

A Regular Meeting of the Town of Avon was held on Thursday, May 12, 2011 at 6:00 P.M. at the Avon Opera Block/Town Hall with the following members present:

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

ABSENT: Deputy Supervisor Cole

OTHERS: Attorney James Campbell, Town Engineer Timothy Rock, Code Enforcement Officer Daniel McKeown, and Town Clerk Sharon Knight, CMC/RMC

VISITORS: Boy Scout Brian Frail and Mrs. Frail

Supervisor LeFeber called the meeting to order at 6:00 P.M.

Pledge of Allegiance

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

DISCUSSION EAGLE SCOUT PROJECT

Brian Frail presented a proposed Eagle Scout project to make improvements on the GVC Railroad Bed Extension. He was requesting the Board's approval of the project as they own the land. The presented information included but was not limited to descriptions of the beneficiary, project goals, materials & supplies, funding, required permits, manpower, safety and health, and before photographs. Boy Scouts will be issuing a certificate of insurance. Supervisor LeFeber questioned the need to increase insurance as the area will be used as a public trail, after the project was completed. Attorney Campbell suggested a phone call to New York Municipal Insurance Reciprocal (NYMIR). The Board took the following action:

RESOLUTION #75 APPROVAL OF EAGLE PROJECT

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

ADOPTED AYES 4 NAYS 0 ABSENT 1 (Deputy Supervisor Cole)

RESOLVE to grant permission to Boy Scout Brian Frail's presented Eagle Project, dated February 24, 2011 and authorize the Supervisor to draft a letter of support of the presented Eagle Scout Project.

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

DISCUSSION - ATTORNEY REPORT

Attorney Jim Campbell reported and the Board took the following actions:

RESOLUTION #76 AUTHORIZE ATTORNEY CAMPBELL TO SIGN SETTLEMENT AGREEMENT

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

ADOPTED AYES 4 NAYS 0 ABSENT 1 (Deputy Supervisor Cole)

RESOLVE to authorize Attorney Campbell to sign the presented Article 7 – “Matter of Petition” of clients being represented by Attorney Peter Skivington.

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

RESOLUTION #77 SCHEDULE HEARING FOR LOCAL LAW T-1A-2011

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

ADOPTED AYES 4 NAYS 0 ABSENT 1 (Deputy Supervisor Cole)

RESOLVE to schedule a public hearing for June 9, 2011 at 7:30 P.M. at the Avon Opera Block/Town Hall, 23 Genesee Street, Avon, New York on Local Law T-1A-2011 ENTITLED “A LOCAL LAW AMENDING THE ZONING ORDINANCE OF THE TOWN OF AVON, MODIFYING AND ADDING CERTAIN RESTRICTIONS RELATING TO THE ZONING DISTRICT KNOWN AS “AGRICULTURAL DISTRICT (A)” AND MODIFYING CERTAIN RESTRICTIONS AS SET FORTH IN SCHEDULE A - AREA, LOT AND BULK REGULATIONS.”

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

DISCUSSION – HIGHWAY REPORT

Highway Superintendent Robert Ayers was not in attendance.

DISCUSSION WATER REPORT

Water Superintendent McKeown was not in attendance and Supervisor LeFeber provided the following report:

Meters have been read and they provided positive reports.

DISCUSSION CODE REPORT

Code Enforcement Officer Cappello reported on the following:

Information that was requested on a FOIL will be completed on Monday without a problem.

A request to change the length of time a building permit is valid from one year to ninety days was received from Harper Park. The request was made based on their interest in lowering insurance cost for the Park. After consideration it was recommended they change their rules for use of permits to satisfy their needs.

Complaints have been received on property that consists of a trailer with an addition. The Town of Avon Code provides Chapter 41, Buildings, Unsafe and clearly list steps that would be associated with the process needed to address the complaint. A key to the resident has been provided from the renter that would allow for an inspection.

