

A regular meeting of the Town of Avon was held on Thursday, August 23, 2018 at 6:00 P.M. at the Avon Opera Block/Town Hall, 23 Genesee Street, Avon, New York 14414, with the following members present:

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

OTHERS: Attorney James Campbell, Code Enforcement Officer Brian Glise, Zoning Board of Appeals Member Cindy Kellen, and Town Clerk Sharon Knight MMC/RMC

VISITORS: Judy Falzoi and Janet Manko

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

### **DISCUSSION – VISITORS COMMENTS**

Supervisor LeFeber asked for Visitor Comments and they follow:

Visitor Judy Falzoi addressed the Board regarding local law T-5A-2018. She stated that she had attended the Livingston County Planning Board meeting and that the Board voted to recommend “Disapproval” of the proposed Local Law. In addition, she provided New York State Department of Agriculture and Markets – Guidelines for Agricultural Mitigation for Solar Energy Projects (Revision 4/19/2018) and New York State of Opportunity Fact Sheet – Using special use permits and site plan regulations to allow large-scale solar installations while protecting farmland. She suggested having a representative from New York State Department of Agricultural attend a meeting to provide recommendations. Judy stated that the Town of Avon would be the number one/first community to allow commercial solar on prime soil.

Judy continued sharing information with the Board including a map that shows the prime soil land. She questioned what benefit would come to the town by adopting the law. She has provided a suggested law and believes the law to be perfect for the Town. Judy also shared information on the state of New Jersey.

Attorney Campbell informed the Board that they do not need the approval of the County Planning Board as the Avon Town Board Members are elected by the Town. He takes acceptance to Judy’s comment regarding the draft law that was provided to you based on the Board’s discussion. This Board is the first board to discuss what other Boards have not yet considered. The reality is that the Board did labor over prime soil and prime agricultural land.

Councilman Coyne talked about the Board’s interest in land not being used for five years before it can be used for commercial solar. Attorney Campbell provided a draft and after further Board review provided another draft and did not understand the land use five year requirement nor was he contacted regarding amending his prepared proposed law.

**DISCUSSION – VISITORS COMMENTS continued**

Further discussion about renting land at \$150.00 per acre versus not using land for a five year period was considered.

Maps of prime soil that are being used dated back to the 1920's – 1930's.

Clearer language on a requirement of a letter of credit needs to be developed as well as guidelines for enforcement of the Boards ideas. It was recommended to use our Design Criteria to describe further details and involve the Planning Board and Zoning Board of Appeals to assist in development.

**RESOLUTION #162 APPROVAL OF MINUTES**

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

ADOPTED AYES 5 NAYS 0

RESOLVE to approve the minutes of August 9, 2018, 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 reported on the following:

- Expecting to get the easement information from Bruckel Drive in the near future.
- Request from AT&T to change out equipment in accordance with our new lease agreement is ready to be signed by Supervisor LeFeber.
- Work on a letter to go out to the water customers regarding reconciliation.

**DISCUSSION – ENGINEER REPORT**

Supervisor LeFeber reported for MRB Group Engineer David Willard as he is on vacation. He is working on the walking bridge and Supervisor LeFeber spoke to Senator Cathy Young about this project.

A meeting has been schedule on the 29<sup>th</sup> with MRB Group to discuss grants for future water improvements.

**DISCUSSION – HIGHWAY/WATER DEPARMENTS**

Supervisor LeFeber reported on the Highway and Water as Highway/Water Superintendent Crye was not in attendance.

Highway: mow backs - Water: leak at 5/20.

**DISCUSSION – CODE DEPARTMENT**

Code Enforcement Officer (CEO) Glise provided the following written report:

**DEPARTMENTAL  
REPORT BUILDING & ZONING  
June 28, 2018 - August 21, 2018**

The following **BUILDING PERMITS** were issued during the time period June 28, 2018 - August 21, 2018:

2018-0032	Johnson	Re-roof	6/28/18	\$ 35.00
2018-0033	Johncox Trucking	Generator install	6/28/18	\$ 70.00
2018-0034	Call Lands	add on to existing feed barn	6/29/18	
AG exempt				
2018-0035	Robinson	demo mobile home	6/29/18	\$ 40.00
2018-0036	Steinhoff	shed	6/29/18	\$ 38.04
2018-0037	Farley	fence – already installed	7/5/18-closed 7/10/18	\$ 40.00
2018-0038	Marshall	Pool Deck	7/10/18	\$ 41.88
2018-0039	Read	deck with ramp	7/11/18	\$ 45.72
2018-0040	Murtha	re-roof	7/13/18	\$ 35.00
2018-0041	Sullivan	finish basement	7/17/18	\$ 75.00
2018-0042	Carlson	re-roof	7/20/18-closed 8/13/18	\$ 40.00
2018-0043	Jerris	tents in Plaza	7/20/18	\$ 55.00
2018-0044	Peterson	addition – kitchen, laundry room	7/26/18	\$109.56
2018-0045	Safran	re-roof	7/27/18	\$35.00
2018-0046	Boyce	re-roof	7/31/18- closed 8/8/18	\$35.00
2018-0047	JB Properties	Sign	8/1/18	\$103.01
2018-0048	Collins	Deck	8/13/18	\$43.00
2018-0049	Gramiak	deck	8/13/18	\$35.00
2018-0050	Kallio	generator	8/20/18	\$35.00

**Total Fees Outstanding for period           \$ 103.01**  
**Total Fees Collected 6/28/18- 8/21/18       \$ 911.21**

The following **BUILDING PERMITS** were **Renewed** during the time period June 28, 2018 - August 21, 2018:

#2017-0051 Rodriguez, Elizabeth - re-roof   \$25.00

The following are projects/permits currently working on:

- Joyful Beginnings – inspections going well
- Quicklee’s travel plaza – public hearing is on Monday
- Oak Openings LLC – gravel pit special use permit public hearing continues on Monday
- East Avon Plaza – Matthews Buses still in process

**DISCUSSION – CODE DEPARTMENT**

The following actions occur on a daily basis in the code office:

Processing all paperwork through the correct channels on a timely basis  
Clean up of outstanding permits, violations and filing system (Laserfiche)

Code Enforcement Officer Glise also reported on the following:

- He is working with Attorney Campbell on site plan violations.
- Quicklee’s request for a one hundred foot sign. A lift shows where one hundred feet would be for the proposed sign’s application with the Zoning Board of Appeals for next Monday’s meeting.

