

A regular meeting of the Town of Avon was held on Thursday, July 28, 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, Paul Drozdziel, and Malachy Coyne

OTHERS: Highway/Water Superintendent Thomas Crye, Code Enforcement Officer Brian Glise, Attorney James Campbell, MRB Group Engineer David Willard, and Ellen M. Zapf, RMC Deputy Town Clerk

VISITORS: Edward Forsythe, Bob Westfall, LCWSA Director Jason Molino, LCSWA Board Members Steve Beardsley & Barry Ceci, Jessica Soucy, and Ashley Comeau

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:

Holiday Spectacular Chairpersons Ashley Comeau and Jessica Soucy spoke to the Board about a grant that was received from New York State and how the money would be used. It is a matching grant for \$25,000 and they are asking the Town and Village to each contribute \$12,500. They are planning to do fund raising to offset the amount of money needed to match the Grant.

The Board will need to have further discussions as the money is currently not in the budget. Ashley and Jessica will keep Supervisor LeFeber updated on fundraising opportunities and donations received from local businesses.

Livingston County Water & Sewer Authority Director Jason Molino gave a power point presentation to the board regarding the Leicester/York Regional Water Supply Expansion.

There was lengthy discussion on the Town of Avon being included in the expansion and the impact it would have on water distribution throughout the County for years to come.

RESOLUTION #150 APPROVAL OF MINUTES

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

RESOLVE to approve the minutes of July 14, 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 provided the following report:

Solar Regulations – add flip a switch language to the solar law.

Special Use Permits (SUP) – add language in the code to deal with the transfer of SUPs when a property is sold.

The board supported the idea and requested Attorney Campbell to prepare a local law for Town Board review.

RESOLUTION #151 – AUTHORIZE ATTORNEY CAMPBELL TO PREPARE A LOCAL LAW UPDATING LANGUAGE IN THE SOLAR LAW AND TOWN CODE

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

RESOLVE to authorize Attorney Campbell to prepare a local law updating language in the solar law in the town code.

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

DISCUSSION – ATTORNEY REPORT-continued

Water Bond Resolution – the board will need to do a 202B resolution which allows you to authorize projects for replacement or improvement to current facilities.

RESOLUTION #152 – SET PUBLIC HEARING TO RECEIVE COMMENT ON THE TOWN OF AVON CONSOLIDATED WATER DISTRICT

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

RESOLVE to set a public hearing on August 25, 2022 at 6:00 P.M. to receive comment on the Town of Avon Consolidated Water District.

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

DISCUSSION – ATTORNEY REPORT-continued

Solar PILOTS – working with Bill Bacon Director of Economic Development on PILOTS and Community Benefits. Will be meeting with Assessor Snyder next week to pick a program that she is comfortable with and then meet with the Board to discuss dollars and cents.

DISCUSSION – HIGHWAY/WATER DEPARTMENT REPORT

Highway/Water Superintendent Crye provided the following written report:

HIGHWAY: mowing drainage districts, roadsides, park, and cemeteries, helped the Town of Lima with paving, did County work planting trees and driveway pipe, brush, and regular maintenance on equipment

WATER: Everyday maintenance and sampling, meter reading

RESOLUTION #153 SURPLUS HIGHWAY EQUIPMENT

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

ADOPTED AYES 5 NAYS 0

RESOLVE to declare the following items as surplus and put them up for auction:

2015 CAT M318F Wheeled Excavator and (2) 2018 IS3200Z Ferris Movers

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

DISCUSSION – CODE DEPARTMENT REPORT

Code Enforcement Officer Glise provided the following report:

Working with Nick this week – Agar Road solar getting ready for the application.

Planning & Zoning – new flea market going in across the street from the old one.

Court case was adjourned until next month - Gilbert Mills Road.

Dutch Hollow Liquor Store had its grand opening today.

Working with six sprouts.

Working with C P Ward on the old ARC building. It will be used as a storage building.

Mr. Bruckel has hired a person to oversee the project behind the truck stop, a community type facility. Possibly add another road in and out of the truck stop.

Community members have asked that cross traffic signs be put up at Pole Bridge Road and Henty Road.

DISCUSSION – ENGINEER REPORT

MRB Group Engineer David Willard provided the following report:

Part one of the full assessment form needs to be reviewed and signed and a resolution designating the Town as lead agent needs to be signed for the water grant.

RESOLUTION #154 AUTHORIZE SUPERVISOR LEFEBER TO SIGN THE SEQR DOCUMENTS

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

RESOLVE to authorize the Supervisor to sign the SEQR Part One documents for the water grant and direct the Town Engineer to process the coordinated review packages.

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

RESOLUTION #155 ALLOW SUPERVISOR LEFEBER TO SIGN THE LEAD AGENCY LETTER

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

RESOLVE to allow Supervisor LeFeber to sign the Lead Agency Letter for the water grant.

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

DISCUSSION – TOWN CLERK’S REPORT

Deputy Town Clerk Zapf confirmed receipt of the Town Clerk’s report dated July 26, 2022 as received by the Town Board.

