

A Regular Meeting of the Town of Avon was held on Thursday, January 10, 2008 at 6:00 P.M. at the Avon Town Hall with the following members present:

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

OTHERS: Highway Superintendent Robert Ayers, Town Engineer Timothy Rock, Code Enforcement Officer Anthony Cappello, Water Superintendent Daniel McKeown and Town Clerk Sharon Knight

VISITOR: Peter Kolokouris

Supervisor LeFeber called the meeting to order at 6:03 P.M.

Pledge of Allegiance

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

DISCUSSION

APPROVAL OF MINUTES

There was discussion on the quality of the recorder used by the Town Clerk and the need to up-graded the recorder. Supervisor LeFeber, Councilmen Cook and Mairs agreed with the content of the minutes of November 8, 2007 and Deputy Supervisor Cole will provide his written comments that he would like to have added to those minutes. Town Clerk Knight informed him that she would have to listen to the tape to confirm his written comments prior to adding them to the prepared minutes.

RESOLUTION #13

APPROVAL OF MINUTES

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

ADOPTED AYES 5 NAYS 0

RESOLVE to approve the minutes of December 27, 2007 as presented.

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 #14  
APPROVAL OF MINUTES

On motion of Councilman Cook, second by Councilman Blye the following resolution was  
 ADOPTED AYES 5 NAYS 0

RESOLVE to approve the minutes of January 3, 2008 as presented.

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  
ATTORNEY REPORT

Attorney Ingersoll was not in attendance due to vacation.

DISCUSSION  
HIGHWAY REPORT

Highway Superintendent Ayers reported on the following:

Preparation of bid documents for a new dump truck box and equipment trailer are being put together to have a bid opening in April. The Board appeared to be in favor of this action.

The following projected costs were prepared in 2004 for a natural gas generator:

40 watt - \$24,000 - \$28,000  
 50 watt - \$30,000 to \$34,000  
 60 watt - \$36,000 to \$40,000 that includes thirty percent future expansion ability

The recent 75 mile per hour winds caused many trees down especially in the Pole Bridge and Paper Mill Roads area.

DISCUSSION  
CODE ENFORCEMENT REPORT

Code Enforcement Officer Cappello provided the Clerk and Board a copy of a letter sent to Mr. Latoski.

DISCUSSION  
WATER REPORT

Water Superintendent McKeown reported on the following:

Water meter readings have begun.

There is an interest in hearing the Board Members opinions on reducing the length of water line to include 23 homes instead of the 29 homes. Approximate costs for inspections, materials, and bid are \$246,000.00 plus labor is \$200,000.00 with a two to three month time frame for completion. If the last six people are removed the cost could be \$170,000.00. The vocal resident will be contacting the State questioning availability of grant money. Supervisor LeFeber stated if a "no interest loan" could be granted thought EFC it would be a big savings. Supervisor LeFeber stated he is interested in sharing information with the residents, as the result of his request for opinions of residents showed only 6 against, 2 for and the majority in the middle of the road due to cost. Farview was not contacted. Information will be prepared and an invitation to the proposed service area residents will be sent for the January 24<sup>th</sup> Town Board Meeting.

RESOLUTION #15  
CHANGE LOCATION JANUARY 24<sup>TH</sup> TOWN BOARD MEETING

On motion of Councilman Blye, seconded by Councilman Mairs the following resolution was ADOPTED AYES 5 NAYS 0

RESOLVE that the regular meeting place for the January 24, 2008 Town Board Meeting has been changed. The meeting place will be held at the Avon Village Hall, 74 Genesee Street, Avon, New York 14414, at 6:00 P.M. for the purpose of a signed statement of interest.

Dated: January 14, 2008

Publish: January 17 and 24, 2008

By order of the Town Board

Sharon M. Knight, CMC, RMC, Avon Town Clerk

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  
ENGINEER REPORT

Engineer Rock reported on the following:

Discussion continued regarding the request for water service on Route #39 and water quality concerns of some of the residents in the area. If the water quality of a resident is poor it is suggested they request the County perform a water quality test; however, it is not appropriate for a Town to organize information regarding poor water quality within an area for funding.

Deputy Supervisor Cole reported a meeting will be taking place at BERO Architects and Ram would be attending on behalf of Larsen Engineering, Code Enforcement Office Cappello and Councilman Mairs will also be attending the meeting.

