

A regular meeting of the Town of Avon was held on Thursday, October 25, 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, Highway/Water Superintendent Tom Crye, MRB Group Engineers Dave Willard and Bill Davis and Town Clerk Sharon Knight  
MMC/RMC

VISITORS: Janet Manko, Nancy and George Sullivan, Karen Henderson, Don Mastin, Spectrum Representative Michael Polland, and *Genesee Sun/Lake Country* Echo Reporter Barbara VanZandt

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

Supervisor LeFeber asked for any visitor comments and they follow:

Supervisor LeFeber welcomed Michael Polland, Business Account Executive for Spectrum Business to address the Board with a proposal to provide 13 lines, 1 – 100 mbps internet and 1 static IP for a cost of \$454.83 monthly and \$99.00 installation.

There was discussion that included the following:

Slow internet connections.

Speed tests.

Keep five lines at the Highway Department.

Proposal for installation of phone and internet at the Town Hall/Opera Block

We will use the newly purchased phones.

The internet will be ten times faster.

There is a 24 hour hot line for businesses only.

Cables will be run from our Mechanical room to the IT room.

There will be no need to change our fire, security alarms.

We will terminate our contract with Frontier for the lines to the Town Hall/Opera Block.

In twelve months a ten dollar increase per line will be assessed.

There is no contract, fees or taxes from Spectrum.

**RESOLUTION #189 – APPROVE TO PURCHASE PHONE LINES AND INTERNET WITH SPECTRUM**

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

ADOPTED AYES 5 NAYS 0

**RESOLUTION #189 – APPROVE TO PURCHASE PHONE LINES AND INTERNET WITH SPECTRUM-continued**

RESOLVE to approve the proposal from Spectrum to provide 13 phone lines to the Town Hall/Opera Block, 1 – 100 mbps internet and 1 static IP for a cost of \$454.83 monthly and \$99.00 installation.

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

**DISCUSSION – OPEN PUBLIC HEARING**

Supervisor LeFeber read the following legal notice that was published in the Livingston County News (our legal paper), on our website and on the Official Bulletin Board as follows:

TOWN OF AVON  
NOTICE OF PUBLIC HEARING ON THE  
PRELIMINARY BUDGET OF THE TOWN OF AVON  
For the year 2019

NOTICE IS HEREBY GIVEN that the preliminary budget of the Town of Avon for the fiscal year beginning January 1, 2019, including General Town Funds, Highway Fund, Water Funds, Special Districts, Royal Spring Lighting & Drainage District, Crossroads Drainage District, Bruckel Drainage District, Cemetery, Water District Route 39, Ext, and Fire District, is completed and filed in the office of the Town Clerk of the Town of Avon, 23 Genesee Street, Avon, New York 14414, the tentative budget is available and the preliminary budget is available for inspection by any interested person during office hours, Pursuant to Real Property Tax Law Chapter 258 & 495, an exemption report is attached to the preliminary budget and includes every type of exemption granted by the taxing authority and the cumulative impact of each type of exemption, the cumulative amount expected to be received from recipients of each type of exemption as payments in lieu of taxes or other payments for municipal services, and the cumulative impact of all exemptions granted. The Town Board of the Town of Avon shall hold a hearing on said preliminary budget on October 25, 2018 at 6:10 P.M. at the Avon Opera Block/Town Hall, 23 Genesee Street, Avon, New York 14414, showing such changes, alterations and revisions as shall have been made therein by the Town Board of the Town of Avon. At such hearing, any person may be heard in favor of or against the preliminary budget as compiled or for or against any item or items therein contained. The following are the proposed 2019 salaries of Town of Avon

ELECTED OFFICIALS:

Supervisor	\$22,000.00
Councilman (4)	\$ 6,250.00
Town Justice (2)	\$13,668.00
Town Clerk	\$41,163.00
Highway Superintendent	\$67,952.00

By Order of the Town Board  
Sharon M. Knight, MMC/RMC  
Avon Town Clerk  
DATED: October 12, 2018  
PUBLISHED: October 18, 2018

DISCUSSION – DEER MANAGEMENT PLAN

Supervisor LeFeber welcomed Don Mastin to the meeting regarding a request to use the Town Highway Barn's property to conduct certification tests for Deer Management bow hunting in the Village.

Don Mastin spoke of the recently adopted local law in the Village of Avon in which participants would need to pass a proficiency test. A part of the certification would be a twenty yard shooting professional test to be conducted by Paul Toarmino.

Attorney Campbell suggested talking with our insurance carrier to make sure we have the coverage.

Supervisor LeFeber will confirm with Mr. Anderson.

