

A regular meeting of the Town of Avon was held on Thursday, January 23, 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, Highway/Water Superintendent Thomas Crye, and Deputy Town Clerk Ellen Zapf

VISITORS: Cindy Kellen, 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 there were none.

RESOLUTION #25 APPROVAL OF MINUTES

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

ADOPTED AYES 5 NAYS 0

RESOLVE to approve the minutes of December 30, 2019, as presented by e-mail and to request they be published on the Town of Avon website at townofavon-ny.org.

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

RESOLUTION #26 APPROVAL OF MINUTES

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

ADOPTED AYES 5 NAYS 0

RESOLVE to approve the minutes of January 2, 2020, as presented by e-mail and to request they be published on the Town of Avon website at townofavon-ny.org.

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

RESOLUTION #27 APPROVAL OF MINUTES

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

ADOPTED AYES 5 NAYS 0

RESOLVE to approve the minutes of January 9, 2020, as presented by e-mail and to request they be published on the Town of Avon website at townofavon-ny.org.

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

DISCUSSION - ATTORNEY REPORT

Attorney Campbell reported on the following:

There was correspondence from Brian Harper Of DG Solar regarding the PILOT for a solar farm on Pole Bridge Rd. There is concern about how they calculated the proposed PILOT agreement. I spoke with Assessor Snyder today and it was decided that what was calculated would not work.

Councilman Harrington asked if DG Solar has received a copy of the joint water study? He feels they should know what they are up against. They have not received the study, so Attorney Campbell will ask MRB Group Engineer Lance to send a copy of the water study to him so he can pass it on.

A flyer is going around regarding the Public Hearing at the February 4 joint meeting and we should expect a big attendance. Attorney Campbell suggested to not make any big decisions and keep the public hearing open as we are no where near ready to approve the project.

A resolution was forwarded to the board regarding Lot #23 on Tec Drive for consideration which would amend Resolution #110-2014 which was put in the official minute book with an error (a page of the resolution is missing).

RESOLUTION #28 ADOPT CORRECTED RESOLUTION

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

ADOPTED AYES 5 NAYS 0

RESOLVE to adopt the following resolution written by Attorney Campbell to correct the resolution entered in error and to have the Town Clerk make a notation in the 2014 official minute book that the change was made and to look to the 2020 official minute book for the correct record.

TOWN BOARD
TOWN OF AVON
COUNTY OF LIVINGSTON

RESOLUTION

At a regular meeting of the Town Board of the
Town of Avon, Livingston County, State of New York,
held at the Avon Town Hall on January 23, 2020

WHEREAS, on or about June 12, 2014, the Avon Town Board adopted a resolution pursuant to §130-18 H of the Code of the Town of Avon (hereafter "Code"), approving acceptable uses for the property known as Lot 23 Tec Drive located in the Crossroads Commerce Park Planned Development District; and

WHEREAS, after adoption of such resolution, only a portion of the written resolution was made a part of the public record and the minutes evidencing the action taken by the Town Board on June 12, 2014; and

WHEREAS, the Town Board now wishes confirm and ratify the action taken on June 12, 2014 and to fully and properly memorialize and make a part of the public record the entire resolution adopted on such date, thereby correcting the public record.

NOW, THEREFORE, upon motion by _____, seconded by _____, it is hereby

RESOLVED, that the Town Board of the Town of Avon does hereby confirm and ratify the resolution attached hereto as Exhibit "A" as being the entire written resolution that was adopted by vote of the Town Board on June 12, 2014; and be it further

RESOLVED, that the public record, including the minutes of this meeting, shall reflect that this action is intended to correct the record and minutes of the June 12, 2014 Town Board meeting to fully include the resolution attached as Exhibit "A"; and be it further

RESOLVED, that the Town Board is requesting that the Town Clerk make a notation to the official minute book for the Town of Avon, in the minutes for June 12, 2014, referencing this resolution as adopted on this date.

Dated: January 23, 2020

Vote of the Board: David LeFeber _____



Thomas Mairs _____

Malachy Coyne _____

Paul Drozdziel _____

James Harrington _____

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF Avon

Sharon Knight, CMC/RMC
Town Clerk

Exhibit "A"

TOWN BOARD
TOWN OF AVON
COUNTY OF LIVINGSTON

RESOLUTION

At a regular meeting of the Town Board of the
Town of Avon, Livingston County, State of New York,
held at the Avon Town Hall on June 12, 2014

WHEREAS, the Code of the Town of Avon (hereafter "Code") establishes the zoning classification of Planned Development District (hereafter "PDD") as set forth in §130-18 thereof; and

WHEREAS, the intent of the PDD is to permit the development of land for commercial and industrial purposes where tracts of land suitable in location, area and character for the uses and structures proposed are to be planned and developed on a unified basis; and

WHEREAS, the Town Board has the authority and responsibility under §130-18 to approve of all uses contemplated in a PDD, which such uses are also subject to site plan approval by the Town of Avon Planning Board (hereafter "Planning Board"); and

WHEREAS, after initial approval, construction and occupancy of a PDD, §130-18 H provides that the Town Board shall approve any changes in use by way of a special permit; and

WHEREAS, Jim Garner (hereafter "Applicant") is the contract vendee of the property known as Lot 23 Tec Drive (hereafter "subject property" or "parcel") located in the Crossroads Commerce Park Planned Development District (hereafter "PDD"); and

WHEREAS, pursuant to §130-18 H of the Code, Applicant is seeking approval from the Town Board to construct and use three (3) buildings on the parcel:

- a 6,000 s.f. +/- office and storage building for Applicant's business, Fox and West;
 - a 1,620 s.f. +/- rental office building; and
 - a 12,000 s.f. +/- rental building that includes four (4) individual rental bays; and
-

WHEREAS, the Town Board wishes to memorialize and specify the parameters of its approval of Applicant's request for issuance of a special permit

NOW, THEREFORE, upon motion by _____, seconded by _____, it is hereby

RESOLVED, that the Town Board of the Town of Avon, pursuant to §130-18 H of the Code, contingent upon Applicant taking title to the subject property, hereby approves of Applicant's request (to the limited degree specifically stated herein) and authorizes a Special Permit to be issued to Applicant by the Code Department to the following extent:

1. Subject to provisions stated hereafter, Applicant, his successors and assigns shall be permitted to use the property known as Lot 23 Tec Drive located in the Crossroads Commerce Park PDD, Town of Avon for any purpose that is listed as a "Permitted principal use[s]" as defined in §130-16 B of the Light Industrial District (L-1) zoning classification;
 2. Applicant, his successors and assigns shall not use any portion of the property for any use that is listed as a "Prohibited use[s]" as defined in §130-16 E;
 3. Any development of the subject parcel and subsequent use thereof as authorized herein shall be subject to and comply with the off street parking and loading requirements set forth in Article VII of Chapter 130 of the Code at §130-36 through §130-38;
 4. Any development of the subject parcel and subsequent use thereof as authorized herein shall be subject to and comply with the Exterior Lighting requirements set forth in Chapter 49 of the Code;
 5. Any development of the subject parcel and subsequent use thereof as authorized herein shall be subject to and comply with the Bulk and Area Requirements set forth in Schedule A of Chapter 130 of the Code;
 6. All industrial processes shall take place within an enclosed building. Incidental storage of materials out-of-doors shall be permitted and shall be shielded from view from public streets or roads, adjacent off-street parking areas and neighboring properties by fencing, landscaping, earth berms or other appropriate measures;
 7. Any noise impacts related to any use of the subject property shall be mitigated so as to not unreasonably create a negative impact on nearby or adjacent parcels;
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8. The Town Board herein acknowledges that Applicant intends to use a significant portion of the property and the improvements thereon for rental purposes which will likely result in multiple tenants with varied uses that will change from time to time. Subject to the above restrictions and with the intent of approving a variety of acceptable yet presently undetermined uses on the subject property, the Town Board hereby determines that the Applicant and his successors and/or assigns shall not be required to re-apply for a special permit pursuant to §130-18 H each time Applicant leases to a new tenant.
 - A. Should Applicant or his successors and/or assigns wish to utilize any portion of the subject property or the improvements thereon for a use other than what is provided for above, or in any way inconsistent with the provisions made herein, Applicant or his successors and/or assigns shall be required to make application for approval and issuance of a special permit from the Town Board, which such approval and special permit may be granted or denied at the sole discretion of the Town Board, and the Town Board shall have the right to refer any such application to the Planning Board for its comments prior to making a determination on the special permit request;
9. As a condition of the limited approvals granted herein, Applicant, his successors and/or assigns shall append, affix and maintain a copy of this Resolution to the abstract of title relating to Lot 23 of the Crossroads Commerce Park PDD;
10. Any failure of Applicant or his successors and/or assigns to comply with the provisions of the special permit approved hereby shall subject the violator to enforcement proceedings set forth under Article XI of Chapter 130 of the Code and/or revocation of such special permit by the Town Board; and
11. Should Applicant (or an entity of which he is the majority owner) fail to take legal title to the subject property, this Resolution and the Special Permit authorized by it shall become null and void and of no effect at law.

