

A regular meeting of the Town of Avon was held on Thursday, June 27, 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, Code Enforcement Officer Brian Glise, Highway/Water Superintendent Tom Crye, Historian Maureen Kingston and Town Clerk Sharon M Knight MMC/RMC

VISITORS: Michael Fallett, Betty Rhodes, Cindy Kellen, Pam Taggart-Rice, Chris Rice, 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 #112 APPROVAL OF MINUTES

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

ADOPTED AYES 5 NAYS 0

RESOLVE to approve the minutes of June 13, 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 – OPEN PUBLIC HEARING FOR TOWN OF AVON LOCAL LAW NO. T-2A-2019 ENTITLED THE RIGHT TO FARM LAW OF THE TOWN OF AVON, NEW YORK

Supervisor LeFeber opened the public hearing by reading 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

Councilmen Coyne and Harrington reported that the committee held thorough discussions and the law was in harmony with the other towns. Attorney Campbell guided the committee.

Discussion included but was not limited to the following:

Small areas that are farmed.
Livingston County Planning Board also had long deliberation on incorporating small farms.
New York State Agricultural Laws
Dispute Resolution Committee versus Code Violation Issues

DISCUSSION – OPEN PUBLIC HEARING FOR TOWN OF AVON LOCAL LAW NO. T-3A-2019 ENTITLED A LOCAL LAW TO AMEND THE BOUNDARIES OF THE AGRICULTURAL DISTRICT (A) AND CHANGE A PORTION OF SUCH AREA TO A ZONING CLASSIFICATION OF PLANNED DEVELOPMENT DISTRICT (PDD), ALL WITHIN THE TOWN OF AVON, LIVINGSTON COUNTY, NEW YORK.

Supervisor LeFeber opened the public hearing by reading the following legal notice.

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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

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Sharon Knight, RMC/MMC Town Clerk

DISCUSSION – PUBLIC HEARING FOR TOWN OF AVON LOCAL LAW NO. T-3A-2019 ENTITLED A LOCAL LAW TO AMEND THE BOUNDARIES OF THE AGRICULTURAL DISTRICT (A) AND CHANGE A PORTION OF SUCH AREA TO A ZONING CLASSIFICATION OF PLANNED DEVELOPMENT DISTRICT (PDD), ALL WITHIN THE TOWN OF AVON, LIVINGSTON COUNTY, NEW YORK.-continued

Attorney Campbell reported on the Livingston County Planning request for an extension to review their concerns such as impacts including traffic and they requested more information. He stated that the Board had completed their legal requirements, the County Planning board does not have to approve the extension but if they voted to adopt the law a super majority would be required. He suggested to continue with the public hearing to hear testimony and to engage our Town Engineer. Clark Patterson is aware of the situation with the County Planning review. Another area of concern is the unknown of subsequent uses of the Planned Development District (PDD).

Councilman Harrington questioned what traffic changes are expected.

A business is “Rail to Truck” agricultural business products. The volume is unknown but would include our regional area. Traffic studies would be necessary. The full build out is large.

Councilman Drozdziel spoke of not knowing the complete plan is a concern. A general concept plan to zone to PDD is needed. Additional usage is individual. Attorney Campbell stated that its not unusual to not share the complete plan as it is competitive and employees could seek alternative employment notification, the timing is crucial. You do not want to lose your employees. New York State Department of Transportation will be involved to study the area. Supervisor LeFeber stated discussion would continue after the opening of tonight’s third public hearing.

DISCUSSION – OPEN PUBLIC HEARING FOR TOWN OF AVON LOCAL LAW NO. T-4A-2019 ENTITLED A LOCAL LAW TO AMEND THE BOUNDARIES OF A CERTAIN PLANNED UNIT DEVELOPMENT AND TO CHANGE A PORTION OF SUCH AREA BY EXTENDING THE BOUNDARIES OF THE AGRICULTURAL ZONING DISTRICT OF THE TOWN OF AVON, LIVINGSTON COUNTY, NEW YORK.

Supervisor LeFeber opened the public hearing by reading 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

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By Order of the Town Board of the Town of Avon

Sharon Knight, RMC/MMC Town Clerk

DISCUSSION – CONTINUED LOCAL LAW T-3A-2019

Supervisor LeFeber asked for any public comments and Visitor Cindy Kellen read the following comments stating that she is not in favor of the proposed law:

If the Town Board approves this PDD two residential properties will be surrounded by commercial business. These two properties already have water problems and there is no plan for water runoff for the PDD. The proposed driveway on Route #15 has visibility problems with South bound traffic. The town is working on a “Right to Farm” law to protect farms in Avon and now you are looking into rezoning 113 acre of prime soil to PDD for commercial use.