DISCUSSION  
LETTER OF INTENT FROM DEVELOPER KOLOKOURIS FOR EXTENSION OF PLANNED UNIT DISTRICT

Developer Kolokouris discussed the amended map presented to the Town on November 16, 2007 showing the requested Board changes for curves in the Road. Open space was increased from 3.6 acres to 8.5 acres. The increase value of the homes equated to ten percent of buyers interested in larger homes. Installing both sewer and water extensions are currently taking place and Mr. Kolokouris is in contact with Mark Vitale.

Councilman Blye will be out of Town for the last meeting in February and Deputy Supervisor Cole will be out of town for two weeks in March. Developer Kolokouris will be out of town the end of February and would like to be in attendance of the Public Hearing for the requested extension. There was discussion on the need to perform SEQR and if this would be considered an extension or new district. There was no Board action at this time.

DISCUSSION  
PAYMENT OF BILLS

Councilman Mairs questioned General Vouchers #23 and #32. Supervisor LeFeber answered his questions. There was also discussion on when Councilman Cook preformed the audit of the Justice Court. The annual audit will be completed again in April of 2008.

RESOLUTION #16  
PAYMENT OF BILLS

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

ADOPTED AYES 5 NAYS 0

RESOLUTION #16-continued  
PAYMENT OF BILLS

RESOLVE to accept for payment Abstract 2008-1 in the follow amounts:

General Fund	Vouchers #1 through #36 in amounts totaling \$23,049.60
Highway Fund	Voucher #1 through #20 in amounts totaling \$8,720.33
Cemetery Fund	No Voucher
Water Capital Improvement	No Voucher
Water Fund	Voucher #1 through #13 in amounts totaling \$4,162.60
Royal Springs Lighting	NO Voucher

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 #17  
ACCEPT MONTHLY BUDGET REPORTS

On motion of Councilman Cook, seconded by Councilman Mairs the following resolution was  
ADOPTED AYES 5 NAYS 0

RESOLVE to accept the December monthly reports as provided by the Supervisor and Town Clerk.

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 #18  
SEVENTH JUDICIAL DISTRICT

On motion of Councilman Cook, seconded by Councilman Blye the following resolution was  
ADOPTED AYES 5 NAYS 0

RESOLVE to consent to the temporary assignment of its justices to preside in other town/village courts in the Seventh Judicial District as need arises during the year 2008 and approve the temporary assignment of judges from other town/village courts in the Seventh Judicial District to its court as need arises during the year 2008.

RESOLUTION #18-continued  
SEVENTH JUDICIAL DISTRICT

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 2007 BUDGET END OF THE YEAR REPORT

Supervisor LeFeber will present his "Town of Avon 2007 Budget End of the Year Report" at a future meeting.

RESOLUTION #19  
ACCEPT THE TOWN CLERK'S YEARLY REPORT

On motion of Supervisor LeFeber, seconded by Councilman Mairs the following resolution was  
 ADOPTED AYES 5 NAYS 0

RESOLVE to accept the Town Clerk's Yearly Report as follows:

Total Local Shares Remitted:	\$16,953.80
County Treasurer for Dog Licenses	\$541.76
New York State Comptroller's Office	\$30.00
New York State Department of Health	\$832.50
NYS Ag. & Markets for spay/neuter program	\$174.00
NYS Environmental Conservation	\$13,730.03
<b>TOTAL</b>	<b>\$32,262.09</b>

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 REPORT

Supervisor LeFeber stated he would like a resolution of the board regarding health insurance costs. He stated the Board discussed prior to passing the 2008 budget. He stated the Town is in violation of the handbook at the present time and continues to be in violation. He stated William Combs will be attending a meeting in the future with a new health insurance benefits package that may decrease the premiums for both the employee

DISCUSSION-continued  
SUPERVISOR'S REPORT

and Town. Supervisor LeFeber stated the Board is not following policy but intends to re-evaluate the benefits package and a buy-out. Councilman Blye stated the Board has been in violation for the last eight years. Town Clerk Knight reported she is making less money this year (2008) than last pay period (2007). Supervisor LeFeber stated that was not supposed to happen.

