

A Regular meeting of the Town of Avon was held on Thursday, February 13, 2025 at 6:00 P.M. at the Avon Town Hall, 23 Genesee Street, Avon, New York 14414.

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

ABSENT: Tom Crye, Highway/Water Supervisor, Dave Willard MRB Group Engineer

OTHERS: Attorney James Campbell, Brian Shannon, Code Enforcement Officer, Diana Farrell, Town Clerk, Tami Snyder, Assessor

VISITORS: Cindy Kellen, Ellen Turner, Mike Ford, Eric Hendrick, Tom Cook, Colin Hayes

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

VISITOR COMMENTS:

*Deb Spratt sent letter on 02/13/25 to be read aloud via email read by Supervisor David LeFeber Town Board,*

I am out of town, or I would be there in person tonight to discuss this issue again.

I am disappointed to hear that you continue to stonewall bargaining in good faith with our 3 employees working in the Highway/Water Department. For months you have paid your lawyer what now amounts to any anticipated raises, several times over, to be obstructive. I assume you are trying to wait out the winter weather, so you don't have the people in town upset when the roads are not plowed because then the townspeople would be aware of your inaction.

You have the information on their salaries in comparison to surrounding areas and Avon is the lowest, but still you have instructed the lawyer to drag his/her feet.

These men are hard-working full-time employees with families to help support. They are all long-time community members and are respected and appreciated for what they do.

They are also asking for your approval to be part of a NYS program entitled Paid Family Leave which they will pay into themselves.

It seems like another easy decision to me although you may have to address the coverage issue since there are only 3 FT employees.

Boards in Avon like the Town Board, Village Board, EAFD Board and the School Board are elected to do the right thing for the entity and the Community. Frankly we should never have been in this position but you forced their hand, so they moved to unionize.

It's time to move forward.

Deborah Spratt

2133 N Littleville Rd

Avon NY 14414

[dspratt@rochester.rr.com](mailto:dspratt@rochester.rr.com)

c-585 733 3563

**RESOLUTION # 34 APPROVAL OF MINUTES OF BOARD & JOINT MEETINGS OF JANUARY 23, 2025**

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

RESOLVE to approve the minutes submitted by the Village of Avon along with the Town Board minutes of January 23, 2025 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: Supervisor LeFeber – Aye, Deputy Supervisor Mairs – Aye, Councilman Drozdziel – Aye, Councilman Coyne - Aye, Councilman Harrington - Aye**

**DISCUSSION-ATTORNEY REPORT**

Attorney Jim Campbell was present.

- Left messages for Mr. Bruckel’s attorney about moving the concrete and beginning the subdivision process
- Reached out to T-Mobile for an update
- BAN Renewal. The Town is renewing the BAN on Friday, February 14, 2025 with Community Bank. On the advice of our Accountant, we are making a minimum payment of \$175,000 plus the yearly interest due of \$38,000. The Town can pay at any time the remainder of the balance due of \$590,000. The Town has been waiting for some time for the State to pay the rest of the grant due to the Town.

**DISCUSSION- HIGHWAY/WATER REPORT**

Highway/Water Superintendent Crye was not present, report was given via email:

**HIGHWAY:**

- **Snow removal**
- **Shop**
- **Brush**
- **Patch Potholes**

**WATER:**

- **Everyday maintenance & sampling**
- **Meter replacements**

**DISCUSSION – ENGINEERING REPORT**

Dave Willard from MRB was not present. Supervisor LeFeber gave report: The East Avon water tower inspection is in progress. The design for the town-line tank improvements is underway by MRB. The bidding will most likely occur this fall with work to be done in early 2026.

### **DISCUSSION- CODE ENFORCEMENT REPORT**

Code Enforcement Brian Shannon was present, report was given:

- Bruckel Properties - Concrete Pile -Excavator delivered to the property. Spoke with receptionist at Issac Heating and she stated that it was delivered and nothing else has been done since that was dropped off. Been approx. 3 weeks now.
- The trailer that is located at 4632 Littleville Road. Stopped to look at it. It's in a very run-down condition, unsafe and uninhabitable. Not sure what the interior looks like. Stopped over to 19 Meadowlark Drive to speak with the owner of the property, Mr. David Wilson. He stated that he currently has no plans to do anything with it. States that he has been dealing with colon cancer. He said he may sell the property and mentioned that he can try to get someone to brush hog the property. Many code violations. Emailed Jim Cambell along with pictures and violation list. Should we go forth with violations to try and get something done with this. Do we put the "X" signs on the outside for firefighter safety reasons?
- Certificates of Occupancy have been completed on all Twin Cedar homes that they had permits for.
- Received a complaint about the solar farm on Henty Road in regard to the grass being taller than the pine trees and that is not being kept up. Stopped over to look and grass and weeds are in fact very tall. Also found the mailbox for the "SWIP" was laying on the ground and all paperwork inside was wet and frozen together. Spoke with Matt Sousa from MRB. He is going to be getting a contact for me to reach out to.
- Complaint on the new solar farm on Lake Road. The crews were starting before 7am. Stopped by and spoke with the supervisor of the "Screw" project. They stated that they would pass along the information to the project manager. Also spoke with Matt from MRB about that. He was going to send me the information about the allowed start time.
- Lake Road Solar Farm supervisor emailed and wants to set a time for an inspection. Not sure what type of inspection. Again, spoke with Matt from MRB in regard to this, he will accompany me with that inspection to help.
- Complaint about garbage and rubbish piling up at 5940 Marshall Road. Talked with a resident via phone and he stated that he would take care of it. Received another call on February 11<sup>th</sup> with another complaint about the garbage and that the homeowner was moving the garbage to shed and pickup truck in rear of residence. No one was home. Violation created per town code 307.1, accumulation of trash and rubbish.
- Been working on Fire Inspections. Completed are Pioneer Trucks, Six Sprouts, LeFrois Brothers and Pennysaver. Found two violations at Pennysaver. Two of the exit doors were blocked, one with trash staked behind it and the other with giant rolls of paper stacked to the ceiling and pallet raking blocking door.
- Mr. Gary Cox at 2464 Garden Street looking to build a Pole Barn on property , will mainly be blocked by pine trees, sent to the zoning board, will be at meeting on February 24th. Public Hearing sign put in yard Monday morning February 10th.
- Mr. Hal Cole has renewed his permit for electric work to be done at Redemption Center on Route 15. Still nothing being done. I have stopped a couple times, no one around.

- I have completed my 9A, 9B, 9C classes with all exams passed. Finished my 9D class today February 13th, final exam on February 19<sup>th</sup> at 9am.

**DISCUSSION – TOWN CLERK REPORT**

Diana Farrell was present, and report was given:

- Tax collection slowing down. At 83% collected.
- Attended a roundtable with Senator Helming with other surrounding Clerks. The Senator organized this opportunity for Clerks to express their concerns with the hope she can be of some assistance. She is here to help Clerks find answers to help them serve their constituents. She is an excellent resource for our District.
- Continue to process dog licenses, notary, marriage licenses

**RESOLUTION #35 ACCEPT THE DESTRUCTION OF RECORDS**

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

**Town of Avon**

**Index of Destroyed Records**

In accordance with the current LGS-1 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 of Record Obsolete
Tax Collection & Paid Bills	595,596,597.6,595a	2018	1 box	2024
Banking & Investments	263	2018	1 box	2024
Reports	283	2018	1 box	2024

Confidential? Yes No

Department Approval : T. Maxwell Date: 2/18/25

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

Supervisor Approval: David Luch Date: Feb 13 2025

Attorney Approval: [Signature] Date: 2/13/2025

Date of Destruction 2/18/25

**RESOLUTION #36 APPROVE REQUEST ALLOWING ACCESS TO TOWN OF AVON PROPERTIES TO SURVEY NY EUROPEAN CHERRY FRUIT FLY PROGRAM**

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

RESOLVE to approve Supervisor LeFeber to sign off on the agreement on behalf of the Town.

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

**DISCUSSION:** Assessor Tami Snyder asked about a calendar to identify the times when the 3<sup>rd</sup> floor will be in use. She also discussed parking in front of the building when the 3<sup>rd</sup> floor is being used during working hours. She expressed concern over accessibility to her office for the last day before the March 1<sup>st</sup> deadline.

Assessor Snyder stated that she met with the Village of Avon staff. The reason for the meeting was to coordinate information exchange between her and the Village to have accurate information for the tax roll.

The Board of Assessment positions that are currently opened will be discussed later in the meeting.

**RESOLUTION # 37 ACCEPT THE MONTHLY REPORTS TOWN SUPERVISOR & TOWN CLERK**

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 January 2025 from the Town Supervisor and from the Town Clerk as shown below:

Town Clerk’s January 2025 Report:

Total Local Shares Remitted:	\$ 1,840.81	-
New York State Department of Health	\$ 45.00	_____
NYS Ag. & Markets for spay/neuter program	\$ 59.00	-
NYS Environmental Conservation	\$ 4.72	-
<b>TOTAL</b>	<b>\$ 1,949.53</b>	<b>-</b>

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

**RESOLUTION #38 ACCEPT THE 2025 AGREEMENT TO SPEND TOWN HIGHWAY FUNDS**

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

RESOLVE to approve spending 2025 Town Highway funds.

