

An Organizational meeting of the Town of Avon was held on Monday, January 2, 2012 at 6:00 P.M. at the Avon Opera Block/Town Hall with the following members present:

PRESENT: Supervisor David LeFeber, Councilmen James Blye, Thomas Mairs, Richard Steen, and Robert Ayers

OTHERS: Town Clerk Sharon M. Knight, CMC/RMC

VISITORS: Charles Leonard

Supervisor LeFeber called the meeting to order at 6:00 P.M. stating a written notice had been provided to the Councilman and Town Clerk and then he read the following legal notice:

LEGAL NOTICE  
PUBLIC NOTICE

The Avon Town Board Organizational Meeting has been scheduled for Monday, January 2, 2012 at the Opera Block/Town Hall, 23 Genesee Street, Avon, New York, at 6:00 P.M.

By order of Supervisor David LeFeber  
Sharon M. Knight CMC/RMC, Town Clerk  
Dated: December 21, 2011  
Published: December 28, 2011

Pledge of Allegiance

**DISCUSSION VISITOR'S COMMENTS**

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

**DISCUSSION POSITION APPOINTMENTS FOR 2012**

Supervisor LeFeber stated that an additional open position may need an appointment as Board of Assessment Review Member Michael Bishop verbally stated that he was moving to Geneseo.

Councilman Steen questioned if appointments could be made for a shorter term than one year. He would like a chance to address concerns that he has been educated by the community while knocking on doors for the position he is just beginning to serve. An opportunity to meet the employees prior to appointing for a full year would be appreciated. He questioned why some positions are advertised, but not all positions.

Board discussion included the following:

These positions historically have not been advertised  
Employees may leave their positions if a three month appointment was made  
They are long term town employees with training

**DISCUSSION POSITION APPOINTMENTS FOR 2012-continued**

Meeting with employees and their department heads could take place after the annual appointment

Employees are not guaranteed employment even if they receive an annual appointment

There are a few appointments that have outstanding questions

The newly elected Councilmen were elected to make changes

The goal is to resolve problems not create problems

These jobs are the livelihood of the employee and the annual appointment is supportive of the employee

The Board took the following action:

**RESOLUTION #1 POSITION APPOINTMENTS FOR 2012**

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

ADOPTED WITH A ROLL CALL VOTE AYES 4 NAYS 1 (Councilman Steen)

WHEREAS, Section 27 of New York State Town Law provides that the town board shall hire employees and make such position appointments as needed to conduct the business of the town, now therefore, be it

RESOLVED, by the Avon Town Board to make the following position appointments with terms as indicated we are going to complete further investigations, evaluations, and introductions.

Zoning Board of Appeals Clerk – Lisa Anderson – 1 year, expiring 12/31/2012  
Clerk to the Board of Assessment Review– Lisa Anderson – 1 year, expiring 12/31/2012  
Planning Board Clerk – Jennifer Sargeant – 1 year, expiring 12/31/2012  
Clerk to the Town Justice – Janis Cole – 1 year, expiring 12/31/2012  
Clerk to the Town Justice – Jennifer Sargeant – 1 year, expiring 12/31/2012  
Clerk to the Town Justice – Stephanie Schweitzer – 1 year expiring 12/31/2012  
Financial Advisor to the Town – Bernard P. Donegan Inc. – 1 year, expiring 12/31/2012  
Code Enforcement Officer – Anthony Cappello 12/31/2012  
Code Enforcement Officer – Open Position  
Historian – Maureen Kingston – 1 year, expiring 12/31/2012  
Dog Control Officer – Livingston County Department of Dog Control 12/31/2012  
Deputy Town Clerk – Mary Rizzo, expiring 12/31/2012  
Deputy Town Clerk – Stephanie Schweitzer, expiring 12/31/2012  
Deputy Superintendent of Highways – Richard Rumfola, expiring 12/31/2012  
Confidential Secretary to the Supervisor – Mary Blye, expiring 12/31/2012  
Attorney for the Town – James Campbell, expiring 12/31/2012

**Vote of the Board: Councilman Ayers - Aye, Councilman Steen- Nay, Councilman Blye - Aye, Councilman Mairs - Aye, Supervisor LeFeber - Aye**

**DISCUSSIONS - EMPLOYEE COMPENSATION SCHEDULE FOR THE YEAR 2012**

There was discussion of the percentage of raises given to each of the positions. Supervisor LeFeber provided the percentage that was given for each position as discussed during budget time. Things that were considered include scope of work, back-up of the positions, duties/responsibilities, overtime pay received, call outs and compensation time used during the day. Providing back-up for all positions was identified as a goal, one percent increases for all positions goes back to having larger discrepancies of wages.

There was further discussion on the criteria used for the Justice positions that were provided increases in the tentative budget and after Board discussion the increases were removed in the final budget. A portion of the discussion was the reduction in the number of nights of court that were being held each month.