Councilman Coyne was presented the official proclamation signed by both the Town and Village Boards and Clerks commemorating Coyne Farms 100-year anniversary as follows:

***PROCLAMATION
Presented to Coyne Farms in Celebration of 100 Years***

Whereas, a Town is only as great as those persons who demonstrate exemplary service to their community, whether through participation in voluntary programs, through unique personal achievement in their professional or other endeavors or simply through a lifetime of good citizenry; and

Whereas, Avon has a longstanding agricultural heritage dating back to the days of the Seneca Indian and the earliest pioneer settlers to the rich soil of the Genesee Valley: and

Whereas, it is with honor the Town & Village Boards and Clerks can recognize and pay tribute to those within the Great Empire State who have made strong contributions to their communities and serve as role models for their peers; and

Whereas, the Coyne Farms dates back to Malachy Coyne, an inspirational farmer from Ireland and under the steady hand of Malachy Coyne's son William, who began farming in 1922 with a herd of 20 cows and 192 acres of the Genesee Valley farm soil, today the herd has grown to over 1000 milk cows and 2200 acres of prime soil; and

Whereas, today Coyne Farms has excelled under William's sons Richard and Gerald who have continued the great tradition of hard work and prudent leadership and a third generation of Greg, Shaun, and Malachy as well as a fourth generation of Brian, Steven, and Liam; and

Whereas, the Coyne Farms has remained a showplace and has long been graciously available for planned or unexpected guests from local, national or international groups; and

Whereas, the Coyne Family has served in a variety of civic capacities such as a member of the Avon Central School Board of Education including serving as President, active member of Avon Lion's Club, Chairperson of various school committees, Town of Avon Planning Board, Town of Avon Town Board, Livingston County Traffic & Safety Board, State University of New York at Geneseo's College Council; and

Whereas, the Coyne Family has served in a variety of agricultural organizations such as President of the New York State Holstein Breeders Association and member of the National Holstein Association Board of Directors; and

Whereas, the Coyne Family has demonstrated their personal recognition of the importance of education, both Gerald and Richard began their formal education at St. Agnes School and received the distinction award, secondary graduates of the Avon Central School and awarded a Bachelor of Science degree and a degree in Agriculture from Cornell University; and

Whereas, the Coyne Family also recognizes the importance of religion, both Richard and Gerald are lifelong members of St. Agnes Church where they were provided a solid foundation upon which to build a life and instilled the basic values of honesty and integrity; and

Whereas, the Coyne Farms has been recognized as a "Dairy of Distinction"; and

Whereas, the Coyne Farms has been recognized as the "1997 Agricultural Honoree" designated by the Livingston County Chamber of Commerce; and

Whereas, the Coyne Farms of Avon, New York was named "2001 Dairymen of the Year" at the World Dairy Expo in Madison, Wisconsin on October 2, 2001; and

Whereas, the Coyne Farms was named the "2011 New York State Agricultural Society Business of the Year"; and

Whereas, the Coyne Farms has always strived to be a good place to work having had multiple people employed for over fifty years; and

Therefore, be it Resolved the Avon Town & Village Boards and Clerks hereby resolves to recognize an extraordinary farming family celebrating their 100th year.

Dated: July 18, 2022

In Witness Whereof, we have hereunto set our Hand and Signatures

David LeFeber, Supervisor

Thomas Freeman, Mayor

Thomas Mairs, Deputy Supervisor

William Zhe, Deputy Mayor

James Harrington., Councilman

Patrick McCormick, Trustee

Malachy Coyne, Councilman

Timothy Batzel, Trustee

Paul Drozdziel. Councilman

Amanda Hoffmann, Trustee

Sharon M. Knight, MMC/RMC Town Clerk

Heather Randall, Village Clerk

The Town Board and Town Clerk signed a proclamation for the family of Rochester Police Officer Anthony Mazurkiewicz a former Avon resident who was killed in the line of duty. The proclamation will be presented to his family by Town Clerk Knight and reads as follows:

PROCLAMATION

In recognition of Anthony Patrick Mazurkiewicz

Whereas, a Town is only as great as those persons who demonstrate exemplary service to their community, whether through participation in voluntary programs, through unique personal achievement in their professional or other endeavors or simply through a lifetime of good citizenry; and

Whereas, it is with honor the Town Board and Clerk can recognize and pay tribute to those within the Great Empire State who have made strong contributions to their communities and serve as role models for their peers; and

Whereas, Anthony P. Mazurkiewicz born on November 7, 1967 in Amsterdam, New York to Francis and Rose Mazurkiewicz, he was a graduate of the Avon Central School District in 1985, and a graduate of SUNY Brockport College; and

Whereas, Anthony Patrick Mazurkiewicz had a brother, Frank (Laura) Mazurkiewicz, sister Lisa (Ross) Rumfola, aunt, Martha Gilchrist, brother-in-law, Alan (Vail) Gates, many aunts, uncles, nieces, nephews, and cousins; and

