

A regular meeting of the Town of Avon was held on Thursday, February 27, 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, and Councilmen Malachy Coyne, and Paul Drozdziel

ABSENT: Deputy Supervisor Thomas Mairs & Councilman James Harrington

OTHERS: Code Enforcement Officer Brian Glise, MRB Group Engineer David Willard and Deputy Town Clerk Ellen Zapf

VISITORS: Cindy Kellen, Chuck Morgan Judy Falzoi and Janet Manko

Supervisor LeFeber called the meeting to order at 6:30 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 #49 APPROVAL OF MINUTES

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

ADOPTED AYES 3 NAYS 0 ABSENT 2 Deputy Supervisor Thomas Mairs & Councilman Harrington

RESOLVE to approve the minutes of February 13, 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 – Absent, Councilman Coyne – Aye, Deputy Supervisor Mairs – Absent, Supervisor LeFeber – Aye

DISCUSSION - ATTORNEY REPORT

Attorney Campbell was not in attendance.

DISCUSSION – HIGHWAY/WATER REPORT

Highway/Water Superintendent Crye was not in attendance.

DISCUSSION – CODE DEPARTMENT

Code Enforcement Officer Glise reported on the following:

A trailer park would like a code compliance letter. There are so many variables that he is leery about signing a letter. CEO Glise would like to get Attorney Campbells input before signing.

CEO Glise spoke about a discussion at a previous meeting regarding a bond or surety note for an upcoming project and wondered if we get a specific amount up front or do we charge them a percentage of the cost of the project.

Councilman Drozdziel suggested to use both. A set fee for smaller projects and a percentage for projects over \$100,000.00. 5% percent is a good margin.

There was a meeting with Cyprus Creek who is taking over the Helios solar project on Rochester Street. There are some small changes.

Councilman Drozdziel asked if Cyprus Creek needs to reapply for the application because they are a new owner? MRB Group Engineer Willard responded that in other towns the new owner must reapply.

Supervisor LeFeber stated that the PILOT made with Helios is most likely null and void.

Councilman Drozdziel asked about Matthew Buses and CEO Glise stated that they are now working on sign permits and they should be open sometime in March.

DISCUSSION – ENGINEER REPORT

David Willard, MRB Group Engineer reported on the following:

MRB Group Engineer Willard spoke with Highway/Water Superintendent Crye and Motor Equipment Operator Kelly Sloan about the water meter policy. Water Clerk McDowell e-mailed me a draft of the updated policy and I edited it. The edits did not change the substance of the policy it was mostly wording changes.

Sent an e-mail to see if March 11 or 12 would be good for a meeting regarding the joint water study.

Supervisor LeFeber feels the Water Works Committee should get an update.

DISCUSSION – TOWN CLERK REPORT

Deputy Town Clerk Zapf reported on the following:

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

Glen Miller Bill & Estimate
Resolution #28 Adopt Corrected Resolution
State Snow & Ice Contract

We have received our E-ZPasses' and they are available for purchase.

Our office has collected 83% of the total taxes so far, which is just over 4 and half million dollars. This does not include direct pays to the County as we have yet to receive this report and enter the payments into our system.

Deb Nupp from the East Avon Fire Department requested that we post their meeting dates on the Town of Avon website. The board agreed that this was a good idea.

Bob Westfall from the Historical Society asked if they would be able to put a temporary railing on the steps on the left side of the stage on the third floor. He does many tours and would like a railing for safety. The board discussed the idea and decided that Councilman Drozdziel will investigate it and no recommendation was made at this time.

DISCUSSION - SUPERVISOR'S ITEMS

Supervisor LeFeber stated he has received the January monthly budget report and there are no red flags, but it is still incomplete. The new accounting firm EFPR has not received all the information needed from Baldwin Business Services to complete the report.

Councilman Drozdziel asked for an update report on EFPR and Supervisor LeFeber stated that so far payroll has been good, vouchers are ok, and they have been very timely. Since we have a yearly audit if there is a problem it should be caught by the auditors.

RESOLUTION #50 SCHEDULE JOINT MEETING WITH THE TOWN OF AVON PLANNING BOARD

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

ADOPTED AYES 3 NAYS 0 ABSENT 2 Deputy Supervisor Thomas Mairs & Councilman Harrington

RESOLVE to provide the following notice to the Livingston County News:

RESOLUTION #50 SCHEDULE JOINT MEETING WITH THE TOWN OF AVON PLANNING BOARD-continued

TOWN OF AVON
LEGAL NOTICE

A special Joint meeting with the Town of Avon Planning Board is scheduled for March 12, 2020 at the Avon Town Hall/Opera Block, 23 Genesee Street Avon, New York, 14414 at 6:00 P.M. for discussion on a special use permit and site plan review for Noyes Mental Health in the James Steel PDD and any other business that comes before the Board.