AND BE IT FURTHER RESOLVED, that a copy of this Resolution be formally made a part of the files maintained by the Town of Avon relating to the Crossroads Commerce Park Planned Development District and to Lot 23 thereof.

Dated: June 12, 2014

Vote of the Board: David LeFeber _____
Thomas Mairs _____
James Blye _____

Robert Ayers _____

Richard Steen _____

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF Avon

Sharon Knight, CMC/RMC
Town Clerk

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

DISCUSSION - ATTORNEY REPORT-continued

Highway/Water Superintendent Crye forward some proposed changes to our code regulations regarding water. They will need to be looked at closer and then we will need to proceed by local law to change the code.

DISCUSSION – HIGHWAY/WATER REPORT

Highway/Water Superintendent Crye reported on the following:

HIGHWAY:

The highway crew has been doing snow removal, cutting back brush, working in the shop on the trucks and replacing the chains on the dozer, also working on the street sweeper and overhead door.

WATER:

Kelly Sloan has been doing every-day maintenance, mapping on Routes 5 & 20, code policy, dealing with Piranha, and will be reading meters next week.

DISCUSSION – ENGINEER REPORT

David Willard, MRB Group Engineer was not in attendance.

DISCUSSION – CODE DEPARTMENT

Code Enforcement Officer Glise reported on the following:

There will be a joint meeting for Noyes Mental Health and Piranha on February 4, 2020. Piranha started moving dirt around and working on the driveway and retention pond. Inspected Matthew's Busses yesterday as they are getting ready for their C of O. A lease was signed for the middle part of their building and construction will start soon.

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 yearly report for 2019
Local Law #1-2020 – Town of Caledonia
Notice form for local board – Farview Golf Course

DISCUSSION - SUPERVISOR'S ITEMS

The Town Board needs to schedule a joint meeting with the ZBA/Planning Boards on February 4, 2020 at 7:00 P.M.

RESOLUTION #29 SCHEDULE SPECIAL JOINT MEETING WITH THE ZBA/PLANNING BOARDS FOR FEBRUARY 4, 2020

On motion of Councilman Harrington, seconded by Councilman Coyne the following resolution was
ADOPTED AYES 5 NAYS 0

RESOLVE to schedule a special joint meeting with the ZBA/Planning Boards for February 4, 2020 and ZBA Clerk McDowell will publish the following legal notice:

Legal Notice

Notice is hereby given that the Planning Board, Zoning Board of Appeals and Town Board of the Town of Avon, Livingston County, New York will be participating in a special joint meeting. This purpose of this meeting is to hold dual Public Hearings for U of R/Noyes Health Site Plan Application in a PDD and any other business of a joint concern to these boards.

This meeting will be held on Tuesday, February 4, 2020, at 7:00 P.M, in the board room of the Avon Town Hall, 23 Genesee Street, Avon, New York.

Kim McDowell, Clerk
Town of Avon Planning Board & Zoning Board of Appeals
Dated: January 17, 2020

RESOLUTION #29 SCHEDULE SPECIAL JOINT MEETING WITH THE ZBA/PLANNING BOARDS FOR FEBRUARY 4, 2020-continued

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 stated that a check from the county was noticed as not received after a reconciliation was done at the county level. It will be distributed to the town in the 2020 calendar year.

RESOLUTION #30 ACCEPT THE 2019 BUDGET END OF YEAR REPORT

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

ADOPTED AYES 5 NAYS 0

RESOLVE to accept the Town of Avon 2019 Budget End of Year Report as provided by Supervisor LeFeber.

TOWN OF AVON



2019 Budget End of Year Report

Submitted on January 23, 2020

By

David LeFeber, Supervisor

Town of Avon

Town of Avon 2019 Budget Report

Individual Fund Performance

General Fund - A - Townwide

	<u>Budgeted</u>	<u>Revised</u>	<u>Actual</u>	<u>Variance</u>	<u>Performance</u>
Revenue:	\$1,288,239.00	\$1,416,198.00	\$946,065.46	-\$470,132.54	-33.20%
Expense:	\$1,288,239.00	\$1,416,198.00	\$1,070,520.32	-\$345,677.68	-24.41%

General Fund - A, composite performance impact on budget: -\$124,454.86

General Fund - B - Outside Village

	<u>Budgeted</u>	<u>Revised</u>	<u>Actual</u>	<u>Variance</u>	<u>Performance</u>
Revenue:	\$206,357.00	\$206,357.00	\$173,655.99	-\$32,701.01	-15.85%
Expense:	\$206,357.00	\$206,357.00	\$163,516.01	-\$42,840.99	-20.76%

General Fund - B, composite performance impact on budget: \$10,139.98

Highway Fund - DA - Townwide

	<u>Budgeted</u>	<u>Revised</u>	<u>Actual</u>	<u>Variance</u>	<u>Performance</u>
Revenue:	\$794,240.00	\$794,240.00	\$377,069.87	-\$417,170.13	-52.52%
Expense:	\$794,240.00	\$794,240.00	\$618,160.87	-\$176,079.13	-22.17%

Highway Fund - DA, composite performance impact on budget: -\$241,091.00

Highway Fund - DB - Outside Village

	<u>Budgeted</u>	<u>Revised</u>	<u>Actual</u>	<u>Variance</u>	<u>Performance</u>
Revenue:	\$443,125.00	\$443,125.00	\$410,180.20	-\$32,944.80	-7.43%
Expense:	\$443,125.00	\$443,125.00	\$323,261.29	-\$119,863.71	-37.08%

Highway Fund - DB, composite performance impact on budget: \$86,918.91

Water Fund - SW - Town of Avon Water District

	<u>Budgeted</u>	<u>Revised</u>	<u>Actual</u>	<u>Variance</u>	<u>Performance</u>
Revenue:	\$577,613.00	\$579,294.00	\$573,443.27	-\$5,850.73	-1.01%
Expense:	\$577,613.00	\$579,294.00	\$453,774.33	-\$125,519.67	-21.67%

Water Fund - SW, composite performance impact on budget: \$119,668.94

Rt. 39 -Water Fund

	<u>Budgeted</u>	<u>Revised</u>	<u>Actual</u>	<u>Variance</u>	<u>Performance</u>
Revenue:	\$9,692.00	\$9,692.00	\$9,692.88	\$0.88	0.01%
Expense:	\$9,692.00	\$9,692.00	\$8,117.50	-\$1,574.50	-16.25%

Cap. Project - Water Fund - H, composite performance impact on budget: \$1,575.38

Special District Fund - SF - Town of Avon Fire District

	<u>Budgeted</u>	<u>Revised</u>	<u>Actual</u>	<u>Variance</u>	<u>Performance</u>
Revenue:	\$464,552.00	\$464,552.00	\$464,552.00	\$0.00	0.00%
Expense:	\$464,552.00	\$464,552.00	\$464,552.00	\$0.00	0.00%

Special District Fund - SF, composite performance impact on budget: \$0.00

Cemetery Fund - C - East Avon Cemetery

	<u>Budgeted</u>	<u>Revised</u>	<u>Actual</u>	<u>Variance</u>	<u>Performance</u>
Revenue:	\$4,635.00	\$4,635.00	\$8,682.81	\$4,047.81	87.33%
Expense:	\$4,635.00	\$4,635.00	\$2,108.32	-\$2,526.68	-54.51%

Cemetery Fund - C, composite performance impact on budget: \$6,574.49

Crossroads Drainage District

	<u>Budgeted</u>	<u>Revised</u>	<u>Actual</u>	<u>Variance</u>	<u>Performance</u>
Revenue:	\$1,000.00	\$1,000.00	\$1,000.00	\$0.00	0.00%
Expense:	\$1,000.00	\$1,000.00	\$0.00	-\$1,000.00	-100.00%

Crossroads Drainage District Fund - CR, composite performance impact on budget: \$1,000.00

Bruckel Drainage District

	<u>Budgeted</u>	<u>Revised</u>	<u>Actual</u>	<u>Variance</u>	<u>Performance</u>
Revenue:	\$500.00	\$500.00	\$500.00	\$0.00	0.00%
Expense:	\$500.00	\$500.00	\$0.00	-\$500.00	-100.00%

Bruckel Drainage District Fund - BD, composite performance impact on budget: \$500.00

