

A regular meeting of the Town of Avon was held on Thursday, March 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, Highway/Water Superintendent Tom Crye, and Deputy Town Clerk Ellen Zapf

VISITORS: 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 – VISITORS COMMENTS

Supervisor LeFeber asked for Visitor Comments and they follow:

Visitor Janet Manko asked about the solar PILOT regarding the school?

Supervisor LeFeber spoke of a meeting he attended this morning with representatives from the county and the school about opportunities and gathering information.

RESOLUTION #42 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 February 28, 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 – HIGHWAY/WATER REPORT

Highway

- Snow removal
- Brush work
- Shop work
- Potholes

Water

- Meter changes
- Maintenance and sampling
- Flushed dead ends
- Kelly Sloan met with Cathy Higgins regarding his Class C license and everything is good

There was discussion regarding the purchase of highway equipment. Highway/Water Superintendent Cry talked about purchasing a wheel excavator and a new Peterbuilt truck. The Board took the following action:

RESOLUTION #43 AUTHORIZE THE PURCHASE OF A WHEEL EXCAVATOR

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

RESOLVE to authorize the purchase of a 2015 Caterpillar M318F Wheeled Excavator with a digging bucket for \$191,000.00.

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

RESOLUTION #44 AUTHORIZE THE HIGHWAY/WATER SUPERINTEDENT TO ORDER A 2021 PETERBUILT TRUCK

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

RESOLVE to authorize the Highway/Water Superintendent to order a 2021 Peterbuilt 567 cab and chassis truck with Tenco snow removal equipment for \$208,000.00, to be paid for next year. Pricing for this chassis follows Onondaga County Bid #8996 NYS Municipal law, section 103, subdivision 1 approved by Onondaga County on June 7, 2018.

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:

Attorney Campbell had a meeting today with the IDA about taking over the solar PILOT. The IDA would like the local municipalities to negotiate PILOTS and then get involved to offer help and/or benefits for potential developers and help us to do it properly.

The school was uninformed of processes outside of IDA structuring PILOTS. The school's attorney from Harris Beach will be a valuable resource and has resources we may be able to tap into.

There has been follow up with Helios regarding their proposal. This should be discussed in an executive session for contract negotiations. They responded to our rejection letter with a new proposal.

Attorney Campbell also asked for an executive session for an employment related matter.

There will be a joint meeting on April 11th and one item on the agenda will be for the UET IDA project to determine if the proposed use for the electronics panel control company is an appropriate use in the PDD, and if so, authorize a special permit to allow this use. I have prepared a resolution for your consideration and circulated it.

The last Right to Farm meeting generated a lot of feedback, with e-mail discussions. He is underway in crafting a draft for the board. A resident requested language regarding the use of propane cannons be put in the Right to Farm Law. Attorney Campbell is reluctant to put this type of language in the law and different ways were discussed to deal with the concern. One was to have a resolution committee, on a case-by-case basis, or with a seated board.

DISCUSSION – SEQR FOR UET ON INTERSTATE DRIVE RESPONSE

A meeting will occur on April 11th to fully discuss SEQR. The Planning Board sent a letter to the Town Board to allow them to be the lead agency. The Board took the following action:

RESOLUTION #45 ALLOW THE SUPERVISOR TO SIGN THE LEAD AGENCY REQUEST FORM

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

ADOPTED AYES 5 NAYS 0

RESOLVE to allow the Supervisor to sign the Lead Agency Request Form naming the Town of Avon Planning Board as lead agency for the Upstate Electrical Technologies Corp. Preliminary/Final Subdivision Plat & Site Plan Review

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

DISCUSSION – JOINT PLANNING & TOWN BOARD MEETING

Supervisor LeFeber questioned pulling the ZBA Board into a joint meeting with the Planning Board and Town Board on April 11, 2019. CEO Glise talked about inviting both the ZBA Board and Assessor Tami Snyder. Supervisor LeFeber will talk to Jeff Mulligan about the joint meeting, along with Lance. Dave Willard can also join and will be there by 6:30-7:00.

DISCUSSION – ENGINEER REPORT

David Willard, MRB Group Engineer reported on the following:

Engineer Willard gave updates on the water study and gave drawings to Tom and will give a drawing to the village on Monday. There has been correspondence with Michelle Banes to set up a meeting within the next couple of weeks that would include Clark Patterson to go over the county study and the joint Avon study.

Emergency hookups need to be staked out, the Town of Lima is doing a survey late next week. There was also a discussion of a memorandum of understanding with Campbell and Kruk. Details of the meeting for goals of an Intermunicipal Agreement can be found with Carl Luft who had been taking notes. It was settled on no money in the agreement and that it was just an emergency connection. An arrangement thought is that every five to ten years upon mutual agreement the towns look at it again. Regarding the water main by the interstate Supervisor LeFeber stated that after following up with Bill Bacon, after his meeting, everybody was in support, but they wanted to get numbers.

Kim has contacted people in Albany about Papermill Park to get a more formal application completed. NYSERTA money for Agar Road has come in.

DISCUSSION – ENGINEER REPORT-CONTINUED

The town asked for help with a building code review for the 3rd floor. we need more information on code compliance and site plans, what would be needed for exits and restrooms. The architect involved would need to include the latest building code standards.

Councilman Drozdziel stated that if you have an architect involved you would engage them to do this kind of work. I would ask them if they included the lasted building code standards.

DISCUSSION – CODE DEPARTMENT

Code Enforcement Officer Glise reported on the following:

CEO Glise has completed his 24-hours of training, so he is good for another year. Received a site plan today for 2120 Sackett Road. This will be for an internet car sales office. This is a permitted use for this property.

