

A regular meeting of the Town of Avon was held on Thursday, August 22, 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 and Councilmen Malachy Coyne, James Harrington and Paul Drozdziel

ABSENT: Deputy Supervisor Thomas Mairs

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

VISITORS: Kevin Lyons, Cindy Kellen, Pam Taggart Rice, Chuck Morgan, 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 – VISITOR’S COMMENTS AND/OR PUBLIC HEARINGS

Supervisor LeFeber asked for visitor’s comments and they are as follows:

Visitor Janet Manko thanked the Highway/Water Department for cleaning up the drainage ditch in Royal Springs.

Visitor Kevin Lyons of 1806 Athena Drive spoke of the need to repair sidewalks in the Royal Springs neighborhood. There is one spot where a water valve is sticking up through the sidewalk and is a tripping hazard.

There is also a street-light out and needs to be replaced. It was suggested to contact the Town Clerk’s Office with the pole information so a form could be faxed to National Grid.

Visitor Lyons also spoke of concrete being dumped at the end of Athena Drive. A homeowner is replacing concrete on his property and dumping the debris in the turnaround. He questioned if the property is owned by the Town and if this is legal.

Supervisor LeFeber stated he will ask the Highway Superintendent to investigate the situation and determine if the questioned property is owned by the homeowner or the Town.

RESOLUTION #153 APPROVAL OF MINUTES

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

ADOPTED AYES 4 NAYS 0 ABSENT 1(Deputy Supervisor Mairs)

RESOLUTION #153 APPROVAL OF MINUTES-continued

RESOLVE to approve the minutes of August 8, 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 – Absent, Supervisor LeFeber – Aye

Supervisor LeFeber stated the Public Hearing on local law T-3A-2019 – Amend the Zoning District boundaries of the Agricultural District (A), reclassifying a portion of that District to Planned Development District for tax map # 55.-1-70.11 remains open.

**DISCUSSION – OPEN PUBLIC HEARING – LOCAL LAW T-5A-2019
MORATORIUM ON AND PROHIBITION OF LARGE-SCALE BATTERY
ENERGY STORAGE SYSTEMS**

Supervisor LeFeber also opened the Public Hearing on local law T-5A-2019 – A local law to establish a Moratorium on and Prohibition of Large-Scale Battery Energy Storage Systems within the Town of Avon, New York 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, August 22, 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 establish a Moratorium on and Prohibition of Large-Scale Battery Energy Storage System Installations within the Town of Avon, New York.

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: July 31, 2019
Published: August 15, 2019

By Order of the Town Board of the Town of Avon
Sharon Knight, RMC/MMC Town Clerk

DISCUSSION - LOCAL LAW T-3A-2019

Attorney Campbell stated that he has spoken with an engineer from Clark Patterson, the engineers for LA&L Railroad they have not made any new submissions and the County is waiting for additional information. Clark Patterson will reach out to the IDA. As no new information has been received the public hearing will be left open.

DISCUSSION – LOCAL LAW T-5A-2019 LARGE SCALE BATTERY STORAGE MORATORIUM

Attorney Campbell stated that Livingston County Planning Board gave their approval without any comments. As it is a Type 2 action there is very little to do with SEQR. If the town moves forward with the moratorium it gives us time to learn more about battery storage, how it will affect the town and how to incorporate it into our code.

Supervisor LeFeber suggested the formation of an exploratory committee to investigate what large scale battery storage encompasses and come back with suggestions.

Visitor Janet Manko stated she is in favor of the moratorium. She urged the board to look at the Town's comprehensive plan. Knowledge is power.

Visitor Chuck Morgan is also in favor of the moratorium. This gives time to understand what information is real or not and how this will impact the community. He also urged the board to look at the Town's comprehensive plan.

Visitor Judy Falzoi also favors a moratorium. She gave Town Board Members, Attorney Campbell and CEO Glise several handouts with information regarding large scale battery storage.

The Town needs to be proactive with safety issues and the emergency response personnel need to be trained. If an exploratory committee is put together, she suggested a member from each of the Planning Board and Zoning Board of Appeals be placed on it.