**RESOLUTION #2 ADOPTING EMPLOYEE COMPENSATION SCHEDULE FOR THE YEAR 2012**

On motion of Councilman Mairs, seconded by Supervisor LeFeber, the following resolution was  
 ADOPTED WITH A ROLL CALL VOTE AYES 5 NAYS 0

**WHEREAS**, Section 27 of New York State Town Law provides that the town board shall fix, from time to time, the compensation of all officers and employees of the town and determine when the same shall be payable, and

**WHEREAS**, the Avon Town Board has determined that it is appropriate and timely to set such compensations at the yearly organizational meeting, now, therefore, be it

**RESOLVED**, that the Avon Town Board does hereby adopt the following compensation schedule for the year 2012 and that such compensation be paid on a biweekly or monthly basis or as a claim when presented to the Town Clerk and approved by the Town Board within the structure of the Town's voucher system.

2012 Town of Avon Employee Compensation Schedule

| Name           | Position/Duties                                      | Status     | 2011 Rate   | 2012 Rate   |
|----------------|--|------------|-------------|-------------|
| Anderson, Lisa | ZBA Clerk  | Part Time* | \$12.75/hr. | \$12.90/hr. |
| Ayers, Robert  | Councilman   | Elected*   |             | \$4700/yr.  |
| Blye, Mary     | Supervisor's Sect.<br>Water Clerk<br>Personnel Clerk | Part Time* | \$17.35/hr. | \$17.55/hr. |
| Blye, James    | Town Councilman                                      | Elected*   | \$4,700/yr. | \$4,700/yr. |

**RESOLUTION #2 ADOPTING EMPLOYEE COMPENSATION SCHEDULE  
FOR THE YEAR 2012-continued**

|                       |   |                          |                             |                             |
|-----------------------|---|--------------------------|-----------------------------|-----------------------------|
| Burke, Heather        | Youth Board Member  | Part Time*               | \$40/month                  | \$40/month                  |
| Campbell, James       | Attorney  | Part Time*               | \$150/hr.                   | \$175/hr.                   |
| Cappello, Anthony     | Code Enforcement Officer<br>Building Maintenance            | Part Time*               | \$13,442/yr.<br>\$15.00/hr. | \$13,576/yr.<br>\$15.00/hr. |
| Clements, Wesley      | Motor Equipment Operator                                    | Full Time                | \$22.00/hr.                 | \$22.25/hr.                 |
| Cole, Janis           | Clerk to the Town Justice                                   | Part Time*               | \$19.40/hr.                 | \$19.60/hr.                 |
| Crye, Thomas W.       | Highway Superintendent<br>Cemetery Caretaker                | Elected                  | \$58,000/yr.<br>\$1,250/yr. | \$58,580/yr.<br>\$1,250/yr. |
| Hayes, Allison        | Youth Recreation Board Member                               | Part Time*               | \$40.00/month               | \$40.00/month               |
| Kime, James           | Motor Equipment Operator                                    | Full Time                | \$22.00/hr.                 | \$22.25/hr.                 |
| Kingston, Maureen     | Historian   | Part Time*               | \$1,936/yr.                 | \$1,955/yr.                 |
| Knight, Sharon        | Town Clerk &<br>Receiver of Taxes<br>Vital Registrar        | Elected                  | \$32,251/yr.<br>\$666/yr.   | \$32,574/yr.<br>\$679/yr.   |
| LeFeber, David        | Town Supervisor   | Elected*                 | \$12,000/yr.                | \$12,000/yr.                |
| Mairs, Thomas         | Town Councilman   | Elected*                 | \$4,700/yr.                 | \$4,700/yr.                 |
| McKeown Daniel        | Water Superintendent  | Full Time                | \$48,920/yr.                | \$50,408/yr.                |
| McKeown, Joseph       | Motor Equipment Operator                                    | Full Time                | \$18.00/hr.                 | \$18.20/hr.                 |
| McDowell, Kim         | Youth Board Member, Chairperson                             | Part Time *              | \$50/month                  | \$50/month                  |
| Piampiano, Peter      | Town Justice  | Elected*                 | \$11,783/yr.                | \$11,783/yr.                |
| Prine, Claire         | Youth Recreation Board                                      | Part Time*               | \$40.00/month               | \$40.00/month               |
| Rizzo, Mary           | Deputy Town Clerk   | Part Time*               | \$14.74/hr.                 | \$14.90/hr.                 |
| Rumfola, Richard      | Motor Equipment Operator                                    | Full Time                | \$22.50/hr.                 | \$22.75                     |
| Sargeant, Jennifer    | Typist<br>Planning Board Clerk<br>Clerk to the Town Justice | Part Time*<br>20hrs/wk.  | \$17.00/hr.<br>\$14.42/hr.  | \$17.20/hr.<br>\$14.60/hr.  |
| Snyder, Tami          | Assessor  | Part Time*               | \$31,183/yr.                | \$31,495/yr.                |
| Schwartz, Robert      | Assessor Clerk  | Part Time *              | \$19.18/hr.                 | \$19.18/hr.                 |
| Schweitzer, Stephanie | Deputy Town Clerk<br>Clerk to the Town Justice              | Part Time*<br>Part Time* | \$11.50/hr.<br>\$11.50/hr.  | \$11.60/hr.<br>\$11.60/hr.  |

