

A regular meeting of the Town of Avon was held on Thursday, September 10, 2020 at 6:00 P.M. at the Avon Opera Block/Town Hall, 23 Genesee Street, Avon, New York 14414, and via Join.Me phone number 1-646-307-1990 and conference call number 152-725-660# of the Avon Town Board. The following members participated:

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

OTHERS: MRB Group Engineer David Willard (via Join Me), Code Enforcement Officer Brian Glise, Attorney James Campbell, and Ellen M Zapf RMC, Deputy Town Clerk

VISITORS: Cindy Kellen

Supervisor LeFeber asked for names of those on the JoinMe meeting and Judy Falzoi and David Willard stated they were on the line.

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

#### **DISCUSSION – PUBLIC COMMENTS**

Supervisor LeFeber asked for public comments and they are as follows:

Visitor Cindy Kellen asked if there would be any discussion regarding the campground proposal on Route 15?

Supervisor LeFeber stated that the information was sent on to the County Planning Board for input and when that is received it will go onto the Town of Avon's Planning Board for review. The Town has not heard from the County yet.

#### **RESOLUTION #136 OFFICIAL UNDERTAKING OF MUNICIPAL OFFICERS**

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

ADOPTED AYES 5 NAYS 0

**OFFICIAL UNDERTAKING OF MUNICIPAL OFFICERS**

WHEREAS, David Hoffmann, of the Town of Avon, County of Livingston, New York, has been appointed to the Office of Town Justice of the Town of Avon, and

NOW, THEREFORE, I as respective officer above, do hereby undertake with the Town of Avon that I will faithfully perform and discharge the duties of my office, and will promptly account for and pay over all moneys or property received as a Town Officer, in accordance with the law; and

This undertaking of the Town Justices is further conditioned that he will well and truly keep, pay over and account for all moneys and property coming into his hands as such Town Justice; and

The Town does and shall maintain insurance coverage, presently with Walsh Duffield Agency Inc., in the sum of \$ 1,000,000.00 for the Town Clerk/Tax Collector, in the sum of \$100,000.00 for the Supervisor, Deputy Town Clerk, Water Clerk and Court Clerks and to indemnify against losses through the failure of the officers, clerks and employees covered thereunder faithfully to perform their duties or to account properly for all monies or property received by virtue of their positions or employment, and through fraudulent or dishonest acts committed by the officers, clerks and employees covered thereunder.

Dated:

Town of Avon

David Hoffmann, Town Justice

STATE OF NEW YORK:

:SS:

COUNTY OF LIVINGSTON

On the 31st day of August, 2020 before me, the undersigned, a Notary Public in and for said State, personally appeared David Hoffmann, personally known to me or provided me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her capacity, and that by this signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

  
NOTARY PUBLIC - STATE OF NEW YORK

The Town Board of the Town of Avon approved the foregoing undertaking as to its form and manner and the sufficiency of the surety, by resolution adopted on September 10, 2020

**SHARON M. KNIGHT**  
No. 01KN6075134  
Notary Public, State of New York  
Qualified in Livingston County  
My Commission Expires June 30, 2022



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

**RESOLUTION #137 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 August 27, 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 DEPARTMENT REPORT**

Plugging along on the litigation issue.

Attended a very productive Battery Storage meeting last week. The committee is asking Mary Underhill from the County Planning Board for feedback and she will be attending a future meeting.

Will be attending a joint Planning & ZBA meeting next week regarding DG-Solar. Will meet with ZBA members before the meeting as they are asking for legal advice.

**DISCUSSION – CODE DEPARTMENT REPORT**

Possible new tenant on Tec Drive in Mr. Gardner’s building.

Kim spoke with the village about the lock box we purchased from them. We still have not received it.

**DISCUSSION – HIGHWAY/WATER DEPARTMENT REPORT**

Highway/Water Supervisor Crye provided the following written report:

**HIGHWAY:**

- Mow back
- Park & cemetery’s mowed
- Shop

**WATER:**

- Flushing
- Everyday maintenance & sampling
- Locating curbs

**Senior Citizen Pick-Up - Friday morning**

- 17 Village Residents
- 7 Town Residents

**DUMP DAYS - Saturday**

Supervisor LeFeber stated that the sale of the surpluses v plows did not go through earlier this year and were put back on the internet and we may have buyer.

**DISCUSSION – ENGINEER DEPARTMENT REPORT**

Checked with Wayne County and their water prices are in the high \$4.00 per thousand with no discounts for high commercial user. Spoke with a few other water districts and they all said they do not offer this discount.

Next Thursday there will be a meeting of the County Supervisors and Mayors regarding the water study done by Clark Patterson. Bill Davis He and are planning on attending.

**DISCUSSION – TOWN CLERK DEPARTMENT REPORT**

The following correspondences were emailed to the Town Board:

NYSDOS training “Skills that Make Great Board Members” to be held September 22<sup>nd</sup> at 6:00 P.M. for new and seasoned Planning Board and ZBA Members.