RESOLUTION #78 PAYMENT OF BILLS

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

ADOPTED AYES 4 NAYS 0 ABSENT 1 (Deputy Supervisor Cole)

RESOLVE to accept for payment Abstract 2011-9 in the following amounts:

Concerning ABSTRACT of Claims Number 2011-9 including claims as follows:

General Fund	Voucher #184 through #197 in amounts totaling \$4,941.12
Highway Fund	Voucher #83 through #95 in amounts totaling \$7,170.75
Water Fund	Voucher #69 through #77 in amounts totaling \$2,924.42
Cemetery Fund	No Voucher
Opera Block Capital	
Improvement	No Voucher
Royal Springs Lighting	Voucher #5 through #5 in amounts totaling \$961.71
Cross Roads Drainage	No Voucher
District	
Bruckel Drainage District	No Voucher
Royal Springs Drainage	No Voucher
Town Of Avon Fire	
Protection	No Voucher
Water Capital	No Voucher
Improvement	

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

RESOLUTION #79 RECEIVE MONTHLY REPORTS FROM THE SUPERVISOR, CITIZEN BANK COMMERCIAL ACCOUNT, AND TOWN CLERK

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

ADOPTED AYES 4 NAYS 0 ABSENT 1 (Deputy Supervisor Cole)

RESOLVE to accept the Citizens Bank Commercial Account of Avon Lima Road Inc. Escrow Account in Favor of the Town of Avon and monthly reports for April from the Supervisor, and the Town Clerk Report as shown below:

Town Clerk April Report:

<u>Total Local Shares Remitted:</u>	<u>\$1,069.25</u>
<u>New York State Department of Health</u>	<u>\$45.00</u>
<u>NYS Ag. & Markets for spay/neuter program</u>	<u>\$39.00</u>
<u>NYS Environmental Conservation</u>	<u>\$396.83</u>
<u>WATER Fee</u>	<u>\$10.00</u>
<u>TOTAL</u>	<u>\$1,560.08</u>

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

RESOLUTION #80 DECLARE SURPLUS

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

ADOPTED AYES 4 NAYS 0 ABSENT 1 (Deputy Supervisor Cole)

RESOLVE to declare 4 outdated computer monitors as surplus.

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

RESOLUTION #81 SET A SALARY FOR BUILDING MAINTENANCE

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

ADOPTED AYES 4 NAYS 0 ABSENT 1 (Deputy Supervisor Cole)

RESOLVE to set a salary for the building maintenance position at \$15.00 per hour to be paid by voucher and added to the bottom of the 2011 Compensation Schedule. Direct supervision will be provided by Supervisor LeFeber and Deputy Supervisor Cole.

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

DISCUSSION SUPERVISOR REPORT

Supervisor LeFeber provided an opportunity for discussion/action on the following items:

Provide an opportunity for Deputy Supervisor Cole to address his requirement to comply with the New York State Retirement System – Record of Activities. The resolution will be considered at the next meeting.

Information was shared regarding the meeting held at the Fire Training Grounds as Public Participation and information meeting for a Tri-Town Joint Water Study Area. Supervisor LeFeber, Councilmen Cook and Blye attended the meeting. The following highlights were discussed:

- The redundancy problems would be resolved.
- Fire Prevention would increase
- Looping of current water lines on Routes #5/20 will be completed.
- The cost for the project will not decrease but only increase in the future

The County will be moving forward by collecting more information from the residents in response to the presented information. Updates will continue to be reviewed by the Board.

Supervisor LeFeber's Secretary Mary Blye attended the EPF Grant Writing meeting and reported on our project. It's nice to be seen and share project information on successful projects that have been finished on time and within budget. Future correspondences will be monitored for available funding.

A proposal for an update to the Employee Handbook was provided to the Board from Public Sector HR Consultants LLC. The proposal was in the amount of \$4,800.00. Additional proposal will be sought. One benefit of Public Sector would be the continued compliance of regulations.

As in the past, recognition will be given to the Avon Teens and Senior Citizens by inviting them to a Board meeting to allow for home town recognition.

Further discussion was held on the possible rental of space in the Opera Block/Town Hall. Contact will be made to determine if both applicants are interested in renting and financial backgrounds checks will be completed.

DISCUSSION - SOUTH AVON CEMETERY

Town Clerk Knight presented a map to the Board of the South Avon Cemetery. Councilman Blye visited the cemetery and suggested others visit the cemetery prior to any Board action. The Board will discuss at a future meeting.

DISCUSSION – MINUTES OF DECEMBER 9, 2010

Discussion continued on the approval of the December 9, 2010 minutes prepared by Town Clerk Knight. They will be considered at a future meeting when Deputy Supervisor Cole is in attendance.

RESOLUTION #82 APPROVAL OF MINUTES

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

ADOPTED AYES 4 NAYS 0 ABSENT 1 (Deputy Supervisor Cole)

RESOLVE to approve the minutes of April 14, 2011 as presented.

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

On motion of Councilman Mairs, seconded by Councilman Cook, the meeting adjourned at 7:59 P.M.

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