

A regular meeting of the Town of Avon was held on Thursday, January 13, 2022 at 6:00 P.M. at the Avon Opera Block/Town Hall, 23 Genesee Street, Avon, New York 14414.

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

OTHERS: MRB Group Engineer William Davis, Code Enforcement Officer Brian Glise, Attorney James Campbell (by phone), Highway/Water Superintendent Thomas Crye, Justice David Hoffmann, and Sharon M. Knight, MMC/RMC Town Clerk

VISITORS: Bob Westfall and Edward Forsyth

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 there were none.

### **RESOLUTION #18 APPROVAL OF MINUTES**

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

RESOLVE to approve the minutes of December 28, 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 - Aye, Councilman Coyne - Aye, Deputy Supervisor Mairs - Aye, Supervisor LeFeber – Aye**

### **RESOLUTION #19 APPROVAL OF MINUTES**

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

RESOLVE to approve the minutes of January 3, 2022 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:

Highway Superintendent Crye would like to designate non-parking areas and a review of the Town Code was explored. Councilman Coyne questioned if other municipalities have this type of a law, and the answer was yes as it's a health, safety, and welfare issue. The proposed law may need to go to the County for referral. The draft local law was presented as follows:

TOWN OF AVON LOCAL LAW NO. T-1A-2022 OF THE YEAR 2022 A Local Law Entitled "Adding Parking and Standing Restrictions for Town Roads to the Code of the Town of Avon." Be it enacted by the Town Board of the Town of Avon as follows: A new Article II shall be added to the Streets and Sidewalks Chapter (Chapter 109) of the Code of the Town of Avon and shall be entitled "Parking and Standing Restrictions on Town Roads" and shall read as follows; §190-4 Legislative Intent. The Town Board of the Town of Avon states the following as its findings and legislative intent: A. The Town Board of the Town of Avon recognizes that it may be necessary from time to time for the Town Highway Superintendent to have the authority to place certain restrictions on Town Roads with regard to parking or standing on the side of such roads in order for the Highway Superintendent and the Town Highway Department to safely and efficiently provide road maintenance and upkeep. B. Prior to the adoption of this Article, no specific authority or procedures existed within the Town Code that would allow the Highway Superintendent to impose restrictions relating to parking or standing on Town Roads. Accordingly, the Town Board finds that the promulgation of this Article is necessary to allow the Highway Superintendent and the Highway Department to safely and efficiently maintain the Town's roads, while protecting the health, safety, and welfare of the community. §190-5 Definitions. The following definitions shall apply to this Article: Right-of-Way The line determining the street or highway public limit or ownership. Town Road Any road, roadway, street, lane, or other public thoroughfare, including any public Right of-Way owned by the Town of Avon, or for which the Town of Avon is responsible for maintaining. §190-6 Authority of Town Highway Superintendent. The Town Highway Superintendent shall have the authority, at his or her discretion, to implement restrictions relative to parking and/or standing of motor vehicles or other apparatus on or along the side and within the Right-of-Way of any Town Road within the Town of Avon. The Town Highway Superintendent shall further have the authority to place such signage as deemed appropriate within the Right-of-Way of any Town Road for purposes of notifying the public of restriction imposed relating to parking and standing within such Right-of-Way. §190-7 Penalties for Violations. A. Any violation of restrictions relating to parking or standing instituted pursuant to the provisions of §190-6 above shall be deemed an offense, punishable by a fine or civil penalty not to exceed \$250.00 or imprisonment of not more than 15 days, or both such fine and imprisonment. B. Each day any such violation shall continue shall constitute a separate offense. §190-8 Interpretation; conflict with other law. In its interpretation and application, the provisions of this Article shall be held to be minimum requirements, adopted for the promotion of the public health, safety, and general welfare. This Article is not intended to interfere with, abrogate or annul other rules, regulations, or laws, provided that whenever the requirements of this Article are at a variance with the requirements of any other lawfully adopted regulations, rules or laws, the most restrictive, or those which impose the highest standards shall govern. §190-9 Severability.

If any section, subsection, phrase, sentence, or other portion of this Article is for any reason held invalid, void, unconstitutional, or unenforceable by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions hereof. This Local Law shall take effect immediately upon filing with the Secretary of State of New York

The battery storage law was sent to the Town Board and Committee and positive comments were received. The first step is to introduce the law. It will be referred to the County. A public hearing will be set at the next meeting.

