

An Organizational meeting of the Town of Avon was held on Thursday, January 3, 2008 at 7:00 P.M. at the Avon Town Hall with the following members present:

PRESENT: Supervisor David LeFeber, Deputy Supervisor Cole, Councilmen Donald Cook Jr., James Blye and Thomas Mairs

OTHERS: Attorney Timothy Ingersoll, Highway Superintendent Robert Ayers, Water Superintendent Daniel McKeown and Town Clerk Sharon Knight, CMC, RMC

VISITORS: Joseph Tuchrello

Supervisor LeFeber called the meeting to order at 7:00 P.M. by reading the following legal notice:

LEGAL NOTICE  
PUBLIC NOTICE

The Avon Town Board Organizational Meeting has been scheduled for Thursday, January 3, 2008 at the Avon Town Hall, 27 Genesee Street, Avon, New York, at 7:00 P.M.

Sharon M. Knight, CMC, Town Clerk  
Dated: December 31, 2007

Pledge of Allegiance

DISCUSSION  
VISITOR'S COMMENTS

Supervisor LeFeber asked for any public comments and there were none.

RESOLUTION #1  
SETTING TIME AND PLACE OF 2008 TOWN BOARD MEETINGS

On motion of Councilman Cook, seconded by Councilman Blye the following resolution was

ADOPTED WITH A ROLL CALL VOTE: AYES 5 NAYS 0

WHEREAS, New York State Town Law requires that town boards of towns of the second class meet periodically to accomplish certain business matters such as auditing claims, and

WHEREAS, New York State Open Meeting Law and Public Officers Law both require that reasonable effort be made to hold such meeting in facilities that permit barrier free access for the physically handicapped, now, therefore, be it

RESOLUTION #1-continued

SETTING TIME AND PLACE OF 2008 TOWN BOARD MEETINGS

**RESOLVED**, that all regular meetings of the Avon Town Board throughout the year 2008 will be held at 6:00 P.M. on the following days (generally the second and fourth Thursday of each month) in the Avon Town Hall Building located at 27 Genesee Street in the Town of Avon:

**1/10, 1/24, 2/14, 2/28, 3/13, 3/27, 4/10, 4/24, 5/8, 5/22, 6/12, 6/26, 7/10, 7/24, 8/14, 8/28, 9/11, 9/25, 10/9, 10/23, 11/06, 11/20, 12/11 and 12/30.**

Supervisor David LeFeber	voting	AYE
Deputy Supervisor Kelly Cole	voting	AYE
Councilman Donald Cook	voting	AYE
Councilman Thomas Mairs	voting	AYE
Councilman James Blye	voting	AYE

RESOLUTION #2

APPOINTMENT ZONING BOARD OF APPEALS

On motion of Councilman Mairs, seconded by Councilman Blye the following resolution was

**ADOPTED WITH A ROLL CALL VOTE: AYES 5 NAYS 0**

**RESOLVED**, to appoint Samuel Price to serve on the Zoning Board of Appeals, term to expire 12/31/2012, at a rate of \$50.00 per meeting.

Supervisor David LeFeber	voting	AYE
Deputy Supervisor Kelly Cole	voting	AYE
Councilman Donald Cook	voting	AYE
Councilman Thomas Mairs	voting	AYE
Councilman James Blye	voting	AYE

RESOLUTION #3

APPOINTMENT TO THE PLANNING BOARD

On motion of Councilman Blye, seconded by Councilman Mairs the following resolution was

**ADOPTED WITH A ROLL CALL VOTE: AYES 5 NAYS 0**

**RESOLVED**, to appoint Malachy Coyne to serve on the Planning Board term to expire 12/31/2014 at a rate of \$50.00 per meeting.