Royal Springs Drainage District

	<u>Budgeted</u>	<u>Revised</u>	<u>Actual</u>	<u>Variance</u>	<u>Performance</u>
Revenue:	\$3,000.00	\$3,000.00	\$3,000.00	\$0.00	0.00%
Expense:	\$3,000.00	\$3,000.00	\$0.00	-\$3,000.00	-100.00%

Royal Springs Drainage District Fund - RS, composite performance impact on budget: \$3,000.00

Royal Springs Lighting District

	<u>Budgeted</u>	<u>Revised</u>	<u>Actual</u>	<u>Variance</u>	<u>Performance</u>
Revenue:	\$12,500.00	\$12,500.00	\$13,568.58	\$1,068.58	8.55%
Expense:	\$12,500.00	\$12,500.00	\$13,739.93	\$1,239.93	9.92%

Royal Springs Lighting District Fund - RL, composite performance impact on budget: -\$171.35

Total composite budget fund impact for 2019: -\$136,339.51

2019 Receipts for the Year

	<i>General Fund A</i>	<i>General Fund B</i>	<i>Highway Fund DA</i>	<i>Highway Fund DB</i>	<i>Water Fund SW</i>	<i>Special Fund SF</i>	<i>Cemetery Fund</i>	<i>Crossroads Drainage Dist</i>	<i>Bruckel Drainage Dist</i>	<i>Royal Springs Drainage Dist</i>	<i>Royal Springs Lighting Dist</i>	<i>Water Capital</i>	<i>Rte 39 Water Capital</i>
<i>January</i>	\$698,997.35	\$78,914.72	\$246,537.73	\$264,738.00	\$25,322.01	\$464,552.00	\$21.87	\$1,000.00	\$500.00	\$3,000.00	\$12,500.00	\$0.00	\$9,692.04
<i>February</i>	\$9,004.50	\$36,535.60	\$1,054.02	\$2.27	\$51,590.89	\$0.00	\$21.82	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.09
<i>March</i>	\$45,798.89	\$1,018.42	\$2,627.13	\$1,717.05	\$66,400.56	\$0.00	\$369.80	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.12
<i>April</i>	\$13,365.85	\$125.95	\$47,831.75	\$2.50	\$6,908.16	\$0.00	\$721.85	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.11
<i>May</i>	\$41,922.27	\$634.52	\$23,303.52	\$2.11	\$102,134.41	\$0.00	\$2,746.20	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.12
<i>June</i>	\$13,412.22	\$1,498.52	\$235.27	\$1.91	\$27,177.92	\$0.00	\$371.88	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.09
<i>July</i>	\$7,084.99	\$1,011.65	\$10,464.83	\$446.26	\$9,536.00	\$0.00	\$1,146.22	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.06
<i>August</i>	\$10,945.62	\$1,422.80	\$26,432.08	\$0.67	\$69,640.68	\$0.00	\$371.90	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.05
<i>September</i>	\$4,890.11	\$6,154.51	\$8,154.63	\$140,484.20	\$66,130.39	\$0.00	\$1,521.90	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.06
<i>October</i>	\$33,307.46	\$5,912.78	\$213.79	\$1.14	\$19,155.83	\$0.00	\$646.23	\$0.00	\$0.00	\$0.00	\$1,068.58	\$0.00	\$0.05
<i>November</i>	\$52,141.49	\$205.61	\$6,046.46	\$0.94	\$50,651.26	\$0.00	\$21.91	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.06
<i>December</i>	\$15,194.71	\$40,220.91	\$4,168.66	\$2,783.15	\$78,795.16	\$0.00	\$721.23	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.03
Totals:	\$946,065.46	\$173,655.99	\$377,069.87	\$410,180.20	\$573,443.27	\$464,552.00	\$8,682.81	\$1,000.00	\$500.00	\$3,000.00	\$13,568.58	\$0.00	\$9,692.88

\$2,981,411.06 Total Receipts for 2019

2019 Disbursements for the Year

	<i>General Fund A</i>	<i>General Fund B</i>	<i>Highway Fund DA</i>	<i>Highway Fund DB</i>	<i>Water Fund SW</i>	<i>Special Fund SF</i>	<i>Cemetery Fund</i>	<i>Crossroads Drainage Dist</i>	<i>Bruckel Drainage Dist</i>	<i>Royal Springs Drainage Dist</i>	<i>Royal Springs Lighting Dist</i>	<i>Water Capital</i>	<i>Rte 39 Water Capital</i>
<i>January</i>	\$76,600.47	\$42,861.35	\$41,536.62	\$16,359.59	\$21,772.10	\$464,552.00	\$175.69	\$0.00	\$0.00	\$0.00	\$2,188.82	\$0.00	\$0.00
<i>February</i>	\$39,586.04	\$51,589.01	\$33,973.98	\$2,432.18	\$10,984.47	\$0.00	\$175.69	\$0.00	\$0.00	\$0.00	\$1,741.36	\$0.00	\$0.00
<i>March</i>	\$62,478.40	\$4,852.14	\$52,745.41	\$799.26	\$69,877.49	\$0.00	\$175.69	\$0.00	\$0.00	\$0.00	\$628.45	\$0.00	\$0.00
<i>April</i>	\$49,786.64	\$14,097.70	\$94,222.26	\$6,978.70	\$12,753.79	\$0.00	\$175.69	\$0.00	\$0.00	\$0.00	\$1,023.53	\$0.00	\$0.00
<i>May</i>	\$55,668.62	\$11,005.13	\$213,888.72	\$9,556.77	\$65,770.35	\$0.00	\$175.69	\$0.00	\$0.00	\$0.00	\$985.06	\$0.00	\$0.00
<i>June</i>	\$39,562.23	\$9,323.10	\$20,563.72	\$11,609.42	\$9,022.20	\$0.00	\$175.69	\$0.00	\$0.00	\$0.00	\$964.70	\$0.00	\$0.00
<i>July</i>	\$78,832.02	\$1,799.50	\$13,345.08	\$188,457.19	\$11,266.93	\$0.00	\$175.69	\$0.00	\$0.00	\$0.00	\$980.97	\$0.00	\$2,058.75
<i>August</i>	\$90,425.59	-\$8,287.93	\$24,240.43	\$45,687.81	\$149,592.27	\$0.00	\$175.69	\$0.00	\$0.00	\$0.00	\$993.14	\$0.00	\$0.00
<i>Septembe</i>	\$97,835.77	\$4,372.54	\$27,651.07	\$20,636.77	\$8,181.28	\$0.00	\$175.69	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<i>October</i>	\$71,326.86	\$6,499.40	\$38,107.13	\$8,803.74	\$13,472.48	\$0.00	\$175.69	\$0.00	\$0.00	\$0.00	\$2,071.45	\$0.00	\$0.00
<i>Novembe</i>	\$51,362.55	\$11,124.63	\$15,710.15	\$11,082.10	\$65,912.31	\$0.00	\$175.69	\$0.00	\$0.00	\$0.00	\$1,066.98	\$0.00	\$0.00
<i>Decembe</i>	\$357,055.13	\$14,279.44	\$42,176.30	\$857.76	\$15,168.66	\$0.00	\$175.73	\$0.00	\$0.00	\$0.00	\$1,095.47	\$0.00	\$6,058.75
Totals:	\$1,070,520.32	\$163,516.01	\$618,160.87	\$323,261.29	\$453,774.33	\$464,552.00	\$2,108.32	\$0.00	\$0.00	\$0.00	\$13,739.93	\$0.00	\$8,117.50

\$3,117,750.57 Total Disbursements for 2019

Revenue From Other Governments

Mortgage Tax	\$81,717.13
Sales Tax Receipts Balance	\$5,684.06
State Snow Rem. & Cty. Snow Removal & Road Maint.	\$95,131.20
Equipt. Rental - Other Govts.	\$22,042.49
Grants - State and Federal	\$37,500.00
NYS Per Capita Aid	\$38,854.00
Misc. Revenues Other Govts.	\$95,131.20
Consolidated Highway Aid (CHIPS)	\$140,483.27
NYS Real Property Tax Admin.	\$6,823.99
Equalization & Assessment	\$0.00
total:	\$523,367.34