The process of the Bond resolution was discussed. The SEQR short form was reviewed, and the Board took the following action.

**RESOLUTION #20 AUTHORIZE SUPERVISOR TO SIGN SHORT ENVIRONMENTAL ASSESSMENT FORM PART 2 – IMPACT ASSESSMENT – BOND TO BORROW FOR THE THIRD-FLOOR RENOVATION PROJECT**

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

RESOLVE to authorize Supervisor LeFeber to sign the short environmental assessment form part 2 – Impact Assessment – Bond to borrow for the third-floor renovation project.

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

**RESOLUTION #21 DECLARE NEGATIVE DECLARATION – BOND TO BORROW FOR THE THIRD-FLOOR RENOVATION PROJECT**

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

RESOLVE this project (Bond to borrow for the third-floor renovation project) will have no significant adverse impacts on the environment, and, therefore, an environmental impact statement need not be prepared. Accordingly, this negative declaration is issued.

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

**RESOLUTION #22 AUTHORIZE SUPERVISOR TO SIGN SHORT ENVIRONMENTAL ASSESSMENT FORM PART 1 & 3– PROJECT INFORMATION BOND TO BORROW FOR THE THIRD-FLOOR RENOVATION PROJECT**

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

RESOLVE to authorize Supervisor LeFeber to sign the short environmental assessment form part 1& 3 project information for the Bond to borrow for the third-floor renovation project.

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

**RESOLUTION #23 ADOPT THE SEQRA TO BORROW FOR THE THIRD-FLOOR RENOVATION PROJECT**

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

RESOLVE to adopt the following SEQRA Resolution and present it to the bond Council.

**TOWN BOARD  
TOWN OF AVON  
COUNTY OF LIVINGSTON**

**SEQRA 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 the 13<sup>th</sup> day of January, 2022.

**WHEREAS**, the Town Board of the Town of Avon has determined that it is in the best interest of the public for the Town of Avon to undertake a restoration and renovation project relating to the unrestored/undeveloped 3<sup>rd</sup> floor of the historic Avon Town Hall, formerly known as the “Opera Block” building. The space will be transformed to meet the operational needs of the Town and create safe and suitable space for community use and public interest programing. Public safety and code compliance will be prioritized, with the addition of a 3 story, masonry, rated stair tower required for a second means of egress, fire alarm and sprinklers, ADA accessibility, new bathrooms, and new mechanical systems, all of which shall meet the requirements of State Historic Preservation Office (SHPO). In addition, significant historical elements and restoration/duplication of finishes will be undertaken to preserve the rich historical character of the space, which shall include reconstructing the very unique herringbone pattern wood ceiling, restoration of the equally unique wood floor system and performance stage as well as the extensive plaster repair and coordinated paint and stenciling wall details; and

**WHEREAS**, in parallel and as an outgrowth of the 3<sup>rd</sup> floor renovation there are required operational, and space related changes needed on the adjoining floors. Such enhancements will include the consolidation of all municipal daily functions to the 1st floor, court proceedings on the 2<sup>nd</sup> floor and conferencing and public programming on the 3<sup>rd</sup> floor. Construction will include the build out and restoration of the unimproved space on the 1<sup>st</sup> floor to accommodate the Town Supervisor, administrative support, water, and code department; and

**WHEREAS**, the Town has received a grant from the NYS Department of Parks and Recreation in the amount of \$574,999.00 to use towards the 3<sup>rd</sup> floor restoration project. The overall project is expected to cost approximately \$1,500,000.00; and

**WHEREAS**, the Town wishes to authorize financing through a Bond Resolution that will permit the Town to borrow up to \$1,500,000.00 to act as “bridge financing” until the grant funds are released.