Supervisor David LeFeber	voting	AYE
Deputy Supervisor Kelly Cole	voting	AYE
Councilman Donald Cook	voting	AYE
Councilman Thomas Mairs	voting	AYE
Councilman James Blye	voting	AYE

DISCUSSION  
PERFORMANCE OF ATTORNEY

Attorney Ingersoll provided his credentials in serving as the Attorney for the Town stating he has lived in the Village of Avon, provides service at a reasonable rate, appreciates the Board’s support and has not heard of any conflicts, and has served the Avon Village Fire Department as Captain. He acknowledged he services is at the will of the Board. There was Board discussion that included but was not limited to Board members sharing there concerns of his performance especially his personal opinions when providing information regarding health insurance and adding Elected Official to the Employee Handbook, his overall service, his increased experience since first beginning as he has come along way. The Board took the following action:

RESOLUTION #4  
POSITION APPOINTMENTS FOR 2008

On motion of Councilman Mairs, seconded by Councilman Cook the following resolution was

ADOPTED WITH A ROLL CALL VOTE

AYES 3 NAYS 0 ABSTAIN 2 (Deputy Supervisor Cole and Councilman Blye)

**WHEREAS**, Section 27 of New York State Town Law provides that the town board shall hire employees and make such position appointments as needed to conduct the business of the town, now therefore, be it

**RESOLVED**, by the Avon Town Board to make the following position appointments with terms as indicated:

- Zoning Board of Appeals Clerk – Patricia Brede – 1 year, expiring 12/31/2008
- Planning Board Clerk – Jennifer Sargeant – 1 year, expiring 12/31/2008
- Clerk to the Town Justice – Janis Cole – 1 year, expiring 12/31/2008
- Clerk to the Town Justice – Jennifer Sargeant – 1 year, expiring 12/31/2008
- Financial Advisor to the Town – Bernard P. Donegan Inc. – 1 year, expiring 12/31/2008
- Code Enforcement Officer – Anthony Cappello 12/31/2008
- Code Enforcement Officer – Lee Rodamaker 12/31/2008
- Historian – Maureen Kingston – 1 year, expiring 12/31/2008
- Dog Control Officer – Livingston County Department of Dog Control
- Deputy Town Clerk – Mary Rizzo, expiring 12/31/08
- Deputy Receiver of Taxes – Gilbert Smith, expiring 12/31/08
- Deputy Superintendent of Highways – Thomas Crye, expiring 12/31/08
- Confidential Secretary to the Supervisor – Mary Blye, expiring 12/31/08
- Attorney for the Town – Timothy Ingersoll, expiring 12/31/08

Supervisor David LeFeber	voting	AYE
Deputy Supervisor Kelly Cole	voting	ABSTAIN
Councilman Donald Cook	voting	AYE
Councilman Thomas Mairs	voting	AYE
Councilman James Blye	voting	ABSTAIN

RESOLUTION #5  
ADOPTING EMPLOYEE COMPENSATION SCHEDULE FOR THE YEAR 2008

On motion of Councilman Cook, seconded by Supervisor LeFeber, the following resolution was

ADOPTED WITH A ROLL CALL VOTE

AYES 3 NAYS 0 ABSTAIN 2 (Deputy Supervisor Cole and Councilman Blye)

**WHEREAS**, Section 27 of New York State Town Law provides that the town board shall fix, from time to time, the compensation of all officers and employees of the town and determine when the same shall be payable, and

**WHEREAS**, the Avon Town Board has determined that it is appropriate and timely to set such compensations at the yearly organization meeting, now, therefore, be it

**RESOLVED**, that the Avon Town Board does hereby adopt the following compensation schedule for the year 2008 and that such compensation be paid on a biweekly or monthly basis or as a claim when presented to the Town Clerk and approved by the Town Board within the structure of the Town’s voucher system.

2008 Town of Avon Employee Compensation Schedule

<b>Name</b>	<b>Position/Duties</b>	<b>Status</b>	<b>2007 Rate</b>	<b>2008 Rate</b>
Ayers, Robert	Highway Superintendent Cemetery Caretaker	Elected	\$59,690/yr \$1,104/yr	\$61,480/yr \$1,133/yr.
Blye, Mary	Supervisor’s Sect. Water Clerk Personnel Clerk	Part Time*	\$14.90/hr.	\$15.35/hr.
Blye, James	Town Councilman	Elected*	\$4,700/yr.	\$4,700/yr.
Brede, Patricia	Assessor Zoning Board of Appeals Clerk	Part Time Part Time	\$20,500/yr \$3,010/yr.	\$21,115/yr. \$3,100/yr.
Cappello, Anthony	Code Enforcement Officer	Part Time*	\$11,550/yr.	\$11,897/yr.
Clements, Wesley	Motor Equipment Operator	Full Time	\$19.69/hr.	\$20.30/hr.
Cole, Janis	Clerk to the Town Justice	Part Time*	\$16.75/hr.	\$17.25/hr.
Cole, Kelly	Town Councilman	Elected*	\$4,700/yr.	\$4,700/yr.
Cook, Donald	Town Councilman	Elected*	\$4,700/yr.	\$4,700/yr.
Crye, Thomas W.	Motor Equipment Operator Deputy Highway Superintendent	Full Time	\$20.19/hr.	\$20.80/hr.
Dempsey, Stephany	Youth Board Member	Part Time *	N/A	\$40/month
Henderson, Karen	Youth Board Member	Part Time *	N/A	\$40/month

