

REGULAR MEETING
March 13, 2024
TOWN OF PAVILION
7:00 P.M.

The Town Board of the Town of Pavilion held the Regular Board meeting on March 13, 2024 at the Town Hall, One Woodrow Drive, Pavilion, New York 14525 at 7:00 pm Present were:

Supervisor James Thater
Councilperson John Rudgers
Councilperson Donald Oberlin
Councilperson Dean Davis
Councilperson Kenneth Steinmetz

Others: Cindy Starr, James Cleveland, Bryan Smart Tood Hackett & George Jinks

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

Highway-James Cleveland

*Received quote for Woodrow Drive and Cato Street paving.

*Old land fill needs to be surveyed

Welch & O'Donoghue Land Surveying \$2800.00

Creekside Boundary Land Surveying PLLC \$2550.00

Highway-John Rudgers - no report

Sewer- Donald Oberlin –

* Meeting with MRB updating sewer project.

Code Enforcement-Kenneth Steinmetz

*Solar Farm permit has been approved and paid.

Water -Dean Davis –

*Meeting with MRB on Water District #7.

Councilperson Rudgers offered a motion, seconded by Councilperson Steinmetz

Resolution No 33, 2024: 284 Highway Contract

RESOLVED: Approve 284 Highway Contract for 2024 road work.

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

Supervisor James Thater	Aye
Councilperson John Rudgers	Aye
Councilperson Donald Oberlin	Aye
Councilperson Dean Davis	Aye
Councilperson Kenneth Steinmetz	Aye

Councilperson Davis offered a motion, seconded by Councilperson Rudgers

Resolution No 34, 2024: Tree Doctor Service Agreement

RESOLVED: Approve service agreement with Tree Doctor for roadside spraying in the amount of \$2400.00.

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

Supervisor James Thater	Aye
Councilperson John Rudgers	Aye
Councilperson Donald Oberlin	Aye
Councilperson Dean Davis	Aye
Councilperson Kenneth Steinmetz	Aye

Councilperson Rudgers offered a motion, seconded by Councilperson Oberlin

Resolution No 35, 2024: Rt 20 Land Fill Surveying

RESOLVED: Approve Creekside Boundary Land Surveying PLLC in the amount of \$2550.00 for surveying Rt 20 land fill.

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

Supervisor James Thater	Aye
Councilperson John Rudgers	Aye
Councilperson Donald Oberlin	Aye
Councilperson Dean Davis	Aye
Councilperson Kenneth Steinmetz	Aye

Councilperson Davis offered a motion, seconded by Councilperson Oberlin

Resolution No 36, 2024: Water District #7 approval

RESOLVED: Approve MRB for final engineering and bidding process for Water District #7.

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

Supervisor James Thater	Aye
Councilperson John Rudgers	Aye
Councilperson Donald Oberlin	Aye
Councilperson Dean Davis	Aye
Councilperson Kenneth Steinmetz	Aye

Councilperson Steinmetz offered a motion, seconded by Councilperson Davis

Resolution No 36, 2024:

APPROVAL OF AN ACQUISITION OF AN EASEMENT BY THE MONROE COUNTY WATER AUTHORITY PURSUANT TO §1096(6-a) OF NEW YORK'S PUBLIC AUTHORITIES LAW

WHEREAS, The Monroe County Water Authority (the "Water Authority") intends to expand and construct a water main (the "Project") to replace the Water Authority's existing water main along State Route 19 (South Lake Road) from State Route 63 (Ellicott Street Road) to approximately house #10959 State Route 19 (South Lake Road); and

WHEREAS, the acquisition of one (1) 10-foot and one (1) 30-foot wide easement by the Water Authority is necessary for the construction, installation, operation, and maintenance of the Project; and

WHEREAS, the one (1) 10-foot wide easement necessary for the Project is located along the north side of State Route 63 and west side of State Route 19, at the property known as 11090 State Route 19, Tax Account No. 016.00-1-23.11 (located at northwest corner of State Route 63 and State Route 19 along the entire frontage on State Route 63 and State Route 19); and

