

A regular meeting of the Town of Avon was held on Thursday, May 9, 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 Drozdzziel

OTHERS: Attorney James Campbell (left at 7:00 P.M.), MRB Group Engineer David Willard, Code Enforcement Officer Brian Glise, Highway Superintendent Thomas Crye (arrived 6:35 P.M.), and Town Clerk Sharon Knight MMC/RMC

VISITORS: Mike Parks, Kathy and Don Gunther, Engineer Tom Bock, CPL - Representing LA&L Railroad, Judy Falzoi, Janet Manko and others.

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

Supervisor LeFeber stated that Attorney Campbell will be leaving the meeting early to attend the Town of York meeting.

DISCUSSION - ATTORNEY REPORT

Attorney Campbell reported on the following items:

The grant application for the Town Hall/Opera Block will require the Town Board to complete a SEQR. Attorney Campbell completed Part 1 – Project Information and as lead agent the Town Board answered the questions on Part 2 and then took the following action.

RESOLUTION #79 ADOPT THE FINDINGS TOWN HALL/OPERA BLOCK GRANT

On motion of Deputy Supervisor Mairs, second by Supervisor LeFeber the following resolution was
ADOPTED AYE 5 NAY 0

RESOLVE to adopt the Findings of Short Environmental Assessment Form, Part 2 – Impact Assessment.

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

RESOLUTION #80 NEGATIVE DETERMINATION OF SIGNIFICANCE TOWN HALL/OPERA BLOCK GRANT

On motion of Councilman Harrington, second by Deputy Supervisor Mairs the following resolution was
ADOPTED AYE 5 NAY 0

RESOLVE to determine based on the information and analysis of Part 2 and Part 3 of the Short Environmental Assessment Form, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

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

RESOLUTION #81 AUTHORIZE THE SUPERVISOR TO SIGN PART 3 DETERMINATION OF SIGNIFICANCE TOWN HALL/OPERA BLOCK GRANT

On motion of Councilman Harrington, second by Councilman Drozdziel the following resolution was
ADOPTED AYE 5 NAY 0

RESOLVE to authorize Supervisor LeFeber to sign the short environmental assessment form Part 3 Determination of Significance.

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

DISCUSSION – SOLAR PROJECT

Attorney Campbell reported that the Helios Solar Project was approved by the Planning and Zoning Board of Appeals. The Town Board had approved conceptually of the Helios Solar PILOT. Forward movement is with Attorney Campbell working on the language of the PILOT.

DISCUSSION – REQUEST FOR ZONING CHANGE OF TAX MAP NUMBER 55.-1-70.11

Engineer Tom Bock, CPL addressed the Board referring to the rezoning request dated May 3, 2019 for tax map number 55.-1-70.11 to a Planned Development District (PDD). A review of the area was conducted by those in attendance. The Board took the following action.

RESOLUTION #82 AUTHORIZE ATTORNEY CAMPBELL TO PREPARE A LOCAL LAW CHANGING THE ZONING OF TAX MAP NUMBER 55.-1-70.11

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

RESOLVE to approve Attorney Campbell to prepare documents to consider local law changing tax map number 55.-1-70.11 to a Planned Development District (PDD).

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

DISCUSSION – ZONING CHANGE TO TAX MAP NUMBER 34-1-3.132

Kathleen and Donald Gunther addressed the Board to request a zoning change to Agricultural on tax map number 34-1-3.132. There was discussion and the Board took the following action.

RESOLUTION #83 AUTHORIZE ATTORNEY CAMPBELL TO PREPARE A LOCAL LAW CHANGING THE ZONING OF TAX MAP NUMBER 34-1-3.132

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

RESOLVE to approve Attorney Campbell to prepare documents to consider local law changing tax map number 34-1-3.132 to Agricultural.

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

DISCUSSION - MICHAEL PARKS 4944 LITTLEVILLE ROAD REQUEST TOWN ASSISTANCE

Supervisor LeFeber welcomed Michael Parks to the meeting to discuss the need for drainage work on or near his property. There was a lengthy discussion of the culverts, ways to control water flow, and public property versus private property. It was determined that the culvert needs to be cleaned in the future and the property owners might benefit by performing improvements on their properties.