**WHEREAS**, the Town Board has authority to undertake such actions pursuant to New York State Town Law §64; and

**WHEREAS**, the Town Board of Avon has conducted a full and comprehensive single agency review of the proposed action pursuant to 6 New York Code Rules and Regulations §617, the New York State Environmental Quality Review Act (hereafter “SEQRA”) and on January 13, 2022 duly issued a Negative Declaration pursuant thereto; and

**WHEREAS**, the Town Board specifically identified the following relevant information with regard to the proposed application for which the SEQRA review was being conducted:

Lead Agency: Avon Town Board  
 Address: Avon Town Hall “Opera Block”  
 23 Genesee Street  
 Avon, New York 14414

**Title of Action:** **Authorizing the financing of and completion of a restoration and renovation project of the unrestored and undeveloped 3<sup>rd</sup> floor of the historic Avon Town Hall, formerly known as the “Opera Block” building, located in the Town of Avon, County of Livingston, and State of New York**

**SEQR Status:** Type 1         
 Unlisted   X  

**Description of Action:**

The action involves the financing of a project that will accomplish the restoration and renovation of the unrestored/undeveloped 3<sup>rd</sup> floor of the historic Avon Town Hall, formerly known as the “Opera Block” building, located in the Town of Avon, County of Livingston, and State of New York. The space will be transformed to meet the operational needs of the Town and create safe and suitable space for community use and public interest programming. Public safety and code compliance will be prioritized, with the addition of a 3 story, masonry, rated stair tower required for a second means of egress, fire alarm and sprinklers, ADA accessibility, new bathrooms, and new mechanical systems, all of which shall meet the requirements of State Historic Preservation Office (SHPO). The Town has received a grant from the NYS Department of Parks and Recreation in the amount of \$574,999.00 to use towards the 3<sup>rd</sup> floor restoration project. The overall project is expected to cost approximately \$1,500,000.00. The Town wishes to authorize financing through a Bond Resolution that will permit the Town to borrow up to \$1,500,000.00 to act as “bridge financing” until the grant funds are released.

**NOW THEREFORE BE IT RESOLVED**, after due deliberation and consideration of all information received concerning the proposed project and after a thorough review of the regulations contained in 6 New York Code Rules and Regulations §617.4(b)(9) and after completing the Short Environmental Assessment Form, the Town Board of the Town of Avon hereby RESOLVES:

**FIRST:** The Avon Town Board designates itself as lead agency for purposes of reviewing the project/action in accordance with SEQRA;

**SECOND:** The Avon Town Board finds and determines that the project/action is an unlisted action pursuant to 6 New York Code Rules and Regulations §617.4(b)(9);

**THIRD:** The Avon Town Board finds and determines that the project/action will not have a significant effect on the environment for the following reasons:

1. The action authorizes the Town of Avon to obtain financing and borrow up to \$1,500,000.00 for the renovation/restoration project, which will not cause any negative impact on the environment; and
2. The action will help preserve and enhance the health, safety, and welfare of the public by preserving the rich history of the Town of Avon, while optimizing publicly available space for use for the benefit of the residents of the town of Avon; and

**FOURTH:** The Avon Town Board directs that a negative declaration be prepared consistent with this resolution and in accordance with the requirements of SEQRA.

DATED: January 13, 2022

**BY ORDER OF THE TOWN BOARD OF THE TOWN OF AVON**

Sharon Knight, MMC/RMC Town Clerk

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

**DISCUSSION – BOND RESOLUTION**

Attorney Campbell continued his report stating that at the next meeting a proposed bond resolution will be presented. And it is subject to a permissive referendum for thirty days. If a proper petition is submitted within the 30 days.

He is working with Brian, Kim, and Lance on two solar projects for Monday night's meeting and an Oak Openings application. Discussions with the Assessor will be needed in the future.

**DISCUSSION – HIGHWAY/WATER DEPARTMENT REPORT**

Highway/Water Superintendent Crye provided the following written report:

HIGHWAY: Snow removal, Ditching Royal Springs, Shop, GIS, Brush

WATER: Everyday maintenance & sampling, meter reading in the next month.

**RESOLUTION #24 AMEND 2022 COMPENSATION SCHEDULE**

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

**RESOLVE to amend the 2022 Compensation Schedule as follows:**

**REMOVE:**

**2022 Town of Avon Employee Compensation Schedule**

<b>Name</b>	<b>Position/Duties</b>	<b>Status</b>	<b>2021 Rate</b>	<b>2022 Rate</b>
Hendrick, Eric	Motor Equipment Operator/ Water Laborer	Full Time	\$18.00/hr.	\$20.54/hr.

**ADD:**

**2022 Town of Avon Employee Compensation Schedule**

<b>Name</b>	<b>Position/Duties</b>	<b>Status</b>	<b>2021 Rate</b>	<b>2022 Rate</b>
Hendrick, Eric	Motor Equipment Operator/ Water Laborer	Full Time	\$18.00/hr.	\$18.54/hr.

