

A regular meeting of the Town of Avon was held on Thursday, June 24, 2021, at 6:00 P.M. at the Avon Opera Block/Town Hall, 23 Genesee Street, Avon, New York 14414, Via Zoom Meeting ID: 898 8648 5180 Passcode: 687551. The following members participated:

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

ABSENT: Councilman James Harrington

OTHERS: MRB Group Engineer David Willard, Code Enforcement Officer Brian Glise, Attorney James Campbell, Highway/Water Superintendent Thomas Crye, and Sharon M Knight, MMC/RMC Town Clerk

VISITORS: Janet Manko, Carol Hank, Aydan Low, Janet Ward, Betty Hanna, Molly Low, Gardner Low, Rick Crater, Karen Crater, Ruth Ann Lewis, Brian R. Lewis, Gary Wheat, Cindy Kellen, Edward Forsythe, and Bob Westfall

ZOOM VISITORS: Judy Falzoi

Supervisor LeFeber called the meeting to order at 6:00 P.M. stating the public hearing is still open then led those in attendance in the Pledge of Allegiance.

PRESENTATION – AVON SENIORAMA HONOREE 2021 – DIXIE CARMODY

Supervisor LeFeber presented a certificate to Dixie Carmody and read the following:

The Town of Avon recognizes Dixie Carmody as Seniorama Honoree for 2021. Dixie has called Livingston County home for her entire life. She has two children and 2 grandchildren. She is proud of her family's military history – her father, uncle, brother, and nephew all served in the Army and her son in the Marine Corps.

Dixie graduated from Genesee Central School and received an associate degree in Business from Bryant and Stratton. She held several positions including Assistant Manager of a local gas station, Secretary for a Wine and Spirits company, and Certified Nursing Assistant for a skilled nursing facility.

Dixie performed some of her most meaningful work as a volunteer at St. Agnes Catholic School and prior to that at Dansville Primary School. As a Foster Grandparent, Dixie provided support to nearly 100 children to assist them in their learning and development.

Dixie has a lot of hobbies and skills that came in handy as a Foster Grandparent. She enjoys reading and many art activities including drawing and painting. She loves to play cards and other games. Dixie's other hobbies and joys include camping and working in gardens.

Many people do not know that Dixie played the drum and belonged to the White Sabers Drum and Bugle Corp., a marching group that competes in world events. She was a member for 12 years and is now an alumni member.

Dixie was surprised and happy to be nominated for this honor and says, "I just love helping people." Presenting Dixie with her Certificate of Recognition is Avon Town Supervisor David LeFeber.

DISCUSSION - LIVINGSTON COUNTY TEEN RECOGNITION AWARDS

Supervisor LeFeber then presented certificates to Brian Lewis and Aydan Low.

Brian Lewis demonstrates kindness and interacts positively with all students and staff at Avon High school. At Avon school, students practice the Braves Way (Be Brave, Responsible, Actively Involved, Value Yourself and Others, give your best Effort, and be Safe) as guidelines for conduct. Brian models these values every day. He is involved in many activities including Interact, Cross Country, and Student Council. However, he is known most for his dedication to the Music Program and Drama Club. His passion and energy for the arts is contagious. He is always willing to help staff with the organization and set up of events, and he is an amazing performer. Brian's leadership really stood out in March 2020 when the pandemic forced schools to close. Brian responded to the lack of socialization by creating a virtual open mic night that he called Fireworks and Gigabytes. This weekly event brought many students and staff together to showcase their talents and socialize. Each week Brian would MC the event and students would sing, play an instrument, share artwork or poems, and lead trivia. This was a bright spot for the students and staff during a challenging time. Brian is always looking for opportunities to bring students together to have fun and share their talents. Last year, he received the Sophomore of The Year award for demonstrating service, leadership, sportsmanship, and cooperation. He demonstrates leadership every day, whether it be helping someone in the hallway or supporting learning in a classroom. Earlier this year, Brian began leading his Algebra II class when there was a substitute by modeling an equation on the chalkboard. He also spends time supporting his community and loves singing at the nursing home during the holidays. Students and staff alike often talk about how much they enjoy and appreciate Brian. He puts effort and passion into everything he does, and serves as a positive role model for the rest of us

Ryan Wagner, Principal, Avon Central School

Aydan Low has been an active member of the Livingston County 4-H program for over 10 years. He is a well-rounded young man dedicated to learning and leadership development. He has enjoyed learning in numerous project areas, engaged in countless community service activities, and in recent years has sought out several leadership roles locally, regionally, and at the state level. Last spring, in the early days of the pandemic, he helped develop a video to complement the annual Bucket Brigade (container gardening workshop), which was offered as a virtual event. Aydan has helped at the in-person event for years, and while a virtual demonstration is not the same as in-person, he willingly took on the challenge.

