

A regular meeting of the Town of Avon was held on Thursday, September 26, 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, James Harrington and Paul Drozdziel

ABSENT: Councilman Malachy Coyne

OTHERS: Attorney James Campbell, Code Enforcement Officer Brian Glise, Highway/Water Superintendent Tom Crye, Judges Jeannie Michalski and Mike Torregiano, Court Clerk Jeanette Cullinan, and Town Clerk Sharon M Knight MMC/RMC

VISITORS: Cindy Kellen, Justine Cole, Anna Noragong, Mary Noragong, Sheila Fitzsimmons, Owen Fitzsimmons, Christine Ryan, Rebecca Budinger-Mulhearn, Randy Shepard, Gregg Genovese, 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 AND/OR PUBLIC HEARINGS

Supervisor LeFeber asked for visitor comments stating that the public hearing for LA&L Railroad rezoning is still open and there have been no new updates.

There were no visitor comments.

RESOLUTION #173 APPROVAL OF MINUTES

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

ADOPTED AYES 4 NAYS 0 ABSENT 1 (Councilman Coyne)

RESOLVE to approve the minutes of September 12, 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 – Absent, Deputy Supervisor Mairs – Aye, Supervisor LeFeber – Aye

RESOLUTION #174 APPROVAL OF MINUTES

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

ADOPTED AYES 4 NAYS 0 ABSENT 1 (Councilman Coyne)

RESOLVE to approve the minutes of September 19, 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 – Absent, Deputy Supervisor Mairs – Aye, Supervisor LeFeber – Aye

DISCUSSION – BONADIO GROUP PROPOSAL

Supervisor LeFeber stated that the town may be interested in hiring a new accounting service and has received two proposals. One is from The Bonadio Group who will present their proposal to the Town Board tonight.

Supervisor LeFeber welcomed Randy Shepard and Gregg Genovese representatives from The Bonadio Group to present their proposal for accounting services.

Randy Shepard stated that he covers the western region of New York State specializing in governmental accounting for The Bonadio Group. We have over 900 partners across New York State and we have been doing government auditing and consulting for many years.

The accounting portion is relatively new to Bonadio but because we have worked with municipalities on auditing and consulting this is a natural extension for us and since we have worked with the Town of Avon on other projects, we have established relationships with town personnel.

Supervisor LeFeber asked about payroll services and Randy stated that this service would not be provided.

There was discussion regarding the following questions presented by Councilman Drozdziel.

Town Of Avon**Minimum Accounting and Finance Services**

September 26, 2019

1. Provide Fund Accounting which will:
 - a.) Maintain separate account balances for each fund and special district, which will show current activity and end of month balance.
 - b.) Provide cash balances to bank statements
 - c.) Show inter-fund receivables and payables.
 2. Review monthly warrant-sheets for appropriate coding. Prepare checks for payment. Pay town vouchers and contracts as instructed by the Town Board.
 3. Allocate all cash receipts to appropriate accounts.
 4. Provide all payroll services.
 5. Certify payroll with County.
 6. Provide monthly accounting reports. Reports will be available for your meeting each month.
 7. Verify amounts for Tax Collection.
 8. Reconcile all bank accounts monthly.
 9. Prepare budget worksheets, meet with the supervisor as needed to prepare the tentative budget for submission, meet with the town board if needed to create the preliminary budget. We will produce the hard copy of the final budget.
 10. Prepare the Annual Report for the **Town of Avon**.
 11. Be available on an as needed basis for fiscal review in the second, third and fourth quarters of each of the contract years.
 12. Assume any payroll penalties for non-compliance to Federal and State laws when town follows instructions provided to them by our firm in a timely manner.
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The monthly cloud-based system allows you to see all your information in real time. The town will still be processing accounts as they always have, and we will be adding a little bit more expertise and give you information in real time.

BUDGET – 2020 LIBRARY

Avon Free Library Director Rebecca Budinger-Mulhearn addressed the Board

The Library is in Partnership with Rotary and the Avon Public Schools hosting a 4-month English as a second language class for migrant families. The parents are in the class two nights a week while the children are in the children's library being watched by Rotary members. This is all being done through a grant.

