

A regular meeting of the Town of Avon was held on Thursday, June 28, 2018 at 4:30 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 (arrived 4:34 P.M.), and Councilmen Malachy Coyne (arrived 4:35 P.M.), James Harrington and Paul Drozdziel

OTHERS: Attorney James Campbell, MRB Group Engineer David Willard, Highway/Water Superintendent Thomas Crye, and Town Clerk Sharon Knight  
MMC/RMC

VISITORS: Carolyn & Robert McKee, Michael Froome, Clara Mulligan, Kevin Lillis, Bruce Maxon, Clayton Zuber, Jeffrey Mulligan, Lesa Soboleski, Phillip Mulligan, David Bojanowski, Gary Wheat and Judy Falzoi

Supervisor LeFeber called the meeting to order at 4:30 P.M. and led those in attendance in the Pledge of Allegiance

Town of Avon  
Legal Notice

The regular meeting time for June 28, 2018 Town Board meeting is changed to begin at 4:30 P.M. The meeting will be held at the Avon Opera Block/Town Hall, 23 Genesee Street, Avon, New York 14414.

By order of the Town Board, Town of Avon, Livingston County, New York

Sharon Knight, MMC/RMC Town Clerk  
Town of Avon  
23 Genesee Street  
Avon, New York 14414

Dated: June 15, 2018  
Published: June 21, 2018

### **DISCUSSION – SOLAR**

Attorney Campbell reported that he believes that we are close to having a law and being able to set a public hearing. Some outstanding questions are:

- Percentage of prime soil on a given lot or number of acres
- PILOT agreement language
- Set backs

Deputy Supervisor Mairs suggested 200 feet of road front with a berm. Set-backs can be modified by the Zoning Board of Appeals through a variance. Therefore more requirements are better - start with a higher number.

**DISCUSSION – SOLAR-continued**

It was suggested that the town put an absolute limit on acreage instead of a percentage. Twenty five acres would be a good target because that is what is needed for 25mega watts of solar.

Can you put language in the law regarding the distance between solar installations, such as one-half mile? This was not recommended but Attorney Campbell gave an example of wording such as; if you have 250 acre you cannot subdivide to circumvent restrictions so land owner can't put more than one solar installation per property.

There was discussion regarding Article 10, which is a state level of set procedures and regulation, which kick in when a project exceeds 25mega watts.

Our town has high levels of prime land which help us to put in limitations. Article 10 would not approve large development here because of soil, however; the town can't rely on Article 10.

Attorney Campbell suggested the wording include no more than 25 acres on any given parcel that's at least 40 acres in size. For parcels that are less than 40 acres maximum coverage of 60 percent. This is providing that the set backs are met.

There was discussion regarding set-backs and how far from residential housing.

There was discussion regarding if there should be a surety bond from both the land owner and the developer.

Attorney Campbell will try to finish up a working draft and present in the middle of July and make the submission at the August meeting of the Livingston County Planning Board. Then a public hearing can be scheduled.

Requirements that appeared to have Board approval are as follows for a working document:

- Greater than 40 acres a maximum of 25 acres
- Less than 40 acres no more than 60 percent of parcel size
- 200 feet set-backs of road front will be required
- 100 feet side and rear set-backs
- 300 feet from a residential structure located on another parcel
- All the wiring from solar development is to be underground leading to an existing utility owned pole.
- Surety provisions from the developer

Work session ended.

**DISCUSSION – VISITORS COMMENTS**

Supervisor LeFeber asked for Visitor Comments and they follow:

Visitor Kevin Lillis asked the question who takes precedence the DEC or Town regarding mine permits?

Attorney Campbell answered that you cannot mine without a permit from the DEC but you also need to get a special use permit from the Zoning Board of Appeals from the Town.

The DEC conducted the review of the SEQR process for that application. We are not in a position to go through the same process (SEQR process).

The original use of the parcel predates the code in the Town of Avon. For any pre-existing non-conforming use State law interprets those issues.... But when it's stopped for one year or more the protection goes away. We know the use stopped for a period of time.

