

A regular meeting of the Town of Avon was held on Thursday, May 23, 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

GUESTS: Avon Honorees of the Livingston County Teen Recognition Award Margaret Dempsey, McKenzie Low, Emelia Mislán, Kristina Webster, and Avon Seniorama Honoree Beverly K. Brown

Honorees not in attendance: Erin Kress, Trinity McDowell, Sydney Boone, Payton DiFranco, and Holly Rohrbach

OTHERS: Attorney James Campbell, MRB Group Engineer David Willard, Code Enforcement Officer Brian Glise, and Deputy Town Clerk Ellen Zapf

VISITORS: Robert Westfall, Molly Low, Betty Hanna, Stephanie Dempsey, Rick Mislán, 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 there were none.

RESOLUTION #89 APPROVAL OF MINUTES

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

ADOPTED AYES 5 NAYS 0

RESOLVE to approve the minutes of May 9, 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

Supervisor LeFeber welcomed the Avon Senior Honoree and the Avon Honorees' of the Livingston County Teen Recognition Award, read their biographies and presented them with certificates of appreciation.

Beverly K. Browne is recognized today for her volunteerism and good citizenship. Bev has lived in Avon her whole life and plans to stay there because, in her words, “everyone is very caring and giving and it is a great community to live in.” Bev has many nieces and nephews and loves to visit them all; they keep her young at heart.

Bev trained to be a nursing assistant and worked at Highland Hospital for 42 years. In retirement, Bev continues to serve others. She is a volunteer at the Avon Nutrition Site where she assists four days a week and has for many years. Over the last 4 years, Bev has volunteered over 2000 hours. She loves interacting with those who come there and helping to serve lunch. She even loves helping to clean up each day. Participants of the program say the following about Bev: “she always has a smile on her face, she never uttered a harsh word to or about anyone, she has a heart of gold, and she is the kindest person I know.”

Bev loves to camp especially in the Adirondack mountains. She loves the beauty of the surroundings and the fresh air. She usually goes with her brother and this family. She also loves to knit, mostly scarves, go to the movies with friends, read, and watch her nephew play baseball, football, and basketball. Go Avon Braves! Bev goes to church daily and participates in Rosary evenings.

For her caring spirit, her love of all things Avon, and her great service to others, the Town of Avon recognizes Beverly K. Browne.

Sydney Boone is a student at Avon Central School and always steps up and helps wherever needed. She volunteers her time at school as Class President and Vice President of Student Council. She is a three-sport athlete, captain of the swim team, and helps the modified swim program off-season. She is a peer mentor and on the Superintendent's Advisory Council and still very active in Girl Scouts. Sydney has worked on numerous Interact fundraising activities and is a great liaison for the program. She enjoys involvement with school and community to help wherever she can. Sydney represents a leader by being a great asset to the school and community.

Shannon DiFranco, Avon Rotary Interact

Margaret "Maggie" Dempsey is an extremely conscientious and able student. She has faced indescribable family loss, and instead of using it as an excuse, she channeled all her energy and pain into doing good for others. She became even more determined to make a positive impact on the world - her every action is testament to a strong family upbringing and deeply rooted values placed on hard work and humility. She has served as a role model for her peers through her dedication to work, diligent practice, school spirit, and determination to be the finest participant and team player she can be. Her role as a prominent contributor to numerous high school clubs and committees, such as Student Council, National Honor Society, Foreign Language Club, Interact, and Yearbook, demonstrates that she approaches activities the same way she does her studies—with giddy perseverance and a radiant spirit.

It is rare that someone can juggle classes, sports, clubs, and volunteer all at the same time, but Maggie has done it, and does it exceptionally well. She is an all-star! She single-handedly created Cards of Love, an organization through which she works with the American Cancer Society to send handmade cards to cancer patients. With the Avon Rotary Club, Maggie has given her time at auctions, numerous other events, and has even made fudge to donate! On multiple occasions, she has welcomed home veterans from Honor Flights at the Rochester airport.

Maggie has been a peer mentor through school, her pageant association, and her church. The list of Maggie's involvements is too long to describe in detail, but the spirit that Maggie exudes is awesome - her willingness to help others, all the time! She does so with a huge, genuine smile. She is concerned with her academic progress and continually strives to excel in her studies. Her academic achievements are commended by the numerous recognitions she has received over the years. In addition, Maggie has achieved distinction in many extra-curricular activities, proving her to be quite well rounded. She is a scholar athlete, participating in volleyball and track and has actively participated in several 5K benefits, food drives, and cleanup days. She is the epitome of selflessness and inspires us to go out and rock the world the way she's doing.

