

A Special Meeting of the Town of Avon was held on Tuesday, May 25, 2010 at 7:08 P.M. at the Avon Opera Block/Town Hall with the following members present:

PRESENT: Supervisor David LeFeber, Councilmen Thomas Mairs and James Blye

ABSENT: Deputy Supervisor Cole and Councilman Donald Cook

OTHERS: Attorney James Campbell, Town Engineer Timothy Rock, Water Superintendent Daniel McKeown, Supervisor's Secretary and Water Clerk, Mary Blye and Zoning Board of Appeals Clerk/Minute Taker Lisa Anderson

VISITORS: Casey Chamberlain of Rural Opportunities, Nicole Sheehan, Betty and Jim Hanna, Joe Montesano, Mike Rink, Ed Adamczyk, Jim Oyhe, Larry Stella, Jason Hendrickson, Sheila Palmetier, Kathleen Mannix, Walter Baylor, Laurie Combs, Doris Blakely, Greg Safran, Marla Palmetier and Mark Blakely

Supervisor LeFeber called the meeting to order at 7:00 P.M.

Pledge of Allegiance

Supervisor LeFeber addressed the visitors, stating that he would allow the opportunity for questions. He introduced Casey Chamberlain of Rural Opportunities and stated that she would be offering information on possible grants and/or financing opportunities for residents to assist with running the water lines into their homes.

Casey Chamberlain addressed the visitors and explained the criteria for both a grant and a repair program that may be available to Rt. 39 residents. She explained that there are income limits and that contractor estimates would be needed. Supervisor LeFeber asked what the turnaround time would be for application and receipt of the programs and Ms. Chamberlain stated that it takes about thirty days from the time the application is received. She further stated that she would leave applications for both programs at the Town Offices and that any interested persons could pick them up at their convenience.

Town Engineer Timothy Rock stated that bids were opened on Thursday, May 20th and that the lowest bid was from D.E. Tarolli, a firm out of Syracuse for \$538,216.00. He stated that he will be addressing the board at the next regular meeting to recommend approval of this bid and that if approved, it will then be sent to Rural Development for final approval. He further stated that he is anticipating that the physical construction of the project is tentatively set for mid June and that it should take about two months to get the pipe into the ground and that the water will need to be flushed and tested before the final hook-ups are completed. Mr. Rock also explained that the lines will be run into each resident's front yard up to the curb stop and that each resident will be responsible for having the actual lines and hook-ups completed from that point. A visitor asked the question as to whether he will be able to decide where they want the lines run and Mr. Rock stated that if a resident is not home when the line is being run to their curb stop, they will be given a stake to place on their property to show where they would like the line placed. He also stated that if anyone should have an issue with anything during the

project, it should be addressed immediately.

The question was asked as to whether driveways will be cut and Engineer Rock stated that the driveways will be cut and then restored back to their original condition. A visitor asked the question of where exactly the water lines and pipes will be located and Engineer Rock referred to the maps that he had provided. Visitor Joseph Montesano asked if it would be required that residents hook up to the water and Engineer Rock stated that the Health Department can require that it be hooked up if they feel it is a safety issue. Water Superintendent Dan McKeown stated that in no way can a well be connected with public water lines and that the well must be completely severed from the new lines, although it can still be kept in tact for use in washing cars, watering, etc.

There was discussion about the amount that residents will be paying for this project once it is complete. Several visitors expressed that they do not feel that the town was upfront with them at the beginning of this project in regards to the cost. Town Attorney James Campbell explained that while each resident who is receiving public water will be responsible for paying his or her part of the debt service related to this project, if they choose not to use the service, they will not be responsible for use charges. He further explained that the water district is being extended so that the residents that will be benefitting from the water will be the ones to carry the financial burden. Visitor Joe Montesano stated that he feels that the residents on Henty Road do not have to pay for the water services that were run there, while the Rt. 39 residents have to carry the burden for the next 38 years. Attorney Campbell reminded Mr. Montesano that all of the residents of Rt. 39 petitioned the town for this project.

There was also discussion as to whether this project will cause more development in that area and Engineer Rock stated that a resolution has been passed, which states that new homes built in the district cannot tap into the water until the tax burden have been paid. One visitor stated that at the original meeting residents were assured that the character of the area would not be changed. Now it seems as if there is a loop hole and that it is possible that there will be development in that area. Attorney Campbell stated that as of now, it looks favorable that there will not be any development in that area, but that nothing can ever be totally guaranteed. Supervisor LeFeber stated that the town has a comprehensive plan in place that can be used to stop large developments and that the Town Board's function is to prevent areas from expanding and keeping them in their original state.

A visitor asked the question as to what the usage charges would be and he referred to a letter he received from the town in March which states that he will be receiving usage charges for all three parcels that he owns, even though only one parcel will actually be using the water. Attorney Campbell stated that that is an issue that will need to be discussed with Tami Snyder, the Town Assessor, and that an option would be to combine all three parcels into one. He further stated that the public water will provide for increased value of properties, along with adding additional fire protection and those residents should contact their homeowner's insurances companies to inquire about better rates.

A visitor stated that she owns a parcel that is basically land-locked and that she doesn't feel that she should have to pay usage charges on a parcel that will not be getting water. She also stated that the original plan was not explained to her this way. Attorney Campbell stated that he would be happy to review this parcel to determine if it is actually considered land-locked and that that may be an issue she would like to look into further in the future. She asked whether there was a list of all homeowners and parcels that would be paying into this and the Supervisor's Secretary/Water Clerk Mary Blye provided her with a copy. Supervisor LeFeber stated that the estimated burden on the taxpayers will be approximately \$200-\$300 for the first year and that the second year it would be \$7035 / the number of units receiving the service and that the interest rate is 2.375%. Attorney Campbell stated that as part of the agreement with Rural Development, the town had to demonstrate the number of residents that would be using the service and that there had to be a guarantee that every non-exempt parcel would be paying back the debt service. He further stated that the good news is that the total cost, interest and contactor cost anticipated actually turned out to be less than expected.

There was more brief discussion in regards to residents paying for services on multiple parcels that would not be using the service, and one visitor stated that if the town would be willing to look at each parcel individually, he would appreciate that.

A visitor stated that she would like to thank the town for taking the time and making all of the effort to have this project approved and stated that she would like the board to know that it is appreciated. Supervisor LeFeber stated that he will certainly look at landlocked parcels and that the board will try to be as fair and consistent as possible. Attorney Campbell stated that he has no problem in making sure that a landlocked parcel can be considered exempt as long as it doesn't jeopardize the grant in any way. He stated that he will check into any landlocked and vacant parcels.

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

On motion of Councilman Blye, seconded by Councilman Mairs, the meeting adjourned at 8:40 P.M.

Respectfully submitted by, _____
Lisa L. Anderson Minute Taker/Zoning Board of Appeals Clerk

and

Sharon Knight, CMC/RMC, Town Clerk