Town Code 130-18-A-1- Planned Development District states – suitability of land proposed for such development shall be determined by reference to the Comprehensive Plan. Other plans and official policies used to guide development in the Town and the existing and prospective character of surrounding land uses.

The Comprehensive Plan states on:

Page 34 – Agricultural preserve agricultural use whenever possible.

Page 40 – Minimize the impacts of developments on agricultural land and preserve prime soil.

DISCUSSION – CONTINUED LOCAL LAW T-3A-2019

Page 45 – Continue to protect and support the growth and operations of our local farms and agricultural business.

Page 58 – The Town should direct development away from agricultural areas and prime soil.

Page 59 Agricultural – The Town should consider other zoning techniques to protect farming operations from encroachment of non-farming uses.

Page 57 - Future land use maps shows – Interchange development exit 9, north of the railroad track – South of the railroad track – remains agricultural.

I attended the June 13th Livingston County Planning Board meeting. The County raised concerns with the driveway South of the railroad tracks on Route #15.

The County also recommended that the Town of Avon follow their comprehensive plan and allow the development of the property North of the railroad tracks and leave the property South of the railroad tracks agricultural.

I ask that the property be sub-divided, and the railroad tracks and northern section be changed to a PDD. I ask that the section South of the railroad track remain zoned agricultural.

Visitor Falzoi is not in favor of the proposed law after listening to the County Planning Board discussion.

The 2016 Comprehensive Plan Futures map and text would allow interchange development around Exit 9 of I-390 highway. The DAN Plan supports development.

There was considerable discussion by the Livingston County Planning Board about changing the land use. The Farmland Protection Plan was brought up and questions were asked about the benefit to the area if farmland is removed from production. Since no one could answer the question about what uses might be allowed in the PDD the benefit could not be provided.

The Planning Board wanted to know more about the kind of development envisioned by the Town Board before beginning their approval to the rezone proposed. One more farm owner needs to be notified since their land is within the notification area.

I think the area is suited for development – especially if it means jobs and taxes paid to the Town and County. However, how the PDD land can be used should be specified in our zoning code. With several uses specified in the PDD code, people will know what to expect. That is reasonable. The County Planning Board had no information so made no recommendation.

I recommend updating the PDD code in the town to satisfy the need to stay within town regulations. People need to know what the PDD being considered might mean to Avon.

DISCUSSION – CONTINUED LOCAL LAW T-3A-2019

Please wait to rezone this area until the task of rezoning and mapping are completed. Add permitted uses to the PDD Code.

Councilman Drozdziel questioned if the land was being farmed and the response was yes.

Visitor Pam Rice stated that she is not in favor of re-zone as the plan is fifty feet from her home. There are currently water problems and its's questionable if additional water problems will occur with the zoning change.

Betty Rhode and John purchased their forever home in 1955 and are not in favor of having a parking lot with trucks coming and going next to their home.

Visitor Pam Rice stated that when she purchased her home a few years ago the assessment was much higher than it is today.

Visitor Falzoi suggested an alternative site and that there is possible grain drying.

Supervisor LeFeber stated that eleven to twelve acres for this may be needed and that a suggestion of different use of property be modified with a new application.

Attorney Campbell stated our Engineer and Livingston County Industrial Development Director Bill Bacon will be contacted to share the discussion of the County Planning and this public hearing. The Town Board appeared to agree that north of the railroad would be a more likely place that approval would be granted.

Visitor Rice is not in favor of the proposed local law and requested board members visit her property the next time there is rain.

DISCUSSION –PUBLIC HEARING FOR TOWN OF AVON LOCAL LAW NO. T-4A-2019 ENTITLED A LOCAL LAW TO AMEND THE BOUNDARIES OF A CERTAIN PLANNED UNIT DEVELOPMENT AND TO CHANGE A PORTION OF SUCH AREA BY EXTENDING THE BOUNDARIES OF THE AGRICULTURAL ZONING DISTRICT OF THE TOWN OF AVON, LIVINGSTON COUNTY, NEW YORK. -continued

Supervisor LeFeber asked for further discussion and Visitor Falzoi questioned if this was spot zoning. Supervisor LeFeber responded stating that the property was originally agricultural and would be a continuation of agricultural zoning. The neighbors are in support of the change as a Mr. & Mrs. Gunther provided signatures of their neighbors stating they had no objection to the zoning change.