**RESOLUTION #2 ADOPTING EMPLOYEE COMPENSATION SCHEDULE FOR THE YEAR 2012-continued**

|                     |                        |            |               |               |
|---------------------|------------------------|------------|---------------|---------------|
| Steen, Richard      | Councilman             | Elected*   |               | \$4700/yr.    |
| Torregiano, Michael | Town Justice           | Elected*   | \$11,226/yr.  | \$11,226/yr.  |
| Washburn, Rachel    | Youth Recreation Board | Part Time* | \$40.00/month | \$40.00/month |
| Open Position       | Highway                |            | \$12.00/hr.   | \$12.00/hr.   |

\*No benefits included in compensation

**Vote of the Board: Councilman Ayers - Aye, Councilman Steen- Aye, Councilman Blye - Aye, Councilman Mairs - Aye, Supervisor LeFeber - Aye**

**RESOLUTION #3 SETTING TIME AND PLACE OF 2012 TOWN BOARD MEETINGS**

On motion of Deputy Supervisor LeFeber, seconded by Councilman Blye the following resolution was  
 ADOPTED WITH A ROLL CALL VOTE: AYES 5 NAYS 0

WHEREAS, New York State Town Law requires that town boards of towns of the second class meet periodically to accomplish certain business matters such as auditing claims, and

WHEREAS, New York State Open Meeting Law and Public Officers Law both require that reasonable effort be made to hold such meeting in facilities that permit barrier free access for the physically handicapped, now, therefore, be it

WHEREAS, New York State Town Law requires that town boards of towns of the second class meet periodically to accomplish certain business matters such as auditing claims, and

WHEREAS, New York State Open Meeting Law and Public Officers Law both require that reasonable effort be made to hold such meeting in facilities that permit barrier free access for the physically handicapped, now, therefore, be it

RESOLVED, that all regular meetings of the Avon Town Board throughout the year 2012 will be held at 7:00 P.M. on the following days (generally the second and fourth Thursday of each month) in the Opera Block/Town Hall located at 23 Genesee Street in the Town of Avon:

1/12, 1/26, 2/09, 2/23, 3/8, 3/22, 4/5, 4/19, 5/10, 5/24, 6/14, 6/28, 7/12, 7/26, 8/9, 8/23, 9/13, 9/27, 10/11, 10/25, 11/8, 11/29, 12/13, 12/27.

**Vote of the Board: Councilman Ayers - Aye, Councilman Steen- Aye, Councilman Blye - Aye, Councilman Mairs - Aye, Supervisor LeFeber - Aye**

**RESOLUTION #4 DESIGNATING OFFICIAL BANKS**

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

ADOPTED WITH A ROLL CALL VOTE: AYES 5 NAYS 0

**WHEREAS**, section 64 of New York State Town Law provides that the town board shall designate the official bank of the town, now, therefore, be it

**RESOLVED**, that the Avon Town Board does hereby designate the following banking institutions as the official banks of the Town of Avon for the year 2012.

Bank of Castile, HSBC, First Niagara, and Five Star Bank

**Vote of the Board: Councilman Ayers - Aye, Councilman Steen- Aye, Councilman Blye - Aye, Councilman Mairs - Aye, Supervisor LeFeber - Aye**

**RESOLUTION #5 DESIGNATING OFFICIAL NEWSPAPER**

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

ADOPTED WITH A ROLL CALL VOTE: AYES 5 NAYS 0

**WHEREAS**, section 64 of New York State Town Law provides that the town board shall designate the official newspaper of the town, now, therefore, be it

**RESOLVED**, that the Avon Town Board does hereby designate the Livingston County News as the official newspapers of the Town of Avon.

**Vote of the Board: Councilman Ayers - Aye, Councilman Steen- Aye, Councilman Blye - Aye, Councilman Mairs - Aye, Supervisor LeFeber - Aye**

**RESOLUTION #6 ADOPT 2012 FEE SCHEDULE**

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

ADOPTED WITH A ROLL CALL VOTE: AYES 5 NAYS 0

RESOLVE to adopt the 2012 Fee Schedule as follows:

**2012 FEE SCHEDULE**

**Code Enforcement Fees:**

|                         |                       |
|-------------------------|-----------------------|
| Single Family Residence | .15 sq. ft . \$25 Min |
| Double/Multi-family     | .15 sq. ft. \$25 Min  |
| Mobile Homes            | .12 sq. ft            |
| Modular Homes           | .15 sq. ft. \$25 Min  |