Naoisa Hoskins, Teacher, Avon Central School

Payton DiFranco embodies leadership in a myriad of roles in his community and school. He is a terrific role model for peers and the younger students in his school. He is a goal-orientated leader who stands up for everyone's beliefs and for students needing guidance. In a world dominated by so many negative stereotypes and bullying, he always exceeds expectations. He is involved in all the school plays and during off-season mentors younger students in preparation for future plays. He also helps out on weekends with the behind stage scene prep. While balancing high honor and National Honor Society rolls, he has worked part-time at Dunkin Donuts for the past two years. He works with school programs to help his teachers in the Game Club/TIES Program and finds it rewarding when kids write him thank you notes for his help. Somehow he is able to juggle all his roles - Treasurer of Communications club, Art club, trained in peace circles, library advisory Vice President, peer mediating, chorus and Bel Canto, helping behind the scenes with Avon Interact Club, and being responsible for morning and afternoon announcements. He was part of the Young Entrepreneur's Academy and remains an entrepreneur. Most of all, he is compassionate and respectful with adults and kids of all ages. Payton is never afraid to speak up and lead any project or task. He embodies leadership by its definition of cooperative, role model, motivator, selfmotivator and mentor.

Ed Kime, Avon Rotary

Erin Kress spent last summer volunteering for the Town of Livonia Recreation program dedicating her summer to making camp memorable for kindergarteners! Her warm and welcome smile started each day with a little sunshine. Her compassionate nature provided problem resolution that was wise beyond her years. Her creative and athletic nature brought great direction for those very energetic children. Erin has been very active in school musicals, is an A Team leader, and soccer player. Those are the strengths she drew on to share with the campers. Her mentorship is remarkable and her volunteerism greatly appreciated.

Craig Emmerling, Recreational Director, Town of Livonia

McKenzie Low has been a member of the Livingston County 4-H program for 11 years and an active member of Teen Council for the past four years. McKenzie has shown herself to be a very versatile young lady, volunteering and leading in a number of capacities. For the past few years, she has run the registration table at 4-H events and as the first point of contact for families, she is friendly and welcoming and able to direct participants. At the Spring Egg Hunt, McKenzie not only greeted families, but also addressed the crowd as a whole, introducing the program and giving directions; which was very challenging given the outdoor environment and eagerness of participants.

Last spring, she successfully led a group of Cloverbuds at *Let's Get Outdoors Day*, a regional outdoor themed event. She took direction from a key volunteer, and confidently led kids through a number of stations throughout the day. While serving as Teen Council President, McKenzie came prepared to meetings, ran efficient business meetings, organized community service events, and listened to all members' input. Being sure all members felt their voice was heard was of particular importance to McKenzie as she served in this role, and she did an excellent job of seeing this through. In addition, she serves on the 4-H Advisory Committee, working with staff and adult volunteers. She has offered many ideas for improving events such as the Food Tent at the Hemlock Fair and Achievement Day. This year, she has taken on a new challenge and has been accepted as a member of the State Teen Action Representatives Retreat, or STARR. This is a teen retreat that is planned and facilitated by teens and their adult mentors. To be a member of the STARR Planning committee requires a long-term commitment and the ability to work well with peers and adults. McKenzie has met all deadlines, attended inperson and webinar planning meetings and during the retreat will lead several roundtable/team-building. McKenzie has demonstrated time and again that she is willing to work with and lead people of all ages, within the 4-H program and beyond.

Renee Hopkins, Cornell Cooperative Extension 4-H Program

Trinity McDowell has coached Avon Youth Flag team for the past four years. Throughout that time she has also become very involved within her community. She enjoys being part of the youth cheer program and helping younger kids realize their potential and purpose. She says that she realizes that kids can be difficult, but they are passionate about what they do and she loves seeing that excitement. It makes her very proud to be part of it. Her favorite part of helping with a youth team is not about where they rank, rather it is about being able to talk to them, see their faces light up, and their amazing energy. They look up to her as a role model and it gives her such pride to be able to show them how important they are to our community. Trinity is a positive role model with all of the youth cheerleaders. They know her and love her. They see her being a huge part of a competitive cheer team, while maintaining a job at Wegmans, doing her schoolwork, and coaching them. Trinity never misses practices and always has time to make the younger kids feel special. She has become an ambassador for the program as well as a leader in the community.