Visitor Manko stated that there is a need for a new zoning map and many others agreed. Supervisor LeFeber will follow-up with the County.

RESOLUTION #113 – CLOSE HEARING LOCAL LAW T-4A-2019 ENTITLED A LOCAL LAW TO AMEND THE BOUNDARIES OF THE AGRICULTURAL DISTRICT (A) AND CHANGE A PORTION OF SUCH AREA TO A ZONING CLASSIFICATION OF PLANNED DEVELOPMENT DISTRICT (PDD), ALL WITHIN THE TOWN OF AVON, LIVINGSTON COUNTY, NEW YORK.

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

ADOPTED AYES 5 NAYS 0

RESOLVE to close the public hearing on Local Law T-4A-2019

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

RESOLUTION #114 ADOPT THE FINDINGS LOCAL LAW T-4A-2019

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

ADOPTED AYES 5 NAYS 0

RESOLVE to adopt the findings of Full Environmental Assessment Form Part 2.

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

RESOLUTION #115 NEGATIVE DETERMINATION OF SIGNIFICANCE LOCAL LAW T-4A-2019

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

ADOPTED AYES 5 NAYS 0

RESOLVE to determine based on the information and analysis of Part 2 and Part 3 of the Full 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 #116 AUTHORIZE THE SUPERVISOR TO SIGN SEQR DOCUMENTS AND PART 3 DETERMINATION OF SIGNIFICANCE LOCAL LAW T-4A-2019

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

RESOLVE to authorize Supervisor LeFeber to sign the full environmental assessment for Part 2 and Part 3 Determination of Significance.

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

RESOLUTION #117 ADOPT LOCAL LAW 2-2019

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

**LOCAL LAW NO. T-2-2019 OF THE YEAR 2019
OF THE TOWN OF AVON**

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).

Be it enacted by the Town Board of the Town of Avon as follows:

SECTION 1. TITLE AND SCOPE

This local law shall be known as “A LOCAL LAW TO AMEND THE BOUNDARIES OF A CERTAIN PLANNED UNIT DEVELOPMENT AND TO CHANGE A PORTION OF SUCH AREA BY EXTENDING THE BOUNDARIES OF THE AGRICULTURAL ZONING DISTRICT OF THE TOWN OF AVON, LIVINGSTON COUNTY, NEW YORK.”

SECTION 2. PURPOSE.

The purpose of this local law is to modify the boundaries of the Ashantee Planned Unit Development zoning district within the Town, changing such certain specified area to Agricultural District.

SECTION 3. LOCATION OF MODIFIED ZONING DESIGNATION.

The parcels to be amended from Planned Unit Development (PUD) to a new designation of Agricultural District (A) are 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.

The above described parcel being shown as Lot 1 and Lot 3 on a Boundary Survey Map prepared by Welch & O'Donoghue, Land Surveyors, P.C., dated January 4, 2016 and designated as Job No. L89-2878 AG, which said Lots were later combined into one unified Tax Identifier Map Parcel Number: 34.-1-3.131.

The totality of those lands described above shall be modified from its present zoning classification of Planned Unit Development (PUD) to Agricultural District (A) and the official Zoning Map of the Town of Avon shall be amended to reflect such reclassification (although not contemporaneously with the adoption of this Local Law).

SECTION 4. EFFECTIVE DATE.

This local law shall be effective immediately upon its filing with the Office of the Secretary of State.

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

DISCUSSION – OPEN POSITION - DEPUTY HISTORIAN

Supervisor LeFeber stated that he had been approached by Clara Mulligan who is interested in the position of Deputy Historian and placed this on the agenda tonight. Supervisor LeFeber welcomed Historian Maureen Kingston to the meeting and she addressed the Board stating that the position of Deputy Historian became vacant after Holly Watson was appointed by the County to a position with the Livingston County Historians Office. She had begun as a college student/volunteer, was hired to the position of Deputy Historian, and then hired by the County.

