

A regular meeting of the Town of Avon was held on Thursday, May 26, 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, and Malachy Coyne,

ABSENT: Councilman Paul Drozdziel

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

VISITORS: East Avon Fire Department Representatives, Richard Skelly, Matt Pellegrino, and Holly Batzel, Tim Gross, Edward Forsythe, and Bob Westfall

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 Tim Gross addressed the Board regarding the new Mental Health Facility that recently opened in the James Steele Commerce Park. He is overly concerned for the children's safety as the facility is located next to the childcare center which his child attends.

Mr. Gross suggested two proposals. The first is closing and relocating the Mental Health Facility, which he knows would not happen. The other is putting up a twelve-foot stockade fence on the southwest side of the Mental Health Facility, which would block the building from the childcare center and adding an armed guard for more security.

Mr. Gross read the following letter written on behalf of the childcare center and then thanked the Board for their time. Supervisor LeFeber stated that the Board will discuss the matter with our Attorney and Code Officer and will reach out to Mr. Gross next week.



May 26<sup>th</sup>, 2022

To Whom It May Concern:

I am writing to you on behalf of Pride & Joy Child Care of Avon, located at 1665 Interstate Drive, Avon, NY, 14414.

As we are sure you are aware, the recent event in Uvalde, Texas, has left so many of us speechless and heartbroken. This has hit particularly close to home as a child care facility, as we have so many of this community's children in our care each and every day. It has raised a lot of questions and concern about mental health in general, as I am sure you are aware.

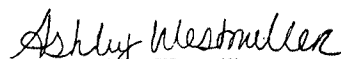
While we are thrilled to see so many new businesses joining us along Interstate and Tec Drives, we have had an alarming increase in concern from the parents in regard to the proximity of the new University of Rochester Mental Health Care facility to a child care program. While we are grateful for this service to be available to the community, as it is greatly needed, it is quite concerning that it is so close to a child care facility. We are quite aware that we are located in an industrial park, and as such, there is a large variety of businesses that surround us. However, there is no barrier on behalf of the mental health facility to block access or view of not only our facility but all three of our playgrounds. Pride & Joy was required to plant trees on the property when we purchased the property in 2018, and we chose to plant the vast majority along the back of the property to help provide a barrier on our behalf, not knowing who may be our future neighbors.

The families that we work with have asked that University of Rochester consider adding a large, tall fence to the southwest side of their property, so that there is less immediate access to the child care program from the mental health facility, possibly preventing any person that may be experiencing a mental health crisis from having direct, uninhibited access to the outside of our facility. As we serve over 100 families of young children at this facility, I am sure you can understand some of their concerns.

We would be happy to discuss this further with all parties involved, upon request. Please do not hesitate to reach out to us.

Kindly,

  
Rachael Aycock

  
Ashley Westmiller



**DISCUSSION - EAST AVON PART TOWN FIRE DISTRICT**

Supervisor LeFeber welcomed Holly Batzel, Matt Pellegrino, and Richard Skelly representatives from the East Avon Part Town Fire District to give an update for the district.

It was stated that three people have passed the Fire Fighter #1 Survival program, which is good news as the volunteer numbers are going up. Four people have also passed the EMT program. There are now seventy members on the roster and thirty-five to forty are active. We run 24/7 with Lima.

They have been busy and receive at least one call a day.

They are trying to develop a plan for future purchases. Equipment is expensive and has gone up around fourteen percent already this year. We have a thirty-year-old truck which need to be replace and our ladder truck is almost twenty years old and needs around \$100,000.00 worth of repairs.

We are looking at purchasing a pumper tanker for house two and replacing the ladder truck. The pumper truck will be completed in November and will cost \$410,000.00. We do have an interested buyer in the old pumper tanker. A new ladder truck costs over a million dollars.

When an order is put in for a new truck there is at least a two-year build time. We would like to purchase now to get a lower price. Our building will be paid off within the next two years and the quad will be paid off this year.

