

A joint meeting of the Town & Village of Avon was held on Thursday, October 25, 2022 at 6:00 P.M. at the Avon Village Hall, 74 Genesee Street, Avon, New York 14414.

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

Board of Trustees: Mayor Thomas Freeman (arrived at 6:09 P.M.), Trustees Timmy Batzel, Amanda Hoffmann, Patrick McCormick, and William Zhe

OTHERS: Attorney James Campbell, and Sharon M. Knight, MMC/RMC Town Clerk

VISITORS: Charlie Leonard, MRB group engineers William Davis and David Willard, village employee Kenneth Farrell, Karalynn Temperato, Whitney Jackson, and Edward Forsythe

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

- The Village and Town talked about the Village putting in sidewalks built to the Town's standards on Pole Bridge Rd and will forever be maintained by the Village.

RESOLUTION #199 MEMORANDUM OF UNDERSTANDING - SIDEWALKS

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

ADOPTED AYES 5 NAYS 0

RESOLVE to authorize Supervisor LeFeber to sign a memorandum of understanding with the Village drafted by the Village Attorney and reviewed by Town Attorney Campbell.

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

The following is a completely signed agreement provided by the Village Clerk.

MEMORANDUM OF UNDERSTANDING

PARTIES:

Katherine Martin, 118 Genesee St., Avon, NY 14414 (hereinafter “Martin”)

Village of Avon, 74 Genesee St., Avon, NY 14414 (hereinafter “Village”)

Town of Avon, 23 Genesee St., Avon, NY 14414 (hereinafter, “Town”)

RECITALS:

WHEREAS, Martin is the owner of approximately 2.822 acres along Pole Bridge Road in the Village of Avon, identified as tax map no. 34.11-1-65.19; and

WHEREAS, Martin applied to the Village to subdivide the parcel into six lots; and

WHEREAS, the Village Planning Board approved the subdivision of lots, subject to certain conditions, on September 20, 2022; and

WHEREAS, one of the conditions required by the Planning Board is installation of sidewalks; and

WHEREAS, the eastern boundary of each lot is situate on the boundary line between the Village (to the west) and the Town (to the east); and

WHEREAS, there is plenty of area to install sidewalks outside the east bounds of each lot, but west of the existing shoulder of Pole Bridge Road; and

WHEREAS, Martin, Village, and Town recognize the benefits of installing sidewalks along these lots for future owners and residents of the Town and Village; and

WHEREAS, Martin, Village, and Town agree that situating the sidewalks immediately east of the east boundary of each lot is most desirous to promote walkability and preserve the character and aesthetic of the neighborhood; and

WHEREAS, Martin, Village, and Town desire to memorialize their agreement in terms of location, installation, and maintenance of said sidewalks.


UNDERSTANDING:

NOW, THEREFORE, based upon the mutual covenants and promises contained herein, and for other good and valuable consideration, of which receipt is confirmed by all parties, the parties agree as follows:

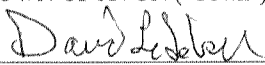
- 1) Martin shall be required to install sidewalks that are five feet in width, situated immediately east of each lot, within the Town's right of way; and
- 2) Martin shall bear all costs associated with said sidewalk installation; and
- 3) Town hereby provides its approval for Martin to install sidewalks in this location within the Town's right of way; and
- 4) Following completion of installation of the sidewalks and a final inspection the Village DPW Superintendent, or his assignee, the Village agrees to assume all maintenance of said sidewalks and any costs associated therewith; and
- 5) This MOU may be executed in counterparts such that, when combined, the MOU takes the full force and effect of being signed simultaneously by all parties.



 Katherine Martin ("Martin")

VILLAGE OF AVON ("Village")


 By: Thomas Freeman, Mayor

TOWN OF AVON ("Town")


 By: David LeFeber, Supervisor

State of New York)
 County of Livingston)

On the 10th day of November in the year 2022, before me, the undersigned notary public, personally appeared Katherine Martin, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her capacity, and that by her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.



 Notary Public

HEATHER RANDALL
 Notary Public, State of New York
 Livingston County, Reg. #01RA6332113
 My Commission Expires Oct. 26, 2023

State of New York)
County of Livingston)

On the 17 day of October in the year 2022, before me, the undersigned notary public, personally appeared Thomas Freeman, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual or the person upon behalf of which the individual acted, executed the instrument.

Heather Randall
Notary Public

HEATHER RANDALL
Notary Public, State of New York
Livingston County, Reg. #01RA6332113
My Commission Expires Oct. 26, 2023

State of New York)
County of Livingston)

On the 25 day of October in the year 2022, before me, the undersigned notary public, personally appeared David LeFeber, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual or the person upon behalf of which the individual acted, executed the instrument.

Heather Randall
Notary Public

HEATHER RANDALL
Notary Public, State of New York
Livingston County, Reg. #01RA6332113
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DISCUSSION: TOWN PARKS

- The Town was asked to contribute more money to the parks of Avon. They have contributed \$12,000 each year for many years and are being asked to increase their contribution to \$14,000. This will be talked about at the Town Board's Budget meeting.

DISCUSSION: SEWAGE AND WATER

- After the presentation previously from the Livingston County Water and Sewer Authority, it left many questions from the Board. There is a great need of support from the Town of Avon to help with the Village water tank. There are a number of holes from the County's proposal that may be costly to the Village of Avon water users. The Village would like to suggest taking an alternative look at a joint system with the Town and Village because the Village benefits from some of the pressure points that do not go through the 2-million-gallon tank from East Avon. The Village believes there are other options available that can benefit both the Town and Village. With the scenarios that were given, there still will be a shortfall of approximately \$50,000 a year, even if all the scenarios worked. If money is going to be short, the Village feels they should

DISCUSSION: SEWAGE AND WATER CONTINUED

collectively work together on the water tank to benefit both the Village and the Town. Would also like to thank the Town of Geneseo who doesn't tax the filtration plant but only taxes the land.