At the ZBA meeting it was discussed that there is a need for a Special Use Permit for the excavating. It doesn't mean they cannot use the property they cannot dig or excavate and then process what was dug.

A Conditional Use Permit is a matter of right. In order to deny you need very compelling evidence. This predates many of the residential properties. This is long term use of the property. Excavation in agricultural areas is permitted by a Special Use Permit.

There was discussion about trucks coming in and out of the gravel pit.

Attorney Campbell suggested that the residents come up with a wish list that can be discussed with the ZBA.

Our Code has hours of operation restrictions and they can consider something that is better for a perceived need or benefit.

Mr. Lillis would like a copy of the geological survey of the property.

Mrs. Mckee read the following statement:

**DISCUSSION – VISITORS COMMENTS-continued**

I'm here tonight because I talked to Brian last night and what he told me got me a little upset. I was told that the special use permit for Victor sand and gravel was pretty much a done deal, that both lawyers had already talked and that this was just a matter of "not in my backyard". I wanted to bring up some of my concerns now so that you have a few weeks to think about how your decision affects the residents of Oak Openings Rd.

First of all, I realize that mining is an allowable activity in an agricultural district. Brian was not sure whether that also included the trucking of the mined product. Common sense told us that mining and trucking were a package. Can anyone clarify that? I'm assuming that is the case.

You have a by law (130-27) that states "any use which is noxious or offensive by reason of matter, dust, odor, fumes, noise etc. is prohibited. I couldn't find the legal definition of noxious or fumes, but Webster defines noxious as something that is harmful or poisonous and fumes as gas, vapor or smoke that is dangerous to inhale.

Diesel exhaust is listed as an Group 1 carcinogen by the IARC (International Agency for Research on Cancer) This is the same group that asbestos is in. Group 1 carcinogens have been proven to cause cancer in humans. Diesel exhaust contains 4 individual group 1 carcinogens (arsenic, benzene, cadmium, benzopyrene) Diesel exhaust contains 5 individual group 2 carcinogens (probable carcinogens to humans) They are acetadehyde, butadiene, naphthalene, and styrene. Diesel exhaust contains 5 more chemicals that are being studied; that I didn't list. There are another 8 more compounds in diesel exhaust that are labeled either toxic or strongly carcinogenic. Other studies, mostly from CA have stated there are more than 40 cancer causing substances in diesel exhaust.

In addition to these fumes, diesel exhaust also has what is called "diesel particulate matter". I think the term matter was used in bylaw 130-27 as being prohibited. This is part of the soot that you see on the diesel stack. " Diesel particulate matter sometimes also called diesel exhaust particles is the particulate component of diesel exhaust, which includes diesel soot and aerosols such as ash particulates, metallic abrasion particles, sulfates and silicates." As an aside, asbestos is a form of a silicate. " When released into the atmosphere, DPM can take the form of individual particles or chain aggregates with most in the invisible sub micrometer range. (Nanometers) "Because of their small size, inhaled particles may easily penetrate deep into the lungs. The rough surfaces of these particles makes it easy for them to bind with other toxins in the environment, thus increasing the hazards of particulate inhalation" Hot weather and hot weather idling increased these emissions. There are 63 more reports or studies listed just on the one web site I researched, which was updated on June 20 2018, specifically at 11:34 UTC. One California study stated that even an OSHA approved respirator was not able to filter out these microscopic particles. The Union of Concerned Scientists states that " particulate matter pose the most serious threat to human health as they can penetrate deep into the lungs. Diesel exhaust is a major contributor to both primary and secondary particulate matter pollution.

Exposure to these particles "occurs through breathing in air containing diesel exhaust" "Exposure also occurs through contact with exhaust particles which may be absorbed through the skin or unintentionally ingested. These contaminants may enter vehicles, homes and other structures where they can settle on surfaces and be absorbed into dust particles. Touching contaminated surfaces and dust absorbs contaminants through the skin."

So, now you have some information about the fumes and matter we would be exposed to as a result of the trucking of the mined product. If Victor Sand and Gravel only sells 50 truckloads of gravel in an 8 hour day, that equates to 1 diesel truck driving by my house every 4.8 min. 100 truck trips. The information I just to read to you is based on one diesel truck exhaust.

