

A regular meeting of the Town of Avon was held on Thursday, October 10, 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, and Town Clerk Sharon M. Knight, MMC/RMC

VISITORS: Cindy Kellen and Pam Taggart Rice

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 stating that the public hearing for the Livonia, Avon & Lakeville Railroad (LA&L) for a re-zone remains open.

There were no comments.

Attorney Campbell stated that he heard today that the buyer is no longer interested in the project. Discussion continued regarding closing the hearing with no action taken as the applicant has not provided additional information.

### **DISCUSSION MINUTES**

Supervisor LeFeber stated that he has not had a chance to review the minutes that were provided a couple of days ago. Town Clerk Knight suggested considering adopting at the next meeting.

### **DISCUSSION – ENGINEER REPORT**

Supervisor LeFeber reported that MRB Group Engineer David Willard is not in attendance as he was at the Village meeting on Monday night and not needed for tonight.

### **DISCUSSION – HIGHWAY/WATER REPORT**

Highway Superintendent Thomas Crye was not in attendance as he was working on trucks at the highway barn.

**DISCUSSION - ATTORNEY REPORT**

Attorney Campbell reported on the following items:

He will follow up to determine if the buyer for the LA&L rezone is no longer interested in the rezone project.

He is continuing his work on both Article 7 cases, one with Barilla and the second with Mr. Kolokouris. On Wednesday, October 16<sup>th</sup> he will be in court with the Kolokouris case after conferencing with the consult Attorney that is assisting him. The property is assessed at \$650,000.00. There is a chance the case may be settled out of court.

The Barilla case is being investigated with an outside consultant.

**DISCUSSION – CODE DEPARTMENT**

Code Enforcement Officer Glise provided the following report:

There was discussion on the need to have maps scanned and put into Laserfiche. It was suggested to contact City Blue and Copy Town to provide a quote to copy the current maps. To avoid the necessity of having maps scanned the Board requested that electronic copies of maps/documents be provided to the Town and that they included all required signatures.

The unified NYS permit application was shared regarding solar and the Board appeared to approve. A recommendation was made to amend the 2019 Fee Schedule and the Board took the following action.

**RESOLUTION #181 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 January 3, 2019 by Board Resolution #10, amended May 9, 2019 and August 8, 2019 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
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
<b>All Solar:</b>	
Type 1 & 2 Solar Energy	\$5.00/KW
Other professional fees as they apply within the code	
<b><u>Cemetery Fees:</u></b>	
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:**

<b>Service Fees:</b>	\$0.25
Photocopies per page	\$1.00
Fax	

<b>Dog Fees:</b>	\$10.00
Annual license: spayed/neutered	\$15.00
unsprayed/unneutered	\$ . 00
Guide or service dog (defined Article 7 of the State Ag. & Markets Law)	\$25.00
Purebred license: 1 – 10 dogs	\$50.00
11 – 25 dogs	\$100.00
26 – more dogs	\$3.00
Replacement tag	\$5.00
Enumeration	

**Town Code Books:**

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

**Peddler/Solicitor:**

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

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

**Highway Department Fees:**

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

**Water Department Fees:**

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

Shut off/turn on existing service	\$12.50 per event
Remove meter in addition to turn on/off Inspection	\$50.00 per visit

**Dump Day Fees: (10 tire limit)**

	\$3.00
Motorcycle tires	\$5.00
Car and small truck sixteen inches or under	\$12.00
Large Pick-up truck or SUV tires over sixteen inches	\$20.00
Dump truck	\$40.00
Tractor tire	

**Engineering, Attorney & Other Professional Services:**

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

**DISCUSSION – OPEN ITEMS**

There was discussion on a solar project in the Town of Rush and the differences in the Town of Avon. The Town of Caledonia is being targeted for solar projects.

There was discussion on the hourly rate of a Court Clerk that was used after the resignation of an employee.

There was discussion on the car dealerships in East Avon.

