

A Regular Meeting of the Town of Avon was held on Thursday, August 25, 2011 at 6:00 P.M. at the Avon Opera Block/Town 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 Thomas Crye, Engineer Thomas Crye, Water Superintendent Daniel McKeown, Code Enforcement Officer Anthony Cappello and Town Clerk Sharon Knight, CMC/RMC

VISITORS: None

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

Pledge of Allegiance

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

DISCUSSION APPROVAL OF MINUTES

Town Clerk Knight stated the minutes had just been completed today and Supervisor LeFeber would be putting them on the next agenda for Board consideration.

DISCUSSION –ATTORNEY REPORT

Attorney Campbell reported on the following:

There was discussion on the need to offer prevailing wage if a tenant was to make improvements to Town owned property. If the Town Board approved a tenant to make such improvements it is recommended by Attorney Campbell that they provide proof from the Livingston County Personnel Department that it is not necessary to offer prevailing wages.

We are continuing to work with Marianacci regarding the flooring in the Town Hall Lobby.

An update on the contact with Frontier was provided stating modifications regarding the time line have been changed and he has a scanned electronic copy. An original will be mailed in the near future.

We are waiting for the Village to sign and return the Court Security agreement.

The draft employee handbook will be reviewed and discussed at a future meeting.

An update on bringing the Wolcott and Starkey Drive up to Town standards was discussed and the Board took the following action.

RESOLUTION #133 AUTHORIZE ATTORNEY TO SEND A LETTER TO POOLER REALTY, LLC

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

ADOPTED AYES 5 NAYS 0

RESOLVE to authorize Attorney Campbell to send a letter to Pooler Realty, LLC informing them of a deadline determined by the Board to be September 30th to complete the road work on Starkey Drive and Wolcott Drive.

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 Crye reported on the following:

Mowing of the park, cemeteries and roadside have been completed.

Shoulders on Agar Road have been completed.

Trees have been trimmed under the supervision of Mrs. Mulligan

County work has been completed on Oaks Opening Road.

Work on River Road will be completed.

Drainage work has been completed from Nune Park to Route #15 by an unknown source.

Rochester Colonial will provide fifty percent of the cost of the windows due to them not being ten years old. The Board appeared to be in favor of Rochester Colonial to complete the work at the highway barns.

Residents in the Royal Springs Development have questioned if the Town of Avon is responsible for improvements to the default driveways and or gutters. The gutters do not drain properly and they will eventually damage the roads. It was suggested to complete a list of outstanding inventory to compare to the \$207,000.00 bond that the Town is holding.

DISCUSSION – ENGINEER REPORT

Engineer Rock reported on the following:

The FEMA application was submitted and written cost estimates were provided to Mary Blye. If an accident were to occur the Town of Avon might be responsible for the guardrails.

Currently the road has a significant curve at the culvers, straightening the road and the creek may be needed. If the work was completed as an emergency, a permit would not be required from the New York State Department of Conservation.

Providing FEMA with estimates of the wing wall would be our next estimate. The total project would run somewhere in the range of \$500,000.00 to \$600,000.00. The

DISCUSSION – ENGINEER REPORT-continued

Town of Avon could complete one-half of the work on its own and budgeting would be approximately \$300,000.00. Documentation shows the creek has changed substantially within the last five years.

The Board needs to determine how important it is to fix, use fund balance or take out a small BAN. Written estimates could need to be provided and the project would be bid out.

DISCUSSION – WATER REPORT

Water Superintendent McKeown reported on the following:

We have a new customer, Mr. Pierson on Agar Road.

DISCUSSION – CODE REPORT

Code Enforcement Officer Cappello reported on the following:

There is interest once again on the Pole Bridge Road property.

A resident is interested in putting up a 120 foot windmill on North Avon Road.

Subdivision of property would be necessary for the proposed project that includes the use of camping trailers.

DISCUSSION – AMENDING ABSTRACTS

Supervisor LeFeber stated that due to invoices crossing in the mail an amendment to Abstract 2011-14, Highway Fund, Voucher 151 needs to be changed to \$1,205.09. The reduction removes from two late charges.

RESOLUTION #134 AMENDMENT TO ABSTRACT 2011-15

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

ADOPTED AYES 5 NAYS 0

Resolve to reduce payment of Abstract 2011-14, Highway Fund, Voucher 151 to \$1,205.09.

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

DISCUSSION – PAYMENT OF BILLS

Supervisor LeFeber reported that at the last Town Board meeting an unsigned voucher was presented for Board approval and that the Board requested the voucher be removed and if it received a signature that they would consider at a future meeting. The voucher is now a part of the prepared Abstract and that he does not support approval due to the conference cost not being included in the budget. Councilman Blye also is not supportive of Justice Stephanie Schweitzer attending the Court Conference and he made the following motion.

RESOLUTION #135 PAYMENT OF BILLS

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

Concerning ABSTRACT of Claims Number 2011-16 including claims as follows:

General Fund	Voucher #337 through #356 in amounts totaling \$4805.69
Highway Fund	Voucher #152 through #154 in amounts totaling \$4,406.90
Water Fund	Voucher #130 through #132 in amounts totaling \$291.05
Cemetery Fund	No Voucher
Opera Block Capital	
Improvement	No Voucher
Royal Springs Lighting	No Voucher
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 - Aye, Supervisor LeFeber – Aye

RESOLUTION #136 AUTHORIZE SUPERVISOR TO SIGN GRANT APPLICATION

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

WHEREAS, the State of New York has enacted a law establishing the Justice Court Assistance Program that will enable communities to apply to the Chief Administrative Judge for a grant of State funds to assist in the operation of the Justice Court; and

RESOLUTION #136 AUTHORIZE SUPERVISOR TO SIGN GRANT APPLICATION-continued

WHEREAS, the availability of grant funding would enhance the ability of the Town Justice Court to provide suitable and sufficient services to the Avon Community; and

WHEREAS, this joint application with the Village of Avon Court would allow for joint sharing of equipment and materials thereby providing efficiencies to the Avon Community,

NOW, THEREFORE it be resolved, that the Avon Town Board of Councilmen hereby authorizes the Supervisor to files an application for a Justice Court Assistance Program in an amount not to exceed \$30,000.00.

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

DISCUSSION - SENATOR GALLIVAN'S VISIT

Supervisor LeFeber reported that the Senator's visit allowed for discussion on the needs of our local area. The Village of Avon provided detailed information requesting financial assistance for maintenance of the Five Arch Bridge.

DISCUSSION – SUPERVISOR REPORT

Supervisor LeFeber reported that the Avon Rotary/Lions Ambulance would like to attend a future meeting.

There was discussion on the need to respond the County Personnel's inquiry regarding the Deputy Town Clerk position. Attorney Campbell suggested that the information collected by the Town Clerk be shared with County Personnel as a response to their letter.

DISCUSSION – OPEN ITEMS

Councilman Mairs will not be here for dump days and Councilman Blye stated that he would be available to help on Friday.

Deputy Supervisor Cole stated that he would be ordering new computers for Town Clerk Knight, Deputy Town Clerk Mary Rizzo and Water Clerk Mary Blye, and Highway Superintendent Thomas Crye. There was a budget to allow for ordering six computers so this fits in the budget.

RESOLUTION #137 ACCEPT DONATION FROM BILL NOJAY

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

ADOPTED AYES 5 NAYS 0

Resolve to approve the photograph from Bill Nojay.

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

On motion of Councilman Blye, seconded by Councilman Mairs, the meeting adjourned at 8:00 P.M.

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