RESOLUTION #5-continued  
ADOPTING EMPLOYEE COMPENSATION SCHEDULE FOR THE YEAR 2008

<b>Name</b>	<b>Position/Duties</b>	<b>Status</b>	<b>2007 Rate</b>	<b>2008 Rate</b>
Kime, James	Motor Equipment Operator	Full Time	\$19.69/hr.	\$20.30/hr.
Kingston, Maureen	Historian	Part Time*	\$1,696/yr.	\$1,747/yr.
Knight, Sharon	Town Clerk & Receiver of Taxes	Elected	\$30,400/yr.	\$31,312/yr.
LeFeber, David	Town Supervisor	Elected*	\$13,400/yr.	\$13,400/yr.
Open Position	Youth Board Member	Part Time *	N/A	\$40/month
Open Position	Youth Board Member	Part Time *	N/A	\$40/month
Orman, Susan	Youth Board Member	Part Time *	N/A	\$40/month
Mairs, Thomas	Town Councilman	Elected*	\$4,700/yr.	\$4,700/yr.
McKeown. Daniel	Water Superintendent	Full Time	\$43,260/yr.	\$44,560/yr.
Piampiano, Peter	Town Justice	Elected*	\$10,126.50/yr.	\$10,430/yr.
Rizzo, Mary	Deputy Town Clerk	Part Time*	\$11.66/hr.	\$12.00/hr.
Rodamaker, Lee	Code Enforcement Officer	Part Time*	\$11.00/hr.	\$13.40/hr.
Rumfolo, Richard	Motor Equipment Operator	Full Time	\$19.69/hr.	\$20.30/hr.
Sargeant, Jennifer	Typist Planning Board Clerk Clerk to the Town Justice	Part Time* 20hrs/wk.	\$14.90/hr. \$12.66/hr.	\$15.35/hr. \$13.05/hr.
Smith, Gilbert	Deputy Tax Collector	Part Time*	\$9.80/hr.	\$9.80/hr.
Snyder, Tami	Typist Assessor's Clerk Youth Board Member, Chair	Part Time* Part Time *	\$14.90/hr. N/A	\$15.35/hr. \$50/month
Torregiano, Michael	Town Justice	Elected*	\$10126.50/yr.	\$10,430/yr.

\*No benefits included in compensation

**Appointed Town Personnel  
 Paid by voucher**

<b>Name &amp; Length of Term</b>	<b>Position</b>	<b>2008 Rate/Meeting</b>
Tugel, Dr., Robert 12/08	Planning Board, Chairman	\$60.00
Moran, C. Thomas 12/09	Planning Board	\$50.00
McGovern, Thomas 12/10	Planning Board	\$50.00

RESOLUTION #5-continued  
ADOPTING EMPLOYEE COMPENSATION SCHEDULE FOR THE YEAR 2008

Anderson, James 12/11	Planning Board	\$50.00
Mulligan, Jeffrey 12/12	Planning Board	\$50.00
Cole, Kathy 12/13	Planning Board	\$50.00
Coyne, Malachy 12/14	Planning Board	\$50.00
Morris, Sandra 12/08	Zoning Board of Appeals, Chairman	\$60.00
Moran, Patricia 12/09	Zoning Board of Appeals	\$50.00
Ryan, Sharon 12/10	Zoning Board of Appeals	\$50.00
Barrett, Norman 12/11	Zoning Board of Appeals	\$50.00
Price, Samuel 12/12	Zoning Board of Appeals	\$50.00
Ingersoll, Timothy	Attorney for the Town	\$175.00
Open Position	Motor Equipment Operator	\$12.00/hr.
Supervisor David LeFeber	voting	AYE
Deputy Supervisor Kelly Cole	voting	ABSTAIN
Councilman Donald Cook	voting	AYE
Councilman Thomas Mairs	voting	AYE
Councilman James Blye	voting	ABSTAIN

RESOLUTION #6  
DESIGNATING OFFICIAL BANKS

On motion of Deputy Supervisor Cole, seconded by Councilman Cook the following resolution was  
 ADOPTED WITH A ROLL CALL VOTE: AYES 5 NAYS 0

**WHEREAS**, section 64 of New York State Town Law provides that the town board shall designate the official bank of the town, now, therefore, be it

**RESOLVED**, that the Avon Town Board does hereby designate the following banking institutions as the official banks of the Town of Avon for the year 2008.

