

A regular meeting of the Town of Avon was held on Thursday, January 9, 2020 at 6:00 P.M. at the Avon Opera Block/Town Hall, 23 Genesee Street, Avon, New York 14414, with the following members present:

PRESENT: Supervisor David LeFeber, Deputy Supervisor Thomas Mairs, and Councilmen Malachy Coyne, James Harrington and Paul Drozdziel

OTHERS: Attorney James Campbell, Code Enforcement Officer Brian Glise, and Deputy Town Clerk Ellen Zapf

VISITORS: Judy Falzoi and Janet Manko

Supervisor LeFeber called the meeting to order at 6:00 P.M. and led those in attendance in the Pledge of Allegiance.

DISCUSSION – VISITORS COMMENTS

Supervisor LeFeber asked for Visitor Comments and they follow:

Visitor Judy Falzoi asked when the public hearing for Piranha, who will be building in the James Steel Commerce Park, will be taking place. What is the next step?

There was a joint meeting with the ZBA and Planning Boards on January 7 and representatives from Piranha were present. CEO Officer Glise will be meeting with their contractor tomorrow. There is also a joint meeting planned for February 4, 2020.

Attorney Campbell stated that the SEQR occurred at the December 16, 2019 joint meeting.

Visitor Falzoi commented on what was discussed at the last Planning Board meeting by homeowners on Pole Bridge Road. And was wondering about a meeting between neighbors and the Solar consultants. Can the Solar Law be amended to allow more distance from property lines?

Visitor Janet Manko discussed groups forming in other municipalities to deal with large solar coming to their towns. She also talked about another towns renovation of their opera building and what it is used for.

DISCUSSION - ATTORNEY REPORT

Attorney Campbell reported on the following:

I received correspondence from Ag and Markets regarding the solar project on Rochester Street. They would like a sixty-day delay so they can further explore the project.

Supervisor LeFeber asked about reaching out to the solar entity looking to put a solar farm on Pole Bridge Road to discuss a solar PILOT.

DISCUSSION - ATTORNEY REPORT-continued

Attorney Campbell stated that he could generate movement on the discussion of the PILOT.

Councilman Harrington talked about the drainage issues in this area and if we could have the developer work with the town to help alleviate this issue. This was discussed at the recent joint ZBA/Planning Board meeting.

Attorney Campbell talked about: Community Benefit Agreements and making proposed changes to the Solar Law and give it to the Solar Committee to review.

Attorney Campbell spoke of the missing page of a resolution in the June 12, 2014 minutes which outlines uses of a particular property in the James Steel Commerce Park.

The Town Board directed him to draft a resolution validating the entire determination for the next meeting.

DISCUSSION – HIGHWAY/WATER REPORT

Highway/Water Superintendent Crye was not in attendance.

DISCUSSION – ENGINEER REPORT

David Willard, MRB Group Engineer was not in attendance.

DISCUSSION – CODE DEPARTMENT

Code Enforcement Officer Glise reported on the following:

At the joint ZBA/Planning Board meeting on Monday night a pole barn at Ashantee was approved and Solar was discussed.

CEO Glise will be meeting with Piranha's contractor tomorrow.

Visitor Falzoi asked again about a public hearing.

Attorney Campbell stated that site plan approval has already been granted and does not necessarily require a public hearing. The use of the property had already been approved and the SEQR has been done.

Visitor Falzoi would like to request a public hearing as she has concerns. What is the benefit to the town?

DISCUSSION – CODE DEPARTMENT-continued

Supervisor LeFeber stated that the parcel of land that Piranha has purchased has been vacant for many years and owned by the County. The Benefit to the town is tax revenue. He is very confident in our ZBA/Planning Boards and the town's Code Officer. There is room for future growth, and they will need to come back to get approval.

CEO Glise received a call from a concerned citizen asking what benefit the community is receiving by allowing solar. He answered that community members could receive a ten percent reduction in their electric costs. The community member thinks the town should ask for a higher reduction.

Noyes Hospital is looking to put a mental health outpatient facility in the James Steel Commerce Park. It will not be a 24-hour facility and will hold regular hours.

DISCUSSION – TOWN CLERK REPORT

Deputy Town Clerk Zapf reported on the following:

- Communications were received and forwarded to the Town Board via email:

Town Clerk's monthly report – December 2019
Monthly budget report through December 31, 2019

Town Clerk Knight has been out of the office due to an injury and Deputy Town Clerk Zapf is in training from January 8 through 10. In order to keep the office open we ask that Jordan Zapf be appointed as a Deputy Town Clerk so she may fill in. She will need to be appointed effective January 8, 2020. No action was taken by the board.

DISCUSSION - SUPERVISOR'S ITEMS

Supervisor LeFeber stated that the bulldozer jointly owned with the Town of Lima need track work and we will have to pay half. As this was not accounted for in this years' highway budget, we may need to do a budget transfer.

Dave Willard our engineer from MRB Group put together a letter to Bill Bacon regarding the water line on Interstate Drive. MRB Group is also continuing to work with Albany regarding Papermill Park.

Supervisor LeFeber would like to revisit the joint water study.