Ashley Herkimer, Coach, Avon Central School

Emelia Mislán is a quiet leader but takes responsibility by example. This three - sport athlete is captain of the swim team and enjoys mentoring future swimmers. She has been class Vice President for the past four years and is National Honor Society President and band President. She helps tutor students and is an active member of the Buddies program. Her time in Interact has helped her be much more involved and to help lead fundraisers and to brainstorm. She commits herself to a variety of projects and activities in school and the community. Even though she is a quiet leader she doesn't back down to bullying or negative behavior. She prides herself on being a team builder through humor and suggested reasoning. She is a champion supporter of sporting events, friends, and family. As a trusted individual with adults and peers she can be a smart and organized team leader.

Shannon DiFranco, Avon Rotary Interact

Holly Rohrbach has been a member of the Livingston County 4-H Program for several years and an active participant in Teen Council for the past two years. During this time, she quickly established herself as a positive influence. She is a hard worker with an upbeat attitude and always a smile. She worked with other members of Teen Council to host a Spring Egg Hunt for Livingston County youth. Holly was in charge of welcoming and directing families. Her cheerful demeanor put families at ease right away and set a positive atmosphere. Holly volunteered last spring to work with 4-H youth from around the Finger Lakes region for an outdoors-themed event. She was paired with a group of Cloverbuds (the youngest members) and successfully led them through several workshops throughout the day. The unsolicited feedback from the adult in charge spoke of Holly's aptitude as a leader. The children loved her; she took direction well and showed initiative when needed.

This year, Holly sought out a more formal leadership role in Teen Council and has been elected Secretary. Holly's work ethic and uplifting personality make her a wonderful addition to the 4-H program.

Renee Hopkins, Cornell Cooperative Extension 4-H Program

Kristina Webster, a student at Avon Central School, is a kind, compassionate and creative young lady. She has been a member of the Livingston County 4- H program for 11 years; during which time she has developed a number of life skills through practice and participation. One area in which Kristina has excelled is food preparation. Kristina has participated in the annual *Produced in New York Food Demonstration*, in which she prepared a recipe in front of judges and families. Each year, Kristina creates a new challenge for herself, continually learning new and more complex recipes. Her hard work paid off and she was selected to participate at the State Fair level more than once. Kristina has now moved from participant to teen evaluator and applies much of the knowledge and skills she gained in a new way. As an evaluator, she offers thoughtful, positive feedback aimed at helping young members grow.

Kristina is also very involved in her church; has been an Acolyte, participated in Sunday school, and lends her lovely soprano voice to the annual Christmas Cantata. She also volunteers as Sunday school teacher, acting as a role model by preparing lessons and crafts for the younger children. For the past five years, Kristina has participated in Irish Dancing and has traveled to nursing homes to perform for residents. She also enjoys acting in Summer Theater and has done some modeling. Kristina sets a wonderful example, demonstrating what hard work and perseverance can do for you. We are so fortunate to have youth like Kristina, who give back and lead in such a positive and impactful way.

Renee Hopkins, Cornell Cooperative Extension 4-H Program & Julia Witzel, Session Member, First Presbyterian Church of East Avon

Supervisor LeFeber and the Town Board thanked all the Honorees for their service to others and to the Town of Avon.

DISCUSSION - ATTORNEY REPORT

Attorney Campbell reported on the following:

Attorney Campbell presented the Town Board with Three local laws, they are as follows:

Local Law T-2A-2019 – Right to Farm Law

Local Law T-3A-2019 – LA&L Rezone from agriculture to PDD

Local Law T-4A-2019 – Gunther Property Rezone from PUD to Agriculture

Each law was discussed, and Attorney Campbell was asked to send referrals to the County Planning Board. The Town Board then took the following action:

RESOLUTION #90 SET PUBLIC HEARING FOR LOCAL LAW T-2A-2019

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

ADOPTED AYES 5 NAYS 0

RESOLVE, to adopt the following legal notice:

**TOWN OF AVON
LEGAL NOTICE
NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN, pursuant to the provisions of the Code of the Town of Avon, and pursuant to the Town Law §130 that a public hearing shall be held by the Town Board of the Town of Avon, at the Opera Block/Town Hall, located at 23 Genesee Street, Avon, New York at 6:00 P.M. on Thursday, June 27, 2019 for the purpose of considering public opinion and comment about or concerning a proposed local law relating to the following:

A Right To Farm Local Law recognizing that agriculture is vital to the Town of Avon and that in order to maintain a viable farming economy in the Town of Avon, farmers must be afforded protection allowing them the right to farm while recognizing that it is important to strive for harmony between agricultural businesses and other non-agricultural uses within the community.

A copy of the proposed local law is available for review by the public at the office of the Town Clerk during regular Town Clerk hours, or by visiting the Town Government page of the Town and Village web site at www.avon-ny.org

All interested persons are invited to appear and be heard at the aforesaid time and place.

Dated: May 28, 2019

Published: June 13, 2019

By Order of the Town Board of the Town of

Avon

Sharon Knight, RMC/MMC Town Clerk

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

RESOLUTION #91 SET PUBLIC HEARING FOR LOCAL LAW T-3A-2019

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

ADOPTED AYES 5 NAYS 0

RESOLVE, to adopt the following legal notice:

**TOWN OF AVON
LEGAL NOTICE
NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN, pursuant to the provisions of the Code of the Town of Avon, and pursuant to the Town Law §130 that a public hearing shall be held by the Town Board of the Town of Avon, at the Opera Block/Town Hall, located at 23 Genesee Street, Avon, New York at 6:15 P.M. on Thursday, June 27, 2019 for the purpose of considering public opinion and comment about or concerning a proposed local law relating to the following:

A local law to amend the boundaries of a certain zoning district currently known as Agricultural District (A), within the Town of Avon, Livingston County, New York, changing such certain specified area to a zoning classification of Planned Development District (PDD).

The area that is affected by the modified zoning classification is a parcel known as 2851 and 2861 Lakeville Road (New York State Route 15), Town of Avon, County of Livingston and State of New York, also being known as Tax Identifier Map Parcel No. 55.-1-70.11, said parcel being located on the south side of New York Interstate 390 and being on the east side of Lakeville Road and containing approximately 113.60 +/- acres of land, all as conveyed by Deed recorded in Liber 1281 of Deeds at page 2646.

A copy of the proposed local law is available for review by the public at the office of the Town Clerk during regular Town Clerk hours, or by visiting the Town Government page of the Town and Village web site at www.avon-ny.org

All interested persons are invited to appear and be heard at the aforesaid time and place.

Dated: May 28, 2019

Published: June 13, 2019

By Order of the Town Board of the Town of Avon

Sharon Knight, RMC/MMC Town Clerk

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

RESOLUTION #92 SET PUBLIC HEARING FOR LOCAL LAW T-4A-2019

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

ADOPTED AYES 5 NAYS 0

RESOLVE, to adopt the following legal notice:

**TOWN OF AVON
LEGAL NOTICE
NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN, pursuant to the provisions of the Code of the Town of Avon, and pursuant to the Town Law §130 that a public hearing shall be held by the Town Board of the Town of Avon, at the Opera Block/Town Hall, located at 23 Genesee Street, Avon, New York at 6:30 P.M. on Thursday, June 27, 2019 for the purpose of considering public opinion and comment about or concerning a proposed local law relating to the following:

A local law to amend the boundaries of a certain zoning district currently known as Planned Unit Development (PUD) within the Town of Avon, Livingston County, New York, changing such certain specified area to Agricultural District (A).

The parcel to be amended from Planned Unit Development (PUD) to a new designation of Agricultural District (A) is located on the east side of New York State Route 39, south of where it intersects with Littleville Road and being further described as follows: All that tract or parcel of land situate in the Town of Avon, County of Livingston, State of New York, known as 4550 Red Fox Run and bearing Tax Identifier Map Parcel Number: 34.-1-3.131

Containing 5.4 Acres, more or less.

A copy of the proposed local law is available for review by the public at the office of the Town Clerk during regular Town Clerk hours, or by visiting the Town Government page of the Town and Village web site at www.avon-ny.org

All interested persons are invited to appear and be heard at the aforesaid time and place.