Bank of Castile, HSBC and Five Star Bank

Supervisor David LeFeber	voting	AYE
Deputy Supervisor Kelly Cole	voting	AYE
Councilman Donald Cook	voting	AYE
Councilman Thomas Mairs	voting	AYE
Councilman James Blye	voting	AYE

RESOLUTION #7  
DESIGNATING OFFICIAL NEWSPAPER

On motion of Deputy Supervisor Cole, seconded by Councilman Mairs, the following motion was

ADOPTED WITH A ROLL CALL VOTE: AYES 5 NAYS 0

**WHEREAS**, section 64 of New York State Town Law provides that the town board shall designate the official newspaper of the town, now, therefore, be it

**RESOLVED**, that the Avon Town Board does hereby designate the Livingston County News as the official newspaper of the Town of Avon.

Supervisor David LeFeber	voting	AYE
Deputy Supervisor Kelly Cole	voting	AYE
Councilman Donald Cook	voting	AYE
Councilman Thomas Mairs	voting	AYE
Councilman James Blye	voting	AYE

RESOLUTION #8  
AMEND 2008 FEE SCHEDULE

On motion of Councilman Mairs, seconded by Councilman Cook the following resolution was

ADOPTED WITH A ROLL CALL VOTE: AYES 5 NAYS 0

RESOLVE to adopt the 2008 Fee Schedule as follows:

2008 FEE SCHEDULE

Single Family Residence	.15 sqft	\$25 Min
Double/Multi-family	.15 sqft	\$25 Min
Mobile Homes	.12 sqft	
Modular Homes	.15 sqft	\$25 Min
Basement/Foundation/Crawl Space	\$35.00	
Garages (Detached/Attached)	.08 sqft	\$20 Min
Shed Accessory Buildings	.08 sqft	\$20 Min
Porches	.08 sqft	\$20 Min
Decks	.08 sqft	\$20 Min
Interior Alterations	.12 sqft	\$25 Min
Additions	.12 sqft	\$25 Min
Fences	\$15.00	
Chimney/Fireplace/Woodstove	\$25.00	
Awnings (excluding windows)	\$20.00	
Wheelchair Ramps	\$20.00	
Pool – Above Ground	\$25.00	

RESOLUTION #8-continued  
AMEND 2008 FEE SCHEDULE

Pool – In Ground	\$30.00
Permit Renewal - House	\$25.00
Demolition	\$25.00
Move/Relocate Structure	\$25.00
Sign Permits	\$25 + \$1.50/sqft
Sign Permits – Temporary	\$10.00
Tank Installation	\$25.00
Tank Removal	\$10.00
Site Visit – Flood Zone Interpretation	\$25.00
Additional Site Visit	\$25.00
Certificate of Occupancy/Compliance under Building Permit	\$15.00
Certificate of Occupancy/Compliance NOT under Permit	\$25.00
Tower Construction	\$10/linear foot
Tower Collocation	\$25.00 + \$1/linear foot

Commercial/Industrial

0 to 4,000 sqft floor space	.12 sqft	\$25 Min
4,001 sqft +	.10 sqft	\$20 Min
Commercial Storage Buildings	.08 sqft	\$20 Min
Commercial Foundations/Crawl Space	\$100.00	
Special Use Permits	\$25.00	
Planning Board/Zoning Board of Appeals Publication Fees	\$45.00 per notice	
Area/Use Variance	\$15.00	
Site Plan Review	\$50.00	
Subdivision Application	\$50.00 + \$10.00 per lot	
Tower Conditional Use Permit Application Fee	\$500.00	
Tower Conditional Use Permit	\$1000.00	