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

**DISCUSSION – CODE DEPARTMENT REPORT**

Code Enforcement Officer Glise reported on the following:

Shout out to Kim for the distribution of text kits. It took away from other work. The Fire Department will distribute future kits if we get more.

Solar – Have been talking with Mary Underhill and visited a site in Mt. Morris and they would like to get emergency services involved. Two sites were inspected with the East Avon Fire Department Chief and MRB Group.

Annual Reports for the County and State this week.

Looking for input on the Pole Bridge Solar Site 1. They are looking to flip the switch in March or April. The landscaping has not been completed. He is looking for input to be sure that we can continue to hold them accountable.

Councilman Harrington – the landscaping is done on Rochester Street, why not on Pole Bridge.

Attorney Campbell – conditions of approval require the landscaping to be done and it is suggested to not approve prior to completion. Is there a way to complete plantings during this time of year? An arborist was engaged in the beginning through MRB Group. An escrow should be held if we are going to allow to switch.

MRB Group would like to research, the landscape affects the drainage which is a big issue.

CEO Glise stated there was discussion about tree availability.

Councilman Drozdziel recommended to stick to the agreement and do not entertain an arborist. Councilman Harrington agreed.

### **DISCUSSION – ENGINEER DEPARTMENT REPORT**

MRB Group Engineer William Davis reported on the following:

Proposal to inspect the water tank - \$3000.00 to inspect the tank and \$3,490.00 for inspection and sediment removal up to three inches. There was also a proposal to install a mixer at a cost of around \$10,700.00 with a two-year warranty.

There was further discussion about the mixer and its maintenance. Electric would need to be put in at an extra cost. More information on the mixer and electric will be available at the next meeting.

### **RESOLUTION #25 AUTHORIZE SUPERVISOR LEFEBER TO SIGN THE PROPOSAL FROM UNDERWATER SOLUTIONS**

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

RESOLVE to authorize Supervisor LeFeber to sign the proposal from Underwater Solutions for the water tank inspection and the removal of three inches of sediment at a cost of \$3,490.00 as follows:



## AGREEMENT

### BETWEEN UNDERWATER SOLUTIONS INC. AND THE TOWN OF AVON, AVON, NY FOR THE INSPECTION AND SEDIMENT REMOVAL (FLOOR) OF THE 500,000-GALLON STEEL WATER STORAGE TANK AS FOLLOWS:

Town of Avon, Avon, NY agrees to have Underwater Solutions Inc. perform the above mentioned work as per the conditions/terms and costs stated on the proposal dated January 6, 2021 (copy attached).

**PERSONNEL:** Divers / Tenders  
Complete Sterile Inspection/Cleaning Dive Station  
 (All gear sanitized and utilized only in potable water.)

**SUBMITTALS:** Free unlimited 24/7 access to USAM Cloud upon completion of the work.  
*\*Hard copies of your reports can be printed directly from this cloud platform.*

**HEALTH & SAFETY:** All work orders are automated specific to job task. Task specific safety forms, PPE and personnel roles are submitted daily. Full health and safety plans are available upon request.

**COST:** While mobilized in *New York, 2022:*

Inspect/sediment removal (floor) up to 3" of sediment, one mobilization:	<b>\$3,490.00*</b> <input type="checkbox"/>
Inspection only, one mobilization:	<b>\$2,980.00*</b> <input type="checkbox"/>

**The following add-on services can be provided for the cost listed below:**

- |   |   |  |                |
|---|---|--|----------------|
| <input type="checkbox"/> Ultrasonic Thickness Testing           | Included                                      | <input type="checkbox"/> Real-Time Video with DVD: | \$390.00*      |
| <input type="checkbox"/> Filter bag(s) & capturing of sediment: | \$275./per bag                                | <input type="checkbox"/> Kasco® Active Mixer:      | Inquire Within |
| <input type="checkbox"/> Disposal:                              | Cost + 15% Markup                             | <input type="checkbox"/> Installation of Mixer:    | Inquire Within |
|   | <input type="checkbox"/> Aerial Drone Footage | \$895.00*  |                |

