

A regular meeting of the Town of Avon was held on Thursday, January 11, 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 and Deputy Supervisor Thomas Mairs, Councilman Malachy Coyne (arrived at 6:09 P.M.) and Councilman James Harrington

OTHERS: Attorney James Campbell (left at 7:10 P.M.), MRB Group Engineer Shawn Bray, Highway/Water Superintendent Thomas Crye, Code Enforcement Officer Brian Glise, Clean Energy Initiative Liaison Clara Mulligan, Assessor Tami Snyder and Town Clerk Sharon Knight MMC/RMC

VISITORS: Janet Manko, Judy Falzoi, Michael Froome, Clara Mulligan, and Chuck Morgan

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 stating that the Board is the sole legislative body for the Town of Avon and they have recently adopted an updated Comprehensive Plan and our Zoning does not follow that Plan. A recommendation was made to have the County Planning Board update our Zoning. The County will complete the work at no cost. Please make this a priority.

Supervisor LeFeber agreed with the need to move forward with this and other projects.

RESOLUTION #15 APPROVAL OF MINUTES

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

ADOPTED AYES 3 NAYS 0 ABSENT 1 (Councilman Coyne)

RESOLVE to approve the minutes of January 2, 2018, as presented by e-mail and to request they be published on Town of Avon website at townofavon-ny.org.

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

RESOLUTION #16 APPROVAL OF MINUTES

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

ADOPTED AYES 4 NAYS 0 ABSENT 1 (Councilman Coyne)

RESOLUTION #16 APPROVAL OF MINUTES-continued

RESOLVE to approve the minutes of January 8, 2018, as presented by e-mail and to request they be published on Town of Avon website at townofavon-ny.org.

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

RESOLUTION #17 EXECUTIVE SESSION

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

ADOPTED AYES 4 NAYS 0

RESOLVE to enter into executive session for the purpose of discussions regarding pending or threatening litigation; TIME 6:09 P.M. inviting Attorney Campbell.

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

RESOLUTION #18 CLOSE EXECUTIVE SESSION

On motion of Councilman Coyne, seconded by Councilman Harrington the following resolution was

ADOPTED AYES 4 NAYS 0

RESOLVE to close executive session with no action taken at 7:00 P.M.

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

DISCUSSION - ATTORNEY REPORT

Attorney Campbell updated the Board on the following:

- Verizon – we are ready to issue a permit.
- AT&T – lease agreement permit
- Bruckel Drive Dedication
- Bidding process – Clara NYSERTA will pay Avon directly and then the vendors are paid by the Town. Attorney Campbell will investigate if a Public Works Contract is required and then inform MRB Group Engineer Shawn Bray.

RESOLUTION #19 NYSERDA'S CLEAN ENERGY COMMUNITIES – BID DOCUMENTS

On motion of Councilman Coyne, seconded by Councilman Harrington the following resolution was

ADOPTED AYES 4 NAYS 0

RESOLVE to authorize MRB Group Engineer to prepare a bid document for the recently approved NYSERDA's Clean Energy Communities grant.

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

DISCUSSION – NYSERDA'S CLEAN ENERGY COMMUNITIES – GRANT REQUIREMENTS

Clara Mulligan reported that there is outstanding work that needs to be completed and Committee Member Jeannette Cullinan does not have the time to complete. Additional help is needed and Town Clerk Knight offered to work with Mike Froome to provide historical billing for the Town Hall/Opera Block and Town Barns for both electric and gas.

Mike Froome reported that the Committee's last meeting is scheduled for January 24th and they are expected to make recommendation to the Town Board to adopt a local law. If supported by the Town Board the local law process would follow.

RESOLUTION #20 APPROVAL OF MINUTES

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

ADOPTED AYES 4 NAYS 0

RESOLVE to approve the minutes of December 14, 2017, as presented by e-mail and to request they be published on Town of Avon website at townofavon-ny.org.

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

RESOLUTION #21 APPROVAL OF MINUTES

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

ADOPTED AYES 4 NAYS 0

RESOLVE to approve the minutes of December 28, 2017, as presented by e-mail and to request they be published on Town of Avon website at townofavon-ny.org.

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

DISCUSSION – HIGHWAY/WATER DEPARMENTS

Highway/Water Superintendent Thomas Crye reported on the following:

Highway – snow removal, working at the shop, working on equipment and maintenance on trucks.

Water – daily rounds, meter changes, water accounts, back flow updates, and snow removal from hydrants.