With the recent renovations door cameras which are also counters were installed. 23777 people entered the library from January to August.

There is wi-fi accessibility outside around the perimeter of the library 24/7.

July is a big traffic month for the library due to the use of air conditioning and the summer reading program.

There was discussion on who goes to the library and what it is used for. Libraries are not being used just for taking out reading materials. Borrowing of regular books has gone down but e-book usage has increased.

Donations are from memorials, friends of the Library book sale and regular donations.

We also receive income from grants, sales, interest, faxing, scanning, and taxes from School, Town and Village.

Expenses include building expenses, insurance, utilities, labor is our biggest and most important.

Material expenses include Payments for e-books, operations, Owwl2go System, and advertising.

We are currently working on the second phase of renovations which includes a generator, retro fitting fireplaces, new exterior doors, repairs to vestibule, ADA compliant entrance, and all new mechanics.

The next biggest ticket item is the roof and it needs to remain slate. The roof was installed in 1927.

BUDGET – ASSESSOR'S OFFICE

The Assessor's Clerk salary will be less next year due to the retirement of my current clerk.

Two people have applied for the clerk position one is from Avon one is not. A decision will be made in the future.

BUDGET – ASSESSOR’S OFFICE-continued

There was discussion about the purchase of pictometry by the County. Livingston is the only County that does not have this program, and that makes the Assessor’s job harder. It would cost sixty to seventy thousand dollars for Livingston County to set up after that it would cost each town around five hundred dollars annually.

There was further discussion about the open clerk position.

BUDGET – CODE OFFICE

CEO Officer Glise stated he put code recodification in his budget request. Supervisor LeFeber stated that it is not in the budget at this time.

There was further discussion regarding codification.

The code clerk will be working more hours for code as the work-load increases. We budgeted for fifteen hours a week last year and she will be working twenty hours a week now.

Processed a C of O on a house on Antonio Drive, UET broke ground in Tec Park, Attended the joint Planning/ZBA meeting about Hanson and Piranha.

There have been a couple of complaints regarding the Oak Openings gravel Pit. There has been use of jake brakes, I spoke with the owner and he will reissue statements to the drivers. There is a sign about 200 hundred feet down the road from the gravel pit saying do not use jake brakes.

Attorney Campbell explained the standards and processes of accepting requests for services.

The East Avon Fire Chief asked that knox boxes be placed at all commercial businesses. These are used by the fire department and the fire marshal to check for gas leaks or if there is a fire. The cost is around \$300 to \$400 for every commercial structure for new build. Should the town mandate this and if so, it would need to go into our code under new construction.

DISCUSSION - ATTORNEY REPORT

Attorney Campbell reported on the following items:

Article 7 for Barilla and Kolokouris are moving forward. We are looking into getting a consultant to look over the Barilla plant and make suggestions.

DISCUSSION - ATTORNEY REPORT-continued

Attended the joint ZBA/Planning Board meeting on Hanson. This is a different kind of matter than Oak Openings as it has existed since 1959. They would like to expand another 10 acres. The Boards approved the expansion as they did not have the legal ability to not approve.

Attorney Campbell presented a proposed local law T-6A-2019 to exceed the tax cap limit as requested by Supervisor LeFeber. This does not need to be referred to the county, but a public hearing will need to be scheduled.

RESOLUTION #175 SET A PUBLIC HEARING FOR LOCAL LAW T-6A-2019

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

ADOPTED AYES 4 NAYS 0 ABSENT 1 (Councilman Coyne)

RESOLVE to set a public hearing on October 10, 2019 at 6:00 P.M. at the town Hall/Opera Block for Local Law T-6A-2019 entitled A local law to override the tax levy limit established in general Municipal Law 3-C.

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

DISCUSSION – HIGHWAY/WATER REPORT

Highway Superintendent Thomas Crye reported on the following:

Highway- mowing, helped Livonia pave, fixed a driveway on Hogmire Road, and worked in the shop on rainy days.

Water – Flushed and fixed a few hydrants last week, everyday maintenance, and water sampling.