Matthew's Bus is moving along.

**DISCUSSION – TOWN CLERK REPORT**

Town Clerk Sharon Knight reported on the following:

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

Livingston County Planning Board Preliminary Agenda  
Part Town of Avon Fire District – Board of Fire Commissioners Proposed Budget 2020  
New York State Comptroller – Weekly News  
Landmark Society Meeting – Park Theater – Friday November 11, 2019

An update on the Workplace Violence & Sexual Harassment Training was provided as follows:

After the third reminder went out yesterday only five have not completed the training. A second reminder or a phone call includes only Board of Assessment Review Members and one has completed the training.

**DISCUSSION – TOWN CLERK REPORT-continued**

Dog enumeration will be discussed at the next Livingston County Town Clerk and Tax Collectors meeting.

We have tested the four panic buttons in the Town Clerk’s office area, and they were found to be reaching West fire without incident, however; the panic button that is carried did not work and a message was left with the service department. We will continue to test on the second Tuesday of the month of each of the areas provided with this system. Next week the office staff will be getting together for a birthday lunch and we will talk about ideas of how to respond to an alarm being activated and will report our ideas to the Board at the next meeting.

**RESOLUTION #182 AMEND THE 2019 COMPENSATION SCHEDULE AS FOLLOWS**

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

ADOPTED AYES 5 NAYS 0

RESOLVE to amend the compensation schedule removing the following:

**2019 Town of Avon Employee Compensation Schedule**

<u>Name</u>	<u>Position/Duties</u>	<u>Status</u>	<u>2018Rate</u>	<u>2019 Rate</u>
James McGregor	Motor Equipment Operator	Full Time	.00	18.00/hr.

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

**RESOLUTION #183 ACCEPT THE MONTHLY REPORTS**

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

ADOPTED AYES 5 NAYS 0

RESOLVE to accept the monthly reports for September 2019 from the Town Supervisor and from the Town Clerk as shown below:

Town Clerk’s September 2019 Report:

Total Local Shares Remitted:	\$1012.44
New York State Department of Health	\$ 67.50
NYS Ag. & Markets for spay/neuter program	\$ 48.00
NYS Environmental Conservation	\$6054.31
<b>TOTAL</b>	<b>\$7182.25</b>

**RESOLUTION #183 ACCEPT THE MONTHLY REPORTS-continued**

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

**RESOLUTION #184 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 2019-19 in the following amounts:

**Concerning ABSTRACT of Claims Number 2019-19 including claims as follows:**

<b>General Fund</b>	Voucher #455 through #477 in amounts totaling \$ 25,573.49
<b>Highway Fund</b>	Voucher #162 through #170 in amounts totaling \$ 13,891.19
<b>Water Fund</b>	Voucher #93 through #99 in amounts totaling \$ 2,480.80
<b>Cemetery Fund</b>	No Voucher
<b>Opera Block Capital Improvement</b>	No Voucher
<b>Royal Springs Lighting</b>	Voucher #10 through #10 in amounts totaling \$ 1,011.95
<b>Cross-Roads Drainage District</b>	No Voucher
<b>Bruckel Drainage District</b>	No Voucher
<b>Royal Springs Drainage</b>	No Voucher
<b>Town of Avon Fire Protection</b>	No Voucher
<b>Rte. 39 Water SW2</b>	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**

Supervisor LeFeber reported that Design FM will no longer keep our emails as Hurricane Technology will provide Office 365 and keep all of the Town’s emails stored on the cloud.

Supervisor LeFeber opened discussion on the tentative budget highlighting the following:

**DISCUSSION – SUPERVISOR REPORT-continued**

- Pilots
- Highway Employees at fifty cents per hour
- Inviting Rotenberg in to discussion providing the same types of service as Baldwin Business
- Possible engineering fees for improving drainage during heavy water flow
- Improvements to the parking lot behind Genesee Street.
- Papermill Park
- Paying off the Opera Block
- Everyone is back to two percent but consider the Highway Supervisor is not hiring an additional employee and the Assessor was not successful hiring a Clerk and is planning on completing more of the work herself and having her current Clerk come back to help as needed.
- Code codification is not in the budget.
- Corrections to a salary on SW8310.1 and another salary line item.