**RESOLUTION #6 ADOPT 2012 FEE SCHEDULE-continued**

|   |                           |
|---|---------------------------|
| Basement/Foundation/Crawl Space                           | \$35.00                   |
| Garages (Detached/Attached)                               | .08 sq. ft. \$20 Min      |
| Shed Accessory Buildings                                  | .08 sq. ft. \$20 Min      |
| Porches   | .08 sq. ft. \$20 Min      |
| Decks   | .08 sq. ft. \$20 Min      |
| Interior Alterations                                      | .12 sq. ft. \$25 Min      |
| Additions   | .12 sq. ft. \$25 Min      |
| Fences  | \$15.00                   |
| Chimney/Fireplace/Woodstove                               | \$25.00                   |
| Awnings (excluding windows)                               | \$20.00                   |
| Wheelchair Ramps  | \$20.00                   |
| Pool – Above Ground                                       | \$25.00                   |
| Pool – In Ground  | \$30.00                   |
| Permit Renewal - House                                    | \$25.00                   |
| Demolition  | \$25.00                   |
| Move/Relocate Structure                                   | \$25.00                   |
| Sign Permits  | \$25+\$1.50/sq. ft.       |
| Sign Permits – Temporary                                  | \$10.00                   |
| Tank Installation   | \$25.00                   |
| Tank Removal  | \$10.00                   |
| Site Visit – Flood Zone Interpretation                    | \$25.00                   |
| Additional Site Visit                                     | \$25.00                   |
| Certificate of Occupancy/Compliance under Building Permit | \$15.00                   |
| Certificate of Occupancy/Compliance NOT under Permit      | \$25.00                   |
| Tower Construction  | \$10/linear foot          |
| Tower Collocation   | \$25.00 + \$1/linear foot |
| Re-roofing  | \$20.00                   |
| Hot Water Heater Installation                             | \$20.00                   |
| Furnace Installation                                      | \$20.00                   |
| Home Generator (Fixed Installation)                       | \$20.00                   |

**Commercial/Industrial**

|   |                           |
|---|---------------------------|
| 0 to 4,000 sq. ft floor space                           | .12 sq. ft. \$25 Min      |
| 4,001 sq. ft +  | .10 sq. ft. \$20 Min      |
| Commercial Storage Buildings                            | .08 sq. ft. \$20 Min      |
| Commercial Foundations/Crawl Space                      | \$100.00                  |
| Special Use Permits                                     | \$25.00                   |
| Planning Board/Zoning Board of Appeals Publication Fees | \$45.00 per notice        |
| Area/Use Variance                                       | \$15.00                   |
| Site Plan Review  | \$50.00                   |
| Subdivision Application                                 | \$50.00 + \$10.00 per lot |
| Tower Conditional Use Permit Application Fee            | \$500.00                  |
| Tower Conditional Use Permit                            | \$1000.00                 |

**Cemetery Fees:**

|   |          |
|---|----------|
| Single plot (approx. 4x10) with corner markers        | \$325.00 |
| Double plot (approx. 8x10) with corner markers        | \$625.00 |
| Grave Opening –Adult size grave                       | \$460.00 |
| Grave Opening – Still born, youth size and cremations | \$235.00 |

**Town Clerk:**

**RESOLUTION #6 ADOPT 2012 FEE SCHEDULE-continued**

**Dog Fees:**

|                                 |          |
|---------------------------------|----------|
| Annual license: spayed/neutered | \$10.00  |
| unspayed/unneutered             | \$15.00  |
| Certified Therapy Dog           | \$ .00   |
| Purebred license: 1 – 10 dogs   | \$25.00  |
| 11 – 25 dogs                    | \$50.00  |
| 26 – more dogs                  | \$100.00 |
| Replacement tag                 | \$1.00   |

**Town Code Books:**

Town of Avon Code Book - Current General Code Price  
Supplements – Cost of last update divided by the number of copies  
Subdivision of Land – Chapter 113 - \$25.00  
Design Criteria and Construction Specifications for Land Development - \$25.00  
Zoning – Chapter 130 - \$25.00

**Peddler/Solicitor:**

For a person licensed as a hawker, peddler or solicitor:  
For a period of six months or less - \$25.00  
For a period in excess of six months but not for more than one year - \$100.00

For a person licensed to assist a hawker, peddler or solicitor:  
For a period of six months or less - \$15.00  
For a period in excess of six months but not for more than one year - \$50.00

**Highway Department Fees:**

Brush and tree dumping - \$50.00 per six wheel loader.

**Water Department Fees:**

Tapping fees – short side - \$900.00  
Tapping fees – long side - \$1500.00  
Yearly Backflow testing through LMC, Inc. - \$63.00

**Dump Day Fees: (10 tire limit)**

Car and small truck \$3.00  
Dump truck \$15.00  
Tractor tire \$40.00

**Engineering, Attorney & Other Professional Services:**

Engineering, Attorney or Other Professional Services at actual cost to Town of Avon  
End

**Vote of the Board: Councilman Ayers - Aye, Councilman Steen- Aye, Councilman Blye - Aye, Councilman Mairs - Aye, Supervisor LeFeber - Aye**

**RESOLUTION #7 SETTING MILEAGE REIMBURSEMENT RATE  
CONSISTENT WITH THE LIVINGSTON COUNTY RATE**

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

ADOPTED WITH A ROLL CALL VOTE: AYES 5 NAYS 0

**RESOLVE**, that effective immediately the mileage reimbursement rate to be used by Town of Avon employees will remain consistent with the rate set by Livingston County.

**Vote of the Board: Councilman Ayers - Aye, Councilman Steen- Aye, Councilman Blye - Aye, Councilman Mairs - Aye, Supervisor LeFeber - Aye**

**RESOLUTION #8 PROCUREMENT POLICY**

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

ADOPTED WITH A ROLL CALL VOTE: AYES 5 NAYS 0

**RESOLVE** to approve the Procurement Policy for 2012 as follows:

§ \_\_-1. Adoption; applicability.