Dated: May 28, 2019

Published: June 13, 2019

By Order of the Town Board of the Town of Avon

Sharon Knight, RMC/MMC Town Clerk

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

DISCUSSION - ATTORNEY REPORT-continued

The Helios PILOT should be ready by the next meeting.

An application was received from Hanson for expansion that I am reviewing.

DISCUSSION – CODE DEPARTMENT

Code Enforcement Officer Glise reported on the following:

I inspected a stake out for a new build on Antonio Drive and took a complaint about the gravel pit on Oak Openings Road.

Code Enforcement Clerk McDowell created a Zoning Compliance Letter for use in our office. Many banks and realtors are asking the Code Department for permit and other code related searches for properties. Other towns do charge for zoning compliance searches and CEO Glise was wondering if the town would like to add this to our fee schedule. Most towns charge \$15.00 to 25.00 per request.

There was discussion regarding the amount to be paid for this service and how we would collect the money. The Board then took the following action:

RESOLUTION #93 AMEND 2019 FEE SCHEDULE

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

ADOPTED AYES 5 NAYS 0

RESOLVE to amend the fee schedule adopted May 9, 2019 by Board Resolution #85 as follows:

Demolition	\$50.00
Move/Relocate Structure	\$30.00
Truss Construction Stickers	\$25.00
Single Family Residence - with foundation	.15 sq. ft . \$200.00 Min
Single Family Residence - without foundation	.15 sq. ft . \$185.00 Min
Double/Multi-family - with foundation	.20 sq. ft . \$250.00 Min
Double/Multi-family - without foundation	.20 sq. ft . \$215.00 Min
Mobile Homes	.12 sq. ft. \$100.00 Min
Modular Homes - with foundation	.15 sq. ft . \$200.00 Min
Modular Homes - without foundation	.15 sq. ft . \$185.00 Min
Basement/Foundation/Crawl Space	\$35.00
Accessory Bldgs:	
including but not limited to: Sheds, Garages, Barns - with foundation	.10 sq. ft . \$50.00 Min
including but not limited to: Sheds, Garages, Barns - w/o foundation	.10 sq. ft . \$25.00 Min
Porches/Decks/Three Season Room	.10 sq. ft. \$50.00 Min
Interior Alterations	.12 sq. ft. \$50.00 Min
Additions	.12 sq. ft. \$75.00 Min

Fences	\$30.00
Chimney/Fireplace/Woodstove	\$40.00
Wheelchair Ramps	\$25.00
Pool – Above Ground with enclosure	\$50.00
Pool – In Ground with enclosure	\$60.00
Hot Tub	\$30.00
Re-roofing	\$40.00
Generator/Furnace/Hot Water Heater Installation	\$40.00
Tank Installation/Removal	\$25.00
Tower Construction	\$10/linear foot
Tower Collocation	\$25.00 + \$1/linear foot
Tower Equipment Repair	\$200.00
Sign Permits	\$1.50 sq.ft. \$25.00 Min
Sign Permits – Temporary	\$25.00
Site Visit – Flood Zone Interpretation	\$25.00
Additional Site Visit	\$25.00
Certificate of Occupancy/Compliance NOT under Permit	\$50.00
Permit One Year Renewal Fee	\$50.00
Zoning Compliance Request Letter	\$25.00

Commercial/Industrial

Truss Commercial Construction Stickers	\$50.00
0 to 4,000 sq. ft floor space	.15 sq. ft.
4,001 sq. ft +	.12 sq. ft.
Commercial Storage Buildings	.10 sq. ft.
Commercial Foundations/Crawl Space	\$100.00
Special Use Permits ** not on application so haven't charged for this	\$25.00
Planning Board/Zoning Board of Appeals Publication Fees	\$45.00 per notice
Area/Use Variance ** not on application so haven't charged for this	\$15.00
Site Plan Review ** not on application so haven't charged for this	\$50.00
Subdivision Application	\$50.00 + \$10.00 per lot
Tower Conditional Use Permit Application Fee	\$500.00
Tower Conditional Use Permit	\$1,000.00

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

Town Clerk:

Service Fees:

Photocopies per page	\$0.25
Fax	\$1.00

Dog Fees:

Annual license: spayed/neutered	\$10.00
---------------------------------	---------

unspayed/unneutered	\$15.00
Certified Therapy Dog	\$.00
Purebred license: 1 – 10 dogs	\$25.00
11 – 25 dogs	\$50.00
26 – more dogs	\$100.00
Replacement tag	\$3.00
Enumeration	\$5.00

Town Code Books:

Town of Avon Code Book - Current General Code Price	Current
Supplements	Cost of last update divided by the # of copies
Subdivision of Land – Chapter 113	\$25.00
Design Criteria and Construction Specifications for Land Development	\$25.00
Zoning – Chapter 130	\$25.00

Peddler/Solicitor:

For a person licensed as a hawker, peddler or solicitor:	
For a period of six months or less	\$25.00
For a period in excess of six months but not for more than one year	\$100.00

For a person licensed to assist a hawker, peddler or solicitor:	
For a period of six months or less	\$15.00
For a period in excess of six months but not for more than one year	\$50.00

Highway Department Fees:

Brush and tree dumping	\$50.00 per six-wheel loader
------------------------	------------------------------

Water Department Fees:

Tapping fees – short side	\$2,400.00
Tapping fees – long side	\$3,200.00
Tapping fees – state road	\$3,600.00 plus \$800.00 materials
Tapping fees – over standard 1- inch service	– as per quote
Meter Pit with above	\$700.00
Meter Pit (includes meter)	\$1,000.00 material only \$350.00 installation only
Termination of existing water service at water main	\$800.00
Meter & Reader	\$250.00
Shut off/turn on existing service	\$32.50 per event
Remove meter in addition to turn on/off	\$12.50 per event
Inspection	\$50.00 per visit

Dump Day Fees: (10 tire limit)

Motorcycle tires	\$3.00
Car and small truck sixteen inches or under	\$5.00
Large Pick-up truck or SUV tires over sixteen inches	

	\$12.00
Dump truck	\$20.00
Tractor tire	\$40.00

Engineering, Attorney & Other Professional Services:

Engineering, Attorney or Other Professional Services at actual cost to Town of Avon

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

DISCUSSION – CODE DEPARTMENT-continued

CEO Glise and Code Clerk McDowell would like to attend a seminar in Cheektowaga on June 13th the Code Office would need to be closed early that day. The Town Board seemed to approve.

DISCUSSION – ENGINEER REPORT

MRB Group Engineer David Willard reported on the following:

There is an easement that needs to be granted to the town from the IDA or from UET on Interstate Drive for the water main. Clark Patterson will need to put together a map and description of the property and Attorney Campbell will put together the easement document.

Supervisor LeFeber stated that that Bill Bacon from the IDA would like an independent contractor to install the water main. The work will be inspected by the Town Highway Superintendent or by MRB Group before dedication and the applicant will be charged.

Engineer Willard attended a meeting on Friday with Livingston County and Clark Patterson to review the mapping for the joint water study. We are moving ahead.

DISCUSSION – TOWN CLERK REPORT

Deputy Town Clerk Zapf reported on the following:

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

Lima proposed Solar Law
Livingston. County WSA meeting agenda
Zoning Compliance Letter Request

DISCUSSION – OPERA BLOCK GRANT

Supervisor LeFeber welcomed Bob Westfall a member of the Opera Block Grant Committee to give an update.

Mr. Westfall reported that the grant application is due by July 1, 2019 and that Heather Grant from Livingston County, who has been assisting in the process, recommended that the grant be referred to as and on going project instead of a new one and to get as many letters of support as possible. Several letters have been obtained.

Mr. Westfall also handed out a list of suggested uses for the renovated third floor.

Councilman Drozdziel asked if the grant could include other things such as projection equipment, furniture, lighting and other fixtures and suggested that the question be asked.

There was also discussion regarding in-kind contributions from the town, bathrooms on the third floor to make the building ADA compliant, and has a code compliance review been done. There needs to be enough money to make sure the project is completed.

Mr. Westfall stated that there will be another meeting next week and he will return to the next board meeting with an update.

