

A Joint meeting of the Town & Village of Avon was held on Thursday, January 11, 2024 at 5:00 P.M. at the Avon Town Hall, 23 Genesee Street, Avon, New York 14414.

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

OTHERS: Attorney Campbell, Brian Glise Code Enforcement Officer, Dave Willard MRB Group Engineer, Tom Crye, Highway/Water Supervisor and Diana Farrell, Town Clerk

VILLAGE BOARD: Mayor Thomas Freeman, Trustee Bill Zhe, Trustee Pat McCormick, Trustee Amanda Hoffman. *Absent* Trustee Tim Batzel

VISITORS: Kim Burkhart, Landsman, Anne Riley, Landsman, Tami Snyder, Rodney George, Avon Central, Dr. Ryan Pacatte, Superintendent of Avon Central, Kenny Farrell, William Coyne, Peter Vonglis, Edward Forsythe, Jason Molino, Livingston County Water & Sewer, Bill Davis, MRB Group Engineer, Chuck Morgan, Judy Falzoi, Janet Manko, John Barrett, Robert Hayes, Jeff Mulligan, Deb Spratt, Bob Westfall, Ed Redmond

Supervisor David LeFeber called the meeting to order at 5:01 P.M. and led those in attendance in the Pledge of Allegiance.

VISITOR COMMENTS: Supervisor David LeFeber asked if there were any visitor comments and there were none.

RESOLUTION # 17 APPROVAL OF MINUTES OF ORGANIZATIONAL MEETING OF JANUARY 2, 2024

On motion of Deputy Supervisor Thomas Mairs seconded by Councilmen James Harrington the following resolution was ADOPTED AYES 5 NAYS 0

RESOLVE to approve the minutes of January 2, 2024, 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 Coyne- Aye, Councilman Harrington - Aye, Deputy Supervisor Mairs - Aye, Supervisor LeFeber – Aye

DISCUSSION-ATTORNEY REPORT

Attorney Campbell via phone gave the following report:

- Discussions with Attorney regarding Avon On Green Pilot, and also school, village.
- Close out of few solar projects; pilot, community benefit agreement; decommissioning at Gary Wheat project
- Closing of moratorium

DISCUSSION- HIGHWAY/WATER REPORT

Highway/Water Superintendent Crye was present gave the following report:

HIGHWAY:

- **Shop & equipment cleaning**
- **Snow removal**
- **Brush**
- **Worked with County tree trimming on Fowlerville Rd**

WATER:

- **Everyday maintenance & sampling**
- **Lead & copper inventory**

DISCUSSION- CODE ENFORCEMENT REPORT

Code Enforcement Brian Glise gave the following report:

- Recent applicant asked about submitting a solar permit application. This can not occur until the moratorium has concluded.
- Piranha will be in next meeting for building use permit also next meeting CSG1 & CSG2 will be completed by next meeting.

DISCUSSION – ENGINEERING REPORT

MRB Group Engineer Dave Willard was present. Has nothing to present other than to discuss water.

DISCUSSION – TOWN CLERK REPORT

Diana Farrell gave following report:

- Foot traffic from 12/29/23-01/11/24 – approximately 172 (town clerk only) not including Court night or other departments.

Attorney James Campbell read the Notice for the Public Hearing.

**TOWN OF AVON
LEGAL NOTICE
NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN, pursuant to the provisions of the Code of the Town of Avon, and pursuant to the Town Law §130 that a public hearing shall be held by the Town Board of the Town of Avon, at the Opera Block/Town Hall, located at 23 Genesee Street, Avon, New York at 5:15 P.M. on Thursday, January 11, 2024 for the purpose of considering public opinion and comment about or concerning a proposed local law relating to the following:

Adding a new Article XV to the Zoning Chapter (Chapter 130) of the code of the Town of Avon which shall be entitled “Solar Energy Systems” and which shall replace in total, the prior Article XV.

The Town Board of the Town of Avon recognizes that solar energy is a clean, readily available and renewable energy source and the Town of Avon intends to accommodate the use of solar energy systems.

However, the Town Board finds it is necessary to properly site and regulate solar energy systems within the boundaries of the Town of Avon to protect residential uses, Prime Farmland, Farmland of Statewide Importance, business areas and other land uses, to preserve the natural resources, overall beauty, nature and character of the Town of Avon, to promote the effective and efficient use of solar energy resources, and to protect the health, safety and general welfare of the citizens of the Town of Avon.

The previously adopted Article XV has become insufficient to adequately address the many new aspects of solar energy system development that have arisen since its original adoption. Accordingly, the adoption of updated and enhanced regulations must be considered to properly direct the location, size and construction of solar energy systems.

A copy of the proposed local law is available for review by the public at the office of the Town Clerk during regular Town Clerk hours, or by visiting the Town Government page of the Town and Village web site at www.avon-ny.org

All interested persons are invited to appear and be heard at the aforesaid time and place.

Dated: December 15, 2023

By Order of the Town Board of the Town of Avon
Diana Farrell, Town Clerk

Supervisor David LeFeber asked if anyone cared to speak about the topic of the Public Hearing. The Supervisor stated that the Hearing will remain open until a later date.

