

A regular meeting of the Town of Avon was held on Thursday, February 14, 2019 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, David Willard MRB Group Engineer, Code Enforcement Officer Brian Glise, and Town Clerk Sharon Knight MMC/RMC

VISITORS: Kevin Lillis, Joan Updaw, Barbara Phillips, Stanley Phillips, 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 Kevin Lillis asked does the gravel pit have a permit to haul in construction debris. It was recommended to work with the NYSDEC regarding their issued permits. Visitor Lillis is concerned about well water. Attorney Campbell will check with the DEC and will post all permits issued for this property on the Town of Avon website. There was discussion regarding the town code and who has the authority to issue a permit for this type of application.

Visitor Janet Manko thanked Town Clerk Knight for putting the ZBA and Planning Board minutes on the website. She also thanked the Highway Department for doing a great job of keeping the roads plowed.

RESOLUTION #31 APPROVAL OF MINUTES

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

ADOPTED AYES 5 NAYS 0

RESOLVE to approve the minutes of January 24, 2019, 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:

I met with Assessor Snyder and Councilman Drozdziel to discuss PILOTS relating to solar development. We looked at different information from other communities and states to find out what type of formula would be appropriate for Avon.

Supervisor LeFeber discussed the longevity of the PILOT and making sure it works now as well as 15 or more years from now. He also spoke of how the PILOT will be associated with the installation not the property and if it is not paid how will we collect.

Assessor Snyder stated that a PILOT can only be for 15 years according to New York State. If there is an agricultural exemption on the property it will be removed. When the solar panels are put up it changes the zoning of the property from agricultural to commercial. Roll back penalties should be enforced with the property owner.

Attorney Campbell stated the enforcement of payment must be treated differently than a real property tax. We can put language in that if the payment is not made by a certain date then the payment is in default and we can terminate the PILOT agreement.

Assessor Snyder spoke about how much can be charged per megawatt. We can't collect more in a PILOT than what would be collected in taxes. The amount may change with the cost of technology. How will we work with other taxing jurisdictions; do we have one PILOT and disburse the monies amongst all of them or does each jurisdiction create their own PILOT?

Supervisor LeFeber wanted to know what kind of timeline we are looking at. Attorney Campbell stated we need to be aggressive unless we slow down the approval process of the project. Within the next month we need to come up with a number, propose a base PILOT agreement for that number and come up with the formal wording of the contract.

There was discussion regarding Howlett Farms and if they should be assessed as agricultural or commercial.

Attorney Campbell spoke with Supervisor LeFeber regarding the audit done by Ray Wagner and one item that was discussed was the need to change our procedures for reserve funds. We need to pass a resolution to formalize the process. Attorney Campbell proposed a resolution for the board to consider and vote on at a future meeting.

DISCUSSION – ENGINEER REPORT

David Willard, MRB Group Engineer reported on the following:

We will be setting up a meeting at the end of the month in regards to the water study. We will need at least 2 representatives from both the Town and the Village.

DISCUSSION – ENGINEER REPORT-continued

I met with Councilman Coyne before the meeting regarding the back parking lot. There is the possibility of procuring a right of way to get in and out of the parking lot. We would also like to get an accurate rendering of what the finished lot would look like.

We may need to schedule a joint meeting with the Village in the near future.

There was discussion regarding the water main on Tec Drive.

DISCUSSION – CODE DEPARTMENT

Code Enforcement Officer Glise reported on the following:

- Kim and I did our annual report for title 19
- I met with Howletts.
- Matthew Buses applied for a demolition permit for the East Avon Plaza.
- I met with IDA regarding a new project on Tec Drive.

DISCUSSION – TOWN CLERK REPORT

Town Clerk Knight reported on the following:

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

NYS Gov. Cuomo – Voting should be easy
Liv. Cty. Traffic & Safety Board Minutes
Liv. Cty. Planning Dept. Morris Ridge Solar Project
Liv. Cty. Department of Health
Liv. Cty. Real Property – William Fuller
Letter from Carolyn McKee – Victor Gravel Pit Concerns
NYS Office of Community Renewal Housing Resources Funding Round Announcement
NYS Office of General Services – Community Solar Survey

Hurricane is switching our remote access software which is causing yet another issue because we have several versions of Microsoft office. We use four different computers and for \$8.25 per month they can install the newest version thus relieving all access and publisher issues. This was not a budgeted item.

Information was shared regarding an agreement with Shred-It. There was discussion regarding how long destroyed documents should be stored and where would be the best place to store them until they are picked up. Attorney Campbell gave the name of Certified Document Destruction for pricing and Town Clerk Knight agreed to get in touch with them.

Town Clerk Knight will be having surgery on her shoulder and would like the Board to appoint a 2nd Deputy Town Clerk to help cover the office while she is out.