He clearly demonstrated and described how to transplant seedlings and created an accompanying Kahoot Quiz for youth to enjoy.

The video, Kahoot, and overall remote event were very well received and appreciated by the community. He also served as a Teen Leader during the Summer Showcase which replaced the county fair experience. Aydan engaged the Cloverbud youth (ages 5-7) in conversations about their exhibits. Feedback from several parents was that Aydan was exceptional with their children. Parents cited his level of interest and engagement paired with his supportive and friendly attitude. He is a wonderful role model for the youngest members. Aydan is currently serving as Teen Council Vice President. He works with the President in advance of the meeting and comes prepared and ready to lead the group. Aydan is friendly and approachable and helps new members feel at ease. He is hardworking, eager to be helpful and works well with adults, peers, and those younger than himself. He brings a positive attitude to everything he does and is fully deserving of this award.

Renee Hopkins, Cornell Cooperative Extension 4-H Educator

The following awardees were not able to attend the meeting; however, Supervisor LeFeber asked that their bios be a part of the official record.

Isaac Knapp has been homeschooled since kindergarten and is currently in tenth grade through Avon High School. Isaac is very community-minded and enjoys working with younger children. Through the Homeschool Group, he has helped young children during sign language lessons with practicing and learning the different signs. He also helps at RocVentures during rock climbing classes serving as a motivator and a belay (the person on the ground holding the rope for the climber). He ensures that all safety protocols are being followed and steps in to correct things when they are unsafe. Before the pandemic, Isaac supervised and cared for the preschoolers in the nursery of the church he and his family attends. Every year, Isaac has lent his support and worked hard at Homeschool Group fundraisers. This year's, the biggest, was a chicken barbeque to raise money for five area organizations. Isaac was there helping to package meals, following all safety protocols, and was very kind to all customers and co-workers. He even made it a fun time when things slowed down. Last summer Isaac became a hero at Vitale Park when a little dachshund puppy somehow got a fishhook stuck in the side of his stomach. Isaac jumped into action to get the hook out and kept himself, the family, and the puppy calm. Isaac is truly an amazing young man who would like to pursue a career in law enforcement where his calm demeanor, safety conscientiousness, and dedication to community will be huge assets.

Colleen Crane & Chaundacey Crane-Yackley, Members of Homeschool Group

Emma Kostraba embodies leadership! She leads by example with community service projects and is always willing to help on any project for her school and with the Interact Club. Emma is active with the National Honor Society, is social chair for Student Government and was elected class officer, co-treasurer, and co-secretary of the Avon Yearbook Club. She moderates Peace Circle, is a counselor for Avon Summer Recreation and is active in Interact Club, Operation Christmas Child, and the Rock Project. Through Rotary Interact she has served in local food pantry projects, letters to veterans and the elderly, Salvation Army bell ringing, auctions, and corn festivals.

Along with keeping up her grades and playing two sports she always finds time to be her best. She is willing to jump into any leadership role that is needed and if she cannot commit fully to a project, she will do her best to contribute in any way. She is a truly compassionate human being who is an incredible role model to her peers.

Shannon DiFranco, Mentor, Avon Rotary Interact

Ella Vanderbilt has participated in a myriad of community involvement projects throughout her high school years. Currently she is President of the Avon Rotary Interact Club where she has led projects of awareness with the Salvation Army bell ringing, food drives, and hygiene health care kits for the local food pantry. Ella has also helped with several fundraisers: the Road Rally, blood drives, Rotary Auction, Avon corn festival, Exchange Weekend, and hosting exchange students. Besides filling up her hours with giving back to the community, at school she participates in peer mentoring and is a Peace Circle facilitator. Ella has also been involved with 4H and worked with Linking Hands for Learning, which builds schools in Nicaragua. She spends much time playing volleyball and being a member of the National Honor Society and student council. Ella's willingness to jump on board and do what she can, will be missed.

