

A Regular Meeting of the Town of Avon was held on Thursday, May 14, 2009 at 6:00 P.M. at the Avon Village Hall with the following members present:

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

OTHERS: Highway Superintendent Robert Ayers, Town Engineer Timothy Rock, Code Enforcement Officer Anthony Cappello, Water Superintendent Daniel McKeown, Attorney James Campbell, Historian Maureen Kingston, Assessor Tami Snyder, and Town Clerk Sharon M. Knight, CMC/RMC

VISITORS: Representative from the American Legion Post 294 and VFW Post 5292 John Norton, Candie Adamczyk, Ed Adamczyk, Stacy Curtis, Mary Louise Bailor, Walt Bailor, Steve Bailor, Betty Hanna, Jim Hanna, Jeff Passarell, Greg Safran, Joe Montesano, Darrin Smith and Bill Combs

Supervisor LeFeber called the meeting to order at 6:05 P.M.

Pledge of Allegiance

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

DISCUSSION – TOWN HISTORIAN REPORT, MAUREEN KINGSTON 2008

Town Historian Maureen Kingston provided the Board with the following report:

Report
Town Historian, Maureen Kingston
2008

Planning began early for the 2008 TOA Historian/Avon Preservation Society publication which was determined to be a collection of biographical sketches of Avonites, some living, some deceased. The result is *Voices Of the Past*, well received by the community, and still in demand.

Tiger Scouts, under the leadership of Patrick Kostraba, visited the office and the APHS Museum. Scouts, leaders and parents enjoyed the opportunity to hear and see information about Avon's past.

The Aaron Barber Memorial Building/Avon Free Library was placed on the National List of Historic Places (previously on State List).

Preparations were made to pack and move the office from 27 Genesee to 57 Genesee Street. This represents a temporary relocation while the Bank Building and the Opera Block are transformed into expanded town offices.

The Historian met with other government historians from Livingston County regularly through the year under the initiative of County Historian, Amie Alden.

A Bicentennial Celebration was organized and planned for July 4, 5, 6. Material was provided for Howard Appel of *The Livingston County News* who covered background and weekend events.

DISCUSSION – TOWN HISTORIAN REPORT, MAUREEN KINGSTON 2008-continued

Several Town Council meetings were attended through the year, as were meetings concerning the Opera Block.

The County Historian researched the impact of the Vietnam War on Livingston County. In her findings was an author from Avon who had written of his experiences in the war. John Ketwig graduated from Avon Central School in 1969. His picture and various contact information was supplied from this office and a book signing was held at Tom Wahl's. Kay (Mrs. Relly) Clark, also of Avon, organized Operation Morale which gained national recognition in support of our troops serving in Vietnam.

Teachers and staff, new to Avon Central School, were taken on a tour of the town to help them become familiar with their new community.

A talk and display were presented for the XYZ Club of Avon.

St. Agnes School celebrated the centennial of its three-story building in 2008. George Cullinan and I were invited to participate by comparing for the pupils today's classes with those we experienced as students there.

Inquiries include: Civil War, 136th troops buried in Avon cemeteries; family histories; house research; people wishing to donate items and information; pictures; site histories; picture IDs; etc.

Volunteer, Marcia Skinner, is a great addition to the office. She is engaged in several projects including listing of Avon Central School alumni taken from the *Avalon* Yearbooks, copying materials, filing and researching various subjects.

Additions include: "Cemeteries of Livingston County" DVD; various pictures and file items, especially family histories; small board used to case a window in the 1906 bank, signed by the carpenter; a diagram for the bank building stone mason work.

Submitted by Maureen Kingston, Historian, Town of Avon, NY

Maureen stated we are a part of an organization that is 212 years old. The Town was founded on April 7, 1797 and Ebenezer Merry was the Supervisor, William Hosmer was the Town Clerk and Timothy Hosmer and G. Wadsworth served as Highway Superintendent.

There was discussion of this year's pamphlet including a time line by decades using guide posts. There is the possibility of Rotary, Lions or the VFW planning a parade.