Councilman Harrington questioned the cost for shut-offs and turn-ons of water. He spoke of a customer that was not aware of the charge and questioned if the Town should be charging for this. He provided information that he gathered from other municipalities. The Board discussed the charge and appeared to not be in favor of changing the fee schedule but to be sure that it's explained to water customers. Also the following will be added to the water bills:

“Please be aware that any time you require services of the Water Department please call for fees or visit our web site.”

DISCUSSION – CODE DEPARTMENT

Code Enforcement Officer (CEO) Glise gave the following report:

- An update of current projects was provided.
- There was discussion on a registry for zombie homes that will assist identifying owners of properties as banks have 21 days to respond.
- There are currently no equipment changes on our fee schedule.

RESOLUTION #22 AMEND 2018 FEE SCHEDULE

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

ADOPTED AYES 4 NAYS 0

Amend the 2018 Fee Schedule to include \$175.00 permit charge for equipment changes on the water tower.

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

DISUCSSION – ENGINEER REPORT

MRB Group Engineer Shawn Bray reported on the following:

The air gap in the Worm Power water line was found.

DISCUSSION – ASSESSOR DEPARTMENT

Assessor Snyder was not in attendance.

DISCUSSION – TOWN CLERK REPORT

Town Clerk Knight reported on the following:

- Communications were received and forwarded to the Town Board via email:

FOIL Request water meters – Patricia Rees
Clerk's monthly report December 2017
Clerk's yearly report 2017
Cold War Exemption
L. Hurricane Technologies
Liv. Cty. Planning Board agenda
Local law #1-2018 Town of Livonia
State Liquor Authority – Mortalis Brewing Company

RESOLUTION #23 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 4 NAYS 0

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

RESOLUTION #23 AUTHORIZE THE TOWN CLERK TO DESTROY THE IDENTIFIED RECORDS-continued

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:

Record Series Name or Description	MU-1 Section Number	Inclusive Dates	Cubic Feet Destroyed	Date Record Obsolete
Duplicate Records	General 19.[19]			

Confidential	Department Approval: _____ Date: _____
Yes _____ No <input checked="" type="checkbox"/> X _____	RMO Approval: _____ Date: _____
	Board Approval: _____ Date: _____
Date of Destruction _____	Attorney Approval: _____ Date: _____

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

RESOLUTION #24 RECEIVED MONTHLY REPORTS FROM THE TOWN CLERK AND SUPERVISOR

On motion of Deputy Supervisor Mairs, seconded by Councilman Harrington the following resolution was
ADOPTED AYES 4 NAYS 0

RESOLVE to accept the annual report from the Town Clerk and the monthly reports for December 2017 from the Town Supervisor and from the Town Clerk as shown below:

Town Clerk's December 2017 Report:

RESOLUTION #24 RECEIVED MONTHLY REPORTS FROM THE TOWN CLERK AND SUPERVISOR-continued

<u>Total Local Shares Remitted:</u>	<u>\$1,108.30</u>
<u>New York State Department of Health</u>	<u>\$90.00</u>
<u>NYS Ag. & Markets for spay/neuter program</u>	<u>\$54.00</u>
<u>NYS Environmental Conservation</u>	<u>\$70.85</u>
<u>TOTAL</u>	<u>\$1,323.15</u>

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

RESOLUTION #25 SHRED IT AGREEMENT

On motion of Supervisor LeFeber, seconded by Deputy Supervisor Mairs the following resolution was
ADOPTED AYES 4 NAYS 0

RESOLVE to approve the following contract:



**CUSTOMER SERVICE AGREEMENT
PURGE SERVICE**

Branch Address:
Buffalo, 400 Riverwalk Parkway, Tonawanda, NY, 14150, USA

Client Information

Sold To Location:

Company Name: Town of Avon
Address: 23 Genesee St

Tel: (585) 226-2425 x13

Fax:

City: Avon

State/Province: NY

Zip: 14414

Purge Service

Minimum Type	Minimum Product	Unit Price
Greater than (or)	OFF-SITE PURGE CUSTODY - Large Tote(96G/360L)	\$150.00

Service Type: Off-Site Collection Type: Floor Fuel/Env. Surcharge: Yes
Notes:

Pricing Per Unit

Description	Container Type	Quantity	Unit Price
Totes	Large Tote(96G/360L)	2	\$75.00

Payment Details

Payment Method: Check (do not collect credit card information, branch will follow up)
PO# Required: No PO#: Blanket:
Liable for Tax: Yes (check and attach certificate)

Shred-it guarantees to deliver the highest quality shredding service at all times. Any complaints about the quality of service which have not been resolved in the normal course of business must be sent by registered letter to the local Shred-it District Operations Manager. If Shred-it then fails to resolve any material complaint in a reasonable period of time, Customer may terminate this Agreement provided all containers are paid for at the then current replacement values or returned to Shred-it in good and usable condition.