BUDGET - COURT

Supervisor LeFeber stated that there will be challenges and changes coming in January 2020 which may result in more court dates and security changes.

Justice Torregiano stated that the texting app we thought we would have to purchase will be covered by the Office of Court Administration.

BUDGET – COURT-continued

The office supplies line item was increased due to the new bail reforms which will take place in January 2020. Defendants will need to be seen by a Judge within 20 days of receiving an appearance ticket. The way to confirm appearance dates will change as the defendant will now have more options to request the way they would like to be notified, such as email, US mail, or text and it's the defendant's choice.

Court dates need to be no more than twenty days for both the Village and Town, and it seems that we will be noncompliant with the court dates we have now. Court dates will need to be changed. Most months are okay and will work with the prosecutors and public defender.

The DA has asked that we change our courts to day hours between 8 A.M and 6 P.M. There was discussion regarding security.

It was determined that there will need to be three court dates per month. Due to changes in the law many drug cases will go to trial and this means more court dates for judges and residents will be called on for jury duty.

Security costs will increase due to more court dates and the possibility of having two security guards. One downstairs scanning people as they come through and one upstairs in the court room.

There is a court grant being worked on for more cameras, another computer, and additional space on the server.

We can claim postage and printing to offset costs.

There was discussion regarding how many hours the clerk works a week and what her compensation should be. Most of the hours are for the Town not the Village and it was requested that she be compensated for 28 hours a week.

Due to increased hours and the quality and level of work that is performs it is recommended that Jeanette's salary be bumped up to \$18.00 an hour which would be around \$26,000.00 a year.

Jordan up to twenty hours per week times 52 weeks.

Justice Torregiano thanked the board for all they have done for the court. They have always given the court things that are needed and hiring court clerks when needed.

There was discussion about the different percentages of pay raises for different employees. The Judges and Town Clerk are only getting a 2% increase and the other departments are getting between 4.5 and 6% increases. He is not against people making money, but it should be fair and equitable across the board.

BUDGET – COURT-continued

Both Judges stated the message they are receiving is that they are not doing their jobs.

There was discussion about the municipal parking lot and when is a good day for Jeannie to hold court.

DISCUSSION – CODE DEPARTMENT

Code Enforcement Officer Glise provided the following written report:

June 25, 2019 – September 24, 2019

2019-0038	Moorehouse	AG Pool	6/25/2019	\$50.00
2019-0039	Flora	re-roof	6/25/2019	\$40.00
2019-0040	Partyman	addition, roof	6/25/2019	\$292.72
2019-0041	Piampiano	fence	6/28/2019	\$30.00
2019-0042	Richland Resources	sign on grain bin	7/1/2019	\$119.25
2019-0043	White - Harper Pk	deck	7/1/2019	\$50.00
2019-0044	Wallace	AG Pool	7/8/2019	\$50.00
2019-0045	Faulkner	deck	7/10/2019	\$30.00
2019-0046	Csapo	fence	4/30/2019	\$30.00
2019-0047	Trescott	re-roof	7/15/2019	\$40.00
2019-0048	Gage	pole barn	7/16/2019	\$75.00
2019-0049	Carlson	roof	7/19/2019	\$40.00
2019-0050	Schweitzer	roof	7/23/2019	\$50.00
2019-0051	Hart	Pole barn 48x32	7/23/2019	\$153.60
2019-0052	Arend	re-roof & windows	7/26/2019	\$40.00
2019-0053	Coyne	re-roof	7/26/2019	AG exempt
2019-0054	Gaiser	Pole barn/wood stove	7/30/2019	\$220.00
2019-0055	Partyman Catering	electric to addition	08/01/019	\$35.00
2019-0056	Partyman Catering	roof	8/1/2019	\$40.00
2019-0057	Rehberg	Inground pool	8/1/2019	\$60.00
2019-0058	TKM Ventrues/UET	building	8/6/2019	\$600.00
2019-0059	Stanton	deck	8/15/2019	\$50.00
2019-0060	Mathew's Buses Delower - Harper	renovations	8/19/2019	\$4,140.00
2019-0061	Pk	handicap ramp	8/20/2019	\$25.00
2019-0062	Flora	Interior renovation	8/21/2019	\$645.12
2019-0063	Statt - Harper Pk	roof repair	8/23/2019	\$25.00
2019-0064	Currenti	porch	8/29/2019	\$50.00