**DISCUSSION – TOWN CLERK REPORT**

Town Clerk Knight reported on the following:

- Communications were received and forwarded to the Town Board via email:
  - Liv. Cty. Workforce Development – Fall Job Fair
  - Liv. Cty. Planning Board New York State Solar Guidebook for Local Governments at [nysersda.ny.gov/SolarGuidebook](http://nysersda.ny.gov/SolarGuidebook)
  - Liv. Cty. Water & Sewer Authority Draft Agenda
  - Liv. Cty. Planning Board review of local law T-5A-2018
  - Letter from Carolyn McKee – Victor Gravel vs. Oak Openings

A thank you was extended to Attorney Campbell for his review of a recently enacted law regarding Charitable Reserve Funds. Supervisor LeFeber stated that until it’s mandated or there is an interest we will not participate in the programs as this is a risk for the Town. Town Clerk Knight requested the Supervisor share his thoughts with the Avon School Superintendent.

**RESOLUTION #163 AUTHORIZE THE TOWN CLERK TO DESTROY THE IDENTIFIED RECORDS**

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

ADOPTED AYES 5 NAYS 0

RESOLVE to accept the recommendation of the Town Clerk to destroy the following records:

Town of Avon – Index of Destroyed Records

In accordance with the current SARA MU-1 Records Retention & Disposition Schedule, the following records have been determined to be obsolete and are to be destroyed.

**RESOLUTION #163 AUTHORIZE THE TOWN CLERK TO DESTROY THE IDENTIFIED RECORDS-continued**

<b>Record Series Name or Description</b>	<b>MU-1 Section Number</b>	<b>Inclusive Dates</b>	<b>Cubic Feet Destroyed</b>	<b>Date Record Obsolete</b>
Fiscal – Banking & Investment	2.[264] – canceled checks	2008	1 sm box	2014
Election	12.[186]	2005-2016	¼ box	2005-2016
Dog Identification & Control	1.[162]c – enumerator’s list	Aug 2012	¼ box	8/1/2018
General	10.[10] – correspondence	2015-2017	¼ box	2015-2017

Confidential \_\_\_\_\_ Date: \_\_\_\_\_  
 Yes  No \_\_\_\_\_  
 RMO Approval: \_\_\_\_\_ Date: \_\_\_\_\_  
 Board Approval: \_\_\_\_\_ Date: \_\_\_\_\_  
 Date of Destruction \_\_\_\_\_ Attorney Approval: \_\_\_\_\_ Date: \_\_\_\_\_

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

**RESOLUTION #164 PAYMENT OF BILLS**

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

RESOLVE to accept for payment Abstract 2018-16 in the following amounts:

**Concerning ABSTRACT of Claims Number 2018-16 including claims as follows:**

**RESOLUTION #164 PAYMENT OF BILLS-continued**

<b>General Fund</b>	Voucher #378 through #389 in amounts totaling \$12,717.29
<b>Highway Fund</b>	Voucher #118 through #126 in amounts totaling \$8,272.45
<b>Water Fund</b>	Voucher #286 through #289 in amounts totaling \$3,012.60
<b>Cemetery Fund</b>	No Voucher
<b>Opera Block Capital Improvement</b>	No Voucher
<b>Royal Springs Lighting</b>	No Voucher
<b>Cross Roads Drainage District</b>	No Voucher
<b>Bruckel Drainage District</b>	No Voucher
<b>Royal Springs Drainage</b>	No Voucher
<b>Town Of Avon Fire Protection</b>	No Voucher
<b>Rte. 39 Water SW2</b>	No Voucher

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

**OPEN ITEMS**

Councilman Coyne reported on the Parking Lot Committee’s work. They are currently talking with neighboring properties.

Councilman Harrington opened the discussion on dump days and the Board appeared to want to keep the advertistement the same and the last one.

**DISCUSSION SUPERVISOR REPORT**

Supervisor LeFeber reported on the Weather Station being installed on Agar Road to allow pulling up weather conditions on your phone.

An extensive one hour interview was held with S&P for Bond rating and our rating moved up from A+ to AA-.

We still need to discuss the IT Assessment.

Next Thursday Deputy Supervisor Mairs, Supervisor’s Confidential Secretary McDowell and Supervisor LeFeber will travel to Baldwin Business Services for budget preparation.

The Avon Rotary/Lions Ambulance is looking for assistance to purchase a new ambulance. They are currently running as a 501c3. There financials were provided a few years ago and the need to review again will take place during budget reviews. There was Board discussion on the need to review sustainability. The Livingston County ambulance was stationed on exit 9 as Avon did not have anyone to man for the Town of Avon. We will need further discussions to provide ambulance service to our community.

On motion of Deputy Supervisor Mairs, seconded by Councilman Coyne the meeting was adjourned at 7:15 P.M.

Respectfully submitted by:

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Sharon M. Knight, MMC/RMC Town Clerk