

A regular meeting of the Town of Avon was held on Thursday, September 27, 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, MRB Engineer David Willard, and Town Clerk Sharon Knight MMC/RMC

VISITORS: Tommy Dryan, Hayley Stewart, Jalen Marshall, Ryan Lambert, Scott Rozanski, Nancy Sullivan, George Sullivan, 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 – BUDGET**

Supervisor LeFeber welcomed Tim Anderson to discuss the insurance that we receive from NYMIR.

Mr. Anderson highlighted the following:

Property, Liability, Highway Permit, Law Enforcement (Court Officer), Automobile, (do not give full glass, part of deductible), Public Officials Liability, Umbrella (up to 6 million dollars), Equipment (slight difference from last year due to increase assets), Public Officials Bond (Town Clerk up to one million), Accident & Health (recreation program – all excess coverage), Cyber Liability (private & security – one million dollar policy), premium comparisons for 2017 \$52,234 & 2018 \$55,847 the increase due to property values and additional cyber coverage. Carriers: Accident & Health (Starr Indemnity), Cyber Liability (Lloyds), Public Officials (Travelers), all other policies (NYMIR).

The Board had a few questions and Mr. Anderson provided answers.

### **RESOLUTION #178 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 September 13, 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 – VISITORS COMMENTS**

Supervisor LeFeber asked for Visitor Comments and they follow:

Janet Manko reported that ditches in the Royal Spring Development need to be cleaned out because it has been three years. Highway Superintendent Crye is expected to be at the meeting later as he was working on a water emergency at 4:00 today.

Supervisor LeFeber welcomed four Livonia students to the meeting.

Judy Falzoi questioned who owns the property were the ditches are in need of being cleaned out. Supervisor LeFeber believes the Town owns the property as they are near the drainage districts.

Judy Falzoi asked if the Town owns the property that was mowed near Judy's home. Supervisor LeFeber responded stating that the both the Town and the Royal Springs Developer owns portions of the property.

**DISCUSSION – WATER SERVICE REQUEST**

Supervisor LeFeber welcomed Nancy Sullivan to the Board meeting to discuss her request to have municipal water at her family homestead, owned by her Mom, at 5167 Littleville Road (currently her Mom lives at the homestead). In 1999, the area including her Mom's home was added to the Water District. Water lines were never installed on her end of the road, near the corner of Pole Bridge Road and Littleville Road. A well has served the property and the family is interested in knowing if there is a possibility to have public water.

There was discussion that included the following:

Neighbors at the other end of Littleville Road are served by a two inch line that was installed by property owners many years ago. The line does not have a lot of pressure.

A private service might be an option.

The line would not be looped.

A fire hydrant would likely be needed.

Another request was received by a property owner that is not in the Water District.

Installing water lines are not recommended to be in the road right of way.

Our Highway/Water Superintendent needs to weigh in on these requests.

Running an eight inch water line from Pole Bridge to Littleville Road is not in the budget for this year or next year but could be a long term plan.

Currently there are lines on Pole Bridge going south to three homes and then there is a dead end.

It was suggested to have the property owner look for grants to assist financially.

**DISCUSSION – WATER SERVICE REQUEST-continued**

MRB Group will consider costs and materials with the Town installing the water lines and make a recommendation at a future meeting.

Options considered are:

- Install a private two inch line/meter pit.
- Put in a transmission line to dead end at their home.
- Run five hundred feet from home to Pole Bridge Road and install one fire hydrant as a blow off point.
- Our highway crew could install within one day.

Nancy shared the following notification that was sent from the Town when the property became a part of the Water District.

- A. Water use charge - \$55.44 first 8,000 gallons  
\$6.08/1000 gallons thereafter
- B. Payment of “Creation of Extension” Costs (43 parcels)

Legal, Administration & Engineering Costs for creation of extension = approximately \$4,500.00

Method A - \$4500.00 paid in one payment  
\$4500.00 divided by 43 units = \$104.65/parcel

Method B - \$4500.00 financed over 10 Yr. @ 8% (example)  
\$4500.00 x 0.149 = \$671.00/Yr.  
divided by 43 units - \$5.60 parcel/Yr.

**DISCUSSION - ATTORNEY REPORT**

Attorney Campbell was not in attendance and there was no report.

**DISCUSSION – ENGINEER REPORT**

David Willard, MRB Group Engineer reported on the following:

- Started the solar work at Agar Road and currently waiting for the concrete to dry.
- A recommendation for 5167 Littleville Road is being prepared and will be ready to discuss at the next board meeting.
- We have an application for solar and it will require a full EAF, and a maintenance and decommission plan.