2019-0065	Church of Epiphany	re-roof	9/3/2019	\$40.00
2019-0066	Crowell SkyWolf Wind	deck extension	9/3/2019	\$50.00
2019-0067	turbine	sign on grain bin	9/11/2019	\$48.00
2019-0068	Kyle Farms Inc	extension of barn	9/11/2019	AG exempt
2019-0069	Taylor	re-roof	9/20/2019	\$40.00

TOTAL PERMIT FEES FOR TIME PERIOD	\$7,158.69
FEES OUTSTANDING FOR TIME PERIOD	\$0.00
TOTAL FEES COLLECTED	\$7,158.69

The following are projects/permits currently working on:

- Piranha Milling & Paving Contractors - purchase 33 acres on Tech Drive - completed application coming in October
- Hanson expansion - site plan and special use permit applications have been approved at September 23, 2019 joint meeting

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

There was discussion on the industrial parks and other open space for businesses.

DISCUSSION – TOWN CLERK REPORT

Town Clerk Knight reported on the following:

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

Livingston County Planning Department – Free Workshop at the Watershed Education Center
 Cornell University - CaRDI Communique’
 Avon Chamber of Commerce minutes from September’s meeting

The Avon American Legion is having their 100th anniversary celebration on October 2nd and will be offering a free spaghetti dinner for the community. I would like to present them with a proclamation and if a board member would like to help create it that would be helpful.

DISCUSSION – TOWN CLERK REPORT-continued

The asset list received from Hurricane Technologies is incorrect the Deputy Town Clerk’s computer was not replaced in 2019 there was only a software update. Our Laserfiche computer does not need to be updated.

Sharon stated she feels the same way the Judges feel and if there is something, she is doing wrong she would like to know.

RESOLUTION #176 PAYMENT OF BILLS

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

ADOPTED AYES 4 NAYS 0 ABSENT 1 (Councilman Coyne)

RESOLVE to accept for payment Abstract 2019-18 in the following amounts:

Concerning ABSTRACT of Claims Number 2019-18 including claims as follows:

General Fund	Voucher #422 through #454 in amounts totaling \$ 9,630.95
Highway Fund	Voucher #152 through #161 in amounts totaling \$ 12,679.83
Water Fund	Voucher #90 through #92 in amounts totaling \$ 2,027.50
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 - Absent, Deputy Supervisor Mairs - Aye, Supervisor LeFeber – Aye

DISCUSSION – SUPERVISOR’S ITEMS

If we pay off the Opera Block this year it will save the town a lot in interest.

The board does not want to make a change to speed limit on Oaks Opening Road.

Procurement Policy limits will be discussed in the future.

Councilman Harrington is interested in receiving the breakdown in the line item for the contribution to the Village for the parks budget.

DISCUSSION VISITOR COMMENTS

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

Visitor Judy Falzoi shared with the Board information about an article in the September 12th issue of The Wall Street Journal regarding Indigo carbon. There is a website entitled “Indigo carbon”. Supervisor LeFeber stated that the Farm Bureau will have information out there and they will provide more details if this is real.

RESOLUTION #177 EXECUTIVE SESSION

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

ADOPTED AYES 4 NAYS 0 ABSENT 1 (Councilman Coyne)

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 8:35 P.M. inviting Attorney James Campbell

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

RESOLUTION #178 CLOSE EXECUTIVE SESSION

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

ADOPTED AYES 4 NAYS 0 ABSENT 1 (Councilman Coyne)

RESOLVE to close executive session with no action taken at 9:29 P.M.

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

On motion of Councilman Harrington seconded by Councilman Drozdziel the meeting was adjourned at 9:30 P.M.

Respectfully submitted by:

Sharon M. Knight Town Clerk, MMC/RMC