

A Regular Meeting of the Town of Avon was held on Thursday, August 23, 2012 at 7:00 P.M. at the Avon Opera Block/Town Hall with the following members present:

PRESENT: Supervisor David LeFeber, Deputy Supervisor Thomas Mairs, Councilmen James Blye and Richard Steen.

ABSENT: Councilman Robert Ayers

OTHERS: Attorney James Campbell, Town Engineer Timothy Rock, Water Superintendent Daniel McKeown, Code Enforcement Officer Anthony Cappello, Deputy Town Clerk Deborah Dillon-Sarra, and Town Clerk Sharon Knight, CMC/RMC

VISITORS: Joe Tuchrello, Mike Froome, Douglas Lyons, Betty Hanna and Molly Low

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

Pledge of Allegiance

DISCUSSION VISITOR COMMENTS

Visitor Joe Tuchrello shared his and his daughters concern of Board Members taking their Oath of Office and their request for hearing assistance.

Supervisor LeFeber responded stating that the Oath of Office record is kept in the Town Clerk's Office. Town Clerk Knight stated that all Board Members have taken their Oath of Office.

The Board responded to the request for hearing assistance stating that the speaker system will be installed in both the Court and the Town Board Rooms in the near future.

DISCUSSION MIKE FROOME – MORATORIUM GAS DRILLING COMMITTEE UPDATED

Mike Froome, Chairman of the Moratorium Committee addressed the Board with the following:

Supervisor LeFeber welcomed Moratorium Committee Chairman Mike Froome to the meeting. Mr. Froome provided the following report.

I'm the volunteer chairperson for the committee. You'll get your money out of this committee. The SGEIS does not cover everything we need to know. There are things that are important to Avon. We don't have a lot to share just yet. We are going to meet every other week initially. We've met twice so far. We have a mission statement that is proposed. We are reviewing it as a committee and we are not ready to share it just yet. We are shooting to have an Avon impact statement. We are looking at how to do some of the things they studied in the SGEIS compared to Avon. We are finding the most important things for Avon. We are splitting up the work on topics. We will show you soon to demonstrate progress. We've decided a community poll is appropriate, and we are deciding the easiest way to do it. The next meeting

**DISCUSSION MIKE FROOME – MORATORIUM GAS DRILLING COMMITTEE
UPDATED - continued**

will be one week from today with Jordan Klein an activist, he's on the Rush committee and he is going to talk to us about impacts that's a specialty of his. He'll have a formal presentation and everyone is welcome to come. We need to consider both sides. Jordan Klein is antifracking, and we are also looking to see if we can find someone to represent both sides. We are thinking about asking Rich Hite, an Avon person who works for John Holko. We don't want Holko, but we are going to be as balanced as we can. When I report back I can share our outline and the progress that we've made.

Supervisor LeFeber thanked Mike Froome for his report and the Committee's efforts.

DISCUSSION – MINUTES OF AUGUST 9, 2012

Supervisor LeFeber asked if the Board Members had an opportunity to review the minutes. Councilman Blye reported that he had asked for changes and that not all of his changes are in there. I thought the minutes were a factual account and not an interpretation.

Town Clerk Knight stated that she is not stating that minutes of the Moratorium Committee were or were not taken, but that at the August 9th Town Board meeting it was reported by Councilman Blye that no minutes were taken. Time was taken to listen to the tape and this was clear.

Councilman Blye responded stating that it's not a big enough thing to have a big discussion. The Board took the following action.

RESOLUTION #151 APPROVAL OF MINUTES

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

ADOPTED AYES 3 NAY 1 (Councilman Blye) ABSENT 1 (Councilman Ayers)

RESOLVE to approve the minutes of August 9, 2012 as presented.

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

**DISCUSSION – PUBLIC HEARING T-3A-2012 FOR LOCAL LAW T-3A-2012
REZONING TAX MAP NUMBER 35.10-1-4**

Supervisor LeFeber stated that all testimony from the public has been received.

Supervisor LeFeber then reported on the letter that was sent from the Board, to the applicant regarding the area just North of the house and questioned if it was still gravel.