\$85,000.00 is put into an apparatus fund each year. There is \$202,000.00 in the account right now. It cost around \$4,000.00 per person to purchase new turn out gear and we need to replace this gear for three to five members each year. We have applied for a grant for air packs which need to be replaced every ten years and cost around \$7,500.00 each. We received a covid relief grant last year for masks and EMS supplies.

There was discussion regarding a mutual aid with the Village of Avon and other towns.

The Fire Department goes above and beyond with training. There may be a time when we need to have paid members to run during the day. This would be around \$100,000.00 a year.

The Board thanked Holly, Richard, and Matt for coming in and for all they do for the community.

**RESOLUTION #117 APPROVAL OF MINUTES**

On motion of Supervisor LeFeber, seconded by Councilman Harrington the following resolution was ADOPTED AYES 4 NAYS 0 ABSENT 1 (Councilman Drozdziel)

RESOLVE to approve the minutes of May 12, 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 - Absent, Councilman Harrington - Aye, Councilman Coyne - Aye, Deputy Supervisor Mairs - Aye, Supervisor LeFeber – Aye**

**DISCUSSION – ATTORNEY REPORT**

Attorney Campbell provided the following report:

Working with CEO Glise on an enforcement matter on Gilbert Mills Road. We were in court this week and the defendant pled guilty, and she has until July to seek an area variance from the ZBA so she can keep her animals. There are other violations on the property.

Received a sketch plan application from Avon CSG Solar at Stoke Farms and they are looking to get on the ZBA schedule.

Working on the PILOT numbers with the Assessor.

**RESOLUTION #118 SCHEDULE PUBLIC HEARING FOR LOCAL LAW T-4A-2022**

On motion of Supervisor LeFeber, seconded by Councilman Harrington the following resolution was ADOPTED AYES 4 NAYS 0 ABSENT 1 (Councilman Drozdziel)

RESOLVE to schedule a public hearing for Local Law T-4A-2022 on June 23, 2022 at 6:15 P.M. at the Avon Town Hall/Opera Block.

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

**DISCUSSION – ATTORNEY REPORT continued**

There was further discussion regarding the Mental Health Facility in the James Steele Commerce Park and what legally the Town can do. Attorney Campbell stated that this is between the Childcare owners and The Mental Health Facility, and the Town has no authority. Attorney Campbell will reach out to Mr. Gross.

**DISCUSSION – CODE DEPARTMENT REPORT**

Code Enforcement Officer Glise provided the following report:

Received a new updated zoning map from the County. It has not been adopted by the Town.

Complaints are starting to come in – very busy.

Lake Road Solar Project violation – Did a walk through with the new general manager of the site. The ditch that was dug is in the State right away and they need to approach the State and get a revised permit. Do not issue C of O until the proper approval is received from New York State and all the work is done.

**DISCUSSION – ENGINEER REPORT**

MRB Group Engineer David Willard provided the following report:

The water study draft report should be ready by June 6, 2022. Will send the report for review. The project cost will be over seven million. The project will be listed on the intended use plan and submit an electronic copy for review. Announcements come out in August and then we could move forward with applying for a grant. We do not have the revenue stream from our consolidated water district for the project without the use of grants.

**DISCUSSION – HIGHWAY/WATER DEPARTMENT REPORT**

Highway/Water Superintendent Crye provided the following written report:

**HIGHWAY:**

- Mowing roadsides
- Parks & Cemetery's & weed eat
- Shop/maintenance
- Fiber matted Littleville and Dutch Hollow and cleaned up loose stone

**WATER:**

- Everyday maintenance & sampling
- Fixed valve leak at PRV on Rte. 15 with Morsch

**DISCUSSION – TOWN CLERK'S REPORT**

Deputy Town Clerk Zapf confirmed receipt of her report dated May 24, 2022 as received by the Town Board.

I received an email from Phyllis Wickerham from Senator Gallivan's office about collecting items for the Buffalo community involved in the mass shooting last week. She is hoping that the Town or a community group within the Town is willing sponsor a donation drive to collect items need in the community. She will come to Avon and pick up the items, so they do not need to be delivered to the Senator's Elma office. Donations will be accepted through June 10, 2022.