Revenue by Fund

	<i>Budgeted</i>	<i>Revised</i>	<i>Actual</i>
General Fund - A - Townwide	\$1,288,239.00	\$1,416,198.00	\$946,065.46
General Fund - B - Outside Village	\$206,357.00	\$206,357.00	\$173,655.99
Highway Fund - DA - Townwide	\$794,240.00	\$794,240.00	\$377,069.87
Highway Fund - DB - Outside Village	\$443,125.00	\$443,125.00	\$410,180.20
Water Fund - SW - Town of Avon Water District	\$577,613.00	\$579,294.00	\$573,443.27
Special Fire District Fund - SF	\$464,552.00	\$464,552.00	\$464,552.00
Crossroads Drainage	\$1,000.00	\$1,000.00	\$1,000.00
Bruckel Drainage	\$500.00	\$500.00	\$500.00
Royal Springs Drainage	\$3,000.00	\$3,000.00	\$3,000.00
Royal Springs Light.	\$12,500.00	\$12,500.00	\$13,568.58
Cemetery	\$4,635.00	\$4,635.00	\$8,682.81
Route 39 Water	\$9,692.00	\$9,692.00	\$9,692.88
totals	\$3,805,453.00	\$3,935,093.00	\$2,981,411.06

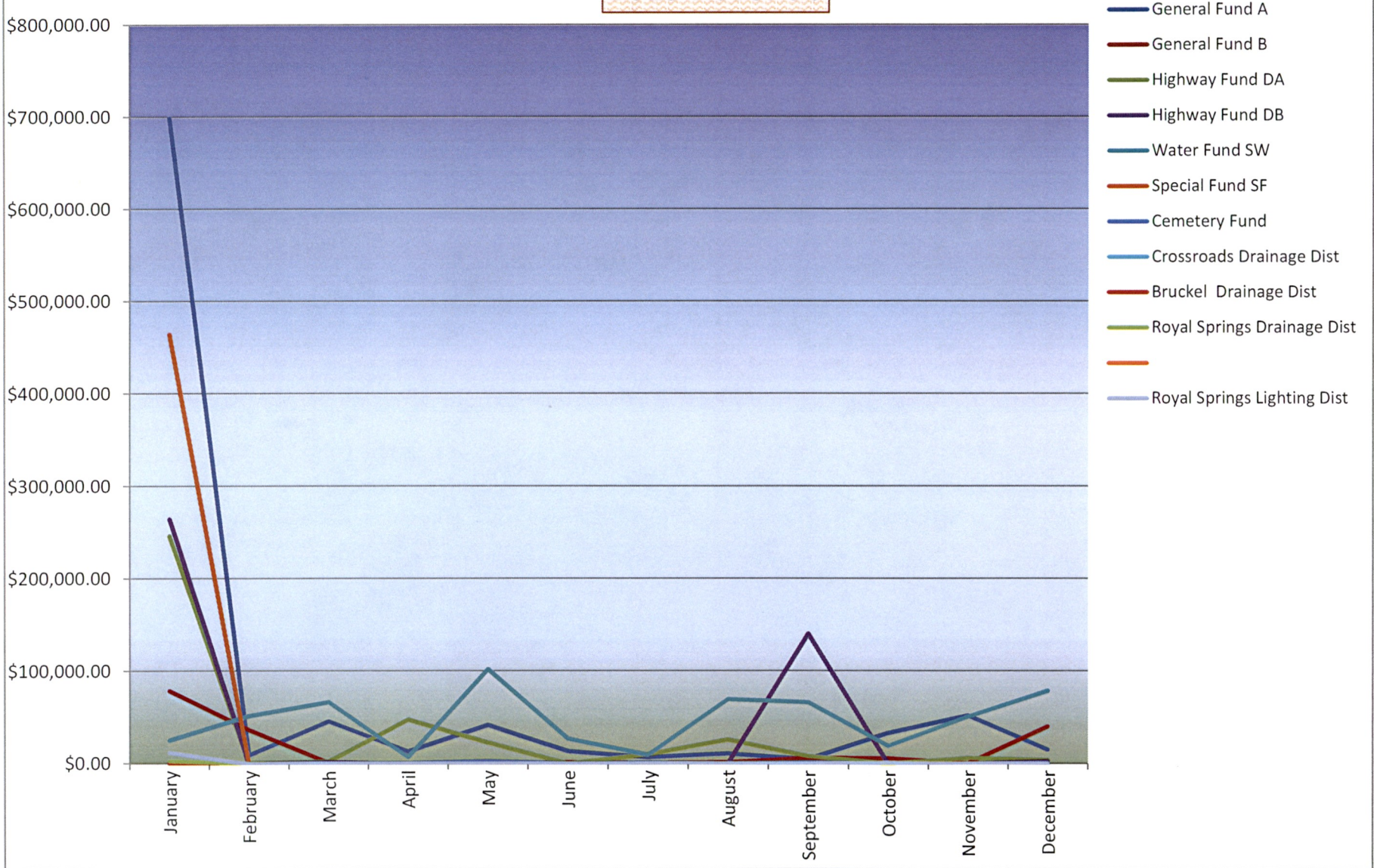
Expenses by Fund

	<i>Budgeted</i>	<i>Revised</i>	<i>Actual</i>
General Fund - A - Townwide	\$1,288,239.00	\$1,416,198.00	\$1,070,520.32
General Fund - B - Outside Village	\$206,357.00	\$206,357.00	\$163,516.01
Highway Fund - DA - Townwide	\$794,240.00	\$794,240.00	\$618,160.87
Highway Fund - DB - Outside Village	\$443,125.00	\$443,125.00	\$323,261.29
Water Fund - SW - Town of Avon Water District	\$577,613.00	\$579,294.00	\$453,774.33
Special Fire District Fund - SF	\$464,552.00	\$464,552.00	\$464,552.00
Crossroads Drainage	\$1,000.00	\$1,000.00	\$0.00
Bruckel Drainage	\$500.00	\$500.00	\$0.00
Royal Springs Drainage	\$3,000.00	\$3,000.00	\$0.00
Royal Springs Light.	\$12,500.00	\$12,500.00	\$13,739.93
Cemetery	\$4,635.00	\$4,635.00	\$2,108.32
Route 39 Water	\$9,692.00	\$9,692.00	\$8,117.50
totals	\$3,805,453.00	\$3,935,093.00	\$3,117,750.57