**DISCUSSION – PUBLIC HEARING T-3A-2012 FOR LOCAL LAW T-3A-2012
REZONING TAX MAP NUMBER 35.10-1-4-continued**

Applicant Doug Lyons responded, yes, that he is moving forward on seeding the back lot. I had topsoil delivered today. My intention is to make it look more residential.

Supervisor LeFeber asked for any comments from the Board. The Board can close the hearing and go forward, or we can leave the hearing open. The Board took the following actions:

**RESOLUTION #152 CLOSE PUBLIC HEARING LOCAL LAW T-3A-2012 REZONING
TAX MAP NUMBER 35.10-1-4**

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

ADOPTED AYES 4 NAYS 0 ABSENT 1 (Councilman Ayers)

RESOLVE that the Public Hearing for Local Law T-3A-2012 be closed as all testimony has been received.

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

**RESOLUTION #153 SHORT ENVIRONMENTAL ASSESSMENT FORM FOR LOCAL
LAW T-3A-2012 REZONING TAX MAP NUMBER 35.10-1-4**

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

ADOPTED AYES 4 NAYS 0 ABSENT 1 (Councilman Ayers)

RESOLVE that the State Environmental Quality Review – Short Environmental Assessment Form was completed.

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

**RESOLUTION #154 SEQR NEGATIVE DECLARATIONS FOR LOCAL LAW T-3A-
2012 REZONING TAX MAP NUMBER 35.10-1-4**

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

ADOPTED AYES 4 NAYS 0 ABSENT 1 (Councilman Ayers)

RESOLVE to make a negative declaration as a Type II. The Board determined, based on information and analysis, and supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

RESOLUTION #154 SEQOR NEGATIVE DECLARATIONS FOR LOCAL LAW T-3A-2012 REZONING TAX MAP NUMBER 35.10-1-4 – continued

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

RESOLUTION #155 AUTHORIZE SUPERVISOR LEFEBER TO SIGN THE SHORT ENVIRONMENTAL ASSESSMENT FORM FOR LOCAL LAW T-3A-2012 REZONING TAX MAP NUMBER 35.10-1-4

On motion of Councilman Blye, seconded by Councilman Steen the following resolution was ADOPTED AYES 4 NAYS 0 ABSENT 1 (Councilman Ayers)

RESOLVE to allow Supervisor LeFeber to sign the Short Environment Assessment Form.

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

RESOLUTION #156 ADOPT LOCAL LAW 3-2012 REZONING TAX MAP NUMBER 35.10-1-4

On a motion by Supervisor LeFeber, seconded by Deputy Supervisor Mairs the following resolution was ADOPTED AYES 4 NAYS 0 ABSENT 1 (Councilman Ayers)

RESOLVE to adopt Local Law 3-2012 as follows:

**LOCAL LAW NO. 3 OF THE YEAR 2012
OF THE TOWN OF AVON**

A local law to amend the boundaries of a certain zoning district currently known as General Business District (B1) within the Town of Avon, Livingston County, New York, changing such certain specified area to One Family Residential District (R1).

Be it enacted by the Town Board of the Town of Avon as follows:

SECTION 1. TITLE AND SCOPE

This local law shall be known as “A LOCAL LAW TO AMEND THE BOUNDARIES OF THE GENERAL BUSINESS DISTRICT AND EXTEND THE BOUNDARIES OF THE ONE FAMILY RESIDENTIAL ZONING DISTRICT OF THE TOWN OF AVON, LIVINGSTON COUNTY, NEW YORK.”

**LOCAL LAW NO. 3 OF THE YEAR 2012
OF THE TOWN OF AVON-continued**

SECTION 2. PURPOSE.

The purpose of this local law is to modify the boundaries of a certain zoning district currently known as General Business District within the Town, changing such certain specified area to One Family Residential District.

SECTION 3. LOCATION OF MODIFIED ZONING DESIGNATION.

That portion of the existing General Business District located along the north side of NYS Routes 5 & 20, east of its intersection with the easterly line of NYS Route 15, in the Town of Avon, New York, encompassing in its entirety an approximately 67' x 243' parcel known as Tax Identifier Map Parcel Number 35.10-1-4, shall be reclassified to One Family Residential District (R1), and the official Zoning Map of the Town of Avon shall be amended to reflect such reclassification (although not contemporaneously with the adoption of this Local Law).