Code Enforcement Officer Anthony Cappello and Construction Project Coordinator of the Opera Block Jim Biondilillo were provided with detailed information on the mortar work of the 1906 Bank. Mrs. Kingston further discussed the difference of mortar work formulas from the past being much different from what is used today. Modern day brick will move as a wall and older brick needs to move individually. The front of St. Agnes Church is an example of the use of older brick as well as the Opera Block being built about the same time.

DISCUSSION – TOWN HISTORIAN REPORT, MAUREEN KINGSTON 2008-continued

A piece of wood was found in the Opera Block and was provided to the Town Historian by the Code Enforcement Officer Anthony Cappello. It was signed by F. L. Woodruff and dated January 31, 1907. The inscription was read as follows “This window cased by F. L. Woodruff, Avon, NY”.

Attorney Campbell stated F. L. Woodruff incased the windows in his home.

Deputy Supervisor Cole discussed a number of (approximately 36) bricks that were found and his plan was to provide them to committee members that helped with this project and they have come up missing.

In addition to Marcia Skinner’s weekly volunteering another volunteer, Holly Watson, daughter of Peter Watson and Clara Mulligan and granddaughter of Nancy Mulligan volunteered every Tuesday in January 2009 and in March she went to Spain. She will be returning this month and then returning to college.

Supervisor LeFeber reported on a recent announcement out of the Governor’s Office to purchase development rights by awarding two more farms in Livingston County grant funding. This includes an additional two million dollars and a total of six farms in Livingston County to receive this funding. The Genesee Valley Conservancy continues to work very hard to secure these awards.

RESOLUTION #86 APPROVAL OF MINUTES

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

ADOPTED AYES 5 NAYS 0

RESOLVE to approve the minutes from April 23, 2009 as presented by e-mail.

Vote of the Board: Councilman Blye – Aye, Councilman Mairs – Aye, Councilman Cook – Aye, Deputy Supervisor Cole – Aye, Supervisor LeFeber - Aye

DISCUSSION – JOHN NORTON MEMBER OF THE AMERICAN LEGION

Member of the American Legion John Norton reported that minimum water bills have always been received for water usage. When a bill was received for \$87.70 it was found that a cooper water line had burst. The bill was paid and the pipe was repaired. Then the next quarter a second high bill was received in the amount of \$236.05. Thus a reduction in the water bill was requested.

DISCUSSION – JOHN NORTON MEMBER OF THE AMERICAN LEGION-continued

Supervisor LeFeber reviewed the water usage history since June of 2003 and never had they used over the minimum. He stated the Board could do one of three things, forgive the total bill, recover our cost to supply the water, or do not lower at all.

There was discussion on future requests for reductions in water bills and the fact that there were many high reads this quarter.

Supervisor LeFeber reminded the Board of the reduction of a water bill to St. Agnes Cemetery when they had a leak. The following action was taken by the Board.

RESOLUTION #87 REDUCE THE WATER BILL

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

RESOLVE in the current quarter's water billing to forgive 30,600 gallons of billed water, thereby reducing the water usage to the historical minimum. The bill will be reduced from \$236.05 to \$119.00.

Vote of the Board: Councilman Blye – Aye, Councilman Mairs – Aye, Councilman Cook – Aye, Deputy Supervisor Cole – Aye, Supervisor LeFeber - Aye

DISCUSSION - HIGHWAY REPORT

Highway Superintendent Ayers reported on the following:

A presentation of the "Agreement to Spend Town Highway Funds" pursuant to the provisions of Section 284 of the Highway Law, we agree that moneys levied and collected for the repair and improvement of highways, and received from the state for the repair and improvement of highways, shall be expended as follows:

1. GENERAL REPAIRS. The sum of \$227,568.00 may be expended for general repairs upon 43.11 miles of town highways, including sluices, culverts and bridges having a span of less than five feet and boardwalks or the renewals thereof.
2. IMPROVEMENTS. The following sums shall be set aside to be expended for the improvement of town highways:
 - (a) On the road commencing at RT. 39 "South Avon Road" and leading to Nation Road, a distance of 2.10 miles.