Cemetery Fees

Single plot (approx. 4x10) with corner markers	\$325.00
Double plot (approx. 8x10) with corner markers	\$625.00
Grave Opening –Adult size grave	\$385.00
Grave Opening – Still born, youth size and cremations	\$160.00

Engineering, Attorney & Other Professional Services

Engineering, Attorney or Other Professional Services at actual cost to Town of Avon

RESOLUTION #8-continued  
AMEND 2008 FEE SCHEDULE

Dog Fees

\$ 5.50 spay/neuter  
\$13.50 non spay/neuter  
\$2.00 replacement tags

Town Code Books

Town of Avon Code Book - Current General Code Price  
Supplements – Cost of last update divided by the number of copies  
Subdivision of Land – Chapter 113 - \$25.00  
Design Criteria and Construction Specifications for Land Development - \$25.00  
Zoning – Chapter 130 - \$25.00

Peddlers License Fees

For person licensed as a hawker, peddler or solicitor:

For a period of six months or less - \$25.00  
For a period in excess of six months but for not more than one year - \$100.00

For a person licensed to assist a hawker, peddler or solicitor:

For a period of six months or less - \$15.00  
For a period in excess of six months but for not more than one year - \$50.00

Water Fees:

Taping fees - Short side \$900.00  
Taping fees - Long side \$1,500.00

Yearly backflow test \$63.00

Engineering, Attorney & Other Professional Services

Engineering, Attorney or Other Professional Services at actual cost to Town of Avon

Dog Fees

\$ 5.50 spay/neuter  
\$13.50 non spay/neuter  
\$2.00 replacement tags

RESOLUTION #8-continued  
AMEND 2008 FEE SCHEDULE

Town Code Books

Town of Avon Code Book - Current General Code Price  
Supplements – Cost of last update divided by the number of copies  
Subdivision of Land – Chapter 113 - \$25.00  
Design Criteria and Construction Specifications for Land Development - \$25.00  
Zoning – Chapter 130 - \$25.00

Peddlers License Fees:

For a person licensed as a hawker, peddler or solicitor:  
For a period of six months or less - \$25.00  
For a period in excess of six months but not for more than one year - \$100.00

For a person licensed to assist a hawker, peddler or solicitor:  
For a period of six months or less - \$15.00  
For a period in excess of six months but not for more than one year - \$50.00

Highway Department

Brush and tree dumping - \$50.00 per six wheel loader.

Water Fees

Tapping fees – short side - \$900.00  
Tapping fees – long side - \$1500.00  
Yearly Backflow testing through LMC, Inc. - \$63.00

Supervisor David LeFeber	voting	AYE
Deputy Supervisor Kelly Cole	voting	AYE
Councilman Donald Cook	voting	AYE
Councilman Thomas Mairs	voting	AYE
Councilman James Blye	voting	AYE

RESOLUTION #9  
SETTING MILEAGE REIMBURSEMENT RATE CONSISTENT WITH THE  
LIVINGSTON COUNTY RATE

On motion of Councilman Cook, seconded by Councilman Blye, the following resolution was

ADOPTED WITH A ROLL CALL VOTE: AYES 5 NAYS 0

Be It **RESOLVED**, by the Town Board of the Town of Avon, that effective immediately the mileage reimbursement rate to be used by Town of Avon employees will be 50.5 cents per mile and will further remain consistent with the rate set by Livingston County.

RESOLUTION #9-continued  
SETTING MILEAGE REIMBURSEMENT RATE CONSISTENT WITH THE  
LIVINGSTON COUNTY RATE

Supervisor David LeFeber	voting	AYE
Deputy Supervisor Kelly Cole	voting	AYE
Councilman Donald Cook	voting	AYE
Councilman Thomas Mairs	voting	AYE
Councilman James Blye	voting	AYE

RESOLUTION #10  
PROCUREMENT POLICY

On motion of Councilman Mairs, seconded by Councilman Cook the following resolution was

ADOPTED WITH A ROLL CALL VOTE: AYES 5 NAYS 0

RESOLVE to approve the following Procurement Policy for 2008.

PROCUREMENT POLICY

**§ \_\_-1. Adoption; applicability.**

The Town of Avon does hereby adopt the following procurement policy which is intended to apply to all goods and services which are not required by law to be publicly bid.