DISCUSSION – LITTLEVILLE ROAD REQUEST FOR WATER

Mr. & Mrs. George Johnson and Karen Henderson asked the Board for an update of their request for the delivery of water to their home that is within the Town of Avon Water District. The district was formed in 1999 and the water main near their home was installed in 2004.

The formation documents were reviewed by Attorney Campbell and the location of the request was not identified by an immediate or future goal. There is not an obligation and the question is if it's desirable or a benefit to the water district and that needs to be determined by the Town Board.

After Board discussion it was determined that the line would be a four hundred foot extension that would be a dead end and it would not be a benefit to the district. It could be viewed as a future improvement if the line was to bring a loop to the area or another benefit.

There is possible funding in the future for a comprehensive water review with both the Town of Avon and the Village of Avon participating. This request could be a part of the review.

This could set precedence for other similar situated properties. When Helga Heen requested water for Ashantee he paid for the infrastructure and we took dedication.

There was discussion regarding the cost to run a 500 foot water line which includes engineering fees. In most places a design plan is necessary for the Department of Health to give their approval.

DISCUSSION – LITTLEVILLE ROAD REQUEST FOR WATER-continued

The consensus of the Board seems to be not to go ahead with the installation of the water line at this time.

**DISCUSSION – ENGINEER REPORT**

David Willard and Bill Davis, MRB Group Engineers reported on the following:

Papermill Park Bridge

There was discussion about possibly bidding out Engineering to get a better price and maybe more expertise. Are we required to bid out and what is the bidding threshold for professional services?

Attorney Campbell stated that the town of Avon's procurement policy does not have a requirement for professional services.

To date a proposal has not been provided. As a Board we should put together a RFP and then we can understand what we are buying. This would provide clear direction to MRB Group.

Bill Davis stated that MRB Group has the qualifications to proceed with a small park job. We come on as the Town's Engineer and we certainly invest in the Town of Avon and hope you invest in us. We attend the board meetings and understand the interests and needs of the Town.

MRB Group is hosting an Open House on November 8<sup>th</sup> beginning at 5:00 P.M. and the Board would like to attend. The following Board action was taken.

**RESOLUTION #190 CHANGE START TIME FOR BOARD MEETING**

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

ADOPTED AYES 5 NAYS 0

RESOLVE to change the start time of the November 8, 2018 meeting to 7:30 P.M.

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

**DISCUSSION - ATTORNEY REPORT**

Attorney Campbell reported that the deed of dedication for the Quicklee's property has been signed by Supervisor LeFeber. After filing with the County it will be provided to the Town Clerk.

**DISCUSSION – CODE DEPARTMENT**

Code Enforcement Officer Glise was not in attendance and provided the following written reported:

**DEPARTMENTAL REPORT  
BUILDING &  
ZONING  
AUGUST 21, 2018 - OCTOBER 25, 2018**

The following Building Permits were issued during the time period August 21, 2018 - October 25, 2018:

2018-0051	Bellew	Re-roof	8/24/2018	\$35.00
2018-0052	Smith	Pole barn	8/24/2018	\$111.00
2018-0053	Peterson	Generator install	8/24/18 closed 10/9/18	\$35.00
2018-0054	Stoll	Ramp	9/7/18 closed 10/9/18	\$35.00
2018-0055	TOA Highway	Solar - ground mount	9/14/2018	N/C
2018-0056	Brogan	Shed	9/14/2018 9/19/18 closed	\$50.84
2018-0057	Mallaber	Gutters	10/9/18	\$35.00
2018-0058	Hanvey	In ground pool	9/24/2018	\$60.00
2018-0059	DP Tool	Renovations - interior	10/1/2018	\$230.00
2018-0060	Dobra	Shed	10/4/2018	\$35.00
2018-0061	Stanton	Renovations - interior	10/5/2018	\$209.40
2018-0062	Robinston	Mobile Home	10/5/2018	\$134.64
2018-0063	Muir	Step replacement	10/5/2018	\$35.00
2018-0064	Cingular Wireless	Antenna modifications	10/5/2018	\$195.00
2018-0065	Schifino	Re-roof	10/9/2018	\$35.00
2018-0066	Gunther	Deck	10/12/2018	\$53.40
2018-0067	Twardokus	Fuel tank installation	10/15/2018	\$40.00
2018-	Reid	Garage into living space	10/16/2018	\$93.76

0068				
2018-				
0069	Carlson	Horse Barn	10/16/2018	N/C
2018-				
0070	Bailey	Addition - kitchen, living & dining	10/17/2018	\$164.76
2018-				
0071	Passarell	wood stove installation	10/23/2018	\$40.00
<b>TOTAL PERMIT FEES FOR TIME PERIOD</b>				\$1,627.80
<b>FEES OUTSTANDING FOR TIME PERIOD</b>				\$0.00
<b>TOTAL FEES COLLECTED</b>				\$1,627.80