There shall be expended not over the sum of \$96,900.00

DISCUSSION - HIGHWAY REPORT-continued

Type #1 Binder / Hot Top	Width of traveled surface 20 ft
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Thickness 1.5" Center of Road	Subbase
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(b) On the road commencing at Paper Mill Road "Reservoir Road" and leading to Littleville Road, a distance of 1.20 miles

There shall be expended not over the sum of \$15,000.00

Type Surface Treat	Width of traveled surface 20 ft.
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Thickness 3/8"	Subbase
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(c) On the road commencing at R&R Tracks "Littleville Road" and leading to Polebridge Road, a distance of 1.10 miles.

There shall be expended not over the sum of \$47,500.00

Type #1 Binder / Hot Top	Width of traveled surface 20 ft.
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Thickness 1.5" Center of Road	Subbase
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No moneys set aside for such improvements shall be expended, nor shall any work be undertaken on such improvements until the Town Superintendent approves the plans, specifications and estimates for such construction.

This agreement shall take effect when it is approved by the Town Board.

Executed in duplicate this 14th day of May, 2009

All Board Members signed the agreement.

Palmyra Auction sold two zero turn mowers sold for \$6,000.00 and \$6,400.00
When you can turn over equipment in a specific time frame you can make money.

A bid was made and won to purchase a "next to" new ditch mower at a cost of \$5,500.00. A new mower would cost \$9,000.00. The new pickup is in and will be delivered on Monday.

The Highway crew is working on River Road tiling for the County Highway Department, thus making money for the Department.

Councilman Cook extended a thank you to Mr. Ayers for coming to a Youth Recreation meeting on Monday night and agreeing to build shelving in the Youth Recreation trailer. Highway Superintendent Ayers reported the total cost will be around \$800.00 to \$1,000.00 depending on the width of the shelves.

Councilman Cook asked that the bill be provided to him and he would then forward to the Department for vouchering.

DISCUSSION - ENGINEERING REPORT

Engineer Tim Rock reported that he reviewed and approves the SEQR completed by Stuart Brown.

The EAF for the Keith Parks re-zone was completed.

Information of a grant program for the County Planning for business in Economic Development was provided. A requirement is the business apply through the Town if they choose to apply. He will keep his eyes open for other similar stuff.

DISCUSSION - ATTORNEY REPORT

Attorney James Campbell addressed the board on the following issues:

1. He has been working with the Town Clerk on both proposed local laws.
2. There are issues with the Royal Springs Development letter of credit. The original amount was \$600,000.00 for completion of the project. As required both the Town Supervisor and Engineer signed off as work has been completed and the Letter of Credit was reduced to \$200,000.00.
 - a. The developer's attorney was contacted and just recently the monies have been placed in an account.
 - b. Work was stopped on two homes as building permits were not issued. New engineers are being sought as their previous engineers are going out of business.

DISCUSSION – OPEN PUBLIC HEARING

Supervisor LeFeber opened the Public Hearing by reading the following legal notice.

**Legal Notice for Public Hearing to Receive Comment on the District Formation of the
Route 39 Water District**

WHEREAS, the Town Board of the Town of Avon has been petitioned under Article 12 of the New York State Town Law to create the Route 39 Water District, which would include certain real property located wholly in the Town of Avon, County of Livingston and State of New York; and

WHEREAS, the Town Board accepted said petition by resolution on April 23, 2009, pursuant to Town Law, section 193; and

WHEREAS, the petition has been filed in the office of the Avon Town Clerk; and

WHEREAS, the real property that will be located in the district is more particularly described in the map, plan and report attached to said petition and filed in the Avon Town Clerk's Office; and

NOW THEREFORE BE IT RESOLVED, that pursuant to New York State Town Law, a public hearing be held on the 14th day of May, 2009 at 7:00 p.m. at the Town's temporary facilities located at the Avon Village Hall at 74 Genesee Street, Avon, New York, with respect to the formation of the Route 39 Water District to include the property noted in the map, plan and report filed in the Avon Town Clerk's Office and as more particularly described in the map, plan and report on file the Avon Town Clerk's; and be it further

DISCUSSION – OPEN PUBLIC HEARING-continued

RESOLVED, that the maximum amount proposed to be expended for the improvements is \$700,000.00; and be it further

RESOLVED, that the anticipated cost to the typical property located within the district is estimated to be \$754.32; and be it further

RESOLVED, that a copy of the map, plan and report describing the proposed district formation and the improvements to be constructed therein shall be available for the public inspection at the Avon Town Clerk's Office; and be it further

RESOLVED, that at the time and date aforementioned, all interested parties may be heard concerning the proposed Route 39 Water District formation.