Shannon DiFranco, Mentor, Avon Rotary Interact

Bridget Hayes contacted the Town Clerk's Office and was unable to attend as she had a former commitment to attend the Annual Senior Parade. Her bio follows:

Bridget Hayes is an asset to any team as her work ethic, reliability, and positive, encouraging attitude are infectious. Entering high school, these qualities were valuable in many situations, but especially in community service. When opportunities arose, Bridget not only participated but also fully committed to making the service project a success. As a member of National Honor Society, Rotary Interact, BUDDIES (a mentoring program), Foreign Language Club, and Student Council there have been many opportunities. Even during this past year, with all its restrictions, she has found ways to give back. Bridget, along with other NHS members, created and delivered digital holiday cards for Avon Nursing Home residents. To make it more fun for the residents, the club brought a horse dressed as Rudolph the Red-Nosed Reindeer. The students walked the horse to every window so the residents could see them and "Rudolph". It put everyone in a happy, holiday mood. Bridget faithfully volunteers for service activities including blood drives and fundraisers. She is conscientious about any task given – creating posters, recruiting helpers, and working tables. Through Rotary Interact, Bridget wrote notes to cancer patients, rang the bell for the Salvation Army, worked on food pantry drives, put together care kits, and assisted at numerous fundraisers. She is a member of the school's soccer, swimming, and golf teams and this year, captain of both the soccer and swim teams. As a strong soccer player, she was on the All-Greater Rochester and New York State Girls Soccer Teams. Her leadership skills and willingness to serve others has been appreciated by many.

Andrea LeFeber, Coach, Avon Central School

DISCUSSION OPEN PUBLIC HEARING – LOCAL LAW T-1A-2021

Supervisor LeFeber stated the public hearing continues to be open and asked for any comments and they follow:

Attorney Campbell reported on the meeting held on Monday highlighting the following:

Livingston County Planning Board Director Mary Underhill attended.

They started with the communication from Harris Beach.

Changes will be made to the proposed law and then provided to the Town Board in July.

Revisions will not change the fundamental of the proposed local law and will not need to go back to the Livingston County Planning Board.

If the Town Board requests additional changes it might need to go to the County Planning Board.

Other comments provided during the hearing were not discussed in detail.

Committee Member Councilman Coyne stated he feels comfortable with the Committee's work.

Supervisor LeFeber asked for additional comments on the local law.

Janet Manko read the following document submitted by her and Judy Falzoi as follows:

Judith Falzoi
1739 Athena Dr
Avon, NY

Janet Manko
1745 Athena Dr
Avon, NY

j jfalzoi1@rochester.rr.com

June 24, 2021

Public Hearing Comment on energy law LL T-1A of 2021

We are very concerned about the new ground-mounted energy systems found in the second part of the Type 1 definition on page 4 of the law. It is a use not previously permitted by building permit.

Our peace and enjoyment of rural amenities as well as quality of life will be impacted if this land use becomes permitted by this revision. We know it is a conversion of farmland to accommodate energy generation not produced for use on site. It is not an accessory use. We do not think it is in the best interest of our community to allow this solar energy system land use defined as Type 1.

We would not need to send multiple comments if the process were more transparent with community meetings. You would see a better representation from the non-participating community. There has been no community notification or involvement in this draft. We want that in the public record. Answer these questions please.

1. Do you agree with number 11? (NYS Town Law - TWN 272-A) (We do. It limits power given to an elected body.)

Find your Senator and share your views on important issues.

FIND YOUR SENATOR

11. Effect of adoption of the town comprehensive plan. (a) All town land use regulations must be in accordance with a comprehensive plan adopted pursuant to this section.

(b) All plans for capital projects of another governmental agency on land included in the town comprehensive plan adopted pursuant to this section shall take such plan into consideration.

12. Filing of town comprehensive plan. The adopted town comprehensive plan and any amendments thereto shall be filed in the office of the town clerk and a copy thereof shall be filed in the office of the county planning agency.

PREV SECTION 271 Planning Board, Creation, Appointment

NEXT SECTION 273 Official Map, Changes

2. Why has there not been any attempt during the moratorium on renewable energy development to engage the community in the discussion of the Law revision?