I sent the letter to the St. Agnes PTO, and they may be interested in setting up a collection. If they decide to proceed, would they be able to put a donation box in our lobby?

**DISCUSSION SUPERVISOR'S ITEMS**

An Alternate bid has come in from LMC for the BMS System Control. Councilman Drozdziel suggested we accept the new bid. The Board took the following action:

**RESOLUTION #119 ACCEPT THE ALTERNATE BID FROM LMC**

On motion of Deputy Supervisor Mairs, seconded by Councilman Harrington the following was ADOPTED AYES 4 NAYS 0 ABSENT 1 (Councilman Drozdziel)

RESOLVE to accept the alternate bid from LMC for the BMS System at \$65,000.00.

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

**RESOLUTION #120 ACCEPT THE CLAIMS**

On motion of Deputy Supervisor Mairs, seconded by Councilman Coyne the following was ADOPTED AYES 4 NAYS 0 ABSENT 1 (Councilman Drozdziel)

RESOLVE to accept for payment Abstract 2022-10 in the following amounts:

**Concerning ABSTRACT of Claims Number 2022-10 including claims as follows:**

<b>General Fund</b>	Amounts totaling \$15,312.71
<b>Highway Fund</b>	Amounts totaling \$110,715.15
<b>Water Fund</b>	Amounts totaling \$3,667.87

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

**DISCUSSION SUPERVISOR’S ITEMS continued**

Eric Hendrick has been with the Highway/Water Department for one year and is due a two dollar raise. The Board took the following action:

**RESOLUTION #121 AMEND THE 2022 COMPENSATION SCHEDULE**

On motion of Deputy Supervisor Mairs, seconded by Councilman Harrington the following was ADOPTED AYES 4 NAYS 0 ABSENT 1 (Councilman Drozdziel)

RESOLVE to amend the 2022 compensation schedule effective June 5, 2022 as follows:

REMOVE

**2022 Town of Avon Employee Compensation Schedule**

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

ADD**2022 Town of Avon Employee Compensation Schedule**

<u>Name</u>	<u>Position/Duties</u>	<u>Status</u>	<u>2022 Rate</u>	<u>2022 June Rate</u>
Hendrick, Eric	Motor Equipment Operator/ Water Laborer	Full Time	\$18.54/hr.	\$20.54/hr.

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

I spoke with the mayor, and we would like to schedule a joint meeting in July or August at the Village Hall.

**OPEN ITEMS**

Deputy Supervisor Mairs - spoke with Tom Spratt and he would like to see a four way stop sign at the intersection of Littleville Road and Cemetery Street. There is a bend right before Littleville Road and it is hard to see oncoming traffic.

**RESOLUTION #122 ASK LIVINGSTON COUNTY TRAFFIC AND SAFETY BOARD TO INVESTIGATE A FOUR WAY STOP AT LITTLEVILLE AND CEMETERY ROADS**

On motion of Deputy Supervisor Mairs, seconded by Councilman Harrington the following was ADOPTED AYES 4 NAYS 0 ABSENT 1 (Councilman Drozdziel)

RESOLVE to send a letter to Livingston County Traffic and Safety Board and ask them to investigate a four way stop at Littleville and Cemetery Roads.

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

**DISCUSSION – VISITOR COMMENTS**

Visitor Edward Forsythe agrees with the four way stop. He also thinks the Town should contact a salvage company to remove the graffiti on the third floor and preserve it.

Visitor Bob Westfall President of the Historical Society told the board he was able to get ahold of the gentleman who repaired the “White Horse”, located at the corner in East Avon, years ago and he will give us an estimate. The horse is made of cement and marble. He also suggested that we take high-definition photos of the graffiti on the third floor. The Historical Society is willing to pay part of the cost.

Councilman Harrington stated he knows someone who could fix the statue and the labor would be free. He is also going to ask the Lions Club and the Rotary if they would donate money.

On motion of Councilman Harrington, seconded by Supervisor LeFeber the meeting was adjourned at 7:33 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