**§ \_\_-2. Determination of purchase.**

Every purchase made will be initially reviewed to determine whether it is a purchase contract or a public works contract. The ratio of the cost of services to the goods should not be the sole determinative factor of whether a contract is one of purchase or public works. Once that determination is made, a good faith effort will be made to determine whether it is known or can reasonably be expected that the aggregate amount to be spent on the item of supply or service is not subject to competitive bidding, taking into account past purchases and the aggregate amount to be spent in a year. As a general guide, items of work of the same or similar nature for which are customarily handled by the same vendors or contractors should be treated as a single items for purposes of determining whether the dollar threshold will be exceeded.

**§ \_\_-3. Purchases not subject to competitive bidding.**

The following items are not subject to competitive bidding pursuant to § 103 of the General Municipal Law:

- A. Purchase contracts under \$10,000 and public works contracts under \$20,000.
- B. Emergency purchases.
- C. Goods purchased from correctional institutions or agencies for the blind or severely handicapped.
- D. Purchases under state and county contracts.
- E. Surplus and secondhand purchases from another governmental entity.
- F. Items which may only be purchased from one source.

- G. Goods purchased at auction.
- H. Professional Services such as Attorney, Engineer and/or Architect

**§ \_\_-4. Documentation of decision regarding bidding.**

The decision that a purchase is not subject to competitive bidding will be documented, in writing, by the individual making the purchase. This documentation may include written or verbal quotes from vendors, a memo from the purchaser indicating how the decision was arrived at, a copy of the contract indicating the source which makes the item or service exempt, a memo from the purchaser detailing the circumstances which led to an emergency purchase or any other written documentation that is appropriate.

**§ \_\_-5. Purchase to be at lowest price; exceptions.**

All goods and services will be secured by use of written requests for proposals, written quotations, verbal quotations, or any other method that assures that goods will be purchased at the lowest price and that favoritism will be avoided, except in the following circumstances:

- A. Purchase contracts over \$10,000 and public works contracts over \$20,000.<sup>1</sup>EN
- B. Goods purchased from correctional institutions pursuant to § 186 of the Correction Law.
- C. Purchases under State contracts pursuant to § 104 of the General Municipal Law.
- D. Purchases under county contracts pursuant to § 103(3) of the General Municipal Law.
- E. Purchases pursuant to § \_\_-8 of this policy.

**§ \_\_-6. Methods of purchase.**

- A. The following method of purchase will be used when required by this policy in order to achieve the highest savings:

**Estimated Amount of**

**Purchase Contract Method**

\$250 to \$2,999	2 verbal quotations
\$3,000 to \$9,999	3 written/FAX quotations
or	
written request for proposals	

**Estimated Amount of Public**

**Works Contract Method**

\$250 to \$2,999	2 verbal quotations
\$3,000 to \$4,999	2 written/FAX quotations
\$5,000 to \$19,999	3 written/FAX quotations
or	
written request for proposals	

- B. A good-faith effort shall be made to obtain the required number of proposals or quotations. If the purchaser is unable to obtain the required number of proposals or

quotations, the purchaser will document the attempt made at obtaining the proposals. In no event shall the failure to obtain the proposals be a bar to the procurement.

**§ \_\_-7. Documentation required.**

- A. Documentation is required of each action taken in connection with each procurement.
- B. Documentation and an explanation is required whenever a contract is awarded to other than the lowest responsible offeror. This documentation will include an explanation of how the award will achieve savings and/or why it is in the best interests of the Town and its taxpayers to make an award to other than the low bidder and/or how the offeror was not responsible. A determination that the offeror is not responsible shall be made by the purchaser and may not be challenged under any circumstances.
- C. A request for proposal may be restricted within the Town or County provided that it does not violate the competitive bidding requirements. In the event that a request for proposal will contain such a geographic restriction the purchaser shall document the manner in which it does not violate the competitive bidding requirements.