DISCUSSION – VISITORS COMMENTS

Supervisor LeFeber asked for Visitor Comments and there were none.

RESOLUTION #84 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 April 25, 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 Drozdzial – Aye, Councilman Harrington – Aye, Councilman Coyne – Aye, Deputy Supervisor Mairs – Aye, Supervisor LeFeber – Aye

DISCUSSION – ENGINEER

Engineer David Willard updated the Board on the following:

The plans for Interstate Drive were reviewed and looked good. IDA will be contacted to make sure the easements will be completed. Town of Avon Employee Kelly Sloan will oversee the work to protect the Town's interest.

On May 17th at 4:00 P.M. a joint water meeting with Clark Patterson will be held.

Additional information will be provided to the State regarding their grant funding of Papermill Park. The road will be reopened as the bridge work has been completed.

DISCUSSION – HIGHWAY/WATER REPORT

Highway Superintendent Thomas Crye reported on the following:

Highway: ditching, mowing, weeding parks and cemeteries, helped Lima, cleaned shop on rainy days.

Water: regular maintenance and meter changes.

RESOLUTION #85 AMEND 2019 FEE SCHEDULE

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

ADOPTED AYES 5 NAYS 0

RESOLUTION #85 AMEND 2019 FEE SCHEDULE-continued

RESOLVE to amend the fee schedule adopted January 3, 2019 by Board Resolution #10 as follows:

REMOVE

Cemetery Fees:

Single plot (approx. 4x10) with corner markers	\$525.00
Double plot (approx. 8x10) with corner markers	\$1,000.00
Grave Opening –Adult size grave	\$600.00
Grave Opening – Still born, youth size and cremations	\$350.00
South Avon Cemetery plot (approx. 4 x 4) with corner markers	\$625.00

ADD

Cemetery Fees:

Single plot (approx. 4x10) with corner markers	\$625.00
Double plot (approx. 8x10) with corner markers	\$1,200.00
Grave Opening –Adult size grave	\$650.00
Grave Opening – Still born, youth size and cremations	\$500.00
South Avon Cemetery plot (approx. 4 x 4) with corner markers	\$625.00

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

DISCUSSION – CODE DEPARTMENT

Code Enforcement Officer Glise reported on the following:

A truck complaint was received from Oak Opening Road the usual response was we are looking into the complaint that was provided. Councilman Harrington suggested the person should be referred to the NYS Department of Conservation.

Larry Crye and Ronald Thew are requesting subdivisions of their property.

Supervisor LeFeber stated that he has concerns of a Zoning Board Member not attending ZBA meetings.

DISCUSSION – TOWN CLERK REPORT

Town Clerk Knight reported on the following:

DISCUSSION – TOWN CLERK REPORT-continued

- Communications were received and forwarded to the Town Board via email:
 - Notifications of Public Hearings – Livonia
 - Request for zoning changes – LA&L Railroad
Kathleen & Donald Gunther
 - Liv. Cty. Water & Sewer Authority – minutes
 - Liv. Cty. Planning Board – Training on invasive species
 - Liv. Cty. Planning Board – Agenda
 - Liv. Cty. Traffic & Safety Board Minutes
 - Congressman Chris Collins – Update
 - Liv. Cty. Downtown Enhancement Program
 - Geneseo – Proposed local law – Solar Farms

A thank you was extended to the Town Board for their support of both Ellen and I to attend the New York State Town Clerk Association Annual Conference. Also, to keep our office open with Jordon Zapf who is an experienced Deputy Town Clerk.

Documents for the purchase of a grave and for burial in the East Avon Cemetery was provided to the Town Clerk, however; the information was incomplete and returned. A deed will be provided when the completed information is received.

DISCUSSION - PAYMENT OF BILLS

Supervisor LeFeber mentioned the continued reduction in electric costs at the Highway Barns. This month the cost was \$34.00.