Dated: April 27, 2009

Published: April 30, 2009

By order of the Town Board
Sharon M. Knight, CMC/RMC Town Clerk

Supervisor LeFeber stated letters of support were provided by Laurel Combs, Jeffery Passarell, James and Elizabeth Hanna, Mary Louise Bailor, Edward and Candie Adamczyk and Gail Settle, Greg and Jane Safran, Darrin Smith.

Supervisor LeFeber stated that Rural Development has a program that may help with individual tap fees. Engineer Rock stated the standard charges. Water Superintendent McKeown stated in the bid package the tapping fees would be included to help curb the costs.

There was discussion on the requirement of contractors being responsible to pay prevailing wage and the home owners do not have to pay prevailing wage.

On Hogmire Road the extension will be beyond the power line and there will be a hydrant at the end of the line. On Route #39, the water line will be on the East side and then transfer to the West side. The average yearly cost will be \$700.00 and the loan is for 35 years.

Supervisor LeFeber asked for public comments and the following comments were recorded:

Against: None

In favor: Joeseeph Montasano, purchase offer on 2477 Avon-Geneseo Road known as the home of Helen Foster

William Combs, resident at 4390 Hogmire Road owned by Laurel Combs
Steve Bailor, 2924 Avon-Geneseo Road
Edward Adamczyk, 2711 Avon-Geneseo Road
Stacy Curtis, 2534 Avon-Geneseo Road
Jeff Passarell, 2718 Avon-Geneseo Road

DISCUSSION – OPEN PUBLIC HEARING-continued

Jim Hanna 2750 Avon-Geneseo Road
Greg Safran 2904 Avon-Geneseo Road
Darren Smith 4495 Hogmire Road
Walter Bailor 2924 Avon-Geneseo Road
Elizabeth Hanna 2874 Avon-Geneseo Road
Beth Bailor 2550 Avon-Geneseo Road

Councilman Cook, Councilman Blye, Deputy Supervisor Cole, Councilman Mairs, Engineer Rock concurred stating that through all of the time spent on this project they have not heard anyone against the water district extension.

Attorney James Campbell read the prepared SEQR - Full Environmental Assessment Form Part 1 and Part 2. The Board took the following action:

RESOLUTION #88 ROUTE #39 WATER DISTRICT - ACCEPT PART 1 AND FINDS OF PART 2 LONG FORM EAF SEQR

On motion of Deputy Supervisor Cole, second by Councilman Mairs the following resolution was ADOPTED AYES 5 NAYS 0

RESOLVE to accept Part 1 and finds of Part 2 of the complete Long Form EAF SEQR document.

Vote of the Board: Councilman Blye – Aye, Councilman Mairs – Aye, Councilman Cook – Aye, Deputy Supervisor Cole – Aye, Supervisor LeFeber - Aye

RESOLUTION #89 ROUTE #39 WATER DISTRICT DECLARE NEGATIVE DECLARATION

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

RESOLVE to declare a negative declaration and authorize the Supervisor to sign the Negative Declaration for the Route #39 Water District Extension

Vote of the Board: Councilman Blye – Aye, Councilman Mairs – Aye, Councilman Cook – Aye, Deputy Supervisor Cole – Aye, Supervisor LeFeber - Aye

RESOLUTION #90 ROUTE #39 WATER DISTRICT CLOSE PUBLIC HEARING

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

RESOLVE to close the public hearing for the Route #39 Water District Extension.