- Town Supervisor LeFeber talked about some of our options regarding the water tank. In the 2020/2021 study there were 3 options
 - Approximately \$3,000,000 to upgrade the tank in East Avon (costs will probably be higher now). Still wouldn't have adequate volume and it isn't the best location for the needs of the system today.
 - Another option is Bronson Hill and Marshall Roads. That would be a tank on ground level and not on legs due to the maintenance costs. With this tank the pressure may not be good enough to serve the people in that intersection by Marshall Road.
 - The third option is a \$6,000,000 tank by the cemetery on Bronson Hill Road. This location would be able to pressurize the whole system.
- Supervisor LeFeber confirms he understands the Village is looking to see if there are options to place a storage tank somewhere else that will meet those needs of fire flow and pressurization to existing customers.
- The Village says that fire flow is a major concern, and they already underserve their 2-million-gallon tank. When the filtration plant was first proposed and initiated there was an elevated tank on the filtration plant property, it was decided at that time to not elevate that tank. Maybe that would be another possible location that could be looked at and it would eliminate the need for the pumps. This would also make that tank higher than the East Avon Tank and only the pressure reducing valves would be required.
- The Village of Avon water users are going to be impacted whether the Village helps the Town create a better water system or the Village gets impacted if the Town leaves and the Village has to pick up the loss of revenue that the Village currently shares with the

Schedule C. The Village feels this has been a very successful package and would like to give former Councilman Kelly Cole a shout out for putting that together.

- The Village and Town would like to revisit looking at additional options to better serve both the Town and Village existing customers and to start planning for the future.

DISCUSSION- TRAFFIC AND SAFETY

- The Town of Avon applied for a lower speed limit to be put in place by Ashantee Drive. It is by the area that increases from 30mph to 55mph at the Village lines.
- A letter came back indicating that the speed reduction will not be reduced as it wasn't deemed necessary, and the speed will remain at 55 mph through Ashantee Drive.
- The Village is not satisfied with the traffic study. They feel it is a dangerous area for current homeowners to see out of their driveways when they have to back out.
- A child that lives in that area was refused permission to be picked up at the end of their driveway, as the Board of Education deemed it too dangerous.
- Another parent that lives near the area stated that the bus garage must turn around to be able to pick up their child at the end of the driveway, as crossing the street is too dangerous. They often see people speeding past the school bus.

DISCUSSION- TRAFFIC AND SAFETY CONTINUED

- Residents in this area state that the jake breaks are loud when trucks are coming into the Village and must quickly reduce their speed from 55mph to 30mph.
- The high speed traffic also makes it difficult to pull off and park at the 5 Arch Bridge. This also makes it harder to enjoy the park as well.

VILLAGE RESOLUTION RE-VISIT REQUEST TO REDUCE THE SPEED LIMIT ON WADSWORTH AVENUE FROM ASHANTEE DRIVE TO VILLAGE LINE

On motion of Village Trustee Batzel, second by Village Trustee Hoffman the following resolution was

ADOPTED AYES 5 NAYS 0

RESOLVE to send a request for reduction of speed limit on Wadsworth Ave from the Village Line to Ashantee Lane to the Livingston County traffic and Safety Board.

Vote of the Board: Mayor Thomas Freeman - Aye Trustees Timmy Batzel - Aye, Amanda Hoffmann - Aye, Patrick McCormick - Aye, and William Zhe - Aye

RESOLUTION #200 REVISIT REQUEST TO REDUCE THE SPEED LIMIT ON WADSWORTH AVENUE FROM ASHANTEE LANE TO VILLAGE LINE

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

ADOPTED AYES 5 NAYS 0

RESOLVE to send a request for reduction of speed limit on Wadsworth Ave from the Village Line to Ashantee Lane to the Livingston County traffic and Safety Board.

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

DISCUSSION-JOINT TOPICS

- A Town Resident was wondering if the Annexation is going through. The Village confirmed that the Annexation has not taken any office steps.
- If the Annexation goes through it would allow the speed limit to be reduced by Ashantee, since the area would then be within the Village limits.
- Solar Fields- there is a need to update the solar code/law as time goes on and as things evolve with this industry.
 - Drainage run off at the site must remain the same or better after changes or disturbances are made.

DISCUSSION-JOINT TOPICS CONTINUED

- THM- Meeting with the Town/Village and County, over the last couple of years the Town and Village have been taking THM samples. In the fourth quarter of 2021 there was an extremely high THM reading in the Town on Sackett Road. That data point has put the Town in violation for three consecutive quarters. There was a meeting for some potential solutions. The Town must give a response to the Environmental Protective agency for suggestive action to be taken.
 - Flushing-May help
 - Look at what can be done to improve conditions
 - The down did just put a mixing system in the tank at Lima Road
 - Town needs to notify users every quarter until they are out of non-compliance
 - Town needs to report to EPA every quarter until they are out of non-compliance
 - There needs to be resolution/plan within 30 days of the letters
 - Look at different treatment options
- Updates to access road to parking lot behind Genesee Street

On motion of Village Trustee Batzel, seconded by Village Trustee Hoffman the meeting was adjourned at 8:55 P.M.

On motion of Councilman Harrington, seconded by Deputy Supervisor Mairs the meeting was adjourned at 8:55 P.M.

Respectfully submitted by:

Sharon M. Knight, MMC/RMC Town Clerk

Jennifer Shannon, Deputy Town Clerk