DISCUSSION – AMEND WORKPLACE VIOLENCE PREVENTION POLICY STATEMENT

Deputy Town Clerk Zapf stated that the Workplace Violence Prevention Policy Statement needs to be amended to reflect the change of the designated contact person. The board took the following action:

RESOLUTION #94 ADOPT AMENDED WORKPLACE VIOLENCE PREVENTION POLICY STATEMENT

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

ADOPTED AYES 5 NAYS 0

RESOLVE to amend the adopted resolution #154-2016 the Workplace Violence Prevention Policy Statement as required by New York State Department of Labor regarding citation one; item one:

**Town of Avon
APPENDIX 1****WORKPLACE VIOLENCE PREVENTION POLICY STATEMENT
Adopted:**

Town of Avon is committed to the safety and security of our employees. Workplace violence presents a serious occupational safety hazard to our agency, staff, and clients.

Workplace Violence is defined as any physical assault or act of aggressive behavior occurring where a public employee performs any work-related duty in the course of his or her employment including but not limited to an attempt or threat, whether verbal or physical, to inflict physical injury upon an employee; any intentional display of force which would give an employee reason to fear or expect bodily harm, intentional and wrongful physical contact with a person without his or her consent that entails some injury, or stalking an employee with the intent of causing fear of material harm to the physical safety and health of such employee when such stalking has arisen through and in the course of employment.

Acts of violence against any of our employees where any work-related duty is preformed will be thoroughly investigated and appropriate action will be taken, including involving law enforcement authorities when warranted. All employees are responsible for helping to create an environment of mutual respect, for each other as well as clients and visitors, following all policies, procedures and practices, and for assisting in maintaining a safe and secure work environment.

This policy is designed to meet the requirements of New York State Labor Law Art. 2 §27-b and highlights some of the elements that are found within our Workplace Violence Prevention Program. The process involved in complying with this law includes a workplace evaluation that is designed to identify the risks of workplace violence to which our employees could be exposed. Authorized Employee Representative, will, at a minimum, be involved in:

- evaluating the physical environment;
- developing the Workplace Violence Prevention Program; and
- Reviewing workplace violence incident reports at least annually to identify trends in the types of incidents reported, if any, and reviewing the effectiveness of the mitigating actions taken.

All employees will participate in the annual Workplace Violence Prevention Training Program. The goal of this policy is to promote the safety and well-being of all people in our workplace. All incidents of violence or threatening behavior will be responded to immediately upon notification. All personnel are responsible for notifying the contact person designated below of any violent incidents, threatening behavior, including threats they have witnessed, received, or have been told that another person has witnessed or received.

Designated Contact Persons: Thomas Mairs
Title: Councilman
Department: Town Board
Phone: 585-746-6413
E-mail: tmairs@avon-ny.org

Or

Designated Contact Persons: Sharon M. Knight, MMC/RMC
Title: Town Clerk
Department: Town Clerk
Phone: 585-226-2425 Ext. 10
E-mail: toaclerk@frontiernet.net

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 Superintendent Thomas Crye was not in attendance.

Supervisor LeFeber stated that the board needs to consider the resignation of Motor Equipment Operator James Kime. If his resignation is accepted the town would need to put an ad in the paper and hopefully by July someone would be hired. The person would need to be able to plow by the winter. The board took the following action:

RESOLUTION #95 ACCEPT THE RESIGNATION OF JAMES KIME

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

RESOLVE to accept the resignation of Motor Equipment Operator, James Kime effective June 27, 2019.

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

RESOLUTION #96 AMEND THE COMPLENSATION SCHEDULE

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

RESOLVE to amend the 2019 Compensation Schedule effective June 27, 2019 by removing the following:

Kime, James	Motor Equipment Operator	Full Time	\$25.35/hr.	\$25.90/hr.
-------------	--------------------------	-----------	-------------	-------------

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 that the Governor's budget for this year will not include the Emergency Winter Recovery money that we normally receive. We budgeted for this money and now we will be around \$20,000.00 short. We have enough in reserves to stay on schedule.

The state changed the amount paid to the Assessor for the reevaluation that she did last year. In 2014 she received \$3.20 per parcel this time it was reduced to \$2.70 per parcel.

DISCUSSION – SUPERVISOR REPORT-continued

The AIMS money that comes from the state will not be taken away. But will be funded by sales tax dollars that come from the County.

There is an open seat on the Planning Board, and we have received two letters of interest. Supervisor LeFeber will set up interviews with the interested parties to meet with Planning Board Chairwoman Kathy Cole, Councilman Paul Drozdziel and himself.

One of the members of the ZBA Board has had many unexcused absences. He has attended only nine of the last twenty-three meetings with no notification that he would not be in attendance. Supervisor LeFeber will ask the member what his intent is.