*\*The above cost does not include materials to complete repairs. These materials (if required) will be invoiced separately at Cost + 15% mark up.  
 \*This cost is not based on prevailing wage rates, should prevailing wage rates be required for this project, both the lump sum cost up to 3" of sediment as well as the hourly rate for additional work will be invoiced at a 50% markup.  
 \*Should sediment exceeding 3" exist within this tank or if Underwater Solutions Inc. is required to spend additional time beyond the one (8)-hour day allotted for this structure's inspection and sediment removal, then the following hourly rate will be incurred for any such additional time needed to complete this inspection/sediment removal: \$425/per hour*

**TERMS AND CONDITIONS:**

*\*All sites must be maintained to allow a truck and trailer to mobilize to within 25' of the tank, allowing access around the circumference of the tank, and have good, sound ladder access to the rooftop. \*All entry hatches must function allowing internal access to each tank and personnel must be available to mobilize to site locations. If this structure or any structure to be inspected have only bolt-on entry hatches, these bolt-on entry hatches must be removed prior to our arrival and re-secured by the customers personnel at the completion of this project. At the time this project is to be conducted, the water level within this structure must be as full as possible or within 10' of overflow. Per OSHA guidelines if the structure to be inspected and cleaned is a standpipe exceeding 100' the water level within the structure will have to be lowered and maintained between 97'-99' at all times throughout the inspection and cleaning. The term "cleaning" refers to the removal of accumulated precipitate i.e. iron, manganese or similar types of precipitate. Sand, coagulated sediment, debris, coating chips or other heavy material will incur an additional cost for removal. Services beyond the removal of precipitate in terms of cleaning may incur an additional cost. It is the responsibility of the customer to provide Underwater Solutions Inc. with a location for discharge for all cleaning projects (sediment removal) Note: The term "one mobilization" refers to allowing Underwater Solutions Inc. access to all site(s) at all times throughout the project. Should operations not allow for complete access to all site(s) throughout the entire project, an additional charge shall be incurred. \*By signing this document, I understand that in the event that the above-referenced terms and conditions are required to be met upon Underwater Solutions Inc. arrival on-site, then an additional hourly rate of \$300.00/per hour shall be incurred until such time that the terms and conditions are met, and Underwater Solutions Inc. is able to commence operations.*

**BY SIGNING BELOW, I AM ACKNOWLEDGING THAT I HAVE READ AND UNDERSTAND THE ABOVE STATED TERMS AND CONDITIONS OF THIS AGREEMENT.**

**PAYMENT TERMS: PAYABLE UPON RECEIPT OF INVOICE**  
**\* ACH PAYMENTS PREFERRED (Please contact our office to make arrangements)**

IN ACCEPTANCE OF AFOREMENTIONED AGREEMENT:



\_\_\_\_\_  
 UNDERWATER SOLUTIONS INC.  
 Signature of Authorized Representative  
 President \_\_\_\_\_ January 6, 2022  
 Title \_\_\_\_\_ Date

\_\_\_\_\_  
 TOWN OF AVON, AVON, NY  
 Signature of Authorized Representative  
 \_\_\_\_\_  
 Title \_\_\_\_\_ Date

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

**DISCUSSION – ENGINEER DEPARTMENT REPORT- continued**

Councilman Drozdziel asked if this would change the maintenance procedures for the water tank? There was discussion as what would need to be done.

MRB Group Engineer William Davis continued his report:  
The GIS project is moving along.

Pole Bridge Road Drainage – concept maps and design areas were presented to the Village. The Village is looking for easements from Howlett to Pole Bridge Road. Four property owners are agreeable. Other areas are being discussed. A map was provided to the Town Board prior to the meeting. Extending to the Town for additional improvements were to be considered.

There was discussion on cleaning out the pond by property owned by the House family.

Councilman Coyne - at the heart is a legal document from Attorney Campbell. An intermunicipal agreement would need to be provided prior to agreeing to anything.

Councilman Harrington stated that he does not believe the Village Board agrees with the Village Mayor.

MRB Group Engineer William Davis suggested a letter of intent be drafted by Attorney Campbell. Both the Village and Town Boards need to meet and come to an agreement.

A proposal will be provided to the Board along with a map that was viewed.

The solar company fixed a water drainage issue but did not follow the plan that was approved by MRB Groups Engineering. The work is completed but is still in review by MRB Group. An engineer will need to sign off on the work and we will need to accept or not accept. If not, acceptable they will continue to be in violation.