**RESOLUTION #185 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 7:50 P.M.

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

**RESOLUTION #186 CLOSE EXECUTIVE SESSION**

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

ADOPTED AYES 5 NAYS 0

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 – Aye, Deputy Supervisor Mairs – Aye, Supervisor LeFeber – Aye**



**RESOLUTION #187 SCHEDULE PRELIMINARY BUDGET HEARING FOR THE 2020 TOWN BUDGET**

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

ADOPTED BY ROLL CALL VOTE AYES 5 NAYS 0

The preliminary budget that will be provided to the Town Clerk when completed by Baldwin Business Services was adopted along with the following legal notice.

TOWN OF AVON  
NOTICE OF PUBLIC HEARING ON THE  
PRELIMINARY BUDGET OF THE TOWN OF AVON  
For the year 2020

NOTICE IS HEREBY GIVEN that the preliminary budget of the Town of Avon for the fiscal year beginning January 1, 2020, including General Town Funds, Highway Fund, Water Funds, Special Districts, Royal Spring Lighting & Drainage District, Crossroads Drainage District, Bruckel Drainage District, Cemetery, Water District Route 39, Ext, and Fire District, is completed and filed in the office of the Town Clerk of the Town of Avon, 23 Genesee Street, Avon, New York 14414, the tentative and the preliminary budgets will be available for inspection by any interested person during office hours, Pursuant to Real Property Tax Law Chapter 258 & 495, an exemption report is attached to the preliminary budget and includes every type of exemption granted by the taxing authority and the cumulative impact of each type of exemption, the cumulative amount expected to be received from recipients of each type of exemption as payments in lieu of taxes or other payments for municipal services, and the cumulative impact of all exemptions granted. The Town Board of the Town of Avon shall hold a hearing on said preliminary budget on October 24, 2019 at 6:15 P.M. at the Avon Opera Block/Town Hall, 23 Genesee Street, Avon, New York 14414, showing such changes, alterations and revisions as shall have been made therein by the Town Board of the Town of Avon. At such hearing, any person may be heard in favor of or against the preliminary budget as compiled or for or against any item or items therein contained. The following are the proposed 2020 salaries of Town of Avon

ELECTED OFFICIALS:

Supervisor	\$22,000.00
Councilman (4)	\$ 6,250.00
Town Justice (2)	\$13,668.00
Town Clerk	\$41,163.00
Highway Superintendent	\$67,952.00

**RESOLUTION #187 SCHEDULE PRELIMINARY BUDGET HEARING FOR THE 2020 TOWN BUDGET-continued**

By Order of the Town Board  
Sharon M. Knight, MMC/RMC  
Avon Town Clerk  
DATED: October 10, 2019  
PUBLISHED: October 17, 2019

**OPEN ITEMS**

Councilman Coyne will serve as the Chairman of a committee to review adopted Local Law 4-2019 “A local law establishing a temporary land use moratorium prohibiting large scale battery energy storage systems installations within the Town of Avon. Councilman Harrington and Zoning Board of Appeals Member Cindy Kellen will serve on the committee. Supervisor LeFeber asked that a business size advertisement in the Penny Saver soliciting community members willing to serve on the committee be submitted by the Town Clerk. Councilman Coyne will contact the Chairwomen of the Planning Board to ask for a representative to serve on the committee.

**DISCUSSION – VISITORS COMMENTS**

There were no visitors comments.

On motion of Supervisor LeFeber seconded by Councilman Harrington the meeting was adjourned at 9:39 P.M.

Respectfully submitted by: \_\_\_\_\_  
Sharon M. Knight, MMC/RMC Town Clerk