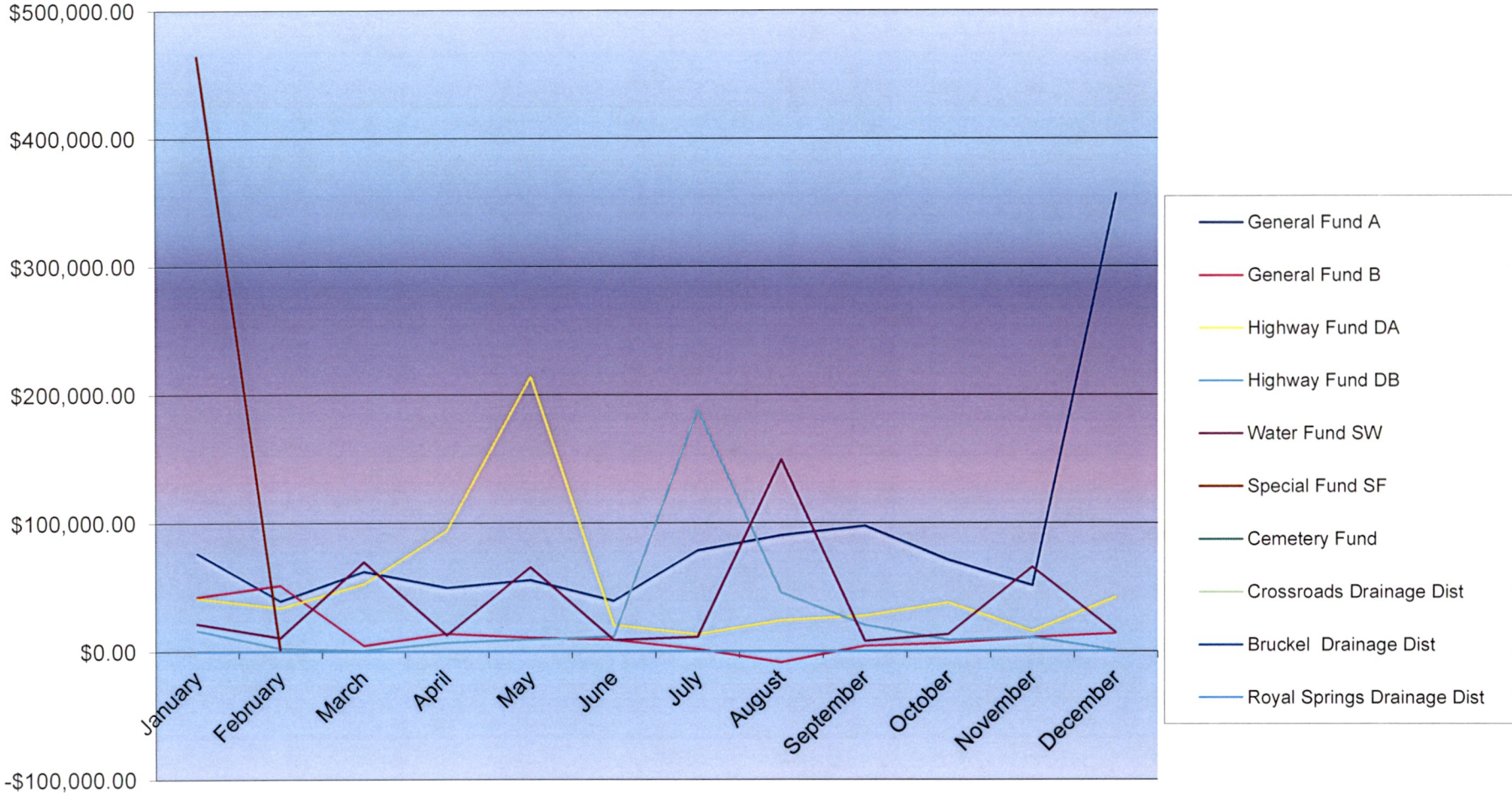
Revenue Sources

Property Taxes	\$1,730,090.00
Payment in Lieu of Taxes	\$55,201.75
Franchise Fees	\$36,483.98
Interest & Earnings	\$19,337.64
Penalties & Interest	\$6,353.08
Fees & Permits	\$22,050.12
Fines & Forfeitures	\$61,084.00
Water Rents	\$474,660.71
Revenue From Other Governments	\$390,736.14
Misc.	\$147,913.64
Grants	\$37,500.00
	\$2,981,411.06