Vote of the Board: Councilman Blye – Aye, Councilman Mairs – Aye, Councilman Cook – Aye, Deputy Supervisor Cole – Aye, Supervisor LeFeber - Aye

RESOLUTION #91 FORMATION OF WATER DISTRICT EXTENSION

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

**At a Meeting of the Town Board of the
Town of Avon, Livingston County,
New York held at the Village Hall in said
Town, on the 14th day of May, 2009 at 7:00 P.M.**

Present:

- Supervisor LeFeber
- Deputy Supervisor Cole
- Councilman Cook
- Councilman Blye
- Councilman Mairs

In the Matter of the Petition for the
Establishment of a Water District in the Town of
Avon, Livingston County, New York, to be known
as the Route 39 Water District Extension.

ORDER

WHEREAS, it is the intent of the Town of Avon to extend the Route 39 Water District to include all of the real property indicated in the map plan and report filed herein, said real property located in the Town of Avon, County of Livingston and State of New York; and

WHEREAS, the real property that will be included in the district is more particularly described in the said map, plan and report filed in the Avon Town Clerk’s Office; and

RESOLUTION #91 FORMATION OF WATER DISTRICT EXTENSION-
continued

WHEREAS, the Town of Avon Town Board, acting on behalf of the Route 39 Water District having directed that the Town Engineer prepare a map, plan and report with respect to the proposed extension; and

WHEREAS, the Town of Avon Town Board thereafter directed that the charges incurred for the preliminary map, plan and report shall be a Town charge until such time as the district formation shall take place at which time they shall become a district charge; and

WHEREAS, the map, plan and report have been filed in the office of the Avon Town Clerk; and

WHEREAS, the Board having previously complied with the relevant provisions of SEQR; and

WHEREAS, a public hearing having been held on the 14th day of May, 2009 at 7:00 P.M. at the Avon Village Hall located at 74 Genesee Street, Avon, New York, with respect to the extension of the Route 39 Water District to include the property noted in the map, plan and report filed in the Avon Town Clerk's Office and as more particularly described in the map, plan and report on file the Avon Town Clerk's Office, in the Town of Avon, County of Livingston and State of New York; and

WHEREAS, the Board having given due consideration to the testimony and evidence given thereat; and

WHEREAS, a copy of the map, plan and report describing the proposed district boundaries and the improvements to be constructed therein as well as the boundaries of the entire Route 39 Water District was available for the public inspection at the Avon Town Clerk's Office;

NOW THEREFORE, be it

ORDERED by the Town Board of the Town of Avon as follows:

1. That the notice of hearing was published and posted as required by law;
2. That all of the property and property owners within the proposed district are benefited thereby.
3. That all of the property and property owners benefited by the district are included within the limits of the proposed district.
4. That it is in the public interest to form the district as set forth; and it is further

ORDERED, that the Town Clerk is directed to file a certified copy of this Order in the Livingston County Clerk's Office and a certified copy of the Petition and Orders in the Office of the Comptroller

RESOLUTION #91 FORMATION OF WATER DISTRICT EXTENSION-continued

The question of the adoption of the foregoing Order was duly submitted for approval by vote of the Avon Town Board on Thursday, May 14, 2009 recorded as follows:

Vote of the Board: Councilman Blye – Aye, Councilman Mairs – Aye, Councilman Cook – Aye, Deputy Supervisor Cole – Aye, Supervisor LeFeber - Aye

DISCUSSION – ATTORNEY REPORT – CONTINUED

2. c. A request will be made to Peter Kolokouris's Attorney David Henehan to suggest a plan to eliminate the developer's ability to remove the monies being held as a Letter of Credit without the written approval of the Supervisor and Engineer.

d. In the future a copy of the banking statements will be provided to the Board by the Town Clerk.

3. Councilman Blye requested the Board close the public hearing regarding Local Law T-2A-2008 to expand the Royal Springs PUD and the Board took the following action:

RESOLUTION #92 CLOSE PUBLIC HEARING

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

RESOLVE that the Royal Springs Developer has failed to provide necessary and requested information in furtherance of his application. There have been multiple requests for additional information and since it has not been provided this Board finds the application incomplete and abandoned.