By order of the Town Board
Sharon M Knight MMC/RMC, Town of Avon Clerk
Dated: February 27, 2020

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

DISCUSSION - SUPERVISOR'S ITEMS

We received the boundary map of the Opera Block Building which is needed for the grant we are receiving for the third floor

Councilman Drozdziel stated that he has received two bids for service regarding our IT needs. The Board will need to have a discussion at some point to decide how much we want to spend for this service. We need to compare the two.

We have some equipment that needs to be replaced before a service supplier can tell us exactly what we need. Some of the equipment may not support the new versions of software that we need. There may be budget implications. It cost money to maintain equipment.

DISCUSSION – VOUCHERS

Supervisor LeFeber stated that the Spectrum bill for phone and internet at the Town Offices should be our last one as we will be switching to Empire Access soon.

RESOLUTION #51 PAYMENT OF BILLS

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

ADOPTED AYES 3 NAYS 0 ABSENT 2 Deputy Supervisor Thomas Mairs & Councilman Harrington

RESOLVE to accept for payment Abstract 2020-04 in the following amounts:

RESOLUTION #51 PAYMENT OF BILLS-continued

Concerning ABSTRACT of Claims Number 2020-04 including claims as follows:

General Fund	Voucher #108 through #118 in amounts totaling \$ 8,002.85
Highway Fund	Voucher #36 through #43 in amounts totaling \$ 6,842.91
Water Fund	Voucher #18 through #20 in amounts totaling \$ 217.09
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 - Absent, Councilman Coyne - Aye, Deputy Supervisor Mairs - Absent, Supervisor LeFeber – Aye

DISCUSSION – OPEN ITEMS

Councilman Coyne stated he attended a Solar Battery Storage Conference in Mt. Morris and it was very informative. He has a lot of information to bring to the committee meeting on April first.

DISCUSSION VISITOR COMMENTS

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

Visitor Chuck Morgan read the following statement and then provided documents as proof of what was said.

I would like to address a comment from the official, approved Town Board meeting minutes of January 23, 2020.

The comment states that there are “no operating lithium ion battery storage units in the United States.” This comment is, at best, completely false.

How do I know it is false:

- 1) From the Energy Institute of America, 10/30/19: Nearly all of the utility-scale battery systems installed in the United States in the past five years use lithium-ion technology
- 2) From the Daily Energy Insider, 10/31/19: Utility-scale battery storage in the United States is dominated by lithium-ion

- 3) From the San Diego Tribune, 6/4/18: San Diego Electric and Gas to Add Five New Battery Storage Facilities: "Each will use lithium-ion battery storage." One facility is in Escondido, CA.
- 4) Escondido Grapevine: The World's Largest Lithium-Ion Storage Battery

The overarching point I am attempting to make is it time to move beyond the negativity and disinformation being distributed in the town regarding lithium-ion battery storage. I would like to offer my 20+ years of experience in risk management to assist with understanding the risks and mitigation methods of lithium-ion battery storage. To do this I am willing to prepare and present a short presentation to the Battery Storage Committee, and perhaps the Planning and Zoning boards as well as they will be making decisions concerning this issue.

The presentation would be short because the risks are well understood and the mitigation methods to reduce the risk to the maximum extent possible are in place. In fact, your engineering group and CEO will be charged with ensuring that any installation of a lithium-ion battery storage meet all existing codes related to lithium-ion battery storage. Some examples include the big four: building code, electrical code, fire code and ventilation code. Several others also apply.

I believe it is important for the committee and all boards reviewing this issue to have complete substantive information. This can expedite the process and allow it focus on those areas relative to impacts in the town that are that not so well defined.

Thank you for your time,
Chuck Morgan

Avon, N

NOTE: Lithium-ion battery storage is not the only player in the game; there are several types of battery storage systems, as well as non-battery storage systems. Each would require separate reviews concerning the risks and mitigation methods.

Supervisor LeFeber stated he would like to know what benefit this type of installation would bring to the Avon community. So far no one has answered this question.

Visitor Morgan stated that it would help stabilize the grid but there is not much of a benefit to the community other than maybe saving 10% on your electric costs which do not include delivery costs.

Councilman Coyne stated that the moratorium committee is not bias and listens to all sides and tries to collect accurate information to make informed decisions.

Councilman Drozdziel stated we must look to our Comprehensive Plan when making these decisions.

Visitors Judy Falzoi and Chuck Morgan added additional comments.

On motion of Councilman Coyne, seconded by Supervisor LeFeber the meeting was adjourned at 7:52 P.M.

Respectfully submitted by:

Ellen M Zapf, Deputy Town Clerk

&

Sharon M. Knight, MMC/RMC