3. Why has the Plan not been revised to support unlimited energy development? (See pg. 4 and 19, Type 1 regulations of LL t-1A of 2021 for the unlimited ground-mounted land use permitted simply by a building permit.)

We think the draft law is a major change from the goals expressed in Comprehensive Plan text and action plans for preserving what the community values most while envisioning limited development within the borders. We think the community should support the change that will impact the rural character and values.

NYSERDA recommends involving the entire community when adding renewable energy land uses to permitted uses via town law. It is recommended to revise a Comprehensive Plan when necessary.

NYS agencies, departments, NYSERDAS, NY-SUN even Gov. Cuomo do not recommend or want agriculture land to be the platform for renewable solar energy. It is our town law that makes it possible. Should Avon’s energy development be unlimited?

4. What convinces you the new uses in the draft law are essential to the sustainability of our town and a continuance of the goals and values of the community expressed in the Comprehensive Plan? Please explain the benefit and how the new uses contribute to the shared vision for maintaining the character of Avon.

5. What is the expected revenue from Type 1 ground-mounted energy systems we object to?

6. How important has the Futures section in the Comprehensive Plan been in determining land use in the new energy law? How much time was spent initially by the committee in understanding the contents? We see no record in the official committee minutes asked for recently or any presentation of such during a town board meeting.

The **VOICE of Avon** is a record found in the last 25 pages of the Appendix. Amazing record of actual written comments. Try to find one statement relating to renewable energy or anything “green” other than our view scape.

7. Was the VOICE of the people used as the foundation of the law in public review today? (The record of community meetings, survey results, and actual written statements explains why the Comprehensive Plan evolved from the citizens rather than a few people.)

One question out of a lot of survey questions was about “green” Avon. The Plan committee mentions this in just one action plan, but it is in context of infrastructure - not vacant and agriculture parcel land use. It is about “green” buildings, LED streetlights, onsite energy generation... There is a sentence about a local micro grid. Not widespread solar energy development mixed in with rural landscapes. No other words are written anywhere else. Obviously, conversions of farmland for renewable energy generation were not important to the people in 2015 nor to the committee responsible for authoring the Comprehensive Plan.

8. What do you hear loud and clear? Find supportive text in the Plan. The **WORD WALL** speaks loudly to us.

Do you think ground-mounted solar energy systems of any size and location are compatible with the vision and goals repeated multiple times in the Plan?

The **WORD WALL** below illustrates the shared vision of our community. Go to the Town webpage. Look at the Comprehensive Plan - especially the Futures section. Find authority within the Plan to enact a law that adds a utility use in our town permitted by a mere building permit. Read the Appendix. We suggest you read both records found on the town webpage. Important or it would not be there. 378 citizens took time to answer a lengthy survey. Many attended community forums and workshops. All is documented in the Appendix.



We ask you to copy out the paragraphs from the Comprehensive Plan that give the permitting boards authority from the people to enact this law as written. It is a major change to the way land is used today.

Please send answers to our questions to the email above or by mail. Give us time to respond in the public hearing window.

We suggest ground-mounted solar energy systems not connected to a building, be permitted in an energy zone to limit use of prime and soils of statewide importance. To preserve the most valued characteristics of our town. All ground-mount solar systems, not directly generating for onsite energy, should be subject to Special Land Use Permit process and a Type 2 action.

We think the comments made by Livingston County are good. The Agriculture Data Statement is required when land is used for a use other than farming.

Non-participating property owners will lose rural quality of life that others, not impacted, will enjoy. That is not fair.

Thank you for helping us by answering our questions.

Supervisor LeFeber stated there is a state grant to update our Comprehensive Plan and we may apply.

Supervisor LeFeber stated every application that goes into the State this Board has supported for preserving our prime soil.

Attorney Campbell explained:

- The difference in Type 1 and Type 2 including SEQR requirements.

- Prime soils have been a part of discussion for the entirety.

Instead of using maps based on soil classifications the town decided on twenty-five-acre restrictions. You cannot break up properties to make smaller tracks and add them together as there is a ten-year lookback.

The public had a say when the Board was elected to make these decisions based on what they think is the best for the community.