The Deputy assists the Historian with multiple tasks including the annual sixth grade visit and computer systems assistance. We are currently backlogged as we have been without a Deputy for a six-month period. The recommendation of Clara Mulligan was made to the Board. She does a good job with the Historical Society, fields questions and has a different set of assets to bring to the Historian's Office

RESOLUTION #118 AMEND COMPENSATION SCHEDULE

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

ADOPTED AYES 5 NAYS 0

RESOLVE, to amend the 2019 Compensation Schedule as follows:

ADDING

2019 Town of Avon Employee Compensation Schedule

Name	Position/Duties	Status	2018Rate	2019 Rate
Claire Mulligan	Deputy Town Historian	Part Time	\$15.30	\$15.30

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

DISCUSSION –PUBLIC HEARING FOR TOWN OF AVON LOCAL LAW NO. T-2A-2019 ENTITLED THE RIGHT TO FARM LAW OF THE TOWN OF AVON, NEW YORK-continued

Attorney Campbell spoke of changes possibly being made regarding small farms and the roll of the dispute committee.

Visitor Judy Falzoi read the following:

I do not agree with the local law as presented tonight. It does not follow the Findings, Intent and Purpose in Section 1. It does not fit with the primary and secondary purposes.

I object strongly to the inclusion of small farms and homesteads in a local law meant to agree with NYS Farm Law which benefits the business of farming but not non-commercial farming.

I ask that all reference to small farm and homesteads be deleted before further consideration of a local right to farm law continues.

Livingston County Planning Board also had questions about including small farms which a land use is regulated in our zoning code. I am surprised to see small farms included.

I am able to provide a more detailed narrative about why this land use should not be included. I am also providing the Town Board with my comments relating to other parts of the law. I have printed comments on a copy of the law for your convenience. I hope my suggestions lead to a better local law.

DISCUSSION –PUBLIC HEARING FOR TOWN OF AVON LOCAL LAW NO. T-2A-2019 ENTITLED THE RIGHT TO FARM LAW OF THE TOWN OF AVON, NEW YORK-continued

Visitor Judy Falzoi provided the board her written information.

Visitor Janet Manko inquired on how members of the dispute committee would be appointed, would they be paid, and the term of their appointment.

Attorney Campbell stated that these items are defined in the law and would be constituted when needed. This would be for mediation only.

New York State offers classes in mediation training.

It was decided by the Town Board to leave hearing open so Attorney Campbell can revise the draft law and present it at the next meeting.

DISCUSSION - ATTORNEY REPORT

Attorney Campbell reported on the following two items:

A proposed local law, T-5A-2019, establishing a temporary land use moratorium prohibiting large scale battery energy storage system installations within the Town of Avon was presented to the Town Board. Attorney Campbell will refer to the Livingston County Planning Board for comment. No public hearing was set at this time.

A PILOT for Helios was completed and Supervisor LeFeber signed the contract. After it's signed by Helios, an original copy will be provided for the Town Clerk as the Records Management Officer.

DISCUSSION – CODE DEPARTMENT

Code Enforcement Officer Glise provided the following written and verbal report:

**DEPARTMENTAL REPORT
BUILDING & ZONING
APRIL 12, 2019 - JUNE 24, 2019**

The following Building Permits were issued during the time period April 12, 2019 - June 11, 2019:

2019-0013	Stokoe	manure storage	4/12/2019
2019-0014	Pike	replace sign	4/19/2019
2019-0015	Flora	demolition - interior	4/23/2019

2019-0016	Cole	demolition of barn	4/26/2019
2019-0017	Davin	Shed replacement (2)	4/26/2019
2019-0018	Hudson	pole barn for storage	4/26/2019
2019-0019	Sleeper	storage shed	4/29/2019
2019-0020	Dyke	deck	4/30/2019
2019-0021	Davin	re-roof	4/30/2019
2019-0022	Heeres	fence	5/9/2019
2019-0023	Richland Resources	Office building	5/10/2019
2019-0024	Enos	furnace & AC	5/17/2019
2019-0025	Hatch	new home	5/20/2019
2019-0026	Stroud	master bath and bedroom addition	5/21/2019
2019-0027	Gillen	re-roof	5/21/2019
2019-0028	Flora	deck	5/31/2019
2019-0029	Wade	fence	6/4/2019
2019-0030	Fusco	pole barn for storage	6/6/2019
2019-0031	Adamczyk	generator	6/10/2019
2019-0032	Cook	addition w/ basement	6/11/2019
2019-0033	Cole	pole barn	6/12/2019
2019-0034	Mulligan	roof mounted solar panels	6/12/2019
2019-0035	Waide	addition to existing garage	6/14/2019
2019-0036	Pride & Joy	sign near entrance of parking lot	6/14/2019