**DISCUSSION – VISITORS COMMENTS-continued**

) Multiply that by 100 truck trips, every day, 5 days a week, for 6-7 months a year by 5-7 years. *with trucking*  
 The National Cancer Institute states that the amount and duration of exposure of cancer causing substances is a determining factor. Selling 50 truckloads per day is minimal because I don't know how you could stay in business selling that amount, so most likely that would increase. In the one day I monitored Victor's operation (when they were technically not operating) I counted 7 trucks in 3 min. And this is before they are fully operational. All of the homes on Oak Openings are above street level with the prevailing west wind, which means the exhaust from 100 truck trips is blowing toward our homes. The diesel stack is at face level. When Dolomite operated the pit I had black soot all over the front of my house. If I had any house windows open, it entered the house. If the car windows were open it was in the car. It was on my patio furniture. If my dog was lying outside it was on his fur. It was on the cutter deck of the lawn mower after I cut the lawn. It settles on the next door neighbors kid's bicycle. *stay inside - law mow car don't garage*  
 In the first 8 houses on Oak Openings there have been 4 cancers so far. Diesel exhaust is listed as a primary factor in one, and a contributing factor in 2. I haven't researched the 4th cancer yet. Our road is in transition now with 3 new families within these first 8 houses. How can you even possibly consider approving this permit knowing what these diesel contaminants could do to children? Explain to me how this information does not apply to by law 130-27.

I couldn't find any mission statement listed for the town board or the planning board, but I would assume you are here to serve the residents of Avon and to make decisions beneficial to their health and welfare, and an out of county business would be secondary. Kodak only had one carcinogen to deal with, asbestos, Flint had one problem, lead, you have numerous carcinogens to deal with, but you have the advantage of prior knowledge. Please do your homework. Your decision and that of the planning board directly affects Avon residents and their health. Your decision is a choice you make or not make to intentionally expose the people living here to the proven carcinogens present in diesel exhaust. *and that is active responsibility & neglect*

A guest stated that she moved in four years ago, and the berm was taken out as a part of the closing. There is now much more noise. After speaking with the DEC and Victor Sand and Gravel they are supposed to replace it. Both my aunt and uncle, who owned the property before us died of cancer and we are directly across the street.

**RESOLUTION #129 APPROVAL OF MINUTES**

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

RESOLVE to approve the minutes of June 14, 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 Drozdziel - Aye, Councilman Harrington - Aye, Councilman Coyne - Aye, Deputy Supervisor Mairs - Aye, Supervisor LeFeber – Aye**

**DISCUSSION – PUBLIC HEARING FOR LOCAL LAW T-3A-2018 ENTITLED A LOCAL LAW TO AMEND THE BOUNDARIES OF THE GENERAL BUSINESS DISTRICT (B1) AND CHANGE A PORTION OF SUCH AREA TO A ZONING CLASSIFICATION OF AGRICULTURAL DISTRICT (A), ALL WITHIN THE TOWN OF AVON, LIVINGSTON COUNTY, NEW YORK**

Supervisor LeFeber opened the public hearing by reading the following legal notice.

**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 Town Law §130 and §264, that a public hearing shall be held by the Town Board of the Town of Avon at the Town Hall, located at 23 Genesee Street, Avon, New York at 6:15 P.M. on Thursday, June 28, 2018, for the purpose of considering public opinion and comment about or concerning a proposed local law relating to the following:

The purpose of this local law is to modify the boundaries of a certain zoning district currently known as General Business (B1)) within the Town of Avon, Livingston County, New York, changing such certain specified area to a zoning classification of Agriculture District (A).

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](http://www.avon-ny.org).

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

Dated: June 1, 2018

Published Date: June 7, 2018

By Order of the Town Board of the Town of Avon

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Sharon Knight, MMC/RMC Town Clerk

Supervisor LeFeber declared the public hearing open for public comments.

Attorney Campbell stated the proposed local law was referred to the County Planning Board and a response was given. Attorney Campbell will provide a copy to the Town Clerk. The hearing remained open.