Supervisor LeFeber stated we need to set up a joint meeting with the Village. A memorandum of understanding will need to be developed. MRB Group Engineer William Davis stated that we have a proposal and verbal commitments from homeowners on easements. We need all ten of us in a room and hash it out.

It was suggested to invite Bruce Howlett to the meeting to answer questions for himself.

Councilman Drozdziel suggested putting together an agenda and at the top is to review the concept plan and make Mr. Howlett aware of the scheduled meeting.

In the Joint water study, the town did there was discussion about the water main replacement on Route #15 and a new water tank. If you want to apply for funding for the new tank project, we will need to take the information relative to the town out of the report and submit that information as part of the project. We would be targeting EFC funding specifically. This would be due by June. The WIA grant should come out around June or July. An update of the engineering report needs to be done and will take a couple of months.

In the past you needed to submit an engineer report, complete a SEQR and a bond resolution. WIA would cover sixty percent of the cost.

Supervisor LeFeber state the town has earmarked \$200,000.00 of regular reserves for water projects. There has also been discussion at the county level regarding the AKZO settlement money. We should meet with Jason Molino from the county regarding the Safe Yield Study of Conesus Lake that was done. There are one of kind opportunities out there right now and we need to investigate them.

**DISCUSSION – TOWN CLERK DEPARTMENT REPORT**

Town Clerk Knight confirmed receipt of her report dated January 11, 2022 as received by the Town Board.

Brian Lewis is looking for financial support for his Eagle Scout Project. She questioned if the board would like to offer support? The board did not seem to want to participate.

Paperwork from the Board of Elections has been received asking if the board has any propositions that need to go on the November ballot. The Board did not have any.

**RESOLUTION #26 DESTROY RECORDS**

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

RESOLVE to authorize the Town Clerk to destroy records as presented:

**Town of Avon**  
Index of Destroyed Records

In accordance with the current SARA  
LGS-01 Records Retention &  
Disposition Schedule,  
the following records have been  
determined to be obsolete and are to be  
destroyed:

<b>Record Series Name or Description</b>	<b>LGS-1 Section Number</b>	<b>Inclusive Dates</b>	<b>Cubic Feet Destroyed</b>	<b>Date Record Obsolete</b>
Correspondence	General 53b	2005-2012	3 inches	2011-2018

Request for Public Assistance	Civil Defense/Disaster Preparedness 147	2011	½ inch	2017
Public Property Bid	Fiscal 547	2009	1 inch	2013
Tax Levy & Determination Records	Taxation & Assessment 1058	2003-2005	1 inch	2009-2011
Duplicate Records	General 58	1996-2013	¾ inch	1996-2013
Intermunicipal Contracts	Transportation & Engineering 1086	2010-2011	1/4 inch	2016-2017
Budget Records	Fiscal490d	1996	¼ inch	2002
Election Readiness Records	Election 369	2010-2011	½ inch	2011-2012
Speed Limit Change Request	Transportation & Engineering 1079c, 1080	2010	¼ inch	2016
Legal Notices	General 36b	2009-2015	¼ inch	2015-2021
Copies of tax Assessment Petition	Taxation & Assessment 1041	2010	½ inch	2011

Divisible Load Overweight Permit	Transportation & Engineering 1083	2011-2012	¼ inch	2017-2018
Notice of Intent to Apply for Alcoholic Beverage License	Licenses & Permits 609	2013	¼ inch	2015
Invoices	Fiscal 550	2010-2012	¼ inch	2016-2018
Annual Report Licensing & Operations	Games of Chance/Bingo/Lottery 562a,562c	2010-2012	¼ inch	2016-2018
Insurance Policy	Insurance 519	2010-2012	¼ inch	2016-2018
Certificate of Insurance	Insurance 582	2013-2015	¼ inch	2019-2021
Banking Records	Fiscal 475	2010-2012	¼ inch	2016-2018
Foil Requests	Public Access to Records 706a	2006 & 2011	¼ inch	2006 & 2011
Internal Audit	Fiscal 472c	2010-2013	¼ inch	2016-2019
Contract	General 32	2014	2 sheets	2020
Complaint	General 77c	2011	1 sheet	2012
Tax Collection Records	Taxation & assessment 1047a	2010	½ inch	2016
Check Stubs	Fiscal 478	199-2012	3 inches	2006-2018
Wage & Health Benefits Report	Fiscal 534	2002	1 sheet	2008