**DISCUSSION – ENGINEER REPORT-continued**

- Supervisor LeFeber reported a SAM grant for Papermill Park that will bring in one-half million dollars has been awarded. An application must be submitted and a part of the project cannot be reimbursed until the contract has been issued by the State. It's expected that we can complete the engineering but we cannot do construction until we have the signed contact. MRB Group Engineer David Willard will put together a plan with probable costs that will repair the walking bridge, incorporate the mill wheel, make it safe with railings and side panels, and improve the parking lot, installation of a kiosk and a viewing area.
- Councilman Drozdziel questioned what is within the law that we need to bid. Supervisor LeFeber responded stating that in the past we have had latitude with professional services for Attorney and Engineering.
- Councilman Drozdziel question if we would be developing a scope of the project including priorities/laundry list and alternates with the assistance of a design contract. Supervisor LeFeber stated when he met with Senator Young, Councilman Coyne, Historian Kingston and Engineer Willard a list was begun.

**DISCUSSION – CODE DEPARTMENT**

Code Enforcement Officer Glise reported on the following:

- East Avon Plaza was doing indoor activities and it had to be stopped. People still in there after one year. Mr. Groth gave him until the 15<sup>th</sup> of September to remove his merchandise. Code Enforcement allows employees to get items out of building.
- Mathews Bus is cleaning the back of the mall
- The Oak Openings gravel pit received approval.
- An application for solar was shared with the Board. It was hoped that the Attorney would be in attendance to review and make recommendations. The application appears to be one used throughout the State. This will be reviewed at a future meeting.
- There was discussion on the 100 foot sign of Quicklees that was approved and if there was a different cost for the sign as this is the tallest sign approved by the Town. The Board appeared to agree that the cost would be as described on the fee schedule.
- A report of different Town's fee schedules was shared with the Board. A recommendation will be provided by the Code Enforcement Officer at a future meeting to update our fee schedule.
- While doing an inspection a gentleman shared his interest in taking Code Enforcement classes.
- There was continued discussion on parking regulations that are north of 5/20 on Route 15 by Pioneer. A review of minutes will be made to determine what was approved.

**DISCUSSION – TOWN CLERK REPORT**

Town Clerk Knight reported on the following:

- Communications were received and forwarded to the Town Board via email:
  - Part Town of Avon 2019 Proposed Budget and Public Hearing Notice
  - Solar Permit Application
  - Draft Fee Schedule
  - Oak Knolls Manor Neighbor & Livingston 4 Solar, LLC Neighbor Notifications – Town of Caledonia
  - Proposed Local Law #2 of 2018 – Town of York

**RESOLUTION #179 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 2018-18 in the following amounts:

Concerning ABSTRACT of Claims Number 2018-18 including claims as follows:

General Fund	Voucher #434 through #459 in amounts totaling \$33,776.56
Highway Fund	Voucher #140 through #147 in amounts totaling \$35,350.57
Water Fund	Voucher #301 through #320 in amounts totaling \$11,462.99
Cemetery Fund	No Voucher
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 Harrington - Aye, Councilman Coyne - Aye, Deputy Supervisor Mairs - Aye, Supervisor LeFeber – Aye**

**RESOLUTION #180 SNOW & ICE CONTROL**

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

RESOLVE, that the agreement which became effective July 1, 1974, between the County of Livingston and this Town, relating to the control of snow and ice on the State Highways within this Town, and such adjacent territory within said County as might be agreed upon by the County and the Town Superintendent of Highways, and the changes

and modifications of said agreement heretofore approved by this Town, be and the same herby are extended for an additional period of one year, until June 30, 2020.

**RESOLUTION #180 SNOW & ICE CONTROL-continued**

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

**DISCUSSION – PRELIMINARY BUDGET**

Supervisor LeFeber suggested changing the budget plan to set the public hearing for the 2019 Budget at the next meeting. There was discussion on providing a .75 raise to an employee in addition to a two percent increase. The grant for Paper Mill Park will require that we show dollars coming in and going out of the Town budget. These changes will be made and the Preliminary Budget will be presented at our first meeting in October.

**DISCUSSION – WATER REQUEST**

Supervisor LeFeber continued discussion regarding the request for water on Dutch Hollow Road. The property is not located in the Water District, the request is to be put in the right of way, it is about one quarter of a mile, the water pressure is not known. Typically water lines are not in the right of way. They would put in a two inch line and it would not be a benefit to the Town to take dedication. The Board appeared to not be in favor of the idea.

**DISCUSSION VISITOR COMMENTS**

Supervisor LeFeber asked for any visitor comments and they follow:

Visitor Judy Falzoi stated procurement limits are \$20,000 bidding or \$30,000.00 for public infrastructure projects bidding. There is lots of grant money from the NYS for extending water.

On motion of Deputy Supervisor Mairs, seconded by Councilman Coyne the meeting was adjourned at 7:40 P.M.

Respectfully submitted by:

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Sharon M. Knight, MMC/RMC Town Clerk