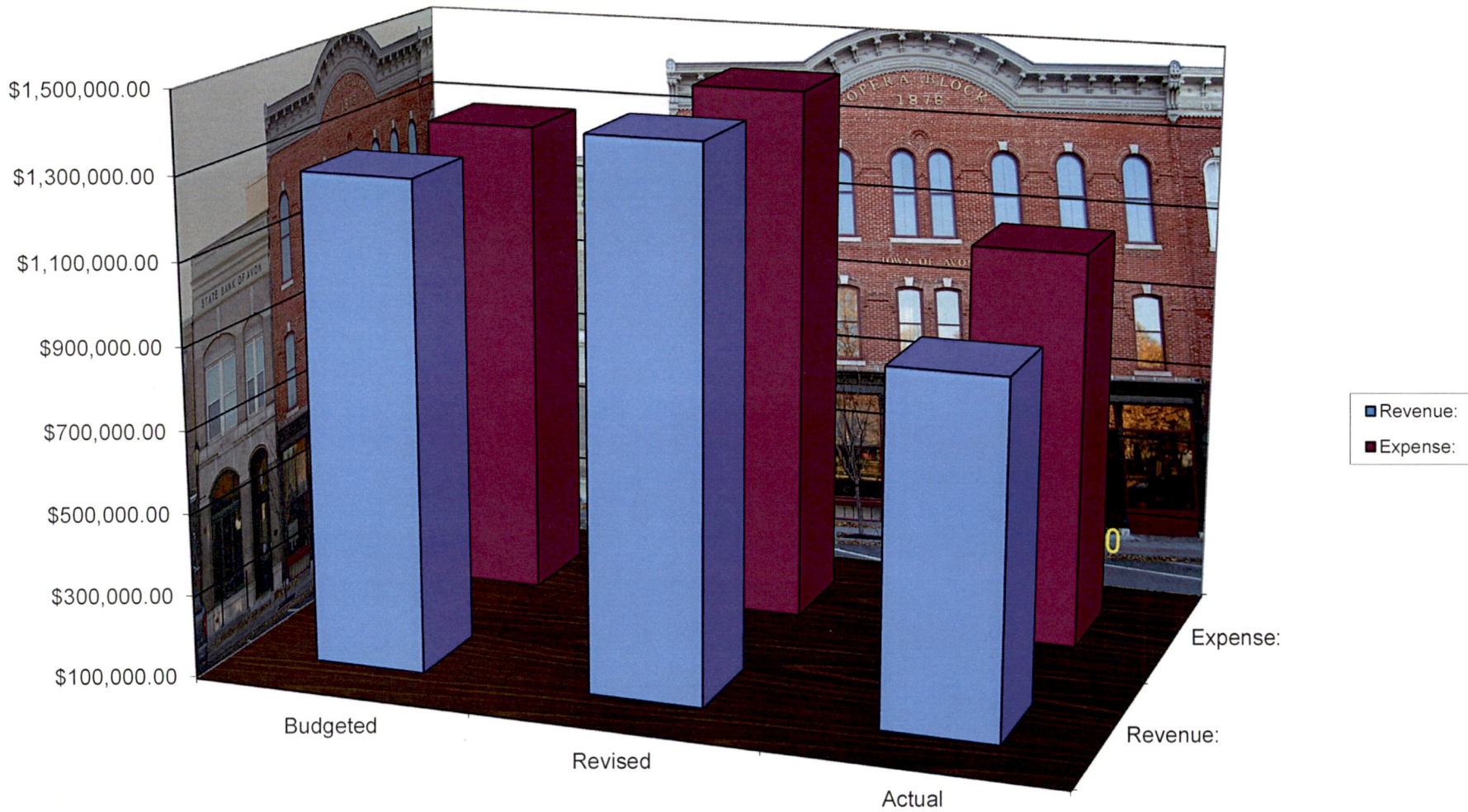
2019 Revenue



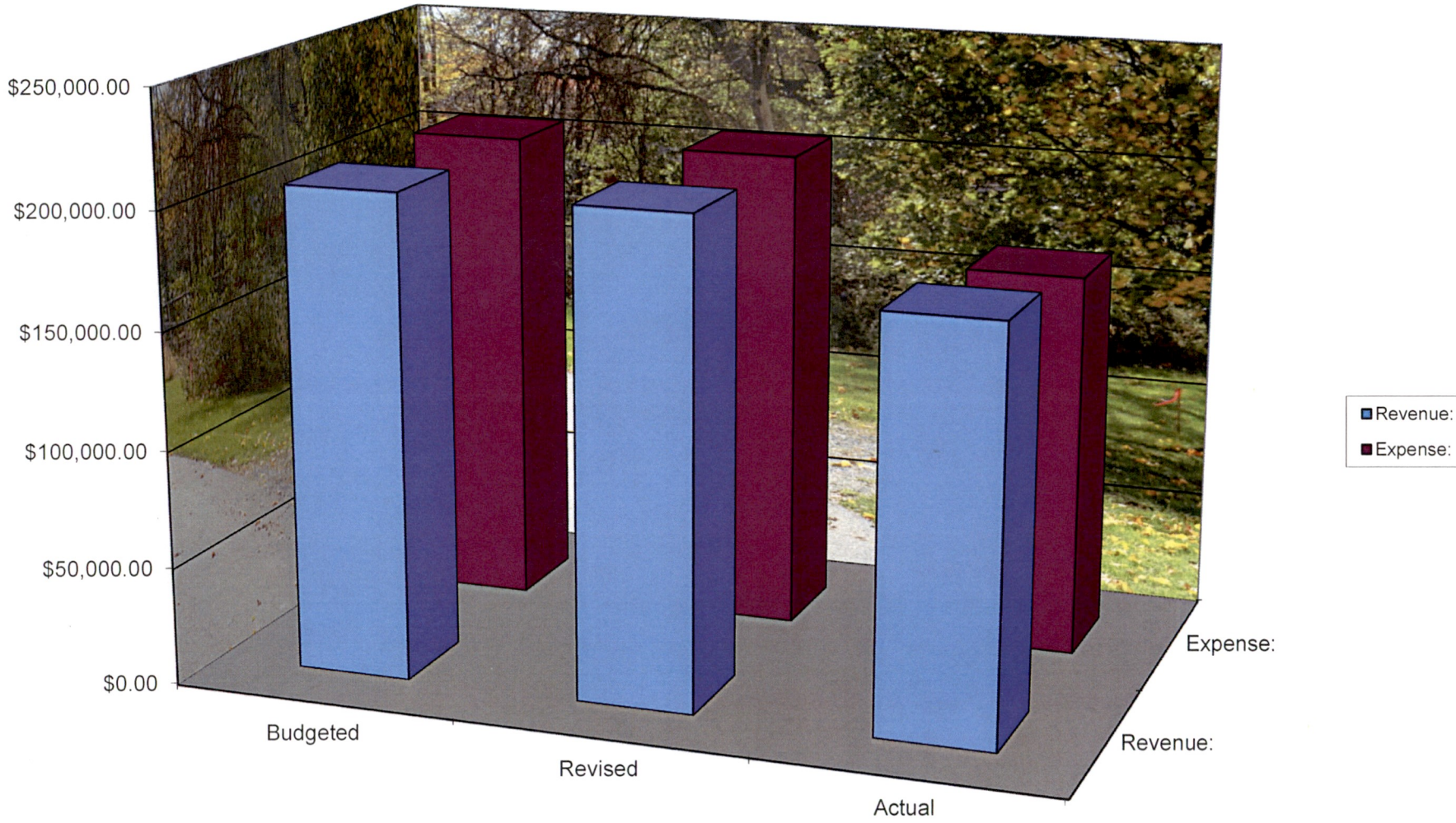
2019 Disbursements



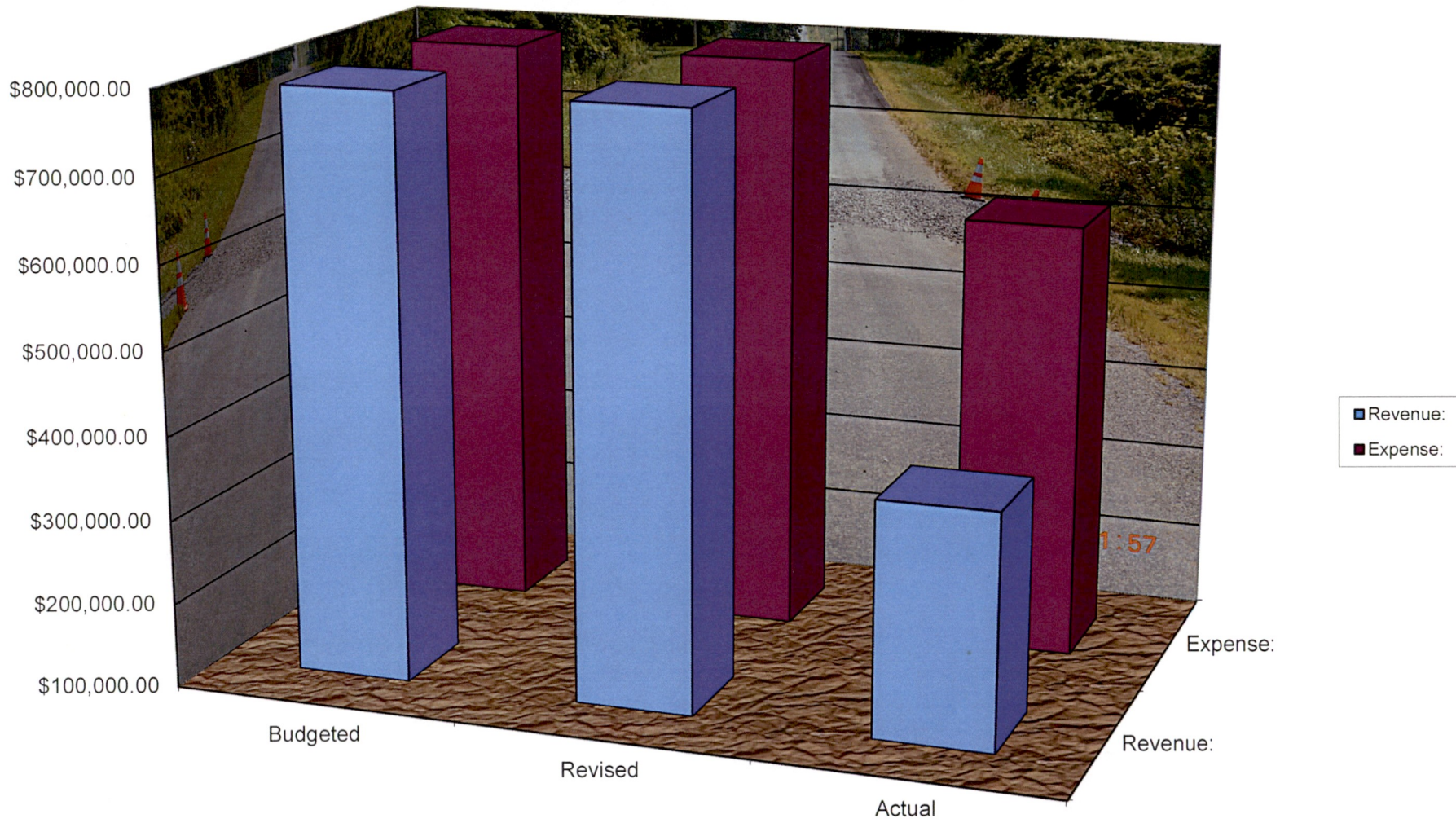
2019 General Fund A - Townwide



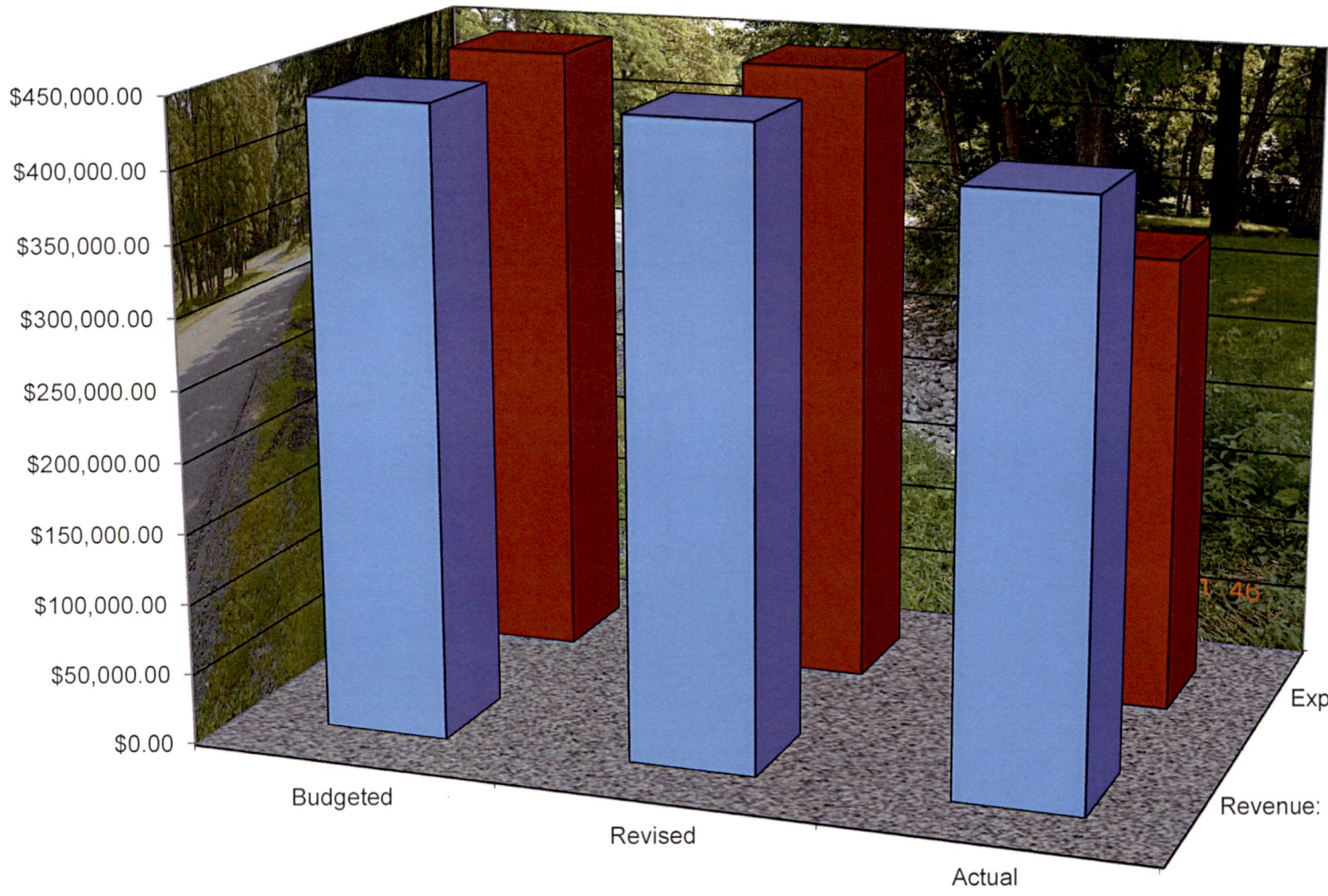
2019 General Fund B - Outside Village



