

A regular meeting of the Town of Avon was held on Thursday, December 12, 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 Superintendent Thomas Crye, and Town Clerk Sharon M. Knight, MMC/RMC

VISITORS: 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

Supervisor LeFeber asked for visitor’s comments and there were none.

RESOLUTION #215 APPROVAL OF MINUTES

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

ADOPTED AYES 5 NAYS 0

RESOLVE to approve the minutes of November 7, 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

RESOLUTION #216 APPROVAL OF MINUTES

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

ADOPTED AYES 5 NAYS 0

RESOLVE to approve the minutes of November 21, 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 - ATTORNEY REPORT

Attorney Campbell reported on the following items:

Paperwork for the Kolokouris Article 7 challenge to his assessment has been filed and the Livingston County Judge has signed thus closing the case.

An update was provided regarding the Article 7 filed by Barilla to challenge their assessment. The Town of Avon is aggressively working to settle with Barilla or in the court to avoid long term affects to the Town.

Supervisor LeFeber asked for Attorney Campbell's input on the draft letter prepared by MRB Group regarding the water line and remaining water line to be placed in James Steele Industrial Development. Attorney Campbell will review and provide comment as small amendments are needed.

DISCUSSION – HIGHWAY/WATER REPORT

Highway Superintendent Thomas Crye reported on the following:

Highway – snow removal, working in the shop and maintenance on the vehicles.

Water – Everyday maintenance, North Littleville Road water leak on Sunday and Kelly attended the Lima line kickoff meeting.

Two quotes were read for a mini three-foot roller for both new and used. New was \$16,000.00 and a 2017 Admar with working 350 hours at a cost of \$10,500.00. We had been borrowing the Village's for some time, however; it's no longer reliable.

RESOLUTION #217 AUTHORIZE THE PURCHASE OF A 2017 ADMAR ROLLER

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

ADOPTED AYES 5 NAYS 0

RESOLVE to purchase a 2017 Admar Roller in the amount of \$10,500.00.

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

DISCUSSION – CODE DEPARTMENT

Code Enforcement Officer Glise provided the following report:

The stairwell that was locked has been unlocked to prevent anyone from being locked in the stairwell. Further investigation is being conducted to determine why it was locked and if it is a security issue. It was determined that an exit sign is showing to use the stairwell as an exit.

This year's required training will be covered by the City of Rochester.

There was discussion on the minutes of May 2014 and a missing page of a resolution adopted by the Town Board regarding building uses of property owned by Mr. Gardner in the James Steele Industrial Park. Attorney Campbell will review his documents to determine how to move forward.

DISCUSSION – ENGINEER REPORT

Engineer David Willard was not in attendance.

DISCUSSION – TOWN CLERK REPORT

Town Clerk Sharon Knight reported on the following:

- Communications forwarded to the Town Board via email:

- Workplace Violence Training Attendance Record for 2019
- Planning and ZBA Boards Mandatory 4 hours of training for 2019
- Livingston County's Economic Development Office Survey 2019
- Just Elected – What Do You Do Now – Office of the State Comptroller's Academy webinar
- Livingston County Battery Energy Storage Systems Training for Local Officials
- Avon Chamber of Commerce Meeting Minutes for November
- Livingston County Planning Board Draft Agenda
- NYS Office of Addiction Services and Supports – Narcan Training

Town Clerk Knight reported of photos provided to Secretary Kim McDowell regarding the parking lot and sidewalk in the back of the building not being cleared of snow. Councilman Harrington offered to oversee the removal of snow to allow for four cars to be parked.

A thank you was extended to the Town Board for the financial support to purchase items for the decorations of the Town Hall/Opera Block windows. The winner of the Holiday Spectacular Window Contest was Geek Chic.

DISCUSSION – TOWN CLERK REPORT-continued

Deputy Supervisor Mairs acknowledged the success of the photo booth and complemented the Town Clerk on the organization of the event. All agreed to offer the photo booth again next year.

Our Christmas Party was also a huge success, and everyone loved the food prepared by Partyman Catering. Town Clerk Knight reported she divided responsibility of four jobs to get the party organized and each department provided support and did a fantastic job. The Highway Department provided help by returning items to Partyman Catering.

DISCUSSION – SUPERVISOR REPORT

Supervisor LeFeber reported on the following:

The Town of Avon was well represented at a meeting held by the County Planning Department regarding Battery storage. A part of the meeting included information regarding how fires would need to be handled. If a fire was to develop, letting the area burn is highly recommended. There are three phases of hazmat and the County has a hazmat team. If there was a fire a member of a hazmat team would need to stay on location until the fire completely burns out. Councilman Coyne will be scheduling our Battery Storage Moratorium Committee meeting and an invite will be given to Attorney Campbell when legal questions arise.

A PILOT for additional solar maybe needed for the property on Pole Bridge Road.

There was discussion on an updated draft of the procurement policy that will be