Transparency has been a part of the process. The Committee has been open, and the public has been allowed to discuss and were welcomed to the process.

The Town Board actions have not pleased everyone and the Board is charged with making these kinds of decisions.

Some people do not like to have comments after there is a proposal, but you need to start someplace, and community input is important.

Supervisor LeFeber stated Zoom was requested and those individuals have not participated yet. Janet and Judy are always actively involved and not a lot of others.

DISCUSSION – ENGINEER REPORT

Engineer William Davis provided a report that included the following:

The Paper Mill Park grant is still alive.

A new potential customer has decided to not move forward with requesting water from the Town of Avon. The fees incurred by the Town will be billed accordingly for professional services.

Monitoring of prices for replacement of water line on Route #15 will continued and be reviewed in August or September. A map plan and report will not be needed as any improvements would be within the Consolidated Water District.

GIS is progressing.

DISCUSSION OPEN PUBLIC HEARING – LOCAL LAW T-1A-2021-continued

Visitor Ed Forsythe shared his involvement with timely reporting. Anything more than 90 days would be a problem.

Visitor Judy Falzoi addressed the Board with the following comments/questioned:

When will the revised version of the law be made available? Supervisor LeFeber stated ample time to review will be provided.

Ground mounted solar that is not attached to the building.

Example – an entity can be any name on a paper and can be large or small. If Livingston County Economic Development names itself as an entity to supply renewable energy power to any of the business' in the Industrial Park, then Livingston County. would be the one representative. How does type one limit that, if it ground mounted its language use?

Attorney Campbell replied stating that Type 1 includes the entity that owns the property. An accessory use is subordinate to a primary use. The example given would not be permitted as a type 1 use.

Visitor Judy Falzoi continued stating that we value our land and value independent energy sources. If you put solar in a particular spot it would protect our community. A Petition for a variance would be needed if someone wanted to put solar in a different spot. We Appreciate all the work you are putting into to this new land use as this will be a change in how our town appears.

Janet Ward addressed the board regarding:

A letter presented that is dated the 17th of June clarifying one point length of time of the lease.

The 8th of June letter about a BOND amount changing every year.

The idea is any subsequent owner would be required to carry forward all laws/restriction.

A sample draft letter regarding an annual operational report was provided for consideration.

Attorney Campbell stated the host benefit agreement will be negotiated simultaneously. The community benefit agreement is a tool to balance the risk/impact of lands with the Town.

Visitor Gary read the following and asked that they be put into the minutes.

6/24/21

RE: Public comment opportunity

My name is Gary Wheat and as stated before, I am not in favor of the proposed law as written but am thankful that there may be a willingness to make some changes.

You currently have me as a landowner, and NextEra, probably the most reputable and responsible solar developer we could hope for, both questioning the viability of continuing to move forward with our project as we watch this proposed legislation unfold. We were working very well together within the existing law established by the town in 2018. I had already negotiated to keep the system over 500' from the nearest dwelling other than my own, for green and white slatting in the fence that faces those neighbors, in addition to the required landscaping.

I want to speak to a couple of issues related not just to me as a landowner but related to our town and its future as well.

You seem to be designing a lot of law to marginally tolerate small commercial solar farms, when I believe instead you should be promoting them! We have over 24,000 acres of land in the town outside the village. If you allow and even promote 10-15 well placed systems, 25 acres or smaller, you would have about 1% of our land put into quiet, safe, renewable energy farming, giving strength and resilience to our local electrical grid while reducing our dependence on fossil fuels. It is a win-win.

Possibly even more important to the Town though is that even with only a dozen systems like this, and a PILOT or Community Benefit Agreement averaging \$160K each, you will have generated almost two million dollars in revenue. Where else are you going to find that opportunity? And unlike a new subdivision, you never have to take dedication or assume any responsibility for roads, sidewalks, drainage, etc.

These dollars are a windfall for the town. They will greatly exceed the dollars that the property taxes add to the town coffers now for that same ground. If, even with all the protections that the town puts in place, the developer somehow defaults on some portion of these dollars, the town is still ahead. So, I continue to ask, is it fair to ask the landowner to fund the balance of this windfall?

This is not like a D'Angelo Parkway where the town is going to have to provide material and labor for something that should have been paid for by a developer. At some point, the town took dedication to, and accepted responsibility for that subdivision. That is not the case here.