**§ \_\_-8. Alternative proposals not required.**

Pursuant to General Municipal Law § 104-b, Subdivision 2f, a procurement policy may contain circumstances when, or types of procurements for which, in the sole discretion of the governing body, the solicitation of alternative proposals or quotations will not be in the best interest of the municipality. In the following circumstances it may not be in the best interests of the Town of Avon to solicit quotations or document the basis for not accepting the lowest bid:

- A. Professional services or services requiring special or technical skill, training or expertise.
  - (1) The individual or company must be chosen based on accountability, reliability, responsibility, skill, education and training, judgment, integrity and moral worth. These qualifications are not necessarily found in the individual or company that offers the lowest price, and the nature of these services are such that they do not readily lend themselves to competitive procurement procedures. In determining whether a service fits into this category, the Board of Trustees shall take into consideration the following guidelines:
    - (a) Whether the services are subject to state licensing or testing requirements.
    - (b) Whether substantial formal education or training is a necessary prerequisite to the performance of the services.
    - (c) Whether the services require a personal relationship between the individual and municipal officials.
  - (2) Professional or technical services shall include but not be limited to the following: services of an attorney; services of a physician; technical services of an engineer engaged to prepare plans, maps and estimates; securing insurance coverage and/or services of an insurance broker; services of a certified public accountant; investment management services; printing services involving extensive writing, editing or art work; management of municipally owned property; and computer software or programming services for customized programs or services involved in substantial modification and customizing of prepackaged software.

(3) The Town by and through its department heads may, at its discretion, require that the professional provide the following:

(a) A completed acquisition form submitted to the department head which provides a request for work to be performed including hours to be spent, description of work to be performed and projected cost.

(b) The Town shall have the option of obtaining additional quoted for the services to be provided and may accept a lower quote.

(c) In the event that the cost of services to provided shall exceed the amounts specified on the acquisition form the professional shall submit an extension request form to the department head for approval prior to expending additional materials or services in excess of the amount specified in the original acquisition form.

(d) Prior to payment the professional shall submit the following: (1) complete description of work performed; (2) hours for each item with appropriate rate charged; and (3) copy of approved acquisition form signed by the appropriate department head together with any signed extension forms for sums due in addition to the amounts set forth in the original acquisition form.

B. Emergency purchases pursuant to § 103, Subdivision 4, of the General Municipal Law. Due to the nature of this exception, these goods or services must be purchased immediately, and a delay in order to seek alternate proposals may threaten the life, health, safety or welfare of the residents. This subsection does not preclude alternate proposals, if time permits.

C. Purchases of surplus and secondhand goods from any source. If alternate proposals are required, the village is precluded from purchasing surplus and secondhand goods at auctions or through specific advertised sources where the best prices are usually obtained. It is also difficult to try to compare prices of used goods, and a lower price may indicate an older product.

D. Goods or services under \$250. The time and documentation required to purchase through this policy may be more costly than the item itself and would therefore not be in the best interests of the taxpayer. In addition it is not likely that such small contracts would be awarded based on favoritism.

**§ \_\_-9. Effective date; annual review.**

This policy shall go into effect July 23, 2004 and will be reviewed annually.

Supervisor David LeFeber	voting	AYE
Deputy Supervisor Kelly Cole	voting	AYE
Councilman Donald Cook	voting	AYE
Councilman Thomas Mairs	voting	AYE
Councilman James Blye	voting	AYE

RESOLUTION #11  
RULES OF PROCEDURE OF THE AVON TOWN BOARD

On motion of Councilman Blye, seconded by Councilman Cook the following resolution was  
ADOPTED WITH A ROLL CALL VOTE: AYES 5 NAYS 0

Rules of Procedure Of the  
Avon Town Board

I. At each regular meeting of the Avon Town Board, business shall be taken up in the following order:

Call to Order & Silent Roll Call  
Pledge of Allegiance  
Visitors Comments  
Approval of minutes  
Department Reports  
Resolutions  
New/Old Business  
Open Items – Town Officers  
Communications  
Future Board Meetings  
Visitor Recognition  
Adjournment

II. The Town Supervisor shall preside over all meetings of the Avon Town Board, preserve order and decorum during its sessions and decide all questions of order. Furthermore the Supervisor shall:

- provide meeting agenda in writing to board members and Town Clerk by noon on Wednesday prior to the regular meeting,
- grant privileges of the floor as needed/requested by any Town Board Member or the public,
- call for any motions or resolutions as required by the issue in front of the town board,
- restate all motions and resolutions prior to discussion of same,
- place in writing or direct the Town Clerk to place in writing any motion or resolution upon the request of any Town Board member prior to discussion or a vote on such,
- call for discussion of all issues put before the board including but not limited to motions, resolutions and propositions prior to the call for a vote on such,
- call for a vote on all motions, resolutions and propositions when discussions have been concluded and all pertinent information or evidence has been considered,
- postpone any vote on any motion, resolution, or similar action placed in front of the Town Board upon the request of any two Town Board Members for a period

of two weeks or until the next scheduled regular meeting of the Avon Town Board, to be determined by the requesting board member,