RESOLUTION #86 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 2019-09 in the following amounts:

RESOLUTION #86 PAYMENT OF BILLS-continued

Concerning ABSTRACT of Claims Number 2019-09 including claims as follows:

General Fund	Voucher #192 through #216 in amounts totaling \$ 10,219.87
Highway Fund	Voucher #73 through #84 in amounts totaling \$ 194,703.26
Water Fund	Voucher #42 through #47 in amounts totaling \$ 2,519.71
Cemetery Fund	No Voucher
Opera Block Capital Improvement	No Voucher
Royal Springs Lighting	Voucher #5 through #5 in amounts totaling \$ 1,023.53
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 #87 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 April 2019 from the Town Supervisor and from the Town Clerk as shown below:

Town Clerk’s April 2019 Report:

<u>Total Local Shares Remitted:</u>	<u>\$1,281.61</u>
<u>New York State Department of Health</u>	<u>\$ 45.00</u>
<u>NYS Ag. & Markets for spay/neuter program</u>	<u>\$ 68.00</u>
<u>NYS Environmental Conservation</u>	<u>\$ 359.99</u>
<u>TOTAL</u>	<u>\$ 1,754.60</u>

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 windows on the front outside of our building need to be repainted and Kelly Cole has volunteer to paint them. Supervisor LeFeber requested the job be completed by the Corn Festival.

Discussion continued from the last meeting of the grant application for renovation of the third floor Town Hall/Opera Block. The Schematic Design Estimate of Probable Construction – 2019 Update does not include architect costs, which will run from 5 to 8 percent of the project. It was questioned what the projected vision is for the 3rd floor. Supervisor LeFeber stated that the space could be used for performances, non-profits, the Avon Historical Society provides programs currently at the Village Hall and the Opera Block could be used, the space would not be competing with the private sector.

There was further discussion regarding what needs to be addressed to complete the project. There will be the need to allow for additional monies to pay for additional documents like program verification, concept drawings, CD’s and contract administration. Maybe the project should be done in phases.

A meeting was held with the Deputy that made the arrest at Papermill Park and the Board had made the determination that charges are not made, and community service will be completed.

The small claims court case against the Town for water billing will be heard in the Town of Caledonia. Attorney Campbell and Supervisor LeFeber will attend on behalf of the Town.

DISCUSSION – OPEN ITEMS

Councilman Coyne reported that a “Right to Farm Law” meeting will be held on Tuesday evening. Public comments are welcomed, and Judy Falzoi was reminded that she would be allowed to speak for three minutes.

Deputy Supervisor Mairs updated the Board stating that the Workplace Violence and Sexual Harassment training is to be scheduled in August.

DISCUSSION – PURCHASE OF TABLES AND CHAIRS FOR THE TOWN BOARD ROOM

Councilman Drozdziel presented a recommendation within budget to purchase tables and chairs for the Town Board Room. Photos of chairs and tables with specifications, a proposed layout, a quote, summary, detailed purchase offer and product options were provided and discussed. The Board took the following action.

RESOLUTION #88 APPROVE THE PURCHASE OF TABLES AND CHAIRS

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

ADOPTED AYES 5 NAYS 0

RESOLVE to approve the purchase of tables and chairs from KI, quote number: CR632_R3/C in the amount of \$13,205.76.

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

DISCUSSION – OPEN ITEMS-continued

There was discussion regarding the purchase of new laptop computers for the Code enforcement officer and the Town Clerk’s office.

An insurance company representative is scheduled to tour the Highway Barns and the Opera Block/Town Hall on Monday, May 13, 2019.

DISCUSSION VISITOR COMMENTS

Supervisor LeFeber asked for any visitor comments and they follow:

Visitor Judy Falzoi asked about the solar PILOT. Supervisor LeFeber stated that Attorney Campbell is continuing to fine tune the document.

On motion of Councilman Harrington seconded by Deputy Supervisor Mairs the meeting was adjourned at 8:25 P.M.

Respectfully submitted by:

Sharon M Knight, MMC/RMC Town Clerk