SECTION 4. EFFECTIVE DATE.

This local law shall be effective immediately upon its filing with the Office of the Secretary of State.

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

DISCUSSION ATTORNEY REPORT

Attorney Campbell reported on the following:

At the last meeting he handed each of the Board members a copy of the Application to be deputized as qualified Electrical Inspector in the Town of Avon. The Code Enforcement Officer will be responsible for the deputizing.

Attorney Jim Campbell reported that this came up because we had issues in Royal Springs. When it came up I did some research and communities all over the state have done it, because we are on the hook. Having some standards gives us a mechanism for enforcement. The law in the state of NY is a function of the code dept. We can have on staff code professionals or we can subcontract it out. A builder or homeowner will engage an electrician and the electrical will call someone who can do the inspection. Some contractors might not cross all the I's and dot the T's. Ultimately the Town carries the responsibility being a function of the code dept. Legally it makes sense to have a set of standards. I'm not suggesting I like this but it's pretty clear to me there is a liability for the Town. Ignorance is bliss, but it's not helpful in defending yourself. We've been told and we've identified it as a problem.

DISCUSSION ATTORNEY REPORT-continued

Code Enforcement Officer Cappello stated that he was not in support of this until he learned at code school that he would be responsible. Training does not include electrical.

Councilman Steen questioned the process including how long the contract lasts. The contract says it continues till such time as it should not continue and Code Enforcement Officer Cappello has the ability to terminate.

Attorney Campbell stated this is necessary to show that a business is equipped to inspect this business. I didn't want to make it more difficult, but my inclination as a lawyer is to do our job. There is something to lose if houses burn down. We need to find authorized inspectors.

Supervisor LeFeber asked Attorney Campbell if he recommends this contract and the response was, I think by resolution you accept this as your format.

RESOLUTION #157 ADOPT APPLICATION TO BE DEPUTIZED AS QUALIFIED ELECTRICAL INSPECTOR

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

ADOPTED AYES 4 NAYS 0 ABSENT 1 (Councilman Ayers)

RESOLVE to adopt the application as follows:

**TOWN OF AVON CODE ENFORCEMENT OFFICE
APPLICATION TO BE DEPUTIZED AS QUALIFIED
ELECTRICAL INSPECTOR IN
THE TOWN OF AVON, NEW YORK**

PLEASE PRINT OR TYPE

NAME OF FIRM: _____

MAILING ADDRESS: _____

STREET ADDRESS (IF DIFFERENT): _____

CITY/TOWN: _____ STATE: _____ ZIP CODE: _____

TELEPHONE: _____ FAX NO. _____ EMAIL: _____

The party named above makes this application to be deputized as a qualified electrical inspector authorized to act as an agent for the Town of Avon, and makes the following representations:

Criteria:

**RESOLUTION #157 ADOPT APPLICATION TO BE DEPUTIZED AS QUALIFIED
ELECTICAL INSPECTOR-continued**

1. The party named above is authorized to conduct business within the State of New York;
2. The party named above represents and warrants that it maintains and will maintain, at its own cost, workers' compensation and comprehensive general liability insurance with a limit of liability of no less than \$1,000,000 per occurrence, issued by insurance carriers licensed to do business in New York State with an A.M. Best rating of no less than B+. All such policies shall be maintained during the time that inspections are being performed and inspection certificates are being submitted;
3. The party named above shall provide the Town of Avon with proof of the required insurance coverage and the qualifications of its inspectors, acceptance of which remains solely within the discretion of the Town of Avon;
4. The party named above shall not solicit or require any waiver of responsibility of error, or omission of its inspectors, from any person or entity for whom an inspection is being performed;
5. The party named above shall require all wiring and electrical installation to meet standards of the latest revision of the National Electrical Code, New York Uniform Fire Prevention and Building Code and any local law or code requirement of the Town of Avon;
6. Inspections and reports shall be made only by qualified electrical inspectors. The party named above shall ensure that the inspectors they employ have adequate experience, education and training, including at a minimum:
 - a. a working knowledge of the principles of electricity necessary to interpret the National Electric Code, New York Uniform Fire Prevention and Building Code and any other relevant regulations;
 - b. knowledge of the requirements of the National Electric Code and other applicable requirements (e.g. nationally recognized certification or competence and professionalism in construction code enforcement); and
 - c. familiarity with construction practices of the electrical wiring trade;
7. The party named above, and its electrical inspectors shall comply with all federal, state and local laws, ordinances, rules and regulations;
8. The party named above shall maintain adequate records so that it can provide the Town of Avon with records of inspection (and any findings) upon request;
9. The party named above shall establish a system to receive applications and issue inspection reports in accordance with the following:

**RESOLUTION #157 ADOPT APPLICATION TO BE DEPUTIZED AS QUALIFIED
ELECTICAL INSPECTOR-continued**

- a. The party named above shall provide a customer with an application for inspection form, which shall include copies for the Town of Avon Code Enforcement Office;
 - b. The party named above shall provide written notice to the Town of Avon Code Enforcement Office that an inspection has been made and that all wiring and required electrical systems are in compliance;
 - c. The party named above shall establish a procedure for prompt notification of any non-compliance of the wiring system, which shall be served on the customer and provided to the Town of Avon Code Enforcement Office;
 - d. Upon correction of any items of non-compliance specified by the above notification, the party named above shall issue notification of final compliance and shall provide copies of the certificate to the Town of Avon Code Enforcement Office;
10. All charges for inspections, reinspections, etc., as provided for herein, shall be borne by the customer, and in no event shall such cost(s) be a charge against the Town of Avon;
 11. The party named above agrees to indemnify and hold the Town of Avon, its officers, officials, employees and agents, harmless from any liability, claim, damages, cause of action, proceeding, awards, judgments to recover monies, or Other form of cost or expense arising from any service provided by the party name above pursuant to the terms of this application;
 12. Acceptance or denial of this application (or of continued compliance) by the Town of Avon shall be based on the Town's determination of the above criteria in The Town's sole discretion. The Town of Avon reserves the right to periodically review the status of the party named above to determine continued compliance with the requirements of this application;
 13. Any non-compliance with the requirements of this application shall be cause for termination of the authority of the party named above to conduct electrical inspections within the Town of Avon; and
 14. The party named above acknowledges that it is acting as an independent contractor and is not employed by the Town of Avon.

RESOLUTION #157 ADOPT APPLICATION TO BE DEPUTIZED AS QUALIFIED ELECTICAL INSPECTOR-continued

The party named above agrees to each and every provision stated herein.

Date: _____, applicant

Accepted by the Avon Code Enforcement Officer

Date: _____
Anthony J. Cappello, CEO –Town of Avon, New York

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

DISCUSSION ATTORNEY REPORT-continued

Attorney Campbell is still working on our annexation request, it will be a while, but I got some more information from our applicants’ attorney. The information will be shared with the Village of Avon Attorney.

Lastly, I am in the process of the proposed amendment to the Verizon Cell Tower Lease I discussed this with Lisa Vangellow. I think they would be available to negotiate this. We have a November date approaching. You might recall they wanted to reduce our lease, and that would be warranted in this situation. They are offering \$1,800 a year more, and that is modest in industry standards. I am okay time wise as long as we can reach a resolution. With your permission I’ll work to see if we can find something better.

To put up one of those towers is half a million dollars. It covers key parts of Route 15, and 390. Today a company Unison called and wanted to know if I was interested in meeting with them to purchase certain components of cell sites so they have exclusive control. Jim did a little investigation of Unison.

Supervisor LeFeber reported that a few years ago a different company came in and we didn’t bite they offer 3 and 4 thousand dollars. They are very successful to property owners. Farm fields to build towers. For Avon’s purposes it is not a wise move.

DISCUSSION – WATER REPORT

Water Superintendent McKeown reported he had nothing to report.

DISCUSSION – CODE DEPARTMENT

Code Enforcement Cappello provided information on a property on Route #5/20 near Country Side Diner and that it is in violation of our Town Code. Additional information will be sought from Assessor Snyder.

DISCUSSION – ENGINEER REPORT

Town Engineer Rock reported on the following:

The Geo-Graf Geophysical Investigations of the South Avon and Pole Bridge Road Cemeteries dated August 10, 2012 was shared. Their final report provided maps and photos of the cemeteries and the number of graves currently in it. He said there are a lot of graves that don't have headstones. From the founding of the town to the Civil War, children were buried next to someone who had a headstone. If you look at his report it shows the graves with ground penetrating equipment. It's pretty significant.