**The following are projects/permits currently working on:**

- Joyful Beginnings - close to being completed
- Quicklee's travel plaza - sign has been approved waiting for permit
- Oak Openings - Special Use Permit & Site Plan have been granted/approved
- Matthew Buses - Special Use Permit & Site Plan have been granted/approved
- Pioneer Truck - still in process for violation of approved site plan

**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 Laserfiche filing system

**DISCUSSION – HIGHWAY/WATER REPORT**

Highway/Water Superintendent Tom Crye reported on the following:

HIGHWAY – Finished mowing, restocked shop, worked on shoulders, worked at the shop, trucks and equipment, three sides of the pole barn are up, working on the sanders and wings.

WATER – Finished flushing, meter reads, everyday maintenance, pressure-washed the tank. A thank you to Councilman Harrington was extended for the use of his lift.

**RESOLUTION #191 – APPROVING JOINT SERVICE AGREEMENTS FOR MACHINERY, TOOLS, EQUIPMENT AND SERVICE SHARING ACCESS WITH LIVINGSTON COUNTY**

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

**RESOLUTION #191 – APPROVING JOINT SERVICE AGREEMENTS FOR MACHINERY, TOOLS, EQUIPMENT AND SERVICE SHARING ACCESS WITH LIVINGSTON COUNTY-continued**

WHEREAS, New York State Highway Law Sec. 133-a authorizes the Town to enter into agreements to permit the use of County-owned machinery, tools or equipment by other municipal corporations: and

WHEREAS, it would be in the Town's interest to enter into such agreements with the County, Towns and Villages located within Livingston County, now, therefore be it

RESOLVED, that the Supervisor of the Town of Avon is hereby authorized to sign an agreement with Livingston County, the format of which was adopted by Livingston County Resolution 2016-317.

FURTHER RESOLVE, that the Town of Avon agrees to extend the terms of the Inter-Municipal Agreement for Machinery, Tools, Equipment and Service Sharing Access Contract, original Livingston County Resolution 2016-317, for an additional term of one (1) year to terminate on December 31, 2019.

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

**DISCUSSION – TOWN CLERK REPORT**

Town Clerk Knight reported on the following:

- Communications were received and forwarded to the Town Board via email:
  - Town of York Proposed Local Law #3-2018
  - Town of Rush Proposed Solar Energy Systems Local Law
  - October 11, 2018 minutes
  - 2019 Inter Municipal agreement Extension
  - Village of Avon Deer Management Program Information
  - Watershed Education Center – Lakeville History

Thank you to Supervisor LeFeber for his leadership and support on the County's support of the Town and Village Clerks to purchase the Business Automation System for tax collection.

Town Clerk Knight asked the Board the following questions:

Would you like me to organize an employee appreciation luncheon similar to last year? The Town Board appeared to approve a budget not to exceed \$1,000.00.

Are you interested in review Sexual Harassment Prevention Policy as required by New York State Law? The Town of York Clerk provided a copy of their recent adopted law. The Board appeared to approve to consider and Town Clerk Knight will amend and provide a proposed resolution for Board consideration at the next meeting.

Supervisor LeFeber reminded the Attorney and Town Board of the need to review the IT Assessment Audit in the near future.

An estimate was provided by General Code to provide Supplement No. 10 to our Town Code for a cost between \$4,540 and \$4,900. The last supplement was 2015 when E-Code was added. The proposal includes many supplementations such as an analysis of new legislation and proper placement in the Code, removal of repealed or superseded provisions, etc. Attorney Campbell and MRB Group Engineers agreed that the time frame is in line with the need to update. The Board will continue discussions with Code Enforcement Officer Glise to include needed legislation.

An application for a peddling permit was received by a Scott Chugg, Representative of Spectrum. Attorney Campbell approved the Town Clerk to issue the permit.

A request for Board approval of a recently received "Use of Building Request" by James Brewer for an informal get together of Kraft Foods Retirees was requested. The Town Board approved of the request.

Deputy Town Clerk Zapf will be attending a workshop being held in Canandaigua sponsored by the New York State Archives for a possible grant application with the Village of Avon. The Board appeared to be in favor of her attendance.

The Town Clerk's Office will be open early on November 1<sup>st</sup> for the First Come, First Served Deer Management Permits.