TOTAL PERMIT FEES FOR TIME PERIOD
FEES OUTSTANDING FOR TIME PERIOD
TOTAL FEES COLLECTED

The following are permits currently renewed for one year:

- Stafford # 2018-0013 renewed until 4/19/2020
- Miller #2018-0011 renewed until 4/26/2020
- Richard #2018-0024 renewed until 6/8/2020

The following are projects/permits currently working on:

- Farr variance for side set back on garage addition - going to ZBA 4/22/19 - public hearing 6/24/19
- Helios (Howlett Farms) solar farm was approved
- Papermill Road - house renovations without a permit - Brian speaking with owner to get a permit - still no permit -no work being done currently
- Tom Mattice, Upstate Electrical Technologies Corp - approved - no permit submitted to start building
- Hanson expansion - site plan and special use permit applications have been accepted by Planning & ZBA boards - joint meetings are scheduled for July & August

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

Code Enforcement Officer Glise is using the TV and computers for Planning and Zoning Board of Appeals meetings and they are working out really good.

At the last Zoning Board of Appeals meeting there was discussion on the Hanson expansion.

Complaints continue to come into the offices for the Oak Openings mine. He asked the Board if they want him to hang out to monitor trucks and the Board responded, no. All complaints are shared with Dale at the New York State Conservation Department and he is replying to those complaining.

Assistance was requested of Attorney Campbell regarding the amount of land needed to house horses. It was thought that five acres would be required but after speaking with Assessor Snyder it may be an Ag. & Markets law that requires seven acres of several acres per horse. Attorney Campbell will investigate.

Land Tech checked the fire alarms at the Town Barns.

DISCUSSION – HIGHWAY/WATER REPORT

Highway Superintendent Thomas Crye reported on the following:

Highway- Mowing parks and cemeteries, cut ash trees, paved lake road, school, fixed potholes, County work, shop clean-up and maintenance, rain damage cleaned-up, new loader arrived today, and they took the old loader.

Water - Maintenance and replaced meters.

DISCUSSION – ENGINEER REPORT

Supervisor LeFeber stated that Mr. Willard is not in attendance due to a graduation.

All hydrants are currently working.

There was discussion on the Village/Town water study.

Easements are being collected for improvements to Interstate Drive waterlines.

An agreement with the Town of Lima for water is being worked on.

Councilman Harrington share a concern of one of the Village workers with property on Pole Bridge Road. He is having drainage issues and asking for assistance with the amount of water that drains on and through his property when it rains. Discussion included the following:

Some new drainage pipelines were installed by our Highway Department and additional replacement lines are scheduled to be installed later this summer.

Prior years a neighboring property owner maintained a drainage ditch and the new owner removed a hedge row.

A similar water drainage issue was discussed at a recent meeting and it was determined at the Town cannot go onto private property. Other options are for homeowners to petition the Town Board to create a drainage district that would charge those within the district that benefit from the district. Careful consideration must be given to the downstream flow of water. A drainage report was conducted by MRB Group for the Village and Town that included Pole Bridge Road from Lake Road to Routes #5/20 and funding has been applied for but not yet approved. There was no board action.

Supervisor LeFeber spoke of prior maintenance of drainage that protect our infrastructure on Antonio Drive.

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:

Robert Freeman – Foil Visit
 Smart Solar Siting Webinar
 Greenworks Initiative
 Liv. Cty. Water & Sewer Agenda
 Town of York Proposed Local Laws 2, 3, & 4
 NYCLASS
 Local Law T-5A-2019

There was discussion on the Annual Sixth Grade visit for the Annual Mock Town Board Meeting. Ideas of local laws to be considered by sixth graders are welcomed.

RESOLUTION #119 DESTROY RECORDS

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

ADOPTED AYES 5 NAYS 0

Resolve to authorize the Town Clerk to destroy records as presented:

Town of Avon
 Index of Destroyed Records

In accordance with the current
 SARA MU-1 Records Retention &
 Disposition Schedule,
 the following records have been
 determined to be obsolete and are
 to be destroyed:

Record Series Name or Description	MU-1 Section Number	Inclusive Dates	Cubic Feet Destroyed	Date Record Obsolete
Inventory of Asset Records	12.[484] Public Property & Equipment	1999-2017	1 ½ inches	2000-2018
Correspondence	10.[10] General	2002-2004	2 inches	2002-2004

Department Approval: _____ Date: _____

Confidential?