The Pole Bridge site has much fewer graves, and most of the graves are 3 or 4 foot deep. With the modern equipment you can see these sites and they are 2 1/2 by 6 foot a modern grave is 4 by 8 foot because of the concrete pads that keep the ground from sinking. All in attendance reviewed the maps and it was noted that the green sites on the map are not occupied. The next step can be to put in iron pins such that a gravedigger could put a string so the spot can be located. The map shows the purple ones are existing graves the other color is modern graves. When he sent the report digitally the graves were not digitally accurate locations as they were plus or minus a few feet. Once you coordinate the pins you can put it in a GIS System to put in the names and dates. The green boxes are the maximum amount to be filled. Limit a few, because they can be off a few feet. Since we picked up the headstones and footstones, we can lock it in a lot better. Trees are not permanent structures, but they might want to put a road or a glen or a bench.

Supervisor LeFeber stated that basically we have two cemeteries that were closed and we need to talk about getting them opened up and what type of fees we are going to charge. It appeared to be the census of the Board that we need to take this information and take the next steps. It was suggested that committee be formed including a few Board members. Visitor Betty Hanna and Town Clerk Knight offered to serve on the Committee. Visitor Molly Low requested eleven plots for her family.

Discussion included the need to do some planning, we are currently maintaining the cemeteries, it appears there are enough spots to make it worth our while but we need to get our financial stuff together. Supervisor LeFeber suggested to keeping the funds separate and that he will be meeting with St. John & Baldwin next week and will report back to the Board.

Lastly the bridge culvert project is moving along. He approved the drawings. The only concerns I have are putting in the right bolts and I can't believe that 17 feet of concrete will be held by the bolts. Highway Superintendent Crye will purchase the type listed. Property owner Louie Lee has agreed to the new styled blocks that will be used.

DISCUSSION – ENGINEER REPORT -continued

Supervisor LeFeber reported that Highway Superintendent Crye will be on a County job on Monday and it's expected that we will get some additional fill.

DISCUSSION – TOWN CLERK REPORT

Town Clerk Knight reported on the following:

According to the Village Addressing Officer Patty Baker our address of 23 Genesee Street is tax map number 36.6-1-3 Opera Block and 27 Genesee Street is tax map number 36.6-1-2 bank side of building. Sargeant Mike Bradley does not have the authority to make the change. Again, the pleasure of the Board would determine any further action.

There was questioning if the National Registry would be affected if we made a change. It appeared that a change was not needed and we would keep the numbers as 23 and 27.

At the next meeting the Board will consider the Snow & Ice Contract.

With the Board's blessing the Town Clerk's Office can accept credit cards through Business Automation Services Inc. Municipalities cannot pay the fee. The customer using the credit card would be charged 2.45 percent for the convenience fee.

RESOLUTION #158 APPROVAL OF ACCEPTING CREDIT CARDS

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

ADOPTED AYES 4 NAY 0 ABSENT 1 (Councilman Ayers)

RESOLVE to approve the Town Clerk's Office to accept credit cards for all payments.

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

RESOLUTION #159 PAYMENTS OF BILLS

On motion of Councilman Blye, seconded by Councilman Mairs the following resolution was ADOPTED AYES 4 NAYS 0 ABSENT 1 (Councilman Ayers)

Resolve to approve payment of the following abstract:

RESOLUTION #159 PAYMENTS OF BILLS-continued

Concerning ABSTRACT of Claims Number 2012-16 including claims as follows:

General Fund	Voucher #342 through #365 in amounts totaling \$9,602.94
Highway Fund	Voucher #134 through #144 in amounts totaling \$10,844.51
Water Fund	Voucher #98 through #101 in amounts totaling \$61,380.94
Cemetery Fund	No Voucher
Opera Block Capital	No Voucher
Improvement	No Voucher
Royal Springs Lighting	No Voucher

RESOLUTION #159 PAYMENTS OF BILLS-continued

Cross Roads Drainage	No Voucher
District	
Bruckel Drainage District	No Voucher
Royal Springs Drainage	No Voucher
Town Of Avon Fire	
Protection	No Voucher
Rte. 39 Water SW2	No Voucher

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

DISCUSSION – PAYMENT OF BILLS

Town Clerk Knight reported on the investigation to amend Abstract 2012-7.