NYSDEC Lead Agency Coordination Letter including: Oak Openings LLC Avon Pit, Proposed modification to Expand Life of Mine (LOM), DEC Mine Application No. 8-2420-00006/00003, Town of Avon, Livingston County

Town Clerk Knight provided the following written report:

Governor Cuomo announces major construction complete on bridge and roundabout project in Livingston County

“Talk of the Town with Tom” A Webinar with OCS and AOT – Free, but pre-registration required. Towns are facing significant fiscal challenges because of COVID-19.

Town Board position appointments including personnel and ending terms of office.

We are seeing a significant increase in marriage application sales.

The new DECALS software continues to improve. We are working closely with Kalkomey the software vendor.

Two changes were made to the minutes: The Battery Storage meetings are the 2<sup>nd</sup> and 30<sup>th</sup> not the 2<sup>nd</sup> and 7<sup>th</sup>, and Design FM not FM Design.

**DISCUSSION - MONTHLY REOPORTS**

Supervisor LeFeber stated he would like the water page on the Supervisor's report revised. He thinks funds may have been placed in the wrong account. This would be page 14 of the report.

**RESOLUTION #138 ACCEPT THE MONTHLY REPORTS**

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

ADOPTED AYES 5 NAYS 0

RESOLVE to accept the monthly reports for August 2020 from the Town Supervisor and from the Town Clerk as shown below:

Town Clerk's August 2020 Report:

Total Local Shares Remitted:	\$ 4,656.08
New York State Department of Health	\$ 337.50
NYS Ag. & Markets for spay/neuter program	\$ 119.00
NYS Environmental Conservation	\$ 3,828.82
TOTAL	\$ 8,941.40

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

**DISCUSSION – BATTERY STORAGE COMMITTEE**

Councilman Coyne stated they have a good committee with members who are not bias. He would like to get some written information from Mary Underhill to share at the next meeting. She will be attending the meeting on October 14, 2020.

Councilman Harrington stated that You do not have to have solar to have Battery Storage. It was also stated that half of the Battery Storage requests coming into the County are not associated with solar.

**DISCUSSION – OPERA BLOCK THIRD FLOOR**

There will be an Opera Block Third Floor meeting next week and they are hoping to come up with a timeline.

RPF's were solicited but none have been accepted yet.

**DISCUSSION – HURRICANE INVOICE**

Councilman Coyne inquired about the Hurricane invoice and if the charge regarding the installation of cameras should be under the court grant line.

The discussion continued whether we are going to continue to use Hurricane as our IT provider. The Town looked at different providers and then COVID-19 hit, and we took a pause. We will probably delay the decision until next year and work things out at budget time.

There was also a lengthy discussion on having a point of contact in our building when people enter the building for maintenance purposes.

Councilman Coyne would like clarity on what is covered by the court grant on the Supervisor's monthly report.

**RESOLUTION #139 PAYMENT OF BILLS**

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

ADOPTED AYES 5 NAYS 0

RESOLVE to accept for payment Abstract 2020-17 in the following amounts:

**Concerning ABSTRACT of Claims Number 2020-17 including claims as follows:**

<b>General Fund</b>	Amounts totaling \$66,855.26
<b>Highway Fund</b>	Amounts totaling \$708.81
<b>Water Fund</b>	Amounts totaling \$3,796.15
<b>Cemetery Fund</b>	No Voucher
<b>Opera Block Capital Improvement</b>	No Voucher
<b>Royal Springs Lighting</b>	Amounts totaling \$980.54
<b>Cross-Roads Drainage District</b>	No Voucher
<b>Bruckel Drainage District</b>	No Voucher
<b>Royal Springs Drainage</b>	No Voucher
<b>Town of Avon Fire Protection</b>	No Voucher
<b>Rte. 39 Water SW2</b>	No Voucher

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

**OPEN ITEMS**

Supervisor LeFeber stated that Historian Kingston asked about storage for her records as her storage room was damaged by a water leak. She would like to move her records to the old bank building. As of now the Village still has record stored there. Supervisor LeFeber will speak with the Village as the records were only to be stored for a short while and it now has been years.

The railroad marker dedication will be on Friday September 25, 2020 at 5:00 pm by the railroad tracks on W. Main Street.

Deputy Supervisor Mairs stated he will be working Clean Up Days this Saturday. There will be a charge for TV's as well as tires. He also received a flyer in the mail regarding free electronic disposal in Henrietta sponsored by Assemblywoman Marjorie Byrnes and Senator Patrick Gallivan.

Councilman Harrington stated that Tom Crye removed the door stopper at the back door of the Opera Block Building, He also inquired as to what can legally be put in the back room of the bank building.

Councilman Drozdziel feels the space should be used by the town.

**VISITOR COMMENTS**

There were none.

On motion of Councilman Harrington, seconded by Councilman Coyne the meeting was adjourned at 7:25 P.M.

Respectfully submitted by:

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Ellen M Zapf, RMC Deputy Town Clerk

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Sharon M. Knight, MMC/RMC Town Clerk