RESOLUTION #20  
HEALTH CARE

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

ADOPTED AYES 5 NAYS 0

RESOLVE the Town Board knows they are non-compliant of the Town Employee handbook due to Health Care. Updating the handbook will be completed by February 28, 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  
OPEN ITEMS

Councilman Mairs stated a meeting will be scheduled with the Ethics Committee and with the Town Clerk's assistance information was shared with the members of the committee. Supervisor LeFeber provided information from the Town of Lima to Councilman Mairs and Town Clerk Knight.

Councilman Cook stated a rough draft timeline will be completed and then meetings, in regard to moving when construction on building starts, will be held with Department Heads. A request will be made to Water Works Committee Chairman Ted Coyne to schedule a meeting as the committee needs to follow-up on maintenance and water rates.

Deputy Supervisor Cole reported on the need to have an electronic copy of a draft Court agreement provided to the Board as changes are needed due to a meeting of Councilman Mairs, Village Mayor Vonglis and Village Trustee Freeman.

A two hour meeting is scheduled at BERO at 2:00 P.M. on Friday to discuss changes. Supervisor LeFeber would like documentation of all changes and that he has heard

DISCUSSION-continuedOPEN ITEMS

concerns of employees. Any changes made would be brought back to the Board and employees will be asked to provide any concerns in writing to Deputy Supervisor Cole and Councilman Cook. Deputy Supervisor Cole stated he would assist with any grants the town would be completing. There was discussion on a records storage facility and the Village Board is not willing to support placement of the storage in the basement of the Opera Block.

Councilman Mairs stated he would be interested in attending the Livingston County Leadership Livingston Program in September.

DISCUSSION-continuedSUPERVISOR'S REPORT

Supervisor LeFeber spoke of The Livingston County Board of Supervisors Resolution No. 2007-456 "Adopting Town Bonded Indebtedness Reports" provided to both the Town Clerk and Board.

Supervisor LeFeber reported the last payment of the tank bond may be paid off one year early, if water fund is healthy at the end of year to save interest in 2009 for water district. \$12,000.00 is due in 2008 and the balance of \$12,000.00 is due in 2009.

There are two open positions on the Youth Recreation Board and this will be brought to the attention of the Chairman, Tami Snyder and a report will be provided at a future meeting.

The GIS license agreements will be paid, but updates will not be purchased until the Water Department or Assessor's Office makes a requests. It was questioned updated purchases were required for the Records Management Grant. Deputy Supervisor Cole reported there was no such requirement as the grant had been completed.

The agreement with the Village to support the "COPS In The School Agreement" may not need all that was budgeted.

Town Clerk Knight provided the Board the following information:

A copy of the Livingston County Youth Bureau letter requesting assistance for nominations for their annual Teen Recognition Awards was provided.

A copy of a letter received from Louise Wadsworth regarding a flyer for their upcoming Business Ownership Training Course along with a brochure for their program which outlines the assistance they offer to potential and existing entrepreneurs throughout Livingston and Wyoming Counties.

DISCUSSION-continued  
SUPERVISOR'S REPORT

A copy of a letter written to the Supervisor from Dave Parish including a pamphlet regarding "*The TRAUD*" including their pamphlet explaining their mission.

Town Clerk Knight thanked the Board for their ideas of ways to improve the tax collection process, as they had reduced the position of Deputy Tax Collector. A report of the suggestion follows:

She informed the Board of the obligation to retain the scanned checks for the full duration required by the MU-1, which is a full 6 years. That means that you will have to guarantee that you will have access to them, the ability to make them eye-readable, for all of that time. Assuming that computers will continue to have CD drives, you'll have to manage the CDs of the checks to the best of your ability. (The problem with CDs is that when they go bad, everything goes bad suddenly and totally. There's no warning signal.) Maybe you receive the digitized checks over the internet and can assign a file location for them on your server or within your PC. The legal requirement is that you have access to them for the full time required. This would require additional clerical work to create and maintain storage. It would simply be easier to walk across the street once per day to the bank.

The legal requirement to deposit all monies collected for payment of taxes is within a twenty-four hour period according to Town Law Section 35.

She shared her concern of the ability of the Town Clerk's Office to continue to meet this requirement. It was identified in an Audit Report conducted in 2001 to hire additional clerk staff or use a bank to process receipt so cash is deposited and invested promptly. An additional 200 bills are processed today compared to 2001.

Supervisor LeFeber called for any visitor comments and there were none.

On motion of Deputy Supervisor Cole, seconded by Councilman Mairs, the meeting adjourned at 7:50 P.M.

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