DISCUSSION – TOWN CLERK REPORT-continued

There was discussion regarding who would be appointed and how much they would be paid. Supervisor LeFeber asked for the number of hours the person would work and what duties would be performed.

Livingston County Environmental Management Council is seeking nominations for its 21st annual Earth Day Award.

Livingston County Office for the Aging is seeking nominations for Avon Senior Citizen of the Year. Our XYZ Club, Carol Hanks has informed me that once again they will not be making a recommendation. The Board was asked to think about making a recommendation.

RESOLUTION #32 PAYMENT OF BILLS

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

ADOPTED AYES 5 NAYS 0

RESOLVE to accept for payment Abstract 2019-3 in the following amounts:

Concerning ABSTRACT of Claims Number 2019-03 including claims as follows:

General Fund	Voucher #49 through #86 in amounts totaling \$ 59,984.54
Highway Fund	Voucher #21 through #35 in amounts totaling \$ 12,626.09
Water Fund	Voucher #8 through #15 in amounts totaling \$ 3,994.48
Cemetery Fund	No Voucher
Opera Block Capital Improvement	No Voucher
Royal Springs Lighting	Voucher #2 through #2 in amounts totaling \$ 1,111.74
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 #33 ACCEPT THE MONTHLY REPORTS

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

RESOLVE to accept the monthly reports for January 2019 from the Town Supervisor and from the Town Clerk as shown below:

Town Clerk’s January 2019 Report:

Total Local Shares Remitted:	\$ 708.50
New York State Department of Health	\$ 45.00
NYS Ag. & Markets for spay/neuter program	\$ 73.00
NYS Environmental Conservation	\$ 0.00
TOTAL	\$ 826.50

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

DISCUSSION - AVON AMBULANCE

Supervisor LeFeber and Mayor Freeman met with representatives from the Avon Ambulance to discuss their future. They are looking at the County to cover from seven in the morning until five in the afternoon. The County is planning on buying another ambulance. There is enough money to operate for another month or two.

There was a discussion regarding forming an ambulance district.

DISCUSSION – SUPERVISOR’S REPORT

The Soil and Water Conservation District has trees available through funding they have and the Town could get some trees. We would have to plant them. Supervisor LeFeber will talk with Highway Superintendent Crye as to where they could be planted.

Kenron has given us three proposals for heating/cooling work to be done at the Opera Block/Town Hall Building.

Councilman Drozdziel felt that we could add electric baseboard heat to the Historian’s Office ourselves and save money.

There have been several leaks due to condensation build up and Kenron would like to put in an overflow switch. There should not be a problem if maintenance is kept up.

DISCUSSION – SUPERVISOR’S REPORT-continued

The Town has an energy management system at the Opera Block/Town Hall building and we have people that know how to use it and they should be training other people instead of us paying someone to train them. Kenron felt that the person who was trained is not taking advantage of all the efficiencies available to them. The person may not have been trained properly. We may be able to be trained by the manufacturer at no cost or find instructions on Youtube.

One of the recommendations of the recent audit was to have a yearly resolution regarding health insurance buy outs.

RESOLUTION #34 HEALTH INSURANCE BUY OUTS

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

ADOPTED AYES 5 NAYS 0

RESOLVE to ratify the resolution adopted February 10, 2011, resolution number 35, to increase from twenty percent to thirty-five percent of the cost of single, two-person, or family health, dental insurance and the Town’s HSA contribution for the fiscal year only as a buy-out, and;

FURTHER RESOLVE that consideration of the Town Board will occur annually at the Town Board Organization Meeting.

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

DISCUSSION – SUPERVISOR’S REPORT-continued

Supervisor LeFeber and Mayor Freeman will meet with the outgoing School Superintendent Aaron Johnson and the new Interim Superintendent in a couple of weeks.

In January St. Agnes Church sent a letter requesting monetary support for a project they are working on. They are asking for \$26,000.00 from the Town that will remain unallocated. The Board seemed to agree not to provide support.

OPEN ITEMS

Councilman Coyne asked if cameras are being put up at the entrance and exit of the mine on Oak Openings Road as discussed at a previous meeting. The answer was yes and the Board would like COE Glise to follow up.

OPEN ITEMS-continued

Councilman Drozdziel asked if the position on the Planning Board has been filled or if anyone had shared an interest. Supervisor LeFeber stated that no one has contacted us yet.

DISCUSSION VISITOR COMMENTS

Supervisor LeFeber asked for any visitor comments and they follow:

Assessor Snyder inquired about panic buttons in all the offices. Councilman Drozdziel stated that it is on the list of items to be worked on.

On motion of Deputy Supervisor Mairs, seconded by Councilman Harrington the meeting was adjourned at 8:02 P.M.

Respectfully submitted by:

Sharon M. Knight, MMC/RMC Town Clerk