Deb Spratt- 2133 N Littleville Rd, Avon, NY – She is in favor. Discussed the financial compensation from a solar project in response to Deb’s question.

Bob Westfall-207 Genesee St, Avon, NY – Questioned the acreage in a project. The Town limits the 25 acres unless we are over-ruled by NYS.

Janet Manko-1745 Athena Dr., Avon, NY – Is concerned with some of the language in the Local Law not specific enough. Also concerned about the disposal of the solar panels.

Judy Falzoi-1739 Athena Dr., Avon, NY – She is opposed to the Local Law and will send us information to review.

RESOLUTION # 18 ACCEPT THE CLAIMS

On motion of Councilmen James Harrington seconded by Deputy Supervisor Thomas Mairs the following resolution was ADOPTED AYES 5 NAYS 0.

RESOLVE to accept for payment Abstract 2024- 1 in the following amounts:

Concerning ABSTRACT of Claims Number 2024-1 including claims as follows:

General Fund	Amounts totaling \$ 17,248.97
Highway Fund	Amounts totaling \$ 2,416.67
Water Fund	Amounts totaling \$ 6,071.57
Cemetery Fund	Amounts totaling \$ 1,100.00
Opera Block Capital Improvement	No Voucher
Royal Springs Lighting	No Voucher
Cross Roads Drainage District	No Voucher
Bruckel Drainage District	No Voucher
Royal Springs Drainage	No Voucher
Town of Avon Fire Protection	No Voucher
Rte. 39 Water SW2	No Voucher

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

RESOLUTION # 19 ACCEPT THE MONTHLY REPORTS

On motion of Deputy Supervisor Thomas Mairs seconded by Councilmen Paul Drozdziel the following resolution was ADOPTED AYES 5 NAYS 0.

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

Town Clerk’s December 2023 Report:

Total Local Shares Remitted:	\$ 707.64
New York State Department of Health	\$ 0.00
NYS Ag. & Markets for spay/neuter program	\$ 36.00
NYS Environmental Conservation	\$ 96.36
TOTAL	\$ 840.00

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

RESOLUTION # 20 APPROVAL FOR CLEAN-TEC CLEANING

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

RESOLVE to approve Clean-tec cleaning proposal. To start February 1, 2024.

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

6:00 p.m. The Avon Village Board, Representatives of Avon on The Green and Representatives of Avon Central School joined the meeting.

DISCUSSION- The conservation continued from our last meeting of all the parties in November. The new proposed pilot will be 7 years in length starting in 2025. The payment will be based on shelter rent. The revenue of the facility minus utilities costs times 5% will be the pilot payment. The payment is expected to be \$5,000 more than the current pilot payment. The school will receive the same money as they currently receive. The town and village will split the new monies 50/50. The attorneys will put the finishing touches on the pilot which needs to be approved by March 1, 2024.

A brief recess as Avon Central School Representatives, Landsman Representatives departed.

DISCUSSION- Discussion about the speed and safety along the 5&20 corridor between Polebridge Rd and four-corners of East Avon. Discussion also of lighting along the roadway. The Town will prepare resolutions to be voted on and forwarded to NYS addressing our safety concerns. In years past, we have contacted the State about this concern and no action was taken by the State.

DISCUSSION- Bill Davis led discussion on water tank study and WIHA grant award. The village asked the Town to help pay for the Reservoir Rd tank portion out of schedule C. This would require a contract modification as the tank isn't currently covered in schedule C. Discussion continued revolving around the Town customers benefiting from this tank. It was suggested this tank could serve more of the town system but at a reduced pressure and lower fire flow volume. The Town maintained they would pay for the town line tank improvements considering the improvements are mainly considered maintenance items. These will be paid for

by the grant and cash reserves. Jason Molino weighed in also as the authority is an Avon/Town customer in south Avon. Phase 2 of the tank study involves an inter-connection to the authority system to provide pressure and redundancy. This lead discussion of the cost and ability for the Village of Avon to draw more water from Conesus Lake. The Pebble Beach pump station project was discussed and is currently not yet pumping the amount of water it was designed to pump. It will be worked until meets the designed pumping capacity.

The Village brought up the loss of 60,000 gallons of water per day and is unsure where the water loss is. The back-fed line to Triphammer Rd is a possible area for the leak. The Village asked the Town to help pay and install a new line to serve the Triphammer Rd customers. The contract clearly states distribution and transmission lines are the responsibility of the owner. In this case the Village is the owner. Some of the customers in question are out of the district and are in the Town of Geneseo. It was determined the Water Works Committee and Bill Davis will work on a solution to present to the Town and Village Boards. Long term investments and projects were discussed with their associated costs to remain in the water business. The name of Kevin McCormick was also discussed to be a member of the Water Works Committee.

OPEN ITEMS:

Councilmen Paul Drozdziel stated that Board needs to prepare an usage agreement for 3rd Floor.

On motion of Councilman Harrington, seconded by Supervisor LeFeber the meeting was adjourned at 8:35 P.M.

Respectfully submitted by:

Diana Farrell, Town Clerk