FURTHER RESOLVE in the event the developer chooses the Board will consider a completed application at that time.

Vote of the Board: Councilman Blye – Aye, Councilman Mairs – Aye, Councilman Cook – Aye, Deputy Supervisor Cole – Aye, Supervisor LeFeber - Aye

DISCUSSION – ATTORNEY REPORT – CONTINUED

4. There has been no response from Mr. or Mrs. Blanke for an extension of our lease. A letter stamped received by the Town Clerk on May 12, 2009 from Richard and Karen Blanke addressed concerns and they requested a response. Its expected items included will have an impact on our request for an extension. Councilman Cook and Supervisor LeFeber will schedule a meeting next week with Mr. & Mrs. Blanke for further discussion

DISCUSSION – ASSESSOR REPORT

Assessor Tami Snyder provided the following written report:

May 2009

The Town of Avon **2009 Tentative Roll** was filed as of May 1, 2009. I will be sitting with the roll Saturday, May 9, 2009 from 9-11 and Thursday night May 14, 2009 from 6:00-8:00pm. Approximately 100 grievance notices were mailed out. Estimated value changes showed an increase of approximately \$1,000,000.

BOAR Review: Will be held on May 27, 2009 at Village Hall from 4-6 pm and 7-9pm. We need a clerk to take minutes for the meeting. Bob was asked and chose not to do this job. I have asked Lisa Anderson to take minutes for this meeting; she will also be responsible for typing the minutes and returning them to the assessor. I will need computer access of our files at the Village Hall, after speaking with Tom Vonglis at Hurricane he is going to check to see if we can utilize one of their laptops (may have to rent it) and then get our County representative to download a copy of our records to the laptop to use for a couple of days.

2010 Update/Reval

Resolution must be made by the Town Board for 2010 update to be executed. The Town clerk has the Memorandum of Understanding that needs to be signed by the Town Supervisor and the Assessor. This form then needs to be **returned to the Assessor** to be turned into the County Director.

We will begin work on the 2010 update as of July once the 2009 Final roll is filed.

Training

I will be attending training in Cornell July 13-18 for the next portion of my Cost class to complete my certification. I have made the reservations and submitted a voucher to pay for this class already, hopefully it has been paid. I will also be attending several trainings in June in Batavia in regards to the next reval.

GIS/MAP:

Once the final roll is filed I can get a disc with the updated GIS from the Real Property Office. I am asking for property boundary lines on this version as it is most helpful for our office to utilize the system that way. I can obtain extra copies for other departments if requested.

RESOLUTION #93 REQUEST STATE ASSISTANCE FOR A REASSESSMENT PROJECT

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

ADOPTED AYES 5 NAYS 0

WHEREAS, the Town of Avon has undergone the revaluation of real properties within the Town, the Town feels that it is necessary to conduct a reassessment project of all properties for the 2010 assessment roll to maintain a uniform standard of assessment for the Town; and

NOW, THEREFORE, it is hereby

RESOLVED, by the Town Board of the Town of Avon, New York, that the Town of Avon hereby requests State assistance, specifically from the NYS Office of Real Property Services, to help do a reassessment project to maintain a uniform standard of assessment in accordance with Section 305 of the Real Property Tax Law; and it is further

RESOLVED, that the Supervisor is hereby authorized and directed to expend the necessary funds for the preparation of said plan and the establishment and maintenance for the Real Property Improvement Program.

Vote of the Board: Councilman Blye – Aye, Councilman Mairs – Aye, Councilman Cook – Aye, Deputy Supervisor Cole – Aye, Supervisor LeFeber - Aye

DISCUSSION – PRESENTATION OF PLAQUE

Supervisor LeFeber presented Tami will a plaque in appreciation of her serving as the Chairman of the Youth Recreation Board. The plaque reads as follows

In Grateful Appreciation presented to Tami Snyder
For your tireless dedication to the Youth Recreation Board
and the citizens of the Town of Avon
With our thanks~
Avon Town Board
*David LeFeber, Kelly Cole,
Don Cook, Jim Blye, Tom Mairs*
April 2009