The Town of Avon does hereby adopt the following procurement policy which is intended to apply to all goods and services which are not required by law to be publicly bid.

§ \_\_-2. Determination of purchase.

Every purchase made will be initially reviewed to determine whether it is a purchase contract or a public works contract. The ratio of the cost of services to the goods should not be the sole determinative factor of whether a contract is one of purchase or public works. Once that determination is made, a good faith effort will be made to determine whether it is known or can reasonably be expected that the aggregate amount to be spent on the item of supply or service is not subject to competitive bidding, taking into account past purchases and the aggregate amount to be spent in a year. As a general guide, items of work of the same or similar nature for which are customarily handled by the same vendors or contractors should be treated as a single items for purposes of determining whether the dollar threshold will be exceeded.

§ \_\_-3. Purchases not subject to competitive bidding.

The following items are not subject to competitive bidding pursuant to § 103 of the General Municipal Law:

- A. Purchase contracts under \$20,000 and public works contracts under \$30,000.
- B. Emergency purchases.
- C. Goods purchased from correctional institutions or agencies for the blind or severely handicapped.
- D. Purchases under state and county contracts.
- E. Surplus and secondhand purchases from another governmental entity.
- F. Items which may only be purchased from one source.
- G. Goods purchased at auction.
- H. Professional Services such as Attorney, Engineer and/or Architect

§ \_\_-4. Documentation of decision regarding bidding.

**RESOLUTION #8 PROCUREMENT POLICY-continued**

The decision that a purchase is not subject to competitive bidding will be documented, in writing, by the individual making the purchase. This documentation may include written or verbal quotes from vendors, a memo from the purchaser indicating how the decision was arrived at, a copy of the contract indicating the source which makes the item or service exempt, a memo from the purchaser detailing the circumstances which led to an emergency purchase or any other written documentation that is appropriate.

§ \_\_-5. Purchase to be at lowest price; exceptions.

All goods and services will be secured by use of written requests for proposals, written quotations, verbal quotations, or any other method that assures that goods will be purchased at the lowest price and that favoritism will be avoided, except in the following circumstances:

- A. Purchase contracts over \$20,000 and public works contracts over \$30,000. EN
- B. Goods purchased from correctional institutions pursuant to § 186 of the Correction Law.
- C. Purchases under State contracts pursuant to § 104 of the General Municipal Law.
- D. Purchases under county contracts pursuant to § 103(3) of the General Municipal Law.
- E. Purchases pursuant to § \_\_-8 of this policy.

§ \_\_-6. Methods of purchase.

A. The following method of purchase will be used when required by this policy in order to achieve the highest savings:

Estimated Amount of Purchase Contract Method

|                    |  |
|--------------------|--|
| \$250 to \$2,999   | 2 verbal quotations  |
| \$3,000 to \$9,999 | 3 written/FAX quotations<br>or written request for proposals |

Estimated Amount of Public Works Contract Method

|                     |  |
|---------------------|--|
| \$250 to \$2,999    | 2 verbal quotations  |
| \$3,000 to \$4,999  | 2 written/FAX quotations                                     |
| \$5,000 to \$19,999 | 3 written/FAX quotations<br>or written request for proposals |

- B. A good-faith effort shall be made to obtain the required number of proposals or quotations. If the purchaser is unable to obtain the required number of proposals or quotations, the purchaser will document the attempt made at obtaining the proposals. In no event shall the failure to obtain the proposals be a bar to the procurement.

§ \_\_-7. Documentation required.

- A. Documentation is required of each action taken in connection with each procurement.
- B. Documentation and an explanation is required whenever a contract is awarded to other than the lowest responsible offeror. This documentation will include an explanation of how the award will achieve savings and/or why it is in the best interests of the Town and its taxpayers to make an award to other than the low bidder and/or how the offeror was not responsible. A determination that the offeror is not responsible shall be made by the purchaser and may not be challenged under any circumstances.
- C. A request for proposal may be restricted within the Town or County provided that it does not violate the competitive bidding requirements. In the event that a request for proposal will contain such a geographic restriction the purchaser shall document the manner in which it does not violate the competitive bidding requirements.

§ \_\_-8. Alternative proposals not required.

**RESOLUTION #8 PROCUREMENT POLICY-continued**

Pursuant to General Municipal Law § 104-b, Subdivision 2f, a procurement policy may contain circumstances when, or types of procurements for which, in the sole discretion of the governing body, the solicitation of alternative proposals or quotations will not be in the best interest of the municipality. In the following circumstances it may not be in the best interests of the Town of Avon to solicit quotations or document the basis for not accepting the lowest bid:

A. Professional services or services requiring special or technical skill, training or expertise.

(1) The individual or company must be chosen based on accountability, reliability, responsibility, skill, education and training, judgment, integrity and moral worth. These qualifications are not necessarily found in the individual or company that offers the lowest price, and the nature of these services are such that they do not readily lend themselves to competitive procurement procedures. In determining whether a service fits into this category, the Board of Trustees shall take into consideration the following guidelines:

(a) Whether the services are subject to state licensing or testing requirements.

(b) Whether substantial formal education or training is a necessary prerequisite to the performance of the services.