Whereas, Tony was married to his loving wife, Lynn for twenty-eight years, had four children Brooks (Shawn) Balcer, Bradley Jamison, Brent Mazurkiewicz, Bryce Mazurkiewicz, three grandchildren, Kinsley, Emery and Nora Balcer; and

Whereas, he worked for the Monroe County Sheriff's Department and then transferred to the Rochester Police Department in 1993; and

Whereas, Police Officer Anthony P. Mazurkiewicz was conducting surveillance on July 21, 2022, on Bauman Street in Rochester, at 9:15 P.M. as part of a murder investigation in an unmarked police vehicle when he was shot, transported to Strong Memorial Hospital where he succumbed to his wounds; and

Whereas, on behalf of the entire Avon Community we pray for peace and comfort today and in the days ahead for his family and extended law enforcement family; and

Therefore, be it Resolved the Avon Town Board hereby resolves to recognize an extraordinary Police Officer and a true hero, Anthony P. Mazurkiewicz, who will not be forgotten.

Dated: July 21, 2022

In Witness Whereof, we have hereunto set our Hand and Signatures

David LeFeber, Supervisor

Thomas Mairs, Deputy Supervisor

James Harrington, Councilman

Malachy Coyne, Councilman

Paul Drozdziel, Councilman

Sharon M. Knight, MMC/RMC Town Clerk

Assessor Snyder provide the Town Clerk's Office with records to be destroyed and the Board took the following action:

RESOLUTION #156 APPROVAL OF DISTRUCTION OF RECORDS

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

Resolve that the Town Clerk destroy the following records:

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:

Record Series Name or Description	LGS-1 Section Number	Inclusive Dates	Cubic Feet Destroyed	Date Record Obsolete
Tax Exemption (Star/Sr. Citizen)	Taxation & Assessment 1039a,b,c,d	1996-1999	2 boxes	2002-2004
Tax Exemption (Star/Sr. Citizen)	Taxation & Assessment 1039a,b,c,d	1999-2001	2 boxes	2004-2006
Tax Exemption (Star/Sr. Citizen)	Taxation & Assessment 1039a,b,c,d	2001-2002	2 boxes	2006-2007
Tax Exemption (Star/Sr. Citizen)	Taxation & Assessment 1039a,b,c,d	2003-2004	2 boxes	2008-2009
Tax Exemption (Star/Sr. Citizen/Disb)	Taxation & Assessment 1039a,b,c,d	2005-2006	2 boxes	2010-2011
Tax Exemption (Star/Sr. Citizen)	Taxation & Assessment 1039a,b,c,d	2007-2009	2 boxes	2012-2014

Confidential? Yes

No

Department Approval: _____ Date: _____

Date of Destruction _____ RMO Approval: _____ Date: _____

_____ 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 #157 ACCEPT THE CLAIMS

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

RESOLVE to accept for payment Abstract 2022-14 in the following amounts:

Concerning ABSTRACT of Claims Number 2022-14 including claims as follows:

General Fund	Amounts totaling \$71,820.18
Highway Fund	Amounts totaling \$10,248.18
Water Fund	Amounts totaling \$4,084.25

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

DISCUSSION SUPERVISOR’S ITEMS

Supervisor LeFeber asked the board for approval to sign the Lead Agency Resolution for the Livingston County Water and Sewer Authority to proceed with the Regional Water Expansion. The board took the following action:

RESOLUTION #158 ALLOW SUPERVISOR LEFEBER TO SIGN THE LEAD AGENCY REQUEST BY LIVINGSTON COUNTY WATER AND SEWER AUTHORITY

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

RESOLVE to allow Supervisor LeFeber to sign the Lead Agency request by Livingston County Water and Sewer Authority to proceed with the Regional Water Expansion.

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

DISCUSSION SUPERVISOR’S ITEMS-continued

Supervisor LeFeber stated that the new court clerk started working on Tuesday and that the board was not informed of this. Since they were not informed that she would be working she will have to put the hours worked on the next pay period. There is lack of communication and it is important to keep the board in the loop. We need to know who is working in the building.

RESOLUTION #159 AMEND 2022 COMPENSATION SCHEDULE

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

RESOLVE to amend the 2022 Compensation Schedule effective August 1, 2022 adopted by the Town Board on January 3, 2022 and amended on January 13 and February 10, 2022 as follows:

ADD:

2022 Town of Avon Employee Compensation Schedule				
Name	Position/Duties	Status	2021 Rate	2022 Rate
Rose Khoobyar	Clerk to the Town Justice	Part Time*	\$14.50/hr.	\$14.00/hr.

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

OPEN ITEMS

Councilman Coyne stated that the pocket park will be ready by the Corn Festival and the driveway will be put in after the Corn Festival.

Councilman Drozdziel stated that the renovation progress is crawling along right now but will pick up the pace next week.

DISCUSSION – VISITOR COMMENTS

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

On motion of Deputy Supervisor Mairs, seconded by Councilman Harrington the meeting was adjourned at 8:45 P.M.

Respectfully submitted by:

Ellen M. Zapf, RMC Deputy Town Clerk
&

Sharon M. Knight, MMC/RMC Town Clerk