DISCUSSION – PAYMENT TO BILLS

Supervisor LeFeber discussed a voucher for decorations bought for the Town Hall building (which was not approved for this year) and that a personal credit card was used for the purchase. It was stated that there is a credit card policy in place, and it needs to be followed. The Board agreed to pay the voucher but would like the policy re-sent to all town personnel.

Councilman Coyne asked if the voucher for Baldwin Business Services is their last. It is.

The town did need to order new checks for the general account.

RESOLUTION #21 PAYMENT OF BILLS

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

ADOPTED AYES 5 NAYS 0

RESOLVE to accept for payment Abstract 2020-1 in the following amounts:

Concerning ABSTRACT of Claims Number 2020-01 including claims as follows:

General Fund	Voucher #1 through #26 in amounts totaling \$ 22,232.03
Highway Fund	Voucher #1 through #4 in amounts totaling \$ 2,167.90
Water Fund	Voucher #1 through #7 in amounts totaling \$ 2,64.02
Cemetery Fund	No Voucher
Opera Block Capital Improvement	No Voucher
Royal Springs Lighting	No Voucher
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 Drozdziel - Aye, Councilman Harrington - Aye, Councilman Coyne - Aye, Deputy Supervisor Mairs - Aye, Supervisor LeFeber – Aye

RESOLUTION #22 ACCEPT THE MONTHLY REPORTS

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

ADOPTED AYES 5 NAYS 0

RESOLVE to accept the monthly reports for December 2019 from the Town Supervisor and from the Town Clerk as shown below:

Town Clerk's December 2019 Report:

RESOLUTION #22 ACCEPT THE MONTHLY REPORTS-continued

Total Local Shares Remitted:	\$ 1,219.50
New York State Department of Health	\$ 22.50
NYS Ag. & Markets for spay/neuter program	\$ 55.00
NYS Environmental Conservation	\$ 89.75
TOTAL	\$ 1,386.75

Vote of the Board: Councilman Drozdziel - Aye, Councilman Harrington - Aye, Councilman Coyne - Aye, Deputy Supervisor Mairs - Aye, Supervisor LeFeber – Aye

DISCUSSION - SUPERVISOR’S ITEMS-continued

Supervisor LeFeber talked about the phone and internet bill from Spectrum. The cost has gone up \$155.00 per month due to the loss of our promotional credit. The November and December bills were short paid and \$310.00 is due. Deputy Town Clerk Zapf was instructed to pay the shortfall online with the town credit card in order to avoid interrupted service.

There was further discussion about the number of phone lines we have and if we decrease the number, we can save money. This will be investigated by Supervisor LeFeber and Deputy Town Clerk Zapf. Other vendors will also be investigated.

Supervisor LeFeber received a phone call from a water customer regarding the re-levy of the water reconciliation owed to the town on his tax bill. He is a new owner and did not know about the owed amount, Supervisor LeFeber will investigate the matter.

Supervisor spoke with Tim Anderson our insurance provider and discussed having an adequate value placed on the Opera Block Building now that the grant for the third floor has been approved. We would need an appraisal done.

Councilman Drozdziel stated he spoke with Jason from the Livingston County IT Department who recommended steps that need to be taken before soliciting a new IT company, like putting together an equipment List. Jason provided a list of vendors we might consider.

The IT audit done by the town needs to be reviewed and this needs to be done in executive session due to the sensitive nature of its information.

DISCUSSION – OPEN ITEMS

Deputy Supervisor Mairs stated he will be doing the Court, Town Clerk and Tax collection audits next week.

Councilman Harrington stated he has tickets for the Lion’s Club Duck Race.

DISCUSSION – OPEN ITEMS-continued

Councilman Coyne will be attending the battery storage meeting on January 16.

Councilman Drozdziel reached out to empire Access regarding Internet as they are starting to move out to Avon to provide fiber internet.

Councilman Drozdziel sent the other board members information regarding the next step for the Opera Block. There is preliminary work to be done before we receive the grant monies. Hopefully we can answer some questions at the next meeting.

DISCUSSION VISITOR COMMENTS

Supervisor LeFeber asked for any visitor comments there were none.

RESOLUTION #23 EXECUTIVE SESSION

On motion of Councilman Harrington, seconded by Councilman Drozdziel the following resolution was

ADOPTED AYES 5 NAYS 0

RESOLVE to enter executive session for the purpose of the medical, financial, credit or employment history of a person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a person or corporation. TIME 7:40 P.M. inviting Attorney Campbell.

Vote of the Board: Councilman Drozdziel - Aye, Councilman Harrington - Aye, Councilman Coyne - Aye, Deputy Supervisor Mairs - Aye, Supervisor LeFeber – Aye

RESOLUTION #24 CLOSE EXECUTIVE SESSION

On motion of Councilman Harrington, seconded by Councilman Drozdziel the following resolution was

ADOPTED AYES 5 NAYS 0

RESOLVE to close executive session with no action taken at 8:35 P.M.

Vote of the Board: Councilman Drozdziel – Aye, Councilman Harrington – Aye, Councilman Coyne – Aye, Deputy Supervisor Mairs – Aye, Supervisor LeFeber – Aye

On motion of Supervisor LeFeber, seconded by Councilman Coyne the meeting was adjourned at 8:36 P.M.

Respectfully submitted by:

Ellen M Zapf, Deputy Town Clerk