Provider) to another party (Recipient). The State and the Municipality agree to share services as follows:

1. Description and Cost of Services, Materials or Equipment to be shared: Provide details of the services, materials or equipment to be shared in the attached standard Schedule A. The total amount of the agreement shall not exceed ten thousand dollars (10,000.00). If applicable, indicated that the return exchange will be determined at a later date.
2. The Provider’s employees shall remain under full supervision and control of the Provider. The parties shall remain fully responsible for their own employees for all matters, including but not limited to, salary, insurance, benefits and Workers Compensation.
3. If the borrowed machinery or equipment is damaged or otherwise needs repair arising out of or in connection with the Recipient’s use, the Recipient shall be responsible for such repairs.

4. The Municipality agrees to defend and indemnify the State for any and all claims arising out of the Municipality's acts or omissions under this Agreement. Subject to the availability of lawful appropriations and consistent with Section 8 of the State Court of Claims Act, the State shall hold the Municipality harmless from and indemnify it for any final judgment of a court of competent jurisdiction to the extent attributable to the negligence of the State or of their officers or employees when acting in the course and scope of their employment.
5. The term of this agreement shall be for four4 years. The parties will endeavor to provide no less than thirty (30) days' notice to extend the Agreement. Either party may revoke this Agreement by providing sixty (60) days written notice of such revocation. Upon revocation, any outstanding obligations of the parties must be satisfied within thirty (30) days of the date of such revocation

Approved by unanimous vote (4-0). Voting was as follows:

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

*Tree in the Covell Road Cemetery needs to be taken down, bids are just for the tree to be taken down wood not removed.

bids were Lathan Tree	\$425.00
VanBuren Tree Service	\$600.00

Resolution No. 31, 2017: Tree removal Covell Road Cemetery

RESOLVED: Accept bid from Lathan Tree Service \$425.00 for just taking tree down not removal of the wood.

Approved by unanimous vote (4-0). Voting was as follows:

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

- Shop insurance coverage needs to be reviewed, Councilperson Davis will review with Joel and Insurance Agent.

Highway-Councilperson Dean Davis

- Question salt inventory.

Library-For bookkeeping reasons it was decided that Library should have own credit card

Code Enforcement-Councilperson John Rudgers

- Dan & Matt attended the NYS mandatory training conference.
- Working on Flood Plain research for proposed splash pad.
- Working on more wind energy application, 3 more proposed within the Town
- One active single family dwelling being built.
- Assisting the Assessor reporting new additions and stock to the roll for upcoming year.

Boards-Councilperson Robert LaPoint

- Zoning Board will hold Public Hearing on April 10, 2017 requesting a variance for a wind energy system, from Ed & Barb Richardson.
- Planning Board will hold Public Hearing on April 11, 2017 for the Richardson request also.
- Comprehensive Board will hold an Open House Community Workshop March 29, 2017 for Town residents.
- Meeting with Dan Lang and Jessie Coots on splash pad project
- Meeting with Vicki Buell on Youth/Rec budget.

At 9:33 PM motion was offered by Supervisor Howard for executive session in regard to union contract.

At 9:45PM motion was offered by Councilperson Davis, seconded by Councilperson Rudgers to return to regular meeting.

At 9:45 PM motion was offered by Councilperson LaPoint, seconded by Councilperson Davis for executive session to discuss the employment of a particular person.

At 10:22PM motion was offered by Councilperson Davis, seconded by Councilperson Rudgers to return to regular meeting.

Councilman Davis made a motion at 10:22PM to adjourn meeting seconded by Councilperson LaPoint Voting all ayes.

Respectfully submitted,

Lucinda Starr, Town Clerk