DISCUSSION - ATTORNEY REPORT

Attorney Campbell reported on the following items:

Attorney Campbell discussed the inter-municipal emergency water agreement between the Town of Avon and the Town/Village of Lima. This project is moving forward, and the grant funding has been acquired. An inter-municipal agreement has been put together and needs to be signed by all parties.

Attorney Campbell presented the agreement to the Town Board and they took the following action:

RESOLUTION #154 AUTHORIZE THE SUPERVISOR TO SIGN THE INTER-MUNICIPAL EMERGENCY WATER AGREEMENT

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

ADOPTED AYES 4 NAYS 0 ABSENT 1(Deputy Supervisor Mairs)

RESOLVE to authorize the Supervisor to sign the inter-municipal emergency water agreement between the Town of Avon and the Town/Village of Lima

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

DISCUSSION - ATTORNEY REPORT-continued

Attorney Campbell stated there was previous discussion about bookkeeping issues. Supervisor LeFeber asked Attorney Campbell to reach out to Bonadio Group and they are willing to come and speak with the board at the September 26th meeting regarding the services they offer.

Supervisor LeFeber stated the Deputy Supervisor Mairs, Kim McDowell his confidential secretary and he will be going to Nunda on September 3rd to start work on the tentative budget for 2020. At the next meeting he would like to set up a work session to meet with department heads regarding their budget requests.

Attorney Campbell stated there is a lot of activity in the county regarding solar. Please keep in mind any communication received regarding solar requires a response by the town within 60 days stating we will require a PILOT. We will need to coordinate with the County and school district to make sure they are not missing out on any dollars.

RESOLUTION #155 CLOSE PUBLIC HEARING LOCAL LAW T-5A-2019

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

ADOPTED AYES 4 NAYS 0 ABSENT 1(Deputy Supervisor Mairs)

RESOLVE to close the public hearing on Local Law T-5A-2019

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

RESOLUTION #156 DECLARE SEQR A TYPE II ACTION

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

ADOPTED AYES 4 NAYS 0 ABSENT 1(Deputy Supervisor Mairs)

RESOLVE to declare that the Large-Scale Battery Energy Storage System Installations Moratorium is a type II action under SEQR.

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

RESOLUTION #157 ADOPT LOCAL LAW 4-2019

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

ADOPTED AYES 4 NAYS 0 ABSENT 1(Deputy Supervisor Mairs)

RESOLVE to adopt the Local Law 4-2019 as follows:

TOWN OF AVON LOCAL LAW NO. 4-2019

A LOCAL LAW ESTABLISHING A TEMPORARY LAND USE MORATORIUM PROHIBITING LARGE SCALE BATTERY ENERGY STORAGE SYSTEM INSTALLATIONS WITHIN THE TOWN OF AVON

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

SECTION 1. TITLE

This Local Law shall be known as the “Moratorium on and Prohibition of Large Scale Battery Energy Storage System Installations within the Town of Avon.”

SECTION 2. STATUTORY AUTHORITY; PURPOSE AND INTENT.

This Local Law is intended to be consistent with and is adopted pursuant to the authority granted to the Town Board of the Town of Avon under the New York State Constitution, and the Laws of the State of New York, including but not limited to the following authorities: New York State Constitution Article IX, Section 2 (c)(ii)(6), (10); Municipal Home Rule Law § 10(1)(i); Municipal Home Rule Law § 10(1)(ii)(a)(6), (11), (12), and (14); Municipal Home Rule Law § 10(1)(ii)(d)(3); Municipal Home Rule

Law § 10(2); Municipal Home Rule Law § 10(3); Municipal Home Rule Law § 10(4)(a), and (b); Statute of Local Governments §10(1), (6), and (7); Town Law § 64 (17-a); Town Law § 130(3) and (15); Town Law §135; Town Law Article 16 (Zoning & Planning) inclusive; Environmental Conservation Law §3-0301(1)(b), 3-0301(2)(m) and 8-0113 and 6 NYCRR Part 617, also known as the State Environmental Quality Review Act, as it pertains to applications that are neither excluded nor exempt from this local law.