**DISCUSSION – DAVID BOJANOWSKI – MULLIGAN FARM, NYS FARMLAND PROTECTION GRANT**

Supervisor LeFeber welcomed David Bojanowski, Executive Director of the Genesee Valley Conservancy and the Mulligan Family to the meeting.

Councilman Coyne who has a financial relationship with the applicant Mulligan Farms recused himself and left the meeting prior to any discussion/motions.

**DISCUSSION – DAVID BOJANOWSKI – MULLIGAN FARM, NYS FARMLAND PROTECTION GRANT-continued**

David Bojanowski handed out maps showing the land that would be put in the conservancy.

Jeff Mulligan addressed the Board stating that in 2006 they started the process to sell the development rights of land on their farm. The farm has grown and one parcel that they want to put an easement on is land that was purchased with monies from the sale of development rights land.

Councilman Drozdziel asked what the definition of Development Rights is. Mr. Bojanowski stated that it is when a conservation easement is put on the land and then it becomes in perpetuity and that causes restrictions on the development of the land. With the easement, the development value is lower.

Our Grandfather purchased the land in 1920 and it is part of our heritage and we are continuing with the use of the land today. We value the land as farmland and believe that is the way the family wanted it. In 1980 we became the first largest farm in the Country as a parcel that went on the National Historical register. We love the land and believe it should be put in the conservancy as agriculture land. We have children that are interested in farming and would like to preserve the land so that they can keep framing in the future. The land is a contiguous block and increases the value of the land.

Supervisor LeFeber asked about the future ten acres? This is a spot where a house was torn down and we would like to have the opportunity for someone in the family to build if they wish. A farmstead area cannot be subdivided.

Livingston County Agricultural land and Protection Board gives out grants and when farms apply the top 3 are picked and Mulligan Farms was the top pick.

**RESOLUTION #130 AUTHORIZE THE SUPERVISOR TO SIGN DOCUMENTS OF ENDORSEMENT RELATING TO THE GENESEE VALLEY CONSERVANCY MULLIGAN FARM DEVELOPMENT RIGHTS APPLICATION TO NEW YORK STATE**

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

ADOPTED AYES 4 NAYS 0 ABSENT 1 (Councilman Coyne)

RESOLVE to authorize Supervisor LeFeber to sign documents of endorsement relating to the Genesee Valley Conservancy Mulligan Farm Development Rights application to New York State.

**RESOLUTION #130 AUTHORIZE THE SUPERVISOR TO SIGN DOCUMENTS OF ENDORSEMENT RELATING TO THE GENESEE VALLEY CONSERVANCY MULLIGAN FARM DEVELOPMENT RIGHTS APPLICATION TO NEW YORK STATE-continued**

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

Councilman Coyne came back into the meeting 7:10 P.M.

**RESOLUTION #131 CLOSE PUBLIC HEARING LOCAL LAW T-3A-2018**

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

RESOLVE to close the public hearing on Local Law T-3A-2018.

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

**DISCUSSION SEQR PART 2**

Attorney Campbell read the questions and the Board answered the questions and then took the following action:

**RESOLUTION #132 ADOPTING THE FINDINGS MADE IN PART II – IDENTIFICATION OF POTENTIAL PROJECT IMPACTS**

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

RESOLVE to adopt the findings made in Part II of the Full Environmental Assessment Form, identification of potential project impacts.



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

**RESOLUTION #133 DECLARE NEGATIVE FINDINGS**

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

ADOPTED AYES 5 NAYS 0

RESOLVE to declare that this project will result in no significant adverse impacts on the environment, and, therefore, an environmental impact statement need not be prepared.

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

**RESOLUTION #134 AUTHORIZE SUPERVISOR TO SIGN AND TOWN CLERK TO REPORT TO THE ENVIRONMENTAL NEWS BULLITEN**

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

ADOPTED AYES 5 NAYS 0

RESOLVE to authorize the Supervisor to sign Part 1 of the Full Environmental Assessment Form and to authorize the Town Clerk to post the negative declaration on the Environmental Notice Bulletin.