2019
Highway Fund DA - Townwide



2019
Highway Fund DB - Outside Village



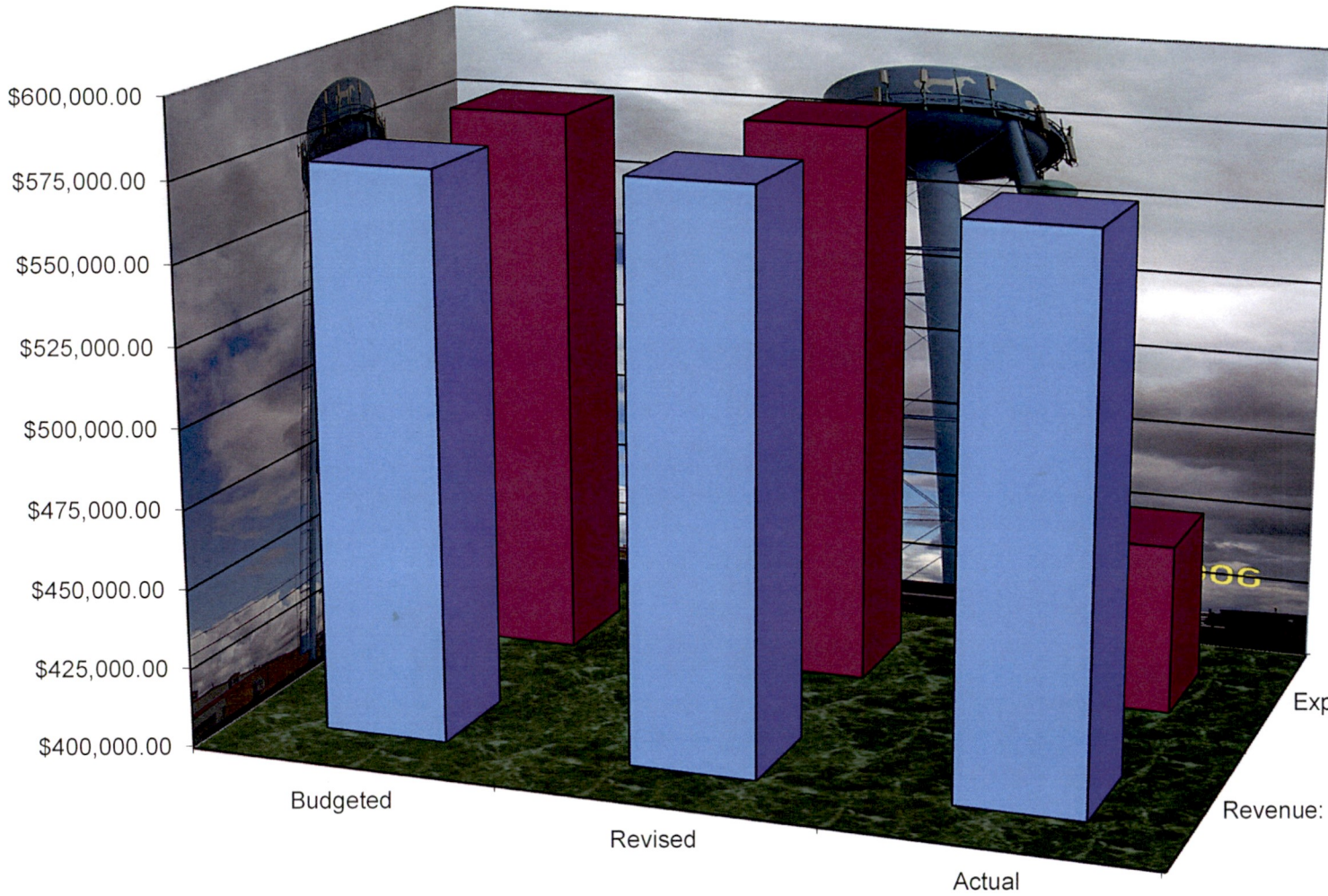
■ Revenue:
■ Expense:

1.46

Expense:

Revenue:

2019
Water Fund

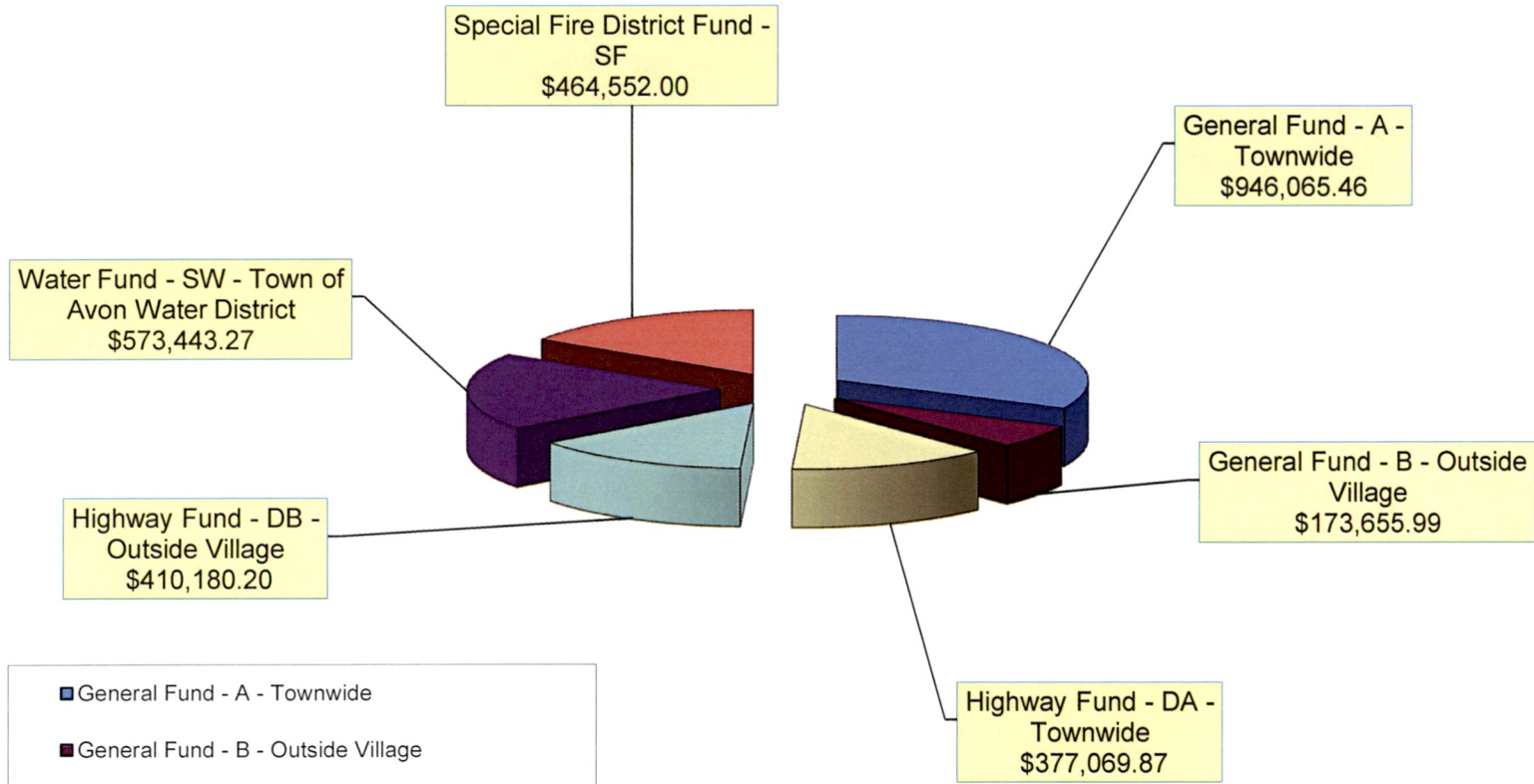


■ Revenue:
■ Expense:

Expense:

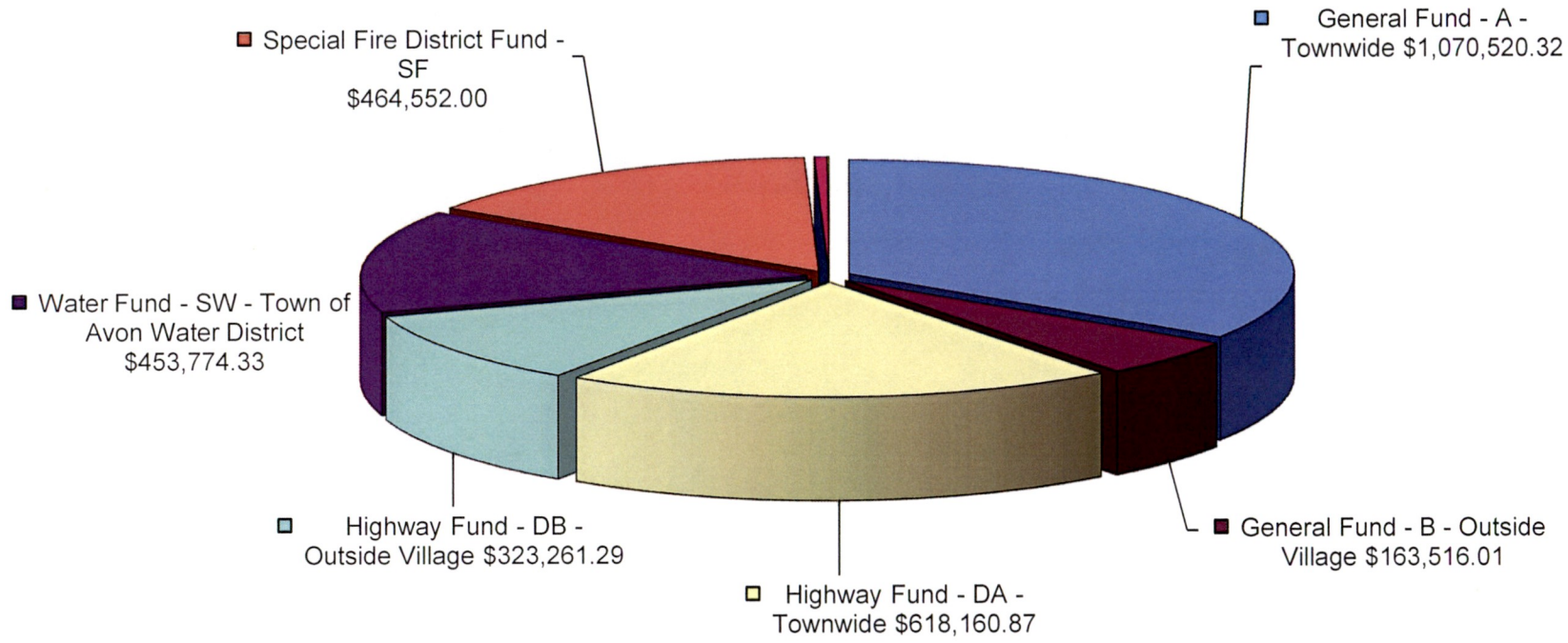
Revenue:

2019 Revenue



- General Fund - A - Townwide
- General Fund - B - Outside Village
- Highway Fund - DA - Townwide
- Highway Fund - DB - Outside Village
- Water Fund - SW - Town of Avon Water District
- Special Fire District Fund - SF

2019 Town Expenses



■ General Fund - A - Townwide	■ General Fund - B - Outside Village	■ Highway Fund - DA - Townwide
■ Highway Fund - DB - Outside Village	■ Water Fund - SW - Town of Avon Water District	■ Special Fire District Fund - SF

RESOLUTION #30 ACCEPT THE 2019 BUDGET END OF YEAR REPORT-continued

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

RESOLUTION #31 ACCEPT AUDIT OF TOWN CLERK AND TAX COLLECTOR

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

ADOPTED AYES 5 NAYS 0

RESOLVE to accept the Audits provided by Deputy Supervisor Mairs for the Town Clerk and Tax Collector Records.

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

RESOLUTION #32 ACCEPT AUDIT OF TOWN COURT

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

ADOPTED AYES 5 NAYS 0

RESOLVE to accept the Audits provided by Deputy Supervisor Mairs for the Town Court.

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

There was discussion regarding our IT needs and if we should keep the same provider or look for a new one.

Councilman Drozdziel has reached out to the Livonia Town Clerk and she stated that their town has formed an IT committee who researches what the town's needs are. They are getting a quote from Hurricane Technologies.

We need to assess what our needs are and renegotiate with Hurricane. Hopefully we can wrap things up in the next two weeks.

DISCUSSION - SUPERVISOR'S ITEMS-continued

Councilman Drozdziel has been speaking with Empire Access regarding our phone and internet service. They have quoted us with a better deal than Spectrum, and they could be in our office in two weeks. The price would be locked in for 36 months. The board will revisit at the next meeting.

Supervisor LeFeber stated that the state has reached out to us regarding the Opera Block Grant. We need to appoint a point of contact person who will work with the State on our behalf. It was suggested to appoint Kim McDowell and Paul Drozdziel and to keep the members of the Opera Block Committee informed.

We received a recommendation from MRB Group Engineer Lance to produce a letter of credit with surety estimates of around \$228,000.00. The proposed letter was discussed and what is the best way to enter into this agreement.

RESOLUTION #33 ACCEPT AMOUNT PROVIDED BY MRB GROUP FOR PIRANHA

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

ADOPTED AYES 5 NAYS 0

RESOLVE to agree with the amount of \$228,177.43 given by MRB Group for the work being done by Piranha in the James Steele Commerce Park and let Attorney Campbell and MRB Group determine in what form the letter will be written.

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

RESOLUTION #34 PAYMENT OF BILLS

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

ADOPTED AYES 5 NAYS 0

RESOLVE to accept for payment Abstract 2020-02 in the following amounts:

Concerning ABSTRACT of Claims Number 2020-02 including claims as follows:

RESOLUTION #34 PAYMENT OF BILLS-continued

General Fund	Voucher #27 through #60 in amounts totaling \$ 88,450.20
Highway Fund	Voucher #5 through #13 in amounts totaling \$ 2,548.03
Water Fund	Voucher #8 through #10 in amounts totaling \$ 562.44
Cemetery Fund	Voucher #1 through #1 in amounts totaling \$ 350.00
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

DISCUSSION – OPEN ITEMS

Councilman Harrington asked if there is any more information regarding the public market coming to Avon. The County is still discussing ideas. This will be a long process.

Councilman Coyne reported that the Battery Storage Committee had a good beginning at their first meeting and plan on scheduling another meeting in March.

The Parking Lot Committee hopes to meet sometime in March or April after the Village elections.

Councilman Drozdziel stated he was invited to the Library’s annual meeting

Supervisor LeFeber welcomed Annie Chwiecko, Community Representative from Senator Patrick Gallivan’s office.

Annie talked about the uphill battle they are having with Albany which includes bail reform, single parent health care, and medical marijuana. The senator is introducing a bill that would give local judges jurisdiction over the determination of bail.

The Senator’s office in Geneseo at the Government Center is open on Tuesdays and Annie is available to try to help with whatever she can.

Supervisor LeFeber thanked Annie and Senator Gallivan for all their support for the Town of Avon.

DISCUSSION VISITOR COMMENTS

Supervisor LeFeber asked for any visitor comments they are as follows:

Visitor Janet Manko spoke of a public meeting on January 16 regarding solar and battery storage and stated it was very well attended. She learned a lot.

Councilman Coyne stated that the most effective way to get information to the Solar/Battery Storage Committee is the send the information to Kim McDowell and she will forward it to the committee members.

Visitor Judy Falzoi stated that there are no operating lithium ion battery storage units in the United States. There is one going in in California by Next Era which is the same company as the applicant for Pole Bridge Road. California also will not give grants to this type of battery storage. She suggested that the Town rewrite the solar law about where solar should be allowed to go.

Attorney Campbell stated he forwarded a notice to Kim McDowell to send to the Battery Storage Committee regarding a meeting on February 25, 2020 at 7:00 P.M. at the Genesee River Hotel. This is open to the public and requires an RSVP.

Councilman Drozdziel stated that the bottom line is what benefit does this bring to the community.

Visitor Cindy Kellen asked that the Town relay any information regarding water issues on Pole Bridge Road to the ZBA and Planning Boards.

RESOLUTION #35 EXECUTIVE SESSION

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

ADOPTED AYES 5 NAYS 0

RESOLVE to enter executive session for the purpose of discussions regarding proposed, pending or threatening litigation TIME 7:27 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 #36 CLOSE EXECUTIVE SESSION

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

ADOPTED AYES 5 NAYS 0

RESOLVE to close executive session with no action taken at 8:23 P.M.

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

RESOLUTION #37 ENGAGE THE SERVICES OF JOEL R KURTZHALTS, ESQ.

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

ADOPTED AYES 5 NAYS 0

RESOLVE to engage the services of Joel R. Kurtzhalts of Bennett, DiFilippo and Kurtzhalts, LLP to represent the Town of Avon in the matter of the Article 7 real property tax assessment case of Barilla America, Inc. VS. the Town of Avon.

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

On motion of Deputy Supervisor Mairs, seconded by Councilman Harrington the meeting was adjourned at 8:27 P.M.

Respectfully submitted by:

Ellen M Zapf, Deputy Town Clerk
&

Sharon M. Knight, MMC/RMC