This Local Law is a land use regulation. This Local Law is intended and is hereby declared to address matters of local concern, and it is declared that it is not the intention of the Town to address matters of statewide concern. This Local Law is intended to act as and is hereby declared to exercise the permissive “incidental control” of a zoning law and land use law that is concerned with the broad area of land use planning and the physical use of land and property within the Town, including the physical externalities associated with certain land uses, such as potential negative impacts of such uses on a community.

This Local Law shall supersede and suspend those provisions of the Zoning Ordinance of the Town of Avon and New York state law which require the Planning Board and/or the Town Code Enforcement officer to accept, process, and approve land use applications within certain statutory time periods.

This Local Law is intended to temporarily prohibit the creation or siting of large scale battery energy storage system installations (as herein later defined) within the Town of Avon for a period of up to twelve (12) months, pending the development and adoption of local laws and/or ordinances designed to regulate and govern such installations.

The Town Board recognizes and acknowledges that the Town needs to study and analyze many considerations that affect the preparation of local legislation to regulate the future creation and siting of large scale battery energy storage system installations. The Town Board has formally requested the Building and Zoning Department and the Planning Board of the Town of Avon to identify and review local laws from other jurisdictions, and related information and source materials, in order to assist in developing the parameters of a local law to regulate large scale battery energy storage system installations. The Town Board has directed the Town Attorney to assist in this endeavor.

The Town Board also recognizes the need to review and examine its existing ordinances, local laws and Zoning Code provisions insofar as they may be affected by adoption of such local law(s) regulating the creation and/or siting of large scale battery energy storage system installations. It is deemed necessary to enact this moratorium in order to permit the Town adequate time in which to draft suitable legislation for this purpose. During the term of the moratorium the Town of Avon shall work to prepare and eventually adopt new land use regulations to incorporate into the Town’s existing Zoning Ordinance.

At this time, there are no pending applications for the location, development or site plan approval of a large scale battery energy storage system installation.

During the pendency of the moratorium, the Town Board will consider how best to permit such installations so as to harmoniously integrate such installations with the existing agricultural community and landscape and to mitigate potential undesirable environmental and other impacts that may be associated with such use. At present, the Zoning Ordinance of the Town of Avon may not adequately regulate such land use. If the community allows such development during that time, the goals of the Town could be undermined or damaged. Moratoria are useful in controlling or temporarily inhibiting development until satisfactory final regulations are adopted.

For these reasons, the Town Board finds that temporary moratorium legislation is both advisable and necessary for a reasonable and defined period of time in order to develop and adopt necessary zoning and land use changes to the Zoning Ordinance of the Town of Avon, thus protecting and furthering the public interest, health and safety.

SECTION 3. DEFINITIONS.

For purposes of this Local Law, the following terms shall have the meanings respectively set forth below:

Large Scale Battery Energy Storage System Installation(s) - Any installation of a rechargeable energy storage system having an aggregate energy capacity of 600kWh or more, consisting of electrochemical storage batteries or similar technology, battery chargers, controls, power conditioning systems, inverters, transformers, switchgears and associated electrical equipment designed to store electrical power received from a generating or transmission source and periodically discharging power from the battery energy storage system into the power grid. Systems typically used to provide standby or emergency power and/or an uninterruptable power supply, load shedding, load sharing, or similar capabilities relating to the energy consumed by a residence, farm operation or other business on site and having an aggregate energy capacity of less than 600kWh shall not be considered a "Large Scale Battery Energy Storage System Installation" for purposes of this Moratorium.

SECTION 4. TEMPORARY MORATORIUM and PROHIBITION.