CEO Officer Glise asked Attorney Campbell about local laws and if they are sent to the State of New York. He answered yes.

DISCUSSION – TOWN CLERK REPORT

Town Clerk Knight reported on the following:

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

Clerk's monthly report for February 2019
Horseshoe Solar Open House
Livonia – Proposed Local Law 2019 – solar Moratorium
Monthly Budget Report – February 2019

Maureen Wheeler from Livingston County Economic Development sent a copy of a PILOT for Covered Wagon Tours, which was not mailed in January. The County portion was billed and paid but the Town portion was overlooked. The payment is due by April 1, 2019 and the late fees were waived as the error was due to an oversight by the County.

The Avon Preservation and Historical Society is looking for a space to store a map cabinet that is currently in their office. They were wondering if there is space available in the unfinished part of the old bank building. They would also like to know if there is electric hookup in the front windows of their museum. If so, would lights be able to be put in. The board seemed to agree that the Historical Society can store their cabinet in the unfinished part of the building.

RESOLUTION #46 ACCEPT THE MONTHLY REPORTS

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

ADOPTED AYES 5 NAYS 0

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

Town Clerk's January 2019 Report:

Total Local Shares Remitted:	\$ 1,078.56
New York State Department of Health	\$ 45.00
NYS Ag. & Markets for spay/neuter program	\$ 53.00
NYS Environmental Conservation	\$ 47.24
TOTAL	\$ 1,223.80

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

DISCUSSION – JOINT TOWN/VILLAGE MEETING

There will be a joint meeting of the Town and Village Boards on May 6, 2019. A notice will be put in the paper closer to the meeting date.

DISCUSSION – BOARD ROOM/BUILDING IMPROVEMENTS

Councilman Drozdziel reviewed a quote he received from West Fire Systems, Inc. For wireless panic buttons with the board. He discussed how many buttons would be purchased and where they would be placed. We would also purchase pendants for employees to wear when leaving their work areas.

There was also discussion regarding the location of control panels and repeaters, interfacing the distress signal with unlocking the outside doors, protocol of who would be notified when the signal goes off and cost per month for monitoring.

There was discussion about getting a pendant for the court office to help with safety issues and possibly being open Wednesday afternoons.

RESOLUTION #47 ACCEPT THE PROPOSAL FROM WEST FIRE SYSTEMS, INC.

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

RESOLVE to accept the proposal from West Fire Systems, Inc. for wireless duress equipment and installation, which includes cellular monitoring per month/year.

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

There was discussion regarding the new monitors in the board room and where equipment for the monitors should be kept. It was decided that the remotes and HDMI and HGV cables should be kept in the cabinet in the board room.

DISCUSSION PAYMENT OF BILLS

Supervisor LeFeber talked about 2 vouchers that he wasn't sure if he felt comfortable signing. One was the voucher for the lunch purchased with a town credit card that did not have the purchased items listed and did not show that tax was not paid. The board seemed to agree to have Deputy Town Clerk Zapf sign the voucher and certify that no alcohol was purchased, and no tax was paid.

Deputy Town Clerk Zapf asked the board if she can sign the vouchers for her department while Town Clerk Knight is out, or would they rather have Supervisor LeFeber sign. The board seemed to agree that Deputy Town Clerk Zapf can sign the vouchers.

The second was the voucher for the Town Clerk and Deputy Town Clerk to go to conference in May. It was decided that Deputy Town Clerk Zapf could register but not Town Clerk Knight, as she is out of work due to surgery and it is unknown when she will return. If she returns to work before the conference, then she will be able to register.

RESOLUTION #48 PAYMENT OF BILLS

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

RESOLVE to accept for payment Abstract 2019-05 in the following amounts:

RESOLUTION #48 PAYMENT OF BILLS-CONTINUED

Concerning ABSTRACT of Claims Number 2019-05 including claims as follows:

General Fund	Voucher #102 through #136 in amounts totaling \$ 13,295.05
Highway Fund	Voucher #41 through #50 in amounts totaling \$ 3,928.54
Water Fund	Voucher #23 through #27 in amounts totaling \$ 2,431.26
Cemetery Fund	No Voucher
Opera Block Capital Improvement	No Voucher
Royal Springs Lighting	Voucher #3 through #3 in amounts totaling \$ 1,741.36
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

OPEN ITEMS

Councilman Harrington stated that he does not think the town should be paying MRB Group mileage reimbursement. He also questioned how we pay Robert Frary for shoveling our walks and if there is a better way.

DISCUSSION VISITOR COMMENTS

Supervisor LeFeber asked for any visitor comments and they follow:

Visitor Judy Falzoi talked about the pros and cons of taxes by allowing commercial solar into Avon and out of state companies buying land at inflated prices. Think of the effects on property tax payers.

She also stated that Right to Farm law is already settled in New York State. The law the town is considering should be for property owners and developers.

RESOLUTION #49 EXECUTIVE SESSION

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

ADOPTED AYES 5 NAYS 0

RESOLVE to enter executive session for the purpose of discussions regarding proposed, pending or threatening litigation. and

RESOLUTION #49 EXECUTIVE SESSION-CONTINUED

FURTHER RESOLVE to enter executive session for the purpose of the medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation. TIME 7:35 P.M. inviting Attorney James Campbell

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

RESOLUTION #50 CLOSE EXECUTIVE SESSION

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

ADOPTED AYES 5 NAYS 0

RESOLVE to close executive session with no action taken at 8:35 P.M.

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

On motion of Deputy Supervisor Mairs seconded by Councilman Drozdzziel the meeting was adjourned at 8:37 P.M.

Respectfully submitted by:

Ellen M Zapf, Deputy Town Clerk