I have read and agree to the Terms and Conditions on the following page:

Shred-it USA, LLC ("Shred-it")

Company: Town of Avon

Signed:
E45C2DA2EE69475...

Signed:
CF3B2FCF3614F5...

Print Name: Dan Erhardt

Print Name: David LeFerber

Position: Inside Sales Executive

Position: Town Supervisor

Date: Jan 16, 2018

Date: Jan 17, 2018

V2.00 / 1

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

DISCUSSION PROPOSED IT AUDIT CONTRACT WITH BONIDIO

Supervisor LeFeber reported that the IT Audit Contract has been received and that he and Kim McDowell would serve as the Town's liaison. Town Clerk Knight reported the Board approved the Supervisor to sign the contract at a prior meeting.

INSERT IT CONTRACT

RESOLUTION #26 APPOINTMENT OF THOMAS MCGOVERN TO THE POSITION OF PLANNING BOARD MEMBER

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

ADOPTED AYES 4 NAYS 0

RESOLVE to appoint Thomas McGovern to the position of Planning Board Member, term to expire December 31, 2024.

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

RESOLUTION #27 APPOINTMENT OF MICHAEL MILES TO THE POSITION OF PLANNING BOARD MEMBER

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

ADOPTED AYES 4 NAYS 0

RESOLVE to appoint Michael Miles to the position of Planning Board Member, term to expire December 31, 2022.

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

RESOLUTION #28 APPOINTMENT OF SAM PRICE TO THE POSITION OF ZONING BOARD OF APPEALS

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

ADOPTED AYES 4 NAYS 0

RESOLVE to appoint Sam Price to the position of Zoning Board of Appeals, term to expire December 31, 2022.

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

RESOLUTION #29 APPOINTMENT OF KITTY BRESSINGTON TO THE POSITION OF ETHICS COMMITTEE MEMBER

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

ADOPTED AYES 4 NAYS 0

RESOLVE to appoint Kitty Bressington to the position of Ethics Committee Member, term to expire December 31, 2018.

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

RESOLUTION #30 APPOINTMENT CHRIS MASTEN TO THE POSITION OF BOARD OF ASSESSMENT REVIEW

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

ADOPTED AYES 4 NAYS 0

RESOLVE to appoint Chris Masten to the position of Board of Assessment Review, term to expire December 31, 2022.

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

RESOLUTION #31 COURT SECURITY

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

ADOPTED AYES 4 NAYS 0

RESOLVE that an agreement has not been signed with the Caledonia Police Department,

FURTHER RESOLVE that the Town of Avon Court will be provided security by the Livingston County Sheriff's Department.

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

DISCUSSION – PAYMENT OF BILLS

There was discussion on the names on the water customer accounts and the refund checks. Supervisor LeFeber will contact Bonadio Group for recommendation of payments guidelines for deceased customers and/or other circumstances.

RESOLUTION #32 PAYMENT OF BILLS

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

ADOPTED AYES 4 NAYS 0

RESOLVE to accept for payment Abstract 2018-1 in the following amounts:

Concerning ABSTRACT of Claims Number 2018-01 including claims as follows:

General Fund	Voucher #1 through #30 in amounts totaling \$ 57,427.11
Highway Fund	Voucher #1 through #12 in amounts totaling \$ 7,540.10
Water Fund	Voucher #1 through #184 in amounts totaling \$ 55,351.38
Cemetery Fund	No Voucher
Opera Block Capital Improvement	No Voucher
Royal Springs Lighting	Voucher #1 through #1 in amounts totaling \$ 1,059.62
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 Coyne- Aye, Councilman Harrington - Aye, Deputy Supervisor Mairs - Aye, Supervisor LeFeber – Aye

OPEN ITEMS

Deputy Supervisor Mairs reported that he would be conducting audits of the Clerk to the Town Justice, Town Clerk and Tax Collection accounts next week.

Code Enforcement Officer Glise questioned when we can move forward with the AV equipment for the Board room. Supervisor LeFeber responded stating that we are waiting for the appointment to the open Town Board position.

VISITOR COMMENTS

Supervisor LeFeber asked for any public comments and they follow:

Visitor Janet Manko questioned if water bills will be on schedule and Supervisor LeFeber stated we are expecting them to be mailed out the 1st of February.

On motion of Deputy Supervisor Mairs, seconded by Supervisor LeFeber the meeting was adjourned at 8:30 P.M.

Respectfully submitted by:

Sharon M. Knight, MMC/RMC Town Clerk