- A. Unless permitted pursuant to Section 5 hereafter, from and after the date of this Local Law, no application for a permit, zoning permit, special permit, zoning variance, building permit, operating permit, site plan approval, subdivision approval, certificate of occupancy, certificate of compliance, temporary certificate, or other Town-level approval of any nature shall be accepted, processed, considered, entertained, approved, approved conditionally, or issued by any board, employee, official or agent of the Town of Avon, for the construction, establishment, or use or operation of any land, body of water, building, or other structure located

- within the Town of Avon, for any Large Scale Battery Energy Storage System Installation, as defined above.
- B. Unless permitted pursuant to Section 5 hereafter, from and after the date of this Local Law, no person, entity or business shall use, cause, or permit to be used, any land, body of water, building, or other structure located within the Town of Avon for any Large Scale Battery Energy Storage System Installation, as defined above.
- C. The prohibitions set forth above in Clauses A. and B. of this Section 4. are not intended, and shall not be construed, to prevent or prohibit the use and development of battery energy storage systems that are typically used to provide standby or emergency power and/or an uninterruptable power supply, load shedding, load sharing, or similar capabilities and that are for personal or individual use on or about any residence or place of business, or any farm operation, so long as such use does not have an aggregate energy capacity of 600kWh.
- D. This moratorium and prohibition shall be in effect beginning on the effective date of this Local Law and shall expire on the earlier of (i) that date which is twelve (12) months after said effective date; or (ii) the effective date of a Town Board resolution affirmatively stating the Town Board has determined that the need for this moratorium and prohibition no longer exists.
- E. This moratorium and prohibition shall apply to all real property within the Town of Avon, and all land use applications for the siting or creation of Large Scale Battery Energy Storage System Installation within the Town of Avon.
- F. Under no circumstances shall the failure of the Town Board of the Town of Avon, the Zoning Board of Appeals of the Town of Avon, the Planning Board of the Town of Avon, or the Code Enforcement Officer for the Town of Avon, to take any action upon any application for a permit, zoning permit, special permit, zoning variance, building permit, operating permit, site plan approval, subdivision approval, certificate of occupancy, certificate of compliance, temporary certificate, or any other Town-level approval related to a Large Scale Battery Energy Storage System Installation constitute an approval by default or an approval by virtue of expiration of time to respond to such application.

SECTION 5. HARDSHIP VARIANCE RELIEF FROM APPLICABILITY OF MORATORIUM.

Applications for land use otherwise subject to this moratorium may be exempted from the provisions of this Local Law following a noticed public hearing before the Town Board. It is specifically intended that this moratorium shall supersede New York State law which would otherwise confer exclusive variance authority to the zoning board of appeals.

Following a written request for hardship variance relief, within sixty (60) days of receipt of such request, a noticed public hearing shall be held, at which hearing the Town Board may, but is not limited to consider:

- A. The proximity of applicant's premises or the subject of applicant's request for relief to natural resources, including but not limited to prime agricultural soils, wetland areas, conservation districts and other areas of environmental concern.
- B. The impact of the proposed application on the applicant's premises and upon the surrounding area.
- C. Compatibility of the proposed application with the existing land use and character of the area in general proximity to the subject of the application, and its effect upon aesthetic resources of the community.
- D. Compatibility of the proposed application with the recommendations of any administrative body charged with such review by the Town of Avon.
- E. The written opinion of the Town of Avon Planning Board and the Town of Avon Code Enforcement Officer that such application may be jeopardized or made impractical by waiting until the moratorium is expired.
- F. Evidence specifying in detail describing the nature and level of any alleged hardship imposed on the property owner(s) as a result of this moratorium.
- F. Such other considerations and issues as may be raised by the Town Board.

In making a determination concerning a proposed exemption or grant of relief from application of the moratorium, the Town Board may obtain and consider reports and information from any source it deems to be helpful with review of said application.

A grant of relief from application of the moratorium shall include a determination of unreasonable hardship upon the property owner (or if there are multiple property owners, a determination that each such owner shall suffer an unreasonable hardship) which is unique to the property owner(s), a finding that there are sufficient existing regulations to adequately govern the application for which a hardship waiver is being requested, and a finding that the grant of an exemption will be in harmony with, and will be consistent with the existing Town of Avon Zoning Ordinance and the recommendations of the Comprehensive Plan.

An application for relief from the prohibitions of the moratorium shall be accompanied by a fee of \$500, together with the applicant's written undertaking, in a form to be approved by the Attorney for the Town, to pay all of the expenses of the Town Board and any agent or consultant retained by the Town Board to evaluate and consider the merits of such application, including but not limited to any fees incurred by the Town for services provided by the Attorney for the Town.

SECTION 6. PENALTIES.