(c) Whether the services require a personal relationship between the individual and municipal officials.

(2) Professional or technical services shall include but not be limited to the following: services of an attorney; services of a physician; technical services of an engineer engaged to prepare plans, maps and estimates; securing insurance coverage and/or services of an insurance broker; services of a certified public accountant; investment management services; printing services involving extensive writing, editing or art work; management of municipally owned property; and computer software or programming services for customized programs or services involved in substantial modification and customizing of prepackaged software.

(3) The Town by and through its department heads may, at its discretion, require that the professional provide the following:

(a) A completed acquisition form submitted to the department head which provides a request for work to be performed including hours to be spent, description of work to be performed and projected cost.

(b) The Town shall have the option of obtaining additional quoted for the services to be provided and may accept a lower quote.

(c) In the event that the cost of services to provided shall exceed the amounts specified on the acquisition form the professional shall submit an extension request form to the department head for approval prior to expending additional materials or services in excess of the amount specified in the original acquisition form.

(d) Prior to payment the professional shall submit the following: (1) complete description of work performed; (2) hours for each item with appropriate rate charged; and (3) copy of approved acquisition form signed by the appropriate department head together with any signed extension forms for sums due in addition to the amounts set forth in the original acquisition form.

B. Emergency purchases pursuant to § 103, Subdivision 4, of the General Municipal Law. Due to the nature of this exception, these goods or services must be purchased immediately, and a delay in order to seek alternate proposals may threaten the life, health, safety or welfare of the residents. This subsection does not preclude alternate proposals, if time permits.

C. Purchases of surplus and secondhand goods from any source. If alternate proposals are required, the village is precluded from purchasing surplus and secondhand goods at auctions or through specific advertised sources where the best prices are usually obtained. It is also difficult to try to compare prices of used goods, and a lower price may indicate an older product.

**RESOLUTION #8 PROCUREMENT POLICY-continued**

D. Goods or services under \$250. The time and documentation required to purchase through this policy may be more costly than the item itself and would therefore not be in the best interests of the taxpayer. In addition it is not likely that such small contracts would be awarded based on favoritism.

§ \_\_-9 IT / Computer Services –

Effectively immediately, all Services requested of the Town of Avon's IT service provider (currently Hurricane Technologies) must be approved by the committee chairperson for IT/Infrastructure for the Town of Avon.

The exception is for emergency calls that are required for IT/PC equipment that is preventing the town employee from performing their normal work duties.

No equipment will be moved, transferred, swapped or re-arranged by the service provider without the consent of the Chairperson or Supervisor of the IT/Infrastructure department. This consent will be transmitted via phone call, fax, text, or email to the service provider.

The Town of Avon will not be responsible for any service provided at the request of town employees without the approval stated above.

§ \_\_-10 Equipment & Furniture purchases –

This policy change is effective for all Town functions, with the exclusion of Water and Highway Departments.

All equipment and furniture, including IT equipment, over \$100.00 must be approved BEFORE purchased. The approval shall come from the Town Supervisor, or his designated substitute.

Exceptions to this pre-approval are for normal office supplies, such as paper, toner, light bulbs, cleaning supplies, or preapproved vouchers...etc.

By order of the Avon Town Board  
January 3<sup>rd</sup>, 2011

§ \_\_-9. Effective date; annual review.

This policy went into effect July 23, 2004 and amended January 3, 1011 and will be reviewed annually.  
END

**Vote of the Board: Councilman Ayers - Aye, Councilman Steen- Aye, Councilman Blye - Aye, Councilman Mairs - Aye, Supervisor LeFeber - Aye**

**RESOLUTION #9 RULES OF PROCEDURE OF THE AVON TOWN BOARD**

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

ADOPTED WITH A ROLL CALL VOTE: AYES 5 NAYS 0

Rules of Procedure Of the  
Avon Town Board

**RESOLUTION #9 RULES OF PROCEDURE OF THE AVON TOWN BOARD-  
continued**

I. At each regular meeting of the Avon Town Board, business shall be taken up in the following order:

Call to Order & Silent Roll Call

Pledge of Allegiance

Visitors Comments

Approval of minutes

Department Reports

Prepared Resolutions

New/Old Business

Open Items – Town Officers

Communications

Future Board Meetings

Visitor Recognition

Adjournment

II. The Town Supervisor shall preside over all meetings of the Avon Town Board, preserve order and decorum during its sessions and decide all questions of order.