On April 12, 2012 the Town Board approved payment of Voucher #60 that included two invoices dated 4/5/2012, numbers 510382 and 510383. The voucher was marked as prepaid, however; the actual amount that was prepaid did not include these two invoices. The check that was mailed was only \$1,116.19 not the approved \$2,759.73.

On June 14, 2012 the Board approved payment of Voucher #99 that also included these two invoices and they were actually paid.

Thus the recommendation to amend abstract 2012-7 to shown the actual amount paid. The Board took the following action.

RESOLUTION #160 PAYMENTS OF BILLS

On motion of Councilman Blye, seconded by Supervisor LeFeber the following resolution was ADOPTED AYES 4 NAYS 0 ABSENT 1 (Councilman Ayers)

RESOLUTION #160 PAYMENTS OF BILLS-continued

Resolve to approve payment of the following abstract:

Concerning ABSTRACT of Claims Number 2012-7 including claims as follows:

General Fund	Voucher #136 through #160 in amounts totaling \$12,798.20
Highway Fund	Voucher #53 through #61 in amounts totaling \$14,021.96
Water Fund	Voucher#37 through #46 in amounts totaling\$1,610.49
Cemetery Fund	Voucher #3 through #3 in amounts totaling \$250.00
Opera Block Capital Improvement	No Voucher
Royal Springs Lighting	Voucher #4 through #4 in amounts totaling \$1,010.74

RESOLUTION #160 PAYMENTS OF BILLS-continued

Cross Roads Drainage District	No Voucher
Bruckel Drainage District	No Voucher
Royal Springs Drainage	No Voucher
Town Of Avon Fire Protection	No Voucher
Rte. 39 Water SW2	No Voucher

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

RESOLUTION #161 AMEND COMPENSATION SCHEDULE

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

ADOPTED AYES 4 NAYS 0 ABSENT 1 (Councilman Ayers)

RESOLVE to approve the amendment of the compensation schedule effective September 8, 2012 as follows:

Name	Position/Duties	Status	2011 Rate	2012 Rate
McKeown, Joseph	Motor Equipment Operator	Full Time	\$18.00/hr.	\$22.25/hr.

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

DISCUSSION – ROYAL SPRINGS ESCROW ACCOUNT

Supervisor LeFeber reported that the work at Royal Springs Development has gone really well. Developer Kolokouris is talking about installing hammerheads.

Engineer Rock stated that he has warned Highway Superintendent Crye that the Town will be responsible for upkeep after that.

Supervisor LeFeber asked the Board to consider releasing additional funds from the Royal Springs Escrow Account as the Developer Peter Kolokouris continues to make improvements within the Development.

RESOLUTION #162 AUTHORIZE SUPERVISOR TO RELEASE FUNDS – ROYAL SPRINGS SUBDIVISION ESCROW ACCOUNT

On motion of Councilman Blye, seconded by Councilman Steen the following resolution was ADOPTED AYES 4 NAY 0 ABSENT 1 (Councilman Ayers)

RESOLVE to authorize Supervisor LeFeber to release \$140,000.00 from the Letter of Credit Funds currently being held in the Royal Springs Subdivision escrow account to the Developer Peter Kolokouris.

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

DISCUSSION – HIGHWAY REPORT

Highway Superintendent Crye was not at the meeting. Supervisor LeFeber provided the following:

The Highway radios need to be upgraded to a narrow band frequency. The total cost is \$2,600.00 and the Board approved this non-budgeted item because communication with the County Highway Department is essential.

Highway Superintendent Crye wants to bid on a 10 wheeler. He is looking to put out to bid a truck, a plow, and a sander. It will be Jan, Feb March before we get the truck. The concern is what if the Board doesn't put it into the Budget in 2013. It will be \$175,000. We have a reserve of \$115,000 right now. If the Board doesn't put it in the budget, then how long will we have to pay for the truck, and then wait for the truck. Supervisor LeFeber is putting a tentative budget together. We've put a lot of money in the budget. We've had a lot of expenditures with the current truck. This truck is costing us a lot of money to keep it going. It's the Board's decision. It was decided to wait until Councilman Ayers is in attendance.