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

**RESOLUTION #135 ADOPT THE LOCAL LAW**

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

ADOPTED AYES 5 NAYS 0

RESOLVE to adopt the following local law.

**LOCAL LAW NO. 2 OF THE YEAR 2018  
OF THE TOWN OF AVON**

A local law to amend the boundaries of a certain zoning district currently known as General Business District (B1), within the Town of Avon, Livingston County, New York, changing such certain specified area to a zoning classification of Agricultural District (A).

Be it enacted by the Town Board of the Town of Avon as follows:

**RESOLUTION #135 ADOPT THE LOCAL LAW-continued**

SECTION 1. TITLE AND SCOPE

This local law shall be known as “A LOCAL LAW TO AMEND THE BOUNDARIES OF THE GENERAL BUSINESS DISTRICT (B1) AND CHANGE A PORTION OF SUCH AREA TO A ZONING CLASSIFICATION OF AGRICULTURAL DISTRICT (A), ALL WITHIN THE TOWN OF AVON, LIVINGSTON COUNTY, NEW YORK.”

SECTION 2. PURPOSE.

The purpose of this local law is to modify the boundaries of a certain zoning district currently known as General Business District (B1) within the Town, changing such certain specified area to a zoning classification of Agricultural District (A), thereby also changing the boundaries of the Agricultural District (A) within the Town.

SECTION 3. LOCATION OF MODIFIED ZONING DESIGNATION.

The area that is affected by the modified zoning classification is a parcel known as 6050 East Avon-Lima Road, Town of Avon, County of Livingston and State of New York, also being known as Tax Identifier Map Parcel No. 35.-1-25, said parcel being more particularly described as follows: Beginning at a point which is approximately 400 feet west of the intersection of the westerly highway right-of-way line of Bronson Hill Road with the southerly right-of-way line of New York State Routes 5 & 20 (also known as East Avon-Lima Road), said point also being the northwesterly point of the property designated and known as Tax Identifier Map Parcel Number 35.-1-24; thence westerly approximately 300 feet along said southerly right-of-way line of New York State Routes 5 & 20 to the northeasterly corner of Tax Identifier Map Parcel Number 35.-1-26; thence southerly along the easterly property line of Tax Identifier Map Parcel Number 35.-1-26 approximately 400 feet to a point; thence easterly along the southerly line of Tax Identifier Map Parcel Number 35.-1-25 approximately 702 feet to the westerly right-of-way line of Bronson Hill Road; thence northerly along the westerly right-of-way line of Bronson Hill Road a distance of approximately 200 feet to a point at the southeasterly corner of Tax Identifier Map Parcel Number 35.-1-24; thence westerly along the southerly line of Tax Identifier Map Parcel Number a distance of approximately

392 feet to a point, said point being the southwesterly corner of Tax Identifier Map Parcel Number 35.-1-24; thence northerly along the westerly line of Tax Identifier Map Parcel Number 35.-1-24 approximately 198 feet to the point of beginning. Intending to describe the entirety of Tax Identifier Map Parcel Number 35.-1-25, which is approximately 4.58 acres in area. Said parcel is currently a part of a General Business District (B1) and the whole of such parcel shall hereby be reclassified to a zoning classification of Agricultural District (A), and the official Zoning Map of the Town of Avon shall be amended to reflect such reclassification and the change of boundaries of the respective zoning districts (although not contemporaneously with the adoption of this Local Law).

**RESOLUTION #135 ADOPT THE LOCAL LAW-continued**

SECTION 4. EFFECTIVE DATE.

This local law shall be effective immediately upon its filing with the Office of the Secretary of State.

**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:

- Hanson will be coming in for an expansion.
- Bruckel did not submit documents for the next Planning Board Meeting for their sign variance.
- Bruckel Drive dedication in the near future.

**DISCUSSION – HIGHWAY/WATER DEPARMENTS**

Highway/Water Superintendent Thomas Crye reported on the following:

Highway: Weeded parks and cemeteries, kept up with the town road signs, paved Sutton road and worked on road shoulders around town, upkeep in shop and on equipment

Water: Rounds and maintenance, changing meters, and put the tap at the day care today

Highway/Water Superintendent Thomas Crye stated that Avon is the only municipality that takes electronics and we are the scape goat. The town is being charged.13 cents per pound if you don't charge residents to dispose of electronics if you do charge the residents then it is more. He feels people are bringing them in from other towns to dispose of them here.