#### **RESOLUTION #192 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 October 11, 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 Drozdzial - Aye, Councilman Harrington - Aye, Councilman Coyne - Aye, Deputy Supervisor Mairs - Aye, Supervisor LeFeber - Aye**

#### **RESOLUTION #193 PAYMENT OF BILLS**

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

ADOPTED AYES 5 NAYS 0

RESOLVE to accept for payment Abstract 2018-20 in the following amounts:



**RESOLUTION #193 PAYMENT OF BILLS-continued**

Concerning ABSTRACT of Claims Number 2018-20 including claims as follows:

General Fund	Voucher #488 through #511 in amounts totaling \$27,033.87
Highway Fund	Voucher #154 through #167 in amounts totaling \$13,100.83
Water Fund	Voucher #329 through #331 in amounts totaling \$1,036.07
Cemetery Fund	No Voucher
Opera Block Capital Improvement	No Voucher
Royal Springs Lighting	Voucher #11 through #11 in amounts totaling \$1,026.39
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 #194 RE-LEVY FOR WATER BILLS**

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

ADOPTED AYES 5 NAYS 0

RESOLVE to approve the re-levy for water bills in the amount of \$18,488.65; this does not include the amount owed for the Town of Avon reconciliation, on the 2019 Town and County Tax bill.

**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 on the following:

The Village joint meeting will be held on November 29<sup>th</sup> to allow the Town and Village Board to attend the MRB Group open house.

A request of Clara Mulligan was shared to hold a “Flip the Switch Event” to celebrate the installation of solar panels at the Avon Town Highway Barns. The Board appeared to agree and the celebration was scheduled for 2:00 P.M. on the 2<sup>nd</sup> of November.

An email was sent notifying the Town of Avon that Hanson will be conducting blasting on the 29<sup>th</sup> of October and extended an invitation to attend. He continued stating that

**DISCUSSION - SUPERVISOR REPORT-continued**

Hanson is planning to expand in the future. Councilman Drozdziel suggested that our Code Enforcement Officer be in attendance and Supervisor LeFeber stated that he would share the information as Code Enforcement Officer Glise was not in attendance.

The County Administrator is scheduling visits to Towns for open coffee forums. The Town of Avon is schedule for the 5<sup>th</sup> of November at the Town Hall/Opera Block.

A request to use the Board/Court room for children to make a craft was made for the Avon Holiday Spectacular to be held on the 1<sup>st</sup> of December from 3:00 P.M. – 7:00 P.M. on Genesee Street and the surrounding areas. There will be a tree lighting ceremony at approximately 6:30 P.M. and many other events. There is a website to visit for up-to-date information at [www.avonholidayspectacular.com](http://www.avonholidayspectacular.com). The request included a \$300.00 donation for supplies. Discussion included the utilization of the un-renovated portion of the building rather than the Board/Court room. Town Clerk Knight stated there has been some conversations with fellow employees as all businesses on Genesee Street were asked to participate in the celebration. Supervisor LeFeber will take care of the heat for the day. Supervisor LeFeber and the Board appear to approve. The following action was taken:

**RESOLUTION #195 APPROVAL OF FACILITY USE AND A MONATERY DONATION**

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

**RESOLVE**, to approve Town Clerk Knight to work with the Avon Holiday Spectacular Committee, and;

**FURTHER RESOLVE**, to donate up to \$300.00 donation for the supplies, and;

**FURTHER RESOLVE**, to allow the Use of the Facility for the event.

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

**DISCUSSION - BUDGET HEARING**

Supervisor LeFeber asked for any comments on the open budget hearing. He and Deputy Supervisor Mairs provided highlights of the budget. The Board took the following action.

**RESOLUTION #196 CLOSE BUDGET HEARING**

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

**RESOLUTION #196 CLOSE BUDGET HEARING-continued**

RESOLVE to close the public hearing as all testimony has been heard.

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

**RESOLUTION #197 ADOPT THE 2019 BUDGET**

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

ADOPTED AYES 4 NAYS 1 (Deputy Supervisor LeFeber)

RESOLVE to approve the 2019 Preliminary Budget as the final budget to be provided to the Town Clerk from the Town Supervisor.

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

**DISCUSSION - OPEN ITEMS**

Councilman Drozdziel stated that he has recently had a question regarding our water reading issues and asked what procedures the Town has put in place to avoid future issues.

Supervisor LeFeber shared the following steps taken:

- Two people are reading the meters
- Replacing meters that are not working
- Consolidated the Highway and Water Department
- Telemetry being monitored
- More sharing of duties
- Whole Town audit is being conducted.
- Slippage reports and evaluating quarterly
- Flushing hydrants

Future goal is to reduce the water rate.

The audit conducted by The Bonadio Group has been reviewed and corrective measures have been determined to be effective. The final report has not been released to date.

The Board is working on providing customer confidence.

On motion of Deputy Supervisor Mairs, seconded by Councilman Harrington the meeting was adjourned at 8:11 P.M.

Respectfully submitted by:

\_\_\_\_\_  
Sharon M. Knight, MMC/RMC Town Clerk