

REGULAR MEETING
December 13, 2023
TOWN OF PAVILION
7:00 P.M.

The Town Board of the Town of Pavilion held the Regular Board meeting on December 13, 2023 at the Town Hall, One Woodrow Drive, Pavilion, New York 14525 at 7:00 pm Present were:

Supervisor Robert LaPoint
Councilperson John Rudgers
Councilperson Donald Oberlin
Councilperson James Thater
Councilperson Dean Davis

Others :Cindy Starr, James Cleveland, Ken Steinmetz, Jesse Coots & George Jinks

Following pledge to the Flag, Supervisor LaPoint opened the meeting at 7:02PM

Reports

Highway-James Cleveland

- *Pick-up truck sold for \$41,200.00.
- *Water lines in highway shop are leaking need replacing getting quotes.
- *Sewer lift station has been insulated looking for heat solution.
- *Highway Department would like to thank Robert LaPoint for all the help and support he has given them for the last 10 years.

Highway-John Rudgers - no report

Sewer- Donald Oberlin – no report

Code Enforcement-James Thater -no report

Water -Dean Davis - no report

Supervisor LaPoint offered a motion, seconded by Councilperson Rudgers

Resolution No 86, 2023: TOWN OF PAVILION RESOLUTION

IN RECOGNITION AND APPRECIATION OF DISTINGUISHED SERVICE BY

RANDY MASTIN

WHEREAS, Randy Mastin has served on The Pavilion Zoning Board of Appeals for 7 years of said board, and

WHEREAS, Randy Mastin has admirably served the Zoning Board of Appeals with integrity, wisdom, and care;

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Pavilion acknowledges and extends our deepest gratitude to Randy Mastin for his dedication and service to The Town of Pavilion and our sincere thanks for his many contributions.

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

Supervisor Robert LaPoint	Aye
Councilperson John Rudgers	Aye
Councilperson Donald Oberlin	Aye
Councilperson James Thater	Aye
Councilperson Dean Davis	Aye

Councilperson Davis offered a motion, seconded by Councilperson Oberlin

Resolution No 87, 2023: 2024 Code Enforcement Agreement

SIXTH AMENDED TOWN OF BATAVIA AND PAVILION CODE ENFORCEMENT AGREEMENT THIS AGREEMENT, made between the Town of Pavilion, a municipal corporation with offices at 1 Woodrow Drive, Pavilion, NY 14525 (“Pavilion”), and the Town of Batavia, a municipal corporation with office at 3833 West Main Road, Batavia, NY 14020 (“Batavia”), **WHEREAS**, pursuant to article 5-G of the General Municipal Law, Pavilion and Batavia are authorized to enter into an inter-municipal cooperative agreement for the provision of Code Enforcement services, and **WHEREAS**, Batavia employs fully qualified Code Enforcement Officers to enforce Zoning Code, Fire and Building Codes and other various codes and regulations, and **WHEREAS**, Pavilion has identified a need to have its Codes enforced by Batavia, and **WHEREAS**, Batavia intends to continue to maintain the position of Code Enforcement Officer and to provide Code Enforcement Duties in both the Town of Batavia and the Town of Pavilion. **NOW THEREFORE, BE IT RESOLVED**, pursuant to Article 5-G of the General Municipal Law, it is agreed as follows: **First:** That Pavilion shall appoint the Code Enforcement Officers of the Town of Batavia as its Code Enforcement Officers. **Second:** In consideration for compensation for the services set forth herein, Pavilion shall pay Batavia

fifteen thousand, four hundred, fifty dollars \$ \$15,450.00 per year of this agreement. The sum shall be paid during the 2024 budget year to provide services for the year of 2024. **Third:** The services that will be provided will be to administer the adopted NYS Building Codes, Town of Pavilion Zoning Code and Town of Pavilion Land Separation Law. **Fourth:** Services provided will be on call and available during business hours of Monday thru Friday work week from 9am-3pm. **Fifth:** The Code Officer shall for all purposes be deemed an employee of Batavia. The Code Officer shall not in any way be construed as an employee of Pavilion. Batavia shall pay the Code Officers salary and make employer's contributions for retirement, social security, health insurance, worker's compensation, unemployment and other similar benefit. **Sixth:** This agreement does not include attorney services and Pavilion shall provide and pay for all attorney services and expenses in its jurisdiction. **Seventh:** This agreement shall become effective on January 1st 2024 and expire on December 31st 2024 with an option for either municipality to terminate this agreement upon a ninety (90) day written notice to the other municipality. **Eighth:** There are no other agreements or understandings, either oral or written, between the parties affecting this agreement. No changes, additions or deletions of any portions of this agreement shall be valid or binding upon the parties hereto unless the same is approved in writing by the parties.

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

Supervisor Robert LaPoint	Aye
Councilperson John Rudgers	Aye
Councilperson Donald Oberlin	Aye
Councilperson James Thater	Aye
Councilperson Dean Davis	Aye

Councilperson Davis offered a motion, seconded by Councilperson Rudgers to approve the Nov 8, 2023 regular board meeting.

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

Supervisor Robert LaPoint	Aye
Councilperson John Rudgers	Aye
Councilperson Donald Oberlin	Aye
Councilperson James Thater	Aye
Councilperson Dean Davis	Aye

Councilperson Davis offered a motion, seconded by Councilperson Oberlin to authorize the clerk to draw a warrant on the supervisor to pay bills. General \$37,871.28; T&A \$29,445.12; Sewer; \$14,778.22, Highway; \$34,364.99, Water \$26,215.63.

TOTAL \$142,675.24

Councilperson Davis offered a motion, seconded by Councilperson Oberlin to Approve Nov 8, 2023 operating statement, bank reconciliation & clerk report.

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

Supervisor Robert LaPoint	Aye
Councilperson John Rudgers	Aye
Councilperson Donald Oberlin	Aye
Councilperson James Thater	Aye
Councilperson Dean Davis	Aye

Councilperson Thater made a motion at 7:28 PM to adjourn the meeting seconded by Councilperson Rudgers. Voting all ayes.

Respectfully submitted,

Lucinda Starr