- require that a complete and accurate record of the proceedings of each meeting of the Avon Town Board as required by Section 30 of the New York State Town Law be printed and made available by the Avon Town Clerk within five business days,
- require that a complete and accurate record of the proceedings of each meeting of the Avon Town Planning Board as required by Section 30 of the New York State Town Law be printed and made available for review by the Town Board within five business days,
- all information pertaining to any upcoming regular meeting of the Town Board be assembled in a package and made available to the Town Board by the Town Clerk on the Wednesday before said meeting.

Public Hearings

1. Please hold all questions or comments until the conclusion of any presentation.
2. Please direct any comments or questions to the Town Board and kindly wait to be recognized by the Town Supervisor.
3. Please state your name for the official record. If you have any information that you would like included in the official record, please provide the Town Clerk with a copy of such information this evening.
4. The Town Board reserves the right to place a time limit on speakers, if necessary.

Supervisor David LeFeber	voting	AYE
Deputy Supervisor Kelly Cole	voting	AYE
Councilman Donald Cook	voting	AYE
Councilman Thomas Mairs	voting	AYE
Councilman James Blye	voting	AYE

RESOLUTION #12  
MARRIAGE OFFICER APPOINTMENT

On motion of Councilman Mairs, seconded by Councilman Blye the following resolution was

ADOPTED AYES 5 NAYS 0

RESOLVE, that Deputy Supervisor Cole is appointed Marriage Officer for a term expiring December 31, 2008.

Supervisor David LeFeber	voting	AYE
Deputy Supervisor Kelly Cole	voting	AYE
Councilman Donald Cook	voting	AYE
Councilman Thomas Mairs	voting	AYE
Councilman James Blye	voting	AYE

DISCUSSION  
SUPERVISOR'S APPOINTMENTS

Supervisor LeFeber made the following appointments:

St. John & Baldwin as the Town of Avon Accountants

Finance – Budgets & Special Districts, Capital Projects: Chairman Supervisor LeFeber and Member Councilman Cole

Public Works – Water and Highway - Chairman Councilman Cook and Member Councilman Mairs

Residential, Commercial & Industrial Issues, Planning & Zoning and Public Relations Employee Handbook, Community Web Site, Grants, Positive Image, Employee Relations, Customer Focus Chairman Councilman Blye and Member Councilman Mairs

Facilities – Opera Block, Evaluate Current and Future Technology and Facilities. Chairman Councilman Cole and Member Councilman Cook

Dump Days – Chairman Councilman Mairs

Deputy Supervisor - Kelly Cole

Recreation Board – Councilman Donald Cook

Ethics Committee – Councilman Thomas Mairs, Rev. Thomas Taylor and Resident Sandra Irish

DISCUSSION  
OPEN ITEMS

Supervisor LeFeber requested the Board consider approval of the Highway Superintendent and himself to determine if the Counties previously owned generator could be purchased for the Town of Avon. The Board appeared to be in favor of purchasing the generator if both the Supervisor and Highway Superintendent agreed.

Town Clerk Knight shared information with the Board received by the Association of Towns of the State of New York regarding the 2008 Training School and Annual Meeting of the Association, New York State Archives Local Government Records Management Improvement Fund Grants Deadline of February 1, 2008, a letter from the New York State Office of Parks, Recreation and Historic Preservation regarding the Aaron Barber Memorial Library Register of Historic Places, and letter from the Livingston County News regarding appointment of the Town of Avon Official Paper.

There was discussion of the Town Board minutes dated November 8, 2007 and December 27, 2007. Deputy Supervisor Cole stated he would not be approving any minutes until the November 8<sup>th</sup> minutes are changed.

DISCUSSION-continued

OPEN ITEMS

Deputy Supervisor Cole reported a meeting will be held at BERO next Friday and Councilman Mairs will be attending.

DISCUSSION

VISITOR'S COMMENTS

Supervisor LeFeber asked for any public comments and there were none.

On motion of Councilman Mairs, seconded by Deputy Supervisor Cole the meeting was adjourned at 7:55 P.M.

Respectfully submitted by \_\_\_\_\_  
Sharon M. Knight, CMC, RMC, Town Clerk