Notice of Resignation	Personnel/Civil Service 636b	2013	2 sheets	2019
Town Clerk Records	Licenses & Permits 610a, Fiscal-Banking & Investments 475, Reports 555	2015	1 box	2021
Property Tax Records	Taxation & Assessment 1047a,1048,1049b	2015	1 ½ boxes	2021
Vouchers	Fiscal 513	2015	1 ½ boxes	2021
Meeting Packets	General 48a	2020	2 inches	Jan – 22
Budget Files	Fiscal 489d	2015	2 inches	2021

Confidential?

Yes  No

No

Department Approval: \_\_\_\_\_ Date: \_\_\_\_\_

RMO Approval: \_\_\_\_\_ Date: \_\_\_\_\_

Date of Destruction

\_\_\_\_\_ Board Approval: \_\_\_\_\_ Date: \_\_\_\_\_

Attorney Approval: \_\_\_\_\_ Date: \_\_\_\_\_

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

**RESOLUTION #27 ACCEPT THE MONTHLY REPORTS**

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

ADOPTED AYES 5 NAYS 0

RESOLVE to accept the monthly reports for December 2021 and the 2022 Annual Report from the Town Supervisor and from the Town Clerk as shown below:

Town Clerk's December 2021 Report:

Total Local Shares Remitted:	\$ 1,012.59
New York State Department of Health	\$ 0.00
NYS Ag. & Markets for spay/neuter program	\$ 47.00
NYS Environmental Conservation	\$ 77.47
TOTAL	\$ 1,137.06

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

### **DISCUSSION – SUPERVISOR REPORT**

Supervisor LeFeber stated hurricane was scheduled to attend tonight meeting but was unable and will attend in the future.

### **DISCUSSION – THIRD FLOOR RENOVATIONS**

- Received approval from the state to move forward and advertise the project.
- Submission was in September and took longer than the thirty days.
- The bid date is the 25th of this month with bids due in February.
- This is a prevailing wage public works job. You will have a general contractor and three other contractors, which include electrical, plumbing, and HVAC.
- Will be published in the Livingston County News.
- We will require a performance bond, and the contractor will have to have financing and qualifications.
- Would like to get the video and three progress reports on the web page. And post the advertisement.

There was further discussion regarding the design of room, the base bids, and alternate projects.

### **RESOLUTION #28 AUTHORIZE TO ADVERTISE FOR BIDS**

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

RESOLVE to Authorize to advertise for bids with the notice as follows:  
 NOTICE TO BIDDERS: Qualified bidders may submit bids for project as described in this Document. Submit bids in accordance with the Instructions to Bidders as well as all general requirements as described in Contract Documents.

PROJECT IDENTIFICATION: Town of Avon Opera Block Renovations at 23 Genesee Street, Avon, NY 14414. Town of Avon, herein known as "Owner." Owner's Representative: Paul Drozdziel.

**PROJECT DESCRIPTION:** Contractors shall include all necessary labor, material and equipment to complete renovations to an Historic Building including but not limited: restoration of the third floor of the Avon Opera Block (interior woodwork restoration, restoration of stage, modification repair and replacement of flooring, walls, ceilings, wood stairs); construction of new multi-floor stair tower & site work; ADA accessibility, HVAC, Plumbing, sprinklers, fire alarm, lighting and electrical infrastructure. Further renovations to the second, first and basement floors primarily to support new office and courtroom space reconfigurations is included as a bid alternate.

**CONSTRUCTION CONTRACT:** Bids will be received for the following Multiple Contract Project Work consisting of the following prime contracts: a) General Construction; b) Plumbing Construction (including fire protection); c) Mechanical Construction; d) Electrical Construction (including fire alarm).