There are also people from other towns putting debris in the brush pile behind the barn. This costs the town around \$4,000.00 per year.

Fire Alarm System is being installed.

Supervisor LeFeber talked about an excavator purchase. With CD rates up he would like to hold off investing town money. We have a CD which matures in September.

We would like to sell our 1994 wheel excavator on the internet and purchase a 2015 excavator. We will hold off until next year and purchase a new pickup truck this year.

**DISCUSSION – HIGHWAY/WATER DEPARTMENTS-continued**

The Town of Avon took over paying the mowing invoices of the Avon Cemetery when dollars are not available by the Association. The Association may have dollars that are not being used and those dollars maybe restricted. Councilman Harrington questioned if those monies could be transferred to the Town. Updates will be asked for during budget time. The history of why we are assisting the Avon Cemetery for mowing was provided by Supervisor LeFeber.

**DISUCSSION – ENGINEER REPORT**

MRB Group Engineer David Willard reported on the following:

Email from NYSERTA - they will not have an agreement until July 11<sup>th</sup>.

**RESOLUTION #136 AUTHORIZE THE SUPERVISOR TO SIGN NYSERTA AGREEMENT**

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

ADOPTED AYES 5 NAYS 0

AUTHORIZE the supervisor to sign an agreement with NYSERTA.

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

**DISCUSSION - ENGINEER REPORT**

PAPERMILL ROAD: Supervisor LeFeber reported that a preconstruction meeting will take place regarding the bridge on Papermill Road and he and Councilman Coyne will be attending the meeting. Bob Striker may now have possible grant dollars for the bridge/hand railing/guide rail/walking lane.

**DISCUSSION – CODE DEPARTMENT**

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

The following **BUILDING PERMITS** were issued during the time period April 13, 2018 - June 27, 2018:

2018-0011	Miller	Pole Barn	4/16/18	\$126.80
2018-0012	Posner	Add – master bedroom/bathroom	4/19/18	\$ 88.40
2018-0013	Stafford	Add – living room, master bed, laundry Room, deck and addition to garage	4/19/18	\$197.20
2018-0014	Marshall	Fence for backyard	4/26/18-closed 6/4/19	\$ 30.00

**DISCUSSION – CODE DEPARTMENT-continued**

2018-0015	Farley	Steel storage shed	4/26/18	\$ 47.00
2018-0016	Sutton	re-roof	5/7/18-closed 5/21/18	\$ 35.00
2018-0017	Marshall	AG Pool	5/7/18-closed 6/4/18	\$ 40.00
2018-0018	Weber	re-roof	5/16/18-closed 5/29/18	\$ 35.00
2018-0019	Teed	re-roof	5/21/18-closed 5/31/18	\$ 35.00
2018-0020	Bailey	storage shed	5/21/18	\$ 35.00
2018-0021	Michael	deck extension	5/23/18	\$ 35.00
2018-0022	Kershner	roof over patio	5/30/18	\$ 35.00
2018-0023	Ashley	re-roof	5/30/18-closed 6/8/18	\$ 35.00
2018-0024	Todd	replacing generator	6/8/18	\$ 35.00
2018-0025	Prince	fence – backyard	6/13/18	\$ 30.00
2018-0026	Garne	Alarm system	6/15/18	\$35.00
2018-0027	LeFrois	Adding trusses – re-roof	6/18/18	\$85.00
2018-0028	O’Donovan	deck on back of house	6/19/18	\$35.00
2018-0029	Gardner	furnace, AC, insulation	6/25/18	\$60.00
2018-0030	Schillinger	fence in front yard-already installed	6/25/18	\$40.00
2018-0031	Edwards	AG pool	6/27/18	\$40.00

**Total Fees Outstanding for period           \$ 50.00**  
**Total Fees Collected 4/13/18- 6/27/18       \$1,084.40**

The following **BUILDING PERMITS** were **Renewed** during the time period April 12, 2018-June 27, 2018:

The following are projects/permits currently working on:

- Joyful Beginnings – inspections going well
- Quicklee’s travel plaza – sign permit is in beginning process – next meeting with them will be in July
- Oak Openings LLC – gravel pit special use permit is in process
- East Avon Plaza – Matthews Buses coming in to talk about operations possibly going in there

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)

### **DISCUSSION – TOWN CLERK REPORT**

Town Clerk Knight reported on the following:

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

Updates from Congressman Chris Collins  
Livingston County Traffic & Safety Board Minutes  
Livingston County Water & Sewer Authority

Town Clerk Knight received a quote from JC Penney for blinds for the front door. The blinds are \$90.00 each and installation is \$117.00 for a total cost of \$297.00.

Complaints –

Six complaints have been received in response to the operation of the mine on Oak Openings Road.

Brian is working on another complaint filed at the Town Clerk's Office regarding the change of water drainage from one property to another property.

We had a call with a request for a dog park to be located within the Village. The main requests would be to provide swipe tags for entrance into the park. As a follow-up I have contacted another Town that has a park to gather information as follows:

*Our Park is on Town property – it is maintained by Parks department – which is far more than just mowing the grass – its filling in holes – fixing fences picking up poop (even thou we provide bags) and on and on.*

*The park is for Town residents (\$50/dog) – although we do sell 50 non-residents (\$175/dog). All dogs must have a NYS license. The biggest problem is enforcement. You really need someone there all the time checking passes.....it's not fair to those that abide by the rules AND our concern is the liability if a dog is there and does not have shots – we have had a pedigree get pregnant by a mutt (you can't make this up) and lots of bites to other dogs and people....and our dog warden spends a lot of time in Court!!!!*

*Other than that.....its great!!!  
If the park has enforcement then they are great!*

The process of providing information for FOIL requests needs improvement. When information is available from departments it should come directly into my office. A recent request did not come into the Clerk’s Office and therefore the time to get the information out has been increased. Procedures need to developed and followed.

A certified letter was sent to New York State Department of Health in our continued attempt to be able to file death certificates electronically into the new EDR System.

**RESOLUTION #137 PAYMENT OF BILLS**

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

ADOPTED AYES 5 NAYS 0

RESOLVE to accept for payment Abstract 2018-12 in the following amounts:

**Concerning ABSTRACT of Claims Number 2018-12 including claims as follows:**

<b>General Fund</b>	Voucher #275 through #296 in amounts totaling \$9,714.65
<b>Highway Fund</b>	Voucher #94 through #96 in amounts totaling \$92,182.31
<b>Water Fund</b>	Voucher #261 through #265 in amounts totaling \$5,349.30
<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**

**DISCUSSION – SUPERVISOR REPORT**

Supervisor LeFeber reported that we are working on the weather stations.

**OPEN ITEMS**

Councilman Drozdziel will be working on configuration of the Boardroom next month.

The Avon Free Library official ribbon cutting ceremony will take place on Monday, the ninth of July.

Councilman Harrington reported that he and Kelly Cole will be putting up the letters on the front of the Opera Block Thursday, July 5<sup>th</sup> at 8:00 A.M. the doors will need to be blocked off.

Renewals for insurance are being worked on. Attorney Campbell has our policy book and has been reviewing. He stated that everything appears to be okay. The Avon office will be closing as they will be moving.

### **VISITOR COMMENTS**

Supervisor LeFeber asked for any public comments and they follow:

Visitor Falzoi suggested that an awning be placed on the front of the building to decrease the sun glare. She stated that she is concerned with getting knocked over with the curtain that is currently on the door because she cannot see out. Supervisor LeFeber spoke of the historic state of the building. Councilman Harrington spoke of the downtown grants.

Visitor Falzoi also asked if the Board would be updating the Comprehensive Plan to allow the Board to adopt a solar law.

On motion of Deputy Supervisor Mairs, seconded by Councilman Mairs the meeting was adjourned at 8:12 P.M.

Respectfully submitted by:

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Sharon M. Knight, MMC/RMC Town Clerk