Also, what other business has ever had to have a decommissioning plan at all? How about self-storage? When you decide to allow that, are you going to be monitoring the occupancy and ownership, watching for a potential time to make them tear the units down, jack up the concrete slabs and pavement, and restore the lot to its original condition? Was that a condition with Lima Carpet, any of Pete Bruckel's ventures, Bob Johnson Chevrolet, Genesee Valley Motors? This land will never be restored to farmland. A Type 2 solar system basically installs posts, racking, panels, copper wiring, and a gravel roadway, which simply allows the land to rest for 20-40 years.

I do not mean any disrespect, but it seems like something clicked between our attorney and Mary Underhill that has taken this law in a direction that will likely discourage both developers and landowners from moving forward. This may not be the intent but is likely to be the consequence. A few examples of how I have reached that conclusion are:

1. One Committee person that I spoke to said that the Committee never spoke about the 90-day abandonment issue and that it must have come from the "Town Board"
2. Another mentioned that the whole "landowner" subject must have come from the attorney or Mary Underhill, not from any desire of the others on the committee.
3. Yet another mentioned that the understanding was that all the PILOT dollars and Community benefit dollars were to be paid upfront.
4. As of Monday, Mary Underhill is apparently ready to add even more language or sections dealing with noise and glare.

I ask you to please take some time, think about what you are doing here, and make changes to this law which will in fact encourage small commercial solar development in a way that benefits us all.

DISCUSSION – VISITOR COMMENTS

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

RESOLUTION #116 APPROVAL OF MINUTES

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

ADOPTED AYES 4 NAYS 0 ABSENT 1 (COUNCILMAN HARRINGTON)

RESOLVE to approve the minutes of May 17, 2021, 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 - Aye, Supervisor LeFeber – Aye

RESOLUTION #117 APPROVAL OF MINUTES

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

ADOPTED AYES 4 NAYS 0 ABSENT 1 (COUNCILMAN HARRINGTON)

RESOLVE to approve the minutes of June 10, 2021, 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 - Aye, Supervisor LeFeber – Aye

DISCUSSION – ATTORNEY REPORT

Attorney Campbell reported on the following:

He attended a work session about the excavation moratorium. We will move forward and have addition discussions of an overlay map to try and identify the areas where excavation can be done, and then have a proposal for the Board to think about.

DISCUSSION – CODE DEPARTMENT REPORT

Code Enforcement Officer Glise report the following:

He is working on a couple of complaints.

Royal Springs Development is building its fourth house and is close to the end of the approved lots.

Noyes picked up their building permit.

There was a request for a change in procedure for accepting complaints. It appeared a change to complaints to Code Department would be to send directly to them with a fill in the blank form to be made available by the Code Department with the assistance of Hurricane.

The Solar Development behind Pole Bridge Road has started to drill the brackets. The Board was invited to go for a tour of the project.

DISCUSSION – HIGHWAY/WATER DEPARTMENT REPORT

Highway/Water Superintendent Crye provided the following written report

HIGHWAY:

Maintenance in park and cemeteries
Changed some driveway pipes
Fixed some drainage problems
Mowed roadsides
Fiber matted Marshall Road
Tree and brush pickup from the last wind event

WATER:

Everyday maintenance & sampling
Changed four hydrants and one main line valve on Lake Road

There should be vouchers soon for the new pickup, loader, excavator, and a mower for the excavator.

The loader had a two-year turnover period now it has changed to a three-year turn over with a set of filters at \$1,000.00

DISCUSSION – TOWN CLERK DEPARTMENT REPORT

Town Clerk Knight provide a written report dated May 26th and confirmed with the Board Members present that they received the report.

Town Board items included consideration of minutes and a request to the Attorney for recommendation on what “Official” records could not be kept electronically.

RESOLUTION #118 SCHEDULE PUBLIC HEARING- LOCAL LAW T-2A-2021

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

ADOPTED AYES 4 NAYS 0 ABSENT 1 (COUNCILMAN HARRINGTON)

RESOLVE to schedule a public hearing regarding Local Law T-2A-2021 for July 22nd at 6:10 P.M.