- A. Failure to comply with any of the provisions of this Local Law shall be an unclassified misdemeanor as contemplated by Article 10 and Section 80.05 of the New York State Penal Law, and, upon conviction thereof, shall be punishable by a fine of not more than One Thousand Five Hundred Dollars (\$1,500) or imprisonment for not more than 10 days, or both for the first offense. Any subsequent offense within a three-month period shall be punishable by a fine of not more than Two Thousand Five Hundred Dollars (\$2,500) or imprisonment for a period of not more than 30 days, or both. For purposes of this Clause A., each day that a violation of this Local Law exists shall constitute a separate and distinct offense.
- B. Compliance with this Local Law may also be compelled and violations restrained by order or by injunction of a court of competent jurisdiction, in an action brought on behalf of the Town by the Town Board.
- C. In the event the Town is required to take legal action to enforce this Local Law, the violator will be responsible for any and all costs incurred by the Town relative thereto, including attorney's fees, and such amount shall be determined and assessed by the court. If such expense is not paid in full within 30 days from the date it is determined and assessed by the Court, such expense shall be charged to the propert(ies) within the Town on which the violation occurred, by including such expense in the next annual Town tax levy against such property, and such expense shall be a lien upon such property until paid.

SECTION 7. CONFLICTS.

For and during the stated term of this legislation, unless the stated term thereof shall be modified or abridged by the Town Board, this moratorium shall take precedence over and shall control over any contradictory local law, ordinance, regulation or Zoning Ordinance provision.

SECTION 8. SEVERABILITY.

If any word, phrase, sentence, part, section, subsection, or other portion of this Local Law, or the application thereof to any person or to any circumstance, is adjudged or declared invalid or unenforceable by a court or other tribunal of competent jurisdiction, then, and in such event, such judgment or declaration shall be confined in its interpretation and operation only to the provision of this Local Law that is directly involved in the controversy in which such judgment or declaration is rendered, and such judgment or declaration of invalidity or unenforceability shall not affect or impair the validity or enforceability of the remainder of this Local Law or the application hereof to any other persons or circumstances. If necessary as to such person or circumstances, such invalid or unenforceable provision shall be and be deemed severed here from, and the Town Board of the Town hereby declares that it would have enacted this Local Law, or the remainder thereof, even if, as to particular provisions and persons or circumstances, a portion hereof is severed or declared invalid or unenforceable.

SECTION 9. EFFECTIVE DATE.

The effective date of this Local Law shall be immediately upon its filing with the Secretary of State.

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

DISCUSSION – CODE DEPARTMENT

Code Enforcement Officer Glise provided the following report:

A tree fell on a house in the Taj Mahal Park, the owner will let us know about repairs.

CEO Glise met with MRB Group Engineer Scott Bova regarding the renovations of the third floor of the Opera Block building. There are enough bathrooms in the building so no more are needed. Due to only one means of egress the maximum occupation is 49 people. The third floor has no heat and has not met energy code.

The joint ZBA/Planning Board meeting went well.

DISCUSSION – ENGINEER REPORT

Engineer David Willard reported on the following:

Interstate water main work – Clark Patterson took the sewer out of the plan. They plan on doing the work this month. There were questions regarding UET connecting to the water.

An evaluation was done with Kirk Vanderbilt and Tom Crye regarding hydrants for the water study. We are still waiting for information from the village.

Engineer Willard spoke of his update on Papermill Park. This is a long process.

DISCUSSION – HIGHWAY/WATER REPORT

Highway Superintendent Thomas Crye was not in attendance.

Supervisor LeFeber stated that the price of salt will increase by \$2 a ton next year. It was at \$40 for the past 2 years and now will be \$42.

DISCUSSION – TOWN CLERK REPORT

Deputy Town Clerk Zapf reported on the following:

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

Email – Senior Living Help
Clean Energy Communities Roundtable
Historian’s Emergency Plan
Security Assessment of the Town Hall/Opera Block

25 people attended the Workplace Violence/Sexual Harassment Training on Tuesday. Once the power point presentations are revised the Town will be able to provide the training online.