Lastly, a request from the Highway Superintendent was shared to declare the old sander as surplus and the Board took the following action

RESOLUTION #163 DECLARE THE OLD SANDER AS SURPLUS

On motion of Councilman Blye, seconded by Councilman Steen the following resolution was ADOPTED AYES 4 NAYS 0 ABSENT 1 (Councilman Ayers)

RESOLVE to declare the old sander as surplus.

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

DISCUSSION - SUPERVISOR'S REPORT

Supervisor LeFeber reported on the following:

The position of Fire Marshall and Code Enforcement Officer is open and interviews will take place with two Village of Avon Trustees and Councilmen Blye and Steen. Village Mayor Freeman is aware of two people that are already trained that could possibly fill the position. Councilman Mairs stated that there are four tests that must be passed to qualify for certification. Code Enforcement Officer Cappello stated that there are background requirements needed for the position, and he will provide a copy of them to Councilman Blye.

DISCUSSION – AMBULANCE

A discussion was opened regarding a timeline for the Town of Avon to operate and maintain the Ambulance.

Supervisor LeFeber stated that we've determined if this Board decides that we want to have the Ambulance, it will not be possible until 2014- 2015 tax rolls. Also it is important that the residents of the entire Town need to buy into it.

The Councilmen were in agreement that the residents of the Town should be approached because they will all pay more for the ambulance through taxes. The consensus being the ambulance should be accountable, and the community should make the decision.

Deputy Supervisor Mairs stated that there is an upcoming meeting with the Village concerning the ambulance, and this meeting should be attended by representatives from the Town Board before it is opened up to the residents. Councilman Ayers and Deputy Supervisor Mairs are on the committee, and will be attending the meeting.

Supervisor LeFeber brought to the discussion the request by resident Karen Hopkins who approached him stating she has an interest in putting water to a little house across the street. Mrs. Hopkins resides in the Town of Rush just past the Avon Town Line. She put the service to her current residence at her expense. The four inch main has adequate pressure and volume of water to service this additional residence she purchased across the road. I don't think there's anything we need to do to approval it. This will be done at her expense.

DISCUSSION – AMBULANCE-continued

All Board members approved.

Additional topics included Avon Dump Days coming up September 8, 2012. Supervisor LeFeber asked Deputy Supervisor Mairs to assist with the Dump Days collection process, and Deputy Supervisors Mairs stated if he has the time open he would assist.

Supervisor LeFeber continued he has most recently met with Mayor Freeman on a lot of things, one being the Village property being advertised for sale including the back lot behind the Opera Block. Maybe Village Mayor Freeman and I can put a letter out reaffirming the Town's interest in buying the lot for a parking lot.

Lastly Supervisor LeFeber stated the contract with the company providing floor mats Unifirst is nearing the end of its contractual agreement. Is it the desire of the Board to pursue purchasing mats and taking care of the maintenance, or to renew the agreement. If we renew now, we can renew at the same price, otherwise the price is going up. We need to cover more of the floors.

It was the consensus of the Board to have Supervisor LeFeber sign and extension to the Unifirst contract.

RESOLUTION #164 AUTHORIZE SUPERVISOR TO SIGN THE EXTENSION TO OUR CONTRACT WITH UNIFIRST

On motion of Deputy Supervisor Mairs, seconded by Councilman Blye the following resolution was
ADOPTED AYES 4 NAY 0 ABSENT 1 (Councilman Ayers)

RESOLVE to authorize Supervisor LeFeber to sign an extension to the Unifirst Contract.

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

DISCUSSION – PUBLIC COMMENTS

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

DISCUSSION OPEN ITEMS

Councilman Blye stated that he would review the maintenance items the Court was requesting. The sound system for the court would be completed and a hand held microphone will be included for the Board's use.

On motion of Deputy Supervisor Mairs, to adjourn, Supervisor LeFeber seconded. The meeting adjourned at 9:00 P.M.

Respectfully submitted by, _____
Deborah Dillon-Sarra, Deputy Town Clerk

&

Sharon M. Knight, CMC/RMC