Yes ___

No X

Date of Destruction

Board Approval: _____ Date: _____

Record Series Name or Description	MU-1 Section Number	Inclusive Dates	Cubic Feet Destroyed	Date Record Obsolete
Disbursements by Account	Fiscal, Claims & Warrants 1.[275]	2012	3 inches	2018
Highway Miscellaneous	Fiscal, Banking & Investment Banking 1.[263]	2012	1/4 inch	2018
Audit 2001 by tammy Steinburg	Fiscal, Audit 1.[260]b	2001	1/4 inch	2009
Checking - General, Highway, Water, Cemetery, Justice, Trust & Agency, Capitol, Opera Block	Personnel/Civil service 1.[364]b	2008	3 inches	2014
Savings- Capitol, Cemetery, HSBC, Bank of Castile	Fiscal, Banking & investment 1.[263]]	2012	1 inch	2018
Payroll Journals Quarterly	Fiscal, Payroll 1.[345]	2012	3 inches	2018
Deposit Tickets	Fiscal, Banking & Investments 7.[269]	2012	1/4 inch	2018
NYS Retirement/Correspondence	Fiscal, Payroll 15.[359]	2012	1/2 inch	2018
Fixed Assets	Public Property & Equipment 12.[484]	2012	1/2 inch	2013
Enrollment FS Account	Fiscal Payroll 9.[353]	2012	1/2 inch	2018

Budget Vs Actual	General Account & Miscellaneous 10.[254]	2012	1/2 inch	2018
W-4's & Youth W-4's	Fiscal, Payroll 18.[362]	2012	1 1/2 inches	2018
Service Contract	General 6.[6]	2012	1/8 inch	2016
Direct Deposit & Youth DD	Fiscal, Payroll 20.[724]	2012	1/2 inch	2018
Budget Worksheets	Fiscal, Budget Prep Files 1.[51]	2012/2013	3 inches	2018
1099's	Fiscal, Payroll 17.[361]	2012	1 inch	2018
Liv. County workers comp/Self Insurance	Fiscal, Payroll 1.[345]	2012	1/4 inch	2018
Voided Checks	Fiscal, Banking & Investments 1.[263]	2012	1/4inch	2018
I-9 Employment Eligibility Verification	Fiscal, Payroll 18.362]	2012	1/4 inch	2018
General Miscellaneous	Health Insurance/Public Employee 9.[372]a	2012	1/4 inch	2018
Annual Report	General 23.[23]b	2011/2012	2 inches	2017-2018
Cemetery Miscellaneous	Personnel/Civil Service-Health & Life Insurance 9.[372]c	2012	1/4 inch	2018
Youth Applications	Personnel/Civil Service - Personnel 1.[364]b	2012	1 inch	2018
Town Clerk Monthly Report	Fiscal, 1.[283]	2012	1/8 inch	2018
MVP/Aetna/AFL AC/Disability/Blue Cross/Excellus	Fiscal, Claims & Warrants 1.[275]	2012	3 inches	2018
Liv. County Personnel	Personnel/Civil Service - Personnel 1.[364]b	2012	1/2 inch	2018
B.A.N./Pledged Securities	Fiscal, Banking & Investment 9.[274]	2012	1/2 inch	2018

Confidential Department Approval: _____ Date: _____

Yes No _____ RMO Approval: _____ Date: _____

Board Approval: _____ Date: _____

Date of Destruction _____

Attorney Approval: _____ Date: _____

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

RESOLUTION #120 PAYMENT OF BILLS

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

ADOPTED AYES 5 NAYS 0

RESOLVE to accept for payment Abstract 2019-12 in the following amounts:

Concerning ABSTRACT of Claims Number 2019-12 including claims as follows:

General Fund	Voucher #282 through #301 in amounts totaling \$4,314.93
Highway Fund	Voucher #100 through #107 in amounts totaling \$12,142.86
Water Fund	Voucher #61 through #62 in amounts totaling \$273.58
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

DISCUSSION – SUPERVISOR REPORT

Interviews were conducted for the open position of Planning Board Member by Supervisor LeFeber, Councilman Drozdziel and Planning Board Chairperson Kathy Cole. A recommendation will be made at a future meeting as there needs to be further consideration.

DISCUSSION – OPEN ITEMS

There were no open items.

DISCUSSION VISITOR COMMENTS

Supervisor LeFeber asked for any visitor comments and there were none.

On motion of seconded by the meeting was adjourned at 8:59 P.M.

Respectfully submitted by:

Sharon M. Knight Town Clerk, MMC/RMC