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

**RESOLUTION #39 APPROVAL OF 3<sup>RD</sup> FLOOR BUILDING USE FOR APRIL 5, 2025**

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

RESOLVE to approve Avon Rotary Interact to use the 3<sup>rd</sup> Floor on April 5, 2025.

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

**RESOLUTION #40 APPROVAL OF 3<sup>RD</sup> FLOOR BUILDING USE FOR APRIL 13, 2025, MAY 18, 2025, SEPTEMBER 14, 2025, OCTOBER 19, 2025**

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

RESOLVE to approve Avon Preservation & Historical Society to use the 3<sup>rd</sup> Floor on April 13, 2025, May 18, 2025, September 14, 2025 and October 19, 2025 from 1:00 p.m. to 4:00 p.m.

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

**RESOLUTION #41 APPROVAL OF 3<sup>RD</sup> FLOOR BUILDING USE FOR APRIL 27, 2025**

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

RESOLVE to approve Kiska Stevens to use the 3<sup>rd</sup> Floor on April 27, 2025.

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

**RESOLUTION #42 TO ACCEPT TOWN CLERK AUDIT FOR 2024**

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

RESOLVE to accept Town Clerk Audit 2024 conducted by Deputy Supervisor Mairs.

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

**RESOLUTION #43 TO ACCEPT JUDGE HOFFMAN AUDIT FOR 2024**

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

RESOLVE to accept Audit of Judge Hoffman account for 2024 conducted by Deputy Supervisor Mairs.

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

**RESOLUTION #44 TO ACCEPT JUDGE TORREGIANO AUDIT FOR 2024**

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

RESOLVE to accept Audit of Judge Torregiano account for 2024 conducted by Deputy Supervisor Mairs.

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

**RESOLUTION #45 ACCEPT THE CLAIMS**

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

RESOLVE to accept for payment Abstract 2025-3 in the following amounts:

Concerning ABSTRACT of Claims Number 2025-3 including claims as follows:

General Fund	Amounts totaling \$ 133,691.90
Highway Fund	Amounts totaling \$ 7,442.03
Water Fund	Amounts totaling \$ 59,885.03
Cemetery Fund	No Voucher
Opera Block Capital Improvement	No Voucher
Royal Springs Lighting	Amounts totaling \$ 1,483.99
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: Supervisor LeFeber – Aye, Deputy Supervisor Mairs – Aye, Councilman Drozdziel – Aye, Councilman Coyne - Aye, Councilman Harrington - Aye**

**RESOLUTION #46 2024 BUDGET TRANSFER**

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

RESOLVE to approve Supervisor LeFeber to transfer from General Fund AA.9950.900.000 transfers to Capital Project in the amount of \$517,455. To Opera House Capital Project HH.5031.000.000 transfer from Other Funds. \_

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

**RESOLUTION #47 2025 BUDGET TRANSFER**

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

RESOLVE to approve Supervisor LeFeber to transfer from General Fund AA.9950.900.000 transfers to Capital Project in the amount of \$465,668. To Opera House Capital Project HH.5031.000.000 transfer from Other Funds. \_

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

**OPEN DISCUSSION BOARD MEMEBERS:**



Councilman Harrington discussed the use of the panic buttons for the staff. Also, discuss the Town of Avon providing the Family Leave Act for the employees of the Town. The Board authorized Attorney Campbell to bring back to the next Board meeting the procedure if the Board decides to offer this option.

Councilman Drozdziel -The Board authorized Councilman Drozdziel to purchase 100 chairs. The Comprehensive plan Committee will be meeting in March.

**VISTOR COMMENTS:**

Ellen Turner, resident asked about the pine trees that are on the exterior of the fence at CSII which was the subject of a complaint to the Code Department. She also wanted to know the charge of using the 3<sup>rd</sup> floor.

**RESOLUTION #48 ENTER INTO EXECUTIVE SESSION**

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

RESOLVE to enter executive session for the purpose of discussing the employment history of a particular individual. The Town Board invited Tami Snyder, Town of Avon Assessor and Attorney Campbell to participate. TIME 7:15 P.M.

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

**RESOLUTION #49 CLOSE EXECUTIVE SESSION**

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

RESOLVE to close executive session with no action taken at 8:45 P.M.

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

**RESOLUTION #50 APPOINT THREE MEMBERS TO A 5-YEAR TERM FOR THE BOARD OF ASSESSMENT REVIEW**

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

RESOLVE to approve of appointing: Ellen Zapf, Mark McDowell and Cindy Kellen.

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

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

Respectfully submitted by:

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Diana Farrell, Town Clerk