**REGULATORY REQUIREMENTS:** New York State General Municipal law shall govern submittal, opening, and award of bids. This project is in part funded by a grant from the NYS Office of Parks, Recreation and Historic Preservation through Title 9 of the Environmental Protection Act of 1993. Experience with restoration of Historic Buildings is required. This property has been determined to possess historic and (e.g., architectural, engineering, artistic) significance and is listed in the National Register of Historic Places. The contractor shall recognize that all aspects of the property may potentially contribute to this significance, and the contractor shall not judge the relative significance of any features nor the impact of any or all proposed work. All work shall be consistent with The Secretary of the Interior's Standards for the Treatment of Historic Properties. Project is subject to New York State prevailing wage. All qualified Minority and Women-owned Business Enterprises (M/WBE) suppliers, contractors and / or businesses will be afforded equal opportunity without discrimination because of race, color, religion, national origin, sex, age, disability, sexual preference or Vietnam Era Veterans status. Project goals: MBE = 13% of total contract dollar value, WBE = 17% of total contract dollar value. Prior to the award of the contract, the successful bidder shall submit an (Affirmative Action Plan or Affirmative Action Policy Statement) and a Minority and Women-Owned Business Enterprise Utilization Plan. The consultant/contractor shall be responsible for submitting Affirmative Action/Equal Employment Opportunity and Minority and Women-Owned Business Enterprise Compliance Reports and making good faith efforts to meet Affirmative Action/Equal Employment Opportunity and Minority and Women-Owned Business Enterprise goals. Sanctions may be imposed for failure to comply with Affirmative Action/Equal Employment Opportunity and Minority and Women-Owned Business Enterprise contract requirements.

**BID SUBMITTAL AND OPENING:** By submitting a bid, the bidder represents and warrants that it is familiar with all federal, state, and local laws and regulations and will conform to said laws and regulations. Bid Date: February 10, 2022. Bid Time: 2:00 p.m., local time. Location: 23 Genesee St, Avon, NY 14414 (2nd Floor Conference Room). Sealed bids will be thereafter publicly opened and read aloud. Proposals may be hand delivered or mailed to the above location and must be received by such time as indicated above.

**PREBID MEETING:** A Prebid meeting for all bidders will be held at 23 Genesee St, Avon, NY 14414 (2nd Floor Conference Room) on January 25, 2022 at 10:00 a.m. local time. Prospective prime bidders are encouraged to attend.

**PRINTED PROCUREMENT AND CONTRACTING DOCUMENTS:** Obtain after January 20, 2022, by contacting City Blue Imaging Services, 585.454.1695, <https://cityblue.wetransfer.com>. All costs associated with obtaining bid documents are the responsibility of the Contractor.



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

**DISCUSSION – SUPERVISOR REPORT-continued**

Councilman Harrington asked about voucher #17 regarding the parks. The amount paid was the amount requested by the village. He also asked about voucher #3 regarding the mowing of the Avon Cemetery.

Deputy Supervisor Mairs asked about voucher #25 for the American Legion Post. The VFW is no longer together but the Legion Post is still there.

Town Clerk Knight reported a voucher is included in the claims that has a HH budget account that is not in our 2022 Budget but is in the Monthly Budget Report. Supervisor LeFeber stated they are tracking the project very closely.

**RESOLUTION #29 ACCEPT THE CLAIMS**

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

RESOLVE to accept for payment Abstract 2022-01 in the following amounts:

**Concerning ABSTRACT of Claims Number 2022-01 including claims as follows:**

<b>General Fund</b>	Amounts totaling \$126,565.63
<b>Highway Fund</b>	Amounts totaling \$4,267.69
<b>Water Fund</b>	Amounts totaling \$1,244.31
<b>Cemetery Fund</b>	Amounts totaling \$350.00

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

**DISCUSSION – VISITOR COMMENTS**

Edward Forsyth comments – last Monday waiting for covid tests. He also Shared information on the Pole Bridge drainage issue.

**RESOLUTION #30 EXECUTIVE SESSION**

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

RESOLVE to enter executive session for the purpose of the medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation. Inviting Justice Hoffman and Attorney Campbell at 8:20 P.M.

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

**RESOLUTION #31 CLOSE EXECUTIVE SESSION**

On motion of Supervisor LeFeber, seconded by Deputy Supervisor Mairs the following resolution was ADOPTED AYES 5 NAYS 0

RESOLVE to close executive session with no action taken at 8:49 P.M.

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

On motion of Deputy Supervisor Mairs, seconded by Supervisor LeFeber the meeting was adjourned at 8:50 P.M.

Respectfully submitted by:

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Sharon M. Knight, MMC/RMC Town Clerk