Furthermore the Supervisor shall:

- provide meeting agenda in writing to board members and Town Clerk by noon on Wednesday prior to the regular meeting,
- grant privileges of the floor as needed/requested by any Town Board Member or the public,
- call for any motions or resolutions as required by the issue in front of the town board,
- restate all motions and resolutions prior to discussion of same,
- place in writing or direct the Town Clerk to place in writing any motion or resolution upon the request of any Town Board member prior to discussion or a vote on such,
- call for discussion of all issues put before the board including but not limited to motions, resolutions and propositions prior to the call for a vote on such,
- call for a vote on all motions, resolutions and propositions when discussions have been concluded and all pertinent information or evidence has been considered,
- postpone any vote on any motion, resolution, or similar action placed in front of the Town Board upon the request of any two Town Board Members for a period of two weeks or until the next scheduled regular meeting of the Avon Town Board, to be determined by the requesting board member,
- require that a complete and accurate record of the proceedings of each meeting of the Avon Town Board as required by Section 30 of the New York State Town Law be printed and made available by the Avon Town Clerk within five business days,  
require that a complete and accurate record of the proceedings of each meeting of the Avon Town Planning Board as required by Section 30 of the New York State
- Town Law be printed and made available for review by the Town Board within five business days,

**RESOLUTION #9 RULES OF PROCEDURE OF THE AVON TOWN BOARD-continued**

- all information pertaining to any upcoming regular meeting of the Town Board be assembled in a package and made available to the Town Board by the Town Clerk on the Wednesday before said meeting.

Public Hearings

1. Please hold all questions or comments until the conclusion of any presentation.
2. Please direct any comments or questions to the Town Board and kindly wait to be recognized by the Town Supervisor.
3. Please state your name for the official record. If you have any information that you would like included in the official record, please provide the Town Clerk with a copy of such information this evening.
4. The Town Board reserves the right to place a time limit on speakers, if necessary.

**Vote of the Board: Councilman Ayers - Aye, Councilman Steen- Aye, Councilman Blye - Aye, Councilman Mairs - Aye, Supervisor LeFeber - Aye**

**DISCUSSION – DUMP DAYS AND RECREATION BOARD**

It appeared the Board was in favor of eliminating board representatives to Dump Days and Recreation Board. Inviting the Departments to Town Board meetings for updates was discussed.

Visitor Charlie Leonard asked about a charging fee for Dump Days per load. The Board appeared to agree that this service is paid for through taxes and a charge may discourage use, and finding things on the side of the roads would increase. All agreed, it's a great service.

**DISCUSSION - SUPERVISOR'S APPOINTMENTS**

Supervisor LeFeber opened the discussion and then made the following appointments:

Deputy Supervisor – Thomas Mairs

St. John & Baldwin as the Town of Avon Accountants

Finance – Budgets & Special Districts, Capital Projects: Chairman Supervisor David LeFeber and Deputy Supervisor Thomas Mairs

Joint Water Works & Public Works – Water and Highway – Councilmen Richard Steen and Robert Ayes

Residential, Commercial & Industrial Issues, Planning & Zoning and Public Relations

**DISCUSSION - SUPERVISOR'S APPOINTMENTS-continued**

Employee Handbook, Community Web Site, Grants, Positive Image, Employee Relations, Customer Focus – Councilman James Blye and Deputy Supervisor Thomas Mairs

Facilities – Opera Block/Highway Barns/Water Facilities, Evaluate Current and Future Technology and Facilities – Councilmen Robert Ayers and Richard Steen

Ethics Committee – Deputy Supervisor Thomas Mairs, Rev. Thomas Taylor and Resident Sandra Irish

Personnel Items – Councilman Richard Steen and Deputy Supervisor Thomas Mairs

Comprehensive Plan – Councilman James Blye and Supervisor LeFeber

Ambulance – Councilman Robert Ayers and Deputy Supervisor Mairs

Exploration of Natural Gas – Councilmen Richard Steen and James Blye

**DISCUSSION APPLICATION AND INTERVIEW PROCESS**

Supervisor LeFeber stated that we have received and continue to receive applications for the open positions. The deadline is January 4, 2012. He recommended interviews be conducted by Councilman Blye and himself, and the Board appeared to be in favor of the recommendation. Final interviews for the position of Code Enforcement Officer will be conducted by the entire board.

**DISCUSSION TWO FLOATING HOLIDAYS**

Supervisor LeFeber stated that when the Board adopted the new employee handbook at the last meeting, two floating holidays were added and identification of the days will take place at a future meeting.

**RESOLUTION #10 ADOPT 2012 LETTERHEAD**

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

ADOPTED WITH A ROLL CALL VOTE: AYES 5 NAYS 0

RESOLVE to adopt the following letterhead:

**Town of Avon**

23 Genesee Street  
Avon, New York 14414

Phone: (585) 226-2425

**RESOLUTION #10 ADOPT 2012 LETTERHEAD-continued**

David LeFeber, Supervisor  
James Blye, Councilman  
Robert Ayers, Councilman  
Daniel McKeown, Water Superintendent  
Anthony Cappello, Code Enforcement Officer

Fax: (585) 226-9299  
Web Site: [www.avon-ny.org](http://www.avon-ny.org)

Thomas Mairs, Deputy Supervisor  
Richard Steen, Councilman  
Maureen Kingston, Historian  
Thomas Crye, Highway Superintendent  
Sharon M. Knight, RMC/CMC Town Clerk

*"This institution is an equal opportunity provider, and employer. To file a complaint of discrimination, write: USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S.W., Washington, D. C. 20250-9410, or call (800) 795-3272 (voice) or (202) 720-6382 (TDD)."*

**Vote of the Board: Councilman Ayers - Aye, Councilman Steen- Aye, Councilman Blye - Aye, Deputy Supervisor Mairs - Aye, Supervisor LeFeber - Aye**

**RESOLUTION #11 RECOMMENDATION FOR THE APPOINTMENT TO THE LIVINGSTON COUNTY TRAFFIC & SAFETY BOARD**

On motion of Supervisor LeFeber, seconded by Councilman Blye the following resolution was  
ADOPTED WITH A ROLL CALL VOTE: AYES 5 NAYS 0

RESOLVE to recommend the appointment of Dennis Wright to serve as the Town of Avon Representative to the Livingston County Traffic & Safety Board.