There was discussion regarding the AUD which is the annual report that goes to the state. The State Comptroller raised six points of concern which needs to be addressed. Baldwin Business Services will investigate the matter.

Supervisor LeFeber will contact the State Comptroller's Office to let them know we received their letter and are working on it.

The town received a request from Standard & Poor's regarding the town's credit rating. We want to keep the rating we have because it helps when we need to get bonds. Supervisor LeFeber will submit information that is requested. The town needs to have a General A fund balance of \$500,000.00. There was discussion as to what is considered to determine the rating.

Supervisor LeFeber talked about the all town audit for 2018 and that Kim and he will meet with Tom on June 5, 2019 to review. There are somethings which he is concerned about regarding Baldwin Business Services which could affect him in his position as Supervisor.

Supervisor LeFeber did a case report regarding the damage done by vandals at Papermill Park. He would like the persons responsible to perform their community service with the Highway Superintendent, possibly to work on the small pavilion with the picnic table, which needs repairs.

There was discussion as to whether Tom Crye would need to babysit the people while they work and if so, we should reassess the determination we made with the Sheriff's Department.

Avon resident Zach Cracknell is interested in being on the committee for the renovation of Papermill Park if there is one.

DISCUSSION – AVON AMBULANCE BUILDING

There was a lengthy discussion regarding the offer of the Avon Ambulance, which is dissolving, to donate their building to the Town of Avon.

Items discussed were:

- County is not interested in the building
- We will be helping with the upkeep, like mowing and taking care of the lawn.
- The town really doesn't need the building and we could sell it.
- What should be stated in the contract
- What would need to be done if we sell the building and what the revenue would be used for.
- Should the town have an engineer do a walk through and inspect the building.

Supervisor LeFeber will communicate back to the Ambulance Board and let them know we are interested, and Attorney Campbell will process the legal documents.

RESOLUTION #97 ALLOW THE SUPERVISOR TO SIGN A LETTER OF INTENT TO ACCEPT THE DONATION OF THE AVON AMBULANCE BUILDING

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

RESOLVE to allow the Town to accept the donation of the Avon Ambulance Building subject to receiving an acceptable letter of intent from the Ambulance Board indicating its desire to donate the property to the Town of Avon and Authorize the Town Attorney to begin preparations for transfer of title including survey and abstract of title.

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

DISCUSSION – PAYMENT OF BILLS

Councilman Coyne asked about the voucher for Dell. It was stated that the voucher was for the new computers purchased by the town through state bid and has nothing to do with Hurricane Technologies.

RESOLUTION #98 PAYMENT OF BILLS

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

RESOLUTION #98 PAYMENT OF BILLS-continued

RESOLVE to accept for payment Abstract 2019-10 in the following amounts:

Concerning ABSTRACT of Claims Number 2019-10 including claims as follows:

General Fund	Voucher #217 through #245 in amounts totaling \$ 10,320.13
Highway Fund	Voucher #85 through #88 in amounts totaling \$ 2,928.40
Water Fund	Voucher #48 through #50 in amounts totaling \$ 52,861.33
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

OPEN ITEMS

Attorney Campbell thanked Councilmen Coyne and Harrington for all the work they did with the Right to Farm Committee.

Councilman Drozdziel stated that he met with representatives from Commercial Power Systems at the town barns this morning to look at options for a new generator and I should get an estimate within a week.

There was discussion regarding the size of generator needed for the barn and why the unit purchased from the Town of York would not work. We will surplus the generator purchased from the Town of York and it will be out for bid.

DISCUSSION VISITOR COMMENTS

Supervisor LeFeber asked for any visitor comments and they follow:

Visitor Judy Falzoi spoke about the decommissioning of solar fields. She discussed information she has gathered on the Helios Company who is looking to install a solar field in Avon.

Robert Westfall asked how solar will affect the landscape of the town and what is the town getting for allowing solar.

RESOLUTION #99 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

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 8:26 P.M. inviting Attorney James Campbell

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

RESOLUTION #100 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 8:54 P.M.

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

On motion of Supervisor LeFeber seconded by Deputy Supervisor Mairs the meeting was adjourned at 8:55 P.M.

Respectfully submitted by:

Ellen M Zapf, Deputy Town Clerk