

**REGULAR MEETING
DECEMBER 13, 2017
TOWN OF PAVILION
7:00 P.M.**

The Town Board of the Town of Pavilion held the regular monthly meeting on December 13, 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 Absent
Councilperson Linda Thompson

Others: Others: Town Clerk Cindy Starr, Highway Superintendent Joel Offhaus, Don Oberlin, Bryan Smart, Keith Clark & Mark Heineman.

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 November 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	Absent
Councilperson Linda Thompson	Aye

Councilperson LaPoint offered a motion, seconded by Councilperson Davis, to authorize the clerk to draw a warrant on the supervisor to pay bills. General \$13,526.48 T&A \$32038.30, Library \$8864.68; Sewer \$5860.91; Highway \$16,641.68; Water \$ 1805.63

TOTAL \$ 77,737.68

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	Absent
Councilperson Linda Thompson	Aye

A motion was offered by Councilperson Thompson seconded by Councilperson Davis

To approve November 2017 operating statement, monthly 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	Absent
Councilperson Linda Thompson	Aye

Highway- Highway Superintendent Joel Offhaus

*Approval of purchase of a post driver

*Dennis Kingsley will be retiring from Highway Dept in January 2018

*Request the hiring of Nick Wright as a part time employee

A motion was offered by Councilperson LaPoint seconded by Councilperson Davis

Resolution No. 72, 2017: Hiring of Part time employee

RESOLVED: Hiring Nick Wright as a highway part time employee.

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	Absent
Councilperson Linda Thompson	Aye

Highway-Dean Davis

*10-Wheeler Truck sold on an on-line auction for \$40,600.00

*Attended County Workers Compensation meeting

Library-Linda Thompson

*Donald Oberlin attended Library meeting, he will be the new Library liaison

*Karen Kingsley has agreed to continue as Library Trustee

*Library still working on web-site

Boards-Councilperson Robert LaPoint

*Planning Board working on updating Zoning ordinance to match with the new Comprehensive Plan.

*Trucking Company is interested in buying the Syntec property located on Junction Rd.

*Matt Mahaney-Code Enforcement is conducting fire inspections.

*Year to date 38 building/zoning permits have been issued

A motion was offered by Councilperson Thompson seconded by Supervisor Howard

Resolution No 73, 2017: Town Clerk health insurance

RESOLVED: To pay Town Clerk Lucinda Starr health insurance in the amount of \$465.08 per month to be paid directly by clerk.

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	Absent
Councilperson Linda Thompson	Aye

A motion was offered by Councilperson LaPoint seconded by Councilperson Davis

Resolution No 74, 2017: Year End Meeting Date

RESOLVED: Year end meeting date will be December 27, 2017 at 6:30PM.

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	Absent
Councilperson Linda Thompson	Aye

A motion was offered by Councilperson Davis seconded by Councilperson LaPoint

Resolution No 75, 2017: Family Leave Act

RESOLVED: Town of Pavilion is opting out of NYS Paid Family Leave Act.

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	Absent
Councilperson Linda Thompson	Aye

Councilperson LaPoint reviewed the Oatka and Black Creek meeting attended by Planning Board members Bill Fuest and Gary Freeman.

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

Resolution No .76, 2017:

Code Enforcement Officer agreement between the Town of Batavia and the Town of Pavilion.

WHEREAS, the Town of Batavia and the Town of Pavilion wish to enter into a Code Enforcement Officer Agreement; and

WHEREAS, THE AGREEMENT ADDRESSES THE NEED FOR THE Town of Pavilion to have its Codes enforced by the Town of Batavia Code Official.

RESOLVED: pursuant to Article 5-G of the General Municipal Law, the Pavilion Town Board wishes to enter into an agreement between the Town of Batavia and the Town of Pavilion for Code Enforcement services and be it

FURTHER RESOLVED, the Pavilion Town Board hereby authorizes the Supervisor to execute the aforementioned agreement

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	Absent
Councilperson Linda Thompson	Aye

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

Resolution No .77, 2017: The amended and restated water supply agreement.

RESOLVED: Approve the amend and restated water agreement with Genesee County.

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	Absent
Councilperson Linda Thompson	Aye

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

Resolution No .78, 2017: SEQR Negative Declaration for Water Storage Tank Replacement

WHEREAS, the Town of Pavilion of Pavilion plans to complete the Water Storage Tank Replacement consisting of the installation of approximately 6,000 linear feet of water main along portions of York Road and construct a 300,000gallon elevated water storage tank.

WHEREAS, the above Project has been determined to be a “Type I Action” under SEQR regulations Section 97-14(2)(1) of the New York Code; and

WHEREAS, the Town of Pavilion, designates itself as Lead Agency, has prepared an environmental assessment of the significance of and potential environmental impacts of the action described above.

WHEREAS, the Town of Pavilion accepts Parts 2 and 3 of the Full Environmental Assessment Form prepared by Chatfield Engineers, PC

WHEREAS, on November 1, 2017 Chatfield Engineers, P.C. on behalf of the Town Board notified the Interested and Involved Agencies of its intention to act as Lead Agency for this project and circulated the full Environmental Assessment Form.

WHEREAS, the NYS Department of Environmental Conservation, the NYS Department of Agriculture and Markets, State Historic Preservation Office, Army Corps of Engineers, Genesee County Highway Department, Genesee County Health Department, Genesee County Planning Department and Genesee County Water Resource Agency have been notified of the Town of Pavilion's intent to serve as lead agency and have been given time to review the project and issue comment.

BE IT FURTHER RESOLVED, the Town Board declares that, based on the Environmental Record which has been prepared, the project will result in no major adverse impacts and therefore, will not cause significant damage to the environment. The Negative Declaration is therefore issued for this project effective at the end of the 30day response period on December 1, 2017

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	Absent
Councilperson Linda Thompson	Aye

Councilman LaPoint made a motion at 8:50PM to adjourn meeting seconded by Councilperson Davis
Voting all ayes.

Respectfully submitted,

Lucinda Starr, Town Clerk