**Vote of the Board: Councilman Ayers - Aye, Councilman Steen- Aye, Councilman Blye - Aye, Deputy Supervisor Mairs - Aye, Supervisor LeFeber - Aye**

**RESOLUTION #12 RECOMMENDATION FOR THE APPOINTMENT TO THE LIVINGSTON COUNTY TRAFFIC & SAFETY BOARD**

On motion of Deputy Supervisor Mairs, seconded by Councilman Blye the following resolution was  
ADOPTED WITH A ROLL CALL VOTE: AYES 5 NAYS 0

RESOLVE to recommend the appointment of Nick Mazza to serve as the Town of Avon Alternate Representative to the Livingston County Traffic & Safety Board.

**Vote of the Board: Councilman Ayers - Aye, Councilman Steen- Aye, Councilman Blye - Aye, Deputy Supervisor Mairs - Aye, Supervisor LeFeber - Aye**

**RESOLUTION #13 APPOINTMENT OF REGISTRAR**

On motion of Supervisor LeFeber seconded by Councilman Blye the following resolution was  
ADOPTED WITH A ROLL CALL VOTE: AYES 5 NAYS 0

WHEREAS, Section 4121 and 4123 of New York State Public Health Law provides that a registrar of vital statistics for the town be appointed by the town board and

**RESOLUTION #13 APPOINTMENT OF REGISTRAR-continued**

that where the town clerk is appointed to said position the term of this appointment is to be coterminous with that of Town Clerk, now, therefore, be it

**RESOLVED**, that the Avon Town Board does hereby appoint Sharon M. Knight, CMC/RMC, the current Avon Town Clerk, to the position of Registrar of Vital Statistics for the Town of Avon for a term of four (4) years running coterminous with her term as Town Clerk, to expire December 31, 2015.

**Vote of the Board: Councilman Ayers - Aye, Councilman Steen- Aye, Councilman Blye - Aye, Deputy Supervisor Mairs - Aye, Supervisor LeFeber - Aye**

**RESOLUTION #14 DUTIES OF THE DEPUTY TOWN CLERK**

On motion of Deputy Supervisor Mairs, second by Supervisor LeFeber the following resolution was

ADOPTED WITH A ROLL CALL VOTE: AYES 5 NAYS 0

WHEREAS, the Town Clerk is authorized under Section 30 Subdivision 10 of the Town Law of the State of New York to appoint not more than three deputies, and

WHEREAS, the Town Board is mandated by Section 30, Subdivision 20 to determine what powers said deputies shall have and what duties said deputies shall perform.

NOW, THEREFORE, BE IT RESOLVED, that the deputies of the Town Clerk of the Town of Avon are hereby authorized to act for and in place of the Town Clerk of the Town of Avon.

**Vote of the Board: Councilman Ayers - Aye, Councilman Steen- Aye, Councilman Blye - Aye, Deputy Supervisor - Aye, Supervisor LeFeber - Aye**

**RESOLUTION #15 ADOPTING STANDARD WORK HOURS FOR RETIREMENT REPORTING**

On motion of Deputy Supervisor Mairs, seconded by Councilman Blye the following motion was

ADOPTED AYES 5 NAYS 0

RESOLVE that the following be set as standard work hours for the positions listed for the purpose of reporting to the NYS Employee Retirement System.

| Position    | Standard Hours |
|-------------|----------------|
|             |                |
| Youth Board | 6              |

|                              |   |
|------------------------------|---|
| Deputy Town Clerk            | 8 |
| Code Enforcement & ZBA Clerk | 6 |
| Personal                     | 6 |
| Supervisor Secretary         | 6 |
| Clerk Part Time              | 8 |
| Motor Equipment Operator     | 8 |
| Clerk to the Town Justice    | 6 |
| Highway Superintendent       | 8 |
| Code Enforcement             | 6 |
| Town Clerk                   | 8 |
| Water Superintendent         | 8 |
| Historian                    | 6 |
| Supervisor                   | 6 |
| Town Justice                 | 6 |
| Laborer Part Time            | 6 |
| Councilman                   | 6 |

**Vote of the Board: Councilman Ayers - Aye, Councilman Steen- Aye, Councilman Blye - Aye, Councilman Mairs - Aye, Supervisor LeFeber - Aye**

**DISCUSSION OPEN ITEMS**

Supervisor LeFeber opened the discussion on the need to install water lines on South Avon Road. Many different ways to move forward were discussed and additional information will be gathered prior to a decision of the Board.

**VISITOR'S COMMENTS**

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

On motion of Deputy Supervisor Mairs, seconded by Supervisor LeFeber the meeting was adjourned at 8:52 P.M.

Respectfully submitted by:

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Sharon M. Knight, CMC/RMC Town Clerk