DISCUSSION - WATER REPORT

Water Superintendent Daniel McKeown reported on the following:

Lawn repairs have been completed and the bids were opened today with the following results:

DISCUSSION – BID FOR 2005 FORD RANGER PICKUP TRUCK

Water Superintendent McKeown provided the Board with the following results of the bids:

Bidder	Contact	Bid Amount
Mr. Gary Spencer 10 E. Main Street Arcade, NY 14009	585-492-0856	\$8,565.00
Steve Csapo	226-6544	\$4,651.00
Kevin J. McMinn 90 Cedarhurst Drive W. Henrietta, NY 14586- 9715		\$2,000.00

RESOLUTION #94 ACCEPT BID FOR 2005 FORD RANGER PICKUP TRUCK

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

RESOLVE to accept the highest bid of \$8,565.00 from Mr. Gary Spencer, 10 E. Main Street, Arcade, NY 14009.

Vote of the Board: Councilman Blye – Aye, Councilman Mairs – Aye, Councilman Cook – Aye, Deputy Supervisor Cole – Aye, Supervisor LeFeber - Aye

DISCUSSION – REQUEST FOR WATER

Carl Rossborough of 5470 Henty Road has reported to having tested positive for e-coli and coliform. The water comes to his home through a natural spring. This request will be reviewed after the summer months.

DISCUSSION - CODE REPORT

Code Enforcement Officer Cappello provided the following report:

There is a need to come to a settlement for the Helge Heen Planned Unit Development. A complaint has been received regarding the storage of grain within the PUD. Supervisor LeFeber will invite Helge Heen to a meeting in June for discussion.

DISCUSSION - CODE REPORT-continued

There needs to be clarification on the date a permit was received from Mr. Edward Coyne. The County Planning Department will review in house and it will be considered at the Planning Board Meeting in June.

DISCUSSION - OPERA BLOCK

Deputy Supervisor Cole discussed the weekly report that is e-mailed to the Board. The Town Clerk, Supervisor and Town Attorney have not received a copy.

There was discussion on the approved grants.

RESOLUTION #95 BERO ARCHITECTURE PLLC REHABILITATION OF 23 GENESEE STREET AND RENOVATION OF 27 GENESEE STREET – CHANGE ORDERS

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

RESOLVE to approve the following two change orders:

Change Order #3 – Frank J. Marianacci, Inc. The contract amount will be increased by this change order in the amount of \$7,150.00

Change Order #2 – LeClaire-Fleming Mechanical, Inc. The contract amount will be increased by this change order in the amount of \$1,978.00.

Vote of the Board: Councilman Blye – Aye, Councilman Mairs – Aye, Councilman Cook – Aye, Deputy Supervisor Cole – Aye, Supervisor LeFeber - Aye

RESOLUTION #96 PAYMENT OF BILLS

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

RESOLVE to accept for payment Abstract 2009-9 in the follow amounts:

Concerning ABSTRACT of Claims Number 2009-9 including claims as follows:

General Fund	Voucher #192 through #234 in amounts totaling \$5,819.93
Highway Fund	Voucher #86 through #96 in amounts totaling \$6,379.87
Water Fund	Voucher #58 through #70 in amounts totaling \$50,007.09
Cemetery Fund	No Voucher
Opera Block Capital	

RESOLUTION #96 PAYMENT OF BILLS-continued

Improvement	Voucher #29 through #38 in amounts totaling \$207,048.42
Royal Springs Lighting	Voucher #6 through #6 in amounts totaling \$961.19
Cross Roads Drainage District	No Voucher
Bruckel Drainage District	No Voucher
Royal Springs Drainage	No Voucher
Town Of Avon Fire Protection	No Voucher
Water Capital Improvement	No Voucher

Vote of the Board: Councilman Blye – Aye, Councilman Mairs – Aye, Councilman Cook – Aye, Deputy Supervisor Cole – Aye, Supervisor LeFeber - Aye

RESOLUTION #97 SUPERVISOR’S AND TOWN CLERK’S BUDGET REPORTS

On motion of Deputy Supervisor Cole, seconded by Councilman Blye, the following resolution was:

ADOPTED AYES 5 NAYS 0

RESOLVE to accept the Supervisor’s and the Town Clerk’s monthly budget reports as follows:

Total Local Shares Remitted:	\$1,220.79
County Treasurer for Dog Licenses	\$39.95
New York State Department of Health	\$22.50
NYS Ag. & Markets for spay/neuter program	\$9.00
NYS Environmental Conservation	\$601.49
TOTAL	\$1,893.73

Vote of the Board: Councilman Blye – Aye, Councilman Mairs – Aye, Councilman Cook – Aye, Deputy Supervisor Cole – Aye, Supervisor LeFeber - Aye

DISCUSSION – WATER WORKS INFORMATION

Supervisor LeFeber stated the Water Works Committee has not provided the requested information. Councilman Cook stated the meeting was canceled. There was discussion of the responsibilities of Water Works Committee regarding reviewing meter calibrations, be aware and provide funding information of any and all capital expenditures, and reconciliation. In February, Deputy Supervisor Cole asked for the same information showing the amounts being spent and has not received a response.

DISCUSSION – EXIT 9 MEMORANDUM OF UNDERSTANDING

Supervisor LeFeber read information from an e-mail regarding the Empire Zone near 390's Exit 9. The Build Now program needs an engineering report which would include a general layout, costs, flows, design criteria, etc. In order to prepare the report the Town of Avon or the property owner will need to prepare a concept plan for the Empire Zone based on full build-out with anticipated flows. Discussions have taken place with the three property owners and they have not come together; therefore, no further action by the Town of Avon will take place.

DISCUSSION – RECREATION BILL

Supervisor LeFeber discussed a letter received from Village Mayor Thomas Freeman regarding a review of billing for Joint Youth/Recreation expenses dated August 7, 2007.

DISCUSSION – PARKING

Supervisor LeFeber opened the discussion of the work being completed on behalf of the Town of Avon for the Opera Block. Town Clerk Knight stated five employees have received parking tickets and questioned the Town's responsibility of providing handicapped parking for its employees. Discussion continued and the majority of the Board agreed to have Supervisor LeFeber expand his request to the Chief of Police to stop ticketing not only for residential tenants but Town Employees until the parking lot behind Genesee Street becomes available for parking.

DISCUSSION – PHONE LINES

Deputy Supervisor Cole stated we are paying for fifteen phone lines and only using twelve, thus over paying \$17.00. Deputy Supervisor Cole will send out an e-mail to determine the needs of the Town.

DISCUSSION - DUMP DAYS

Councilman Mairs stated Dump Days went well and there was discussion on providing a dumpster without charge to the Highway Department. Highway Superintendent Ayers stated the dumpster that is currently used belongs to the Town.

DISCUSSION – RECREATION

There was a brief discussion of allowing children to participate in the Youth Recreation Programs that do not live in the Town of Avon. It appeared the Board did not support and no action was taken.

RESOLUTION #98 EXECUTIVE SESSION

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

RESOLVE to enter into executive session for the purpose of the medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation. TIME 9:45 P.M., inviting Attorney James Campbell.

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

Vote of the Board: Councilman Blye – Aye, Councilman Mairs – Aye, Councilman Cook – Aye, Deputy Supervisor Cole – Aye, Supervisor LeFeber - Aye

RESOLUTION #99 CLOSE EXECUTIVE SESSION

On motion of Deputy Supervisor Cole, second by Councilman Mairs the following resolution was ADOPTED AYES 5 NAYS 0

RESOLVE that the Executive Session be closed and that this Board returns to the meeting with no action taken. Time 10:10 P.M.

Vote of the Board: Councilman Blye – Aye, Councilman Mairs – Aye, Councilman Cook – Aye, Deputy Supervisor Cole – Aye, Supervisor LeFeber - Aye

On motion of Councilman Mairs, seconded by Councilman Blye, the meeting adjourned at 10:11 P.M.

Respectfully submitted by _____
Sharon Knight, CMC/RMC Town Clerk