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

RESOLUTION #119 SCHEDULE PUBLIC HEARING- LOCAL LAW T-3A-2021

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

ADOPTED AYES 4 NAYS 0 ABSENT 1 (COUNCILMAN HARRINGTON)

RESOLVE to schedule a public hearing regarding Local Law T-3A-2021 for July 22nd at 6:15 P.M.

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

DISCUSSION – THE USE OF ZOOM AT FUTURE MEETING

There was discussion as to whether to continue using zoom at future meetings or to discontinue once all public notices that contain zoom as a choice are ended.

RESOLUTION #120 DISCONTINUING USE OF ZOOM

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

ADOPTED AYES 4 NAYS 0 ABSENT 1 (COUNCILMAN HARRINGTON)

RESOLVE to discontinue the use of zoom after the Public Hearing of Local Law T-1A-2021.

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

DISCUSSION – THIRD FLOOR RENOVATION

Councilman Drozdziel reported on the following:

We received sad news that the Historical Preservation Architect had a heart attack and passed away. Councilman Drozdziel met with his replacement, and they spent time going through the building and picked up where Dean left off.

NKB has provided preliminary masterplan concepts based on the information provided by our survey. A work session will be set up with Tom, Kim, and Paul to go through the comments next Wednesday. An invitation was extended to NKB.

Have had some preliminary conversations with SHIPO about some of the intentions, no issues yet.

Supervisor LeFeber gave an update on the federal money – a few forms were completed, and more information was requested, and we complied. Allocation for Town and Village has not been received

RESOLUTION #121 ACCEPT THE CLAIMS

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 2021-12 in the following amounts:

General Fund	Amounts totaling \$6,683.68
Highway Fund	Amounts totaling \$11,387.20
Water Fund	Amounts totaling \$14,650.57
Cemetery Fund	Amounts totaling \$330.00

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

DISCUSSION – SUPERVISOR REPORT

Supervisor LeFeber reported on the following:

Power outage – older computer gave out that had windows 7 will ask for a proposal to replace the unit.

OPEN ITEMS

Councilman Coyne:

Should we get a generator for the building? There was discussion regarding the engineering aspects of putting a generator in.

There was a joint meeting regarding Labella Engineering for the parking lot and there may be a possible \$3,000 fee for engineering to be shared by the Village and Town.

Good meeting today at the school regarding storm water and drainage from Pole Bridge Road to the school property. Collaborative working mindset to tackle the situation and create a plan to move forward.

Supervisor LeFeber stated there may be the possibility of structures on farmlands that might pull some water and then slowly move them across Pole Bridge Road. He asked about work easements, or a possible drainage district. To make this work we need cooperation by many entities. Including, buy ins from the neighbors on private property to handle the water released from the structures. Be prepared to do that in the future.

Councilman Coyne stated the flavor he got from the meeting was encouraging and everyone cared about the houses, farmers, CVS, and Tom Wahls. All good stuff to keep the ball rolling. One non-participant could derail. A sketch of a plan is almost complete.

Councilman Drozdziel:

Library engaged Labella to do site planning on the west side of the library, Genesee Street to South Avenue. This is to develop the area closest to the library and for accessibility on the front of the library.

VISITOR COMMENTS

Visitor Gary Wheat has preliminary drawings of what he is trying to do and if anyone is interested in seeing them, please give him a call or text.

Visitor Karen Crater had asked for an explanation for where C&D materials is part of the special use permit, and she did not get a clear answer.

Supervisor LeFeber stated that the mining company imported things they should not have, but he does not have the answer.

Attorney Campbell stated they did import stuff that was hazardous, and the DEC acted. The DEC allows them to bring in C&D for processing not burying or storing like other kinds of products that they make.

The special use permit did not specifically talk about C & D materials, but a conclusion was reached that it was not a departure of the special use permit.

Visitor Karen Crater is just trying to determine if the special use permit is being violated. Should the C & D registration be part of the special use permit? Will he still be able to bring in C & D materials for processing after the end of life of the mine?

CEO Glise was asked if this is a violation of the special use permit by bringing in C & D. It only talks about excavation.

On motion of Deputy Supervisor Mairs seconded by Councilman Coyne the meeting was adjourned at 8:33 P.M.

Respectfully submitted by:

Sharon M. Knight, MMC/RMC Town Clerk