A date and time for the salt mine tour has been received. The tour will be August 30th at 8:30 am. Ten people may attend so the first 10 to sign up will be able to go.

DISCUSSION – SUPERVISOR REPORT

Supervisor LeFeber stated that Zoning Board of Appeals (ZBA) Member Sam Price has resigned from his position and new members need to be appointed to the ZBA and Planning Boards. The board took the following action:

RESOLUTION #158 ACCEPT THE RESIGNATION OF ZONING BOARD OF APPEALS MEMBER SAMUEL PRICE

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

ADOPTED AYES 4 NAYS 0 ABSENT 1(Deputy Supervisor Mairs)

RESOLVE to accept the resignation of Zoning Board of Appeals Member Samuel Price effective August 20, 2019

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

RESOLUTION #159 APPOINTMENT OF JEFFERY PASSARELL TO THE POSITION OF ZONING BOARD OF APPEALS MEMBER

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

ADOPTED AYES 4 NAYS 0 ABSENT 1(Deputy Supervisor Mairs)

RESOLVE to appoint Jeffery Passarell to the position of Zoning Board of Appeals member, term to expire December 31, 2022.

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

RESOLUTION #160 APPOINTMENT OF BRIAN THORN TO THE POSITION OF PLANNING BOARD MEMBER

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

ADOPTED AYES 4 NAYS 0 ABSAENT 1(Deputy Supervisor Mairs)

RESOLVE to appoint Brian Thorn to the Position of Planning Board Member, term to expire December 31, 2025.

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

RESOLUTION #161 PAYMENT OF BILLS

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

ADOPTED AYES 4 NAYS 0 ABSENT 1(Deputy Supervisor Mairs)

RESOLVE to accept for payment Abstract 2019-16 in the following amounts:

Concerning ABSTRACT of Claims Number 2019-16 including claims as follows:

General Fund	Voucher #375 through #398 in amounts totaling \$ 15,684.79
Highway Fund	Voucher #131 through #142 in amounts totaling \$ 5,226.03
Water Fund	Voucher #82 through #84 in amounts totaling \$ 55,772.64
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 - Absent, Supervisor LeFeber – Aye

DISCUSSION BUDGET 2020

Supervisor LeFeber discussed Justice Reform coming in 2020. The new reforms will have a big impact on Town & Village Courts. There will be more responsibilities on court clerks to get people into court. This will cause an increase in paperwork and may lead to increased working hours. We may need to add additional court nights and court security.

Supervisor LeFeber is suggesting bumping up the court budget numbers in anticipation of this increase.

DISCUSSION BUILDING MAINTENANCE

Councilman Drozdziel is looking into painting the window frames on the Opera Block Building. Information is still being gathered.

Councilman Coyne inquired about the windows being washed. Councilman Harrington stated they would be washed by September 1st.

DISCUSSION – OPEN ITEMS

Councilman Coyne thanked MRB Group for all their input regarding the back-parking lot. They have a done a great job.

Councilman Drozdziel spoke about the solar proposal in Caledonia. He read information provided by their engineer and thinks it would be valuable to our solar law. It discusses more images of site requirements by the owner. There is some valuable verbiage we could use to enhance our solar law. Attorney Campbell asked Councilman Drozdziel to pass along this information as he has some other suggestions, he would like to recommend for tweaking the solar law.

Supervisor LeFeber stated he would like to set up a joint meeting with the Village.

DISCUSSION VISITOR COMMENTS

Supervisor LeFeber asked for any visitor comments and they are as follows:

ZBA member Cindy Kellen asked if the town would give consideration/credit for employees who have taken the Workplace Violence/Sexual Harassment training with an outside source.

Attorney Campbell stated that if it is a like level of review you are technically able to do this. If this happens the town should come up with an affidavit stating that the training has been completed, date it was completed and where it was completed. This would be placed in the employees file.

It was suggested that the Town Clerk's Office spearhead this program.

On motion of Councilman Harrington seconded by Councilman Drozdziel the meeting was adjourned at 7:55 P.M.

Respectfully submitted by:

Ellen M Zapf Deputy Town Clerk

&

Sharon M. Knight, MMC/RMC, Town Clerk