WHEREAS, the one (1) 30-foot wide easement necessary for the Project is located along the west side of State Route 19, at the property known as 0 South Lake Road, Tax Account No. 016.00-1-1.121 (located 270 feet north of 11050 State Route 19 along the frontage of said property on State Route 19 for 470 feet); and

WHEREAS, these acquisitions are necessary to allow the completion of the construction, installation, operation, and maintenance of the Project which will provide potable water supply and fire protection to the District's property owners and the property owners have agreed to voluntarily grant the easement to the Water Authority; and

WHEREAS, Section 1096(6-a) of New York's Public Authorities Law requires the Water Authority to obtain the prior approval of this acquisition by resolution of the Town Board.

NOW, THEREFORE, let it be

RESOLVED, that the Town hereby approves of the Water Authority’s voluntary acquisition of two (2) easements over property located at 11090 State Route 19, Tax Account No. 016.00-1-23.11 and #0 South Lake Road, Tax Account No. 016.00-1-1.121 in accordance with §1096(6-a) of the New York Public Authorities Law; and be it further

RESOLVED, that a copy of this Resolution be provided to the attorney for the Town, the Monroe County Water Authority and James Thater Town of Pavilion Town Superintendent.

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

Supervisor James Thater	Aye
Councilperson John Rudgers	Aye
Councilperson Donald Oberlin	Aye
Councilperson Dean Davis	Aye
Councilperson Kenneth Steinmetz	Aye

Councilperson Davis offered a motion, seconded by Councilperson Steinmetz

Resolution No 37, 2024: Adopt work day for NYS Retirement System

RESOLVED: Adopt a standard 6 hour work day for John Rudgers Town of Pavilion Councilperson Term to expire 12/31/2027 and Philip Werner Town Justice Term to expire 12/31/2027 for the NYS Retirement System.

Approved by unanimous vote (4-1 Abstain). Voting was as follows:

Supervisor James Thater	Aye
Councilperson John Rudgers	Abstain
Councilperson Donald Oberlin	Aye
Councilperson Dean Davis	Aye
Councilperson Kenneth Steinmetz	Aye

Councilperson Davis offered a motion, seconded by Councilperson Steinmetz

Resolution No 38, 2024: Adopt work day for NYS Retirement System

RESOLVED: Adopt a standard 8 hour work day for Town of Pavilion Highway Superintendent James Cleveland term to expire 12/31/2027.

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

Supervisor James Thater	Aye
Councilperson John Rudgers	Aye
Councilperson Donald Oberlin	Aye

Councilperson Dean Davis Aye
Councilperson Kenneth Steinmetz Aye

Councilperson Davis offered a motion, seconded by Councilperson Rudgers to approve the February 13, 2024 regular minutes.

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

Supervisor James Thater Aye
Councilperson John Rudgers Aye
Councilperson Donald Oberlin Aye
Councilperson Dean Davis Aye
Councilperson Kenneth Steinmetz Aye

Councilperson Oberlin offered a motion, seconded by Councilperson Dean to authorize the clerk to draw a warrant on the supervisor to pay bills. General \$22,758.42 T&A \$31,209.74; Sewer; \$18,853.36, Highway; \$26,192.38, Water \$170.00.

TOTAL \$99,183.90

Councilperson Oberlin offered a motion, seconded by Councilperson Davis to Approve Feb 2024 operating statement, bank reconciliation & clerk report.

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

Supervisor James Thater Aye
Councilperson John Rudgers Aye
Councilperson Donald Oberlin Aye
Councilperson Dean Davis Aye
Councilperson Kenneth Steinmetz Aye

Councilperson Davis made a motion at 8:26 PM to adjourn the meeting seconded by Councilperson Steinmetz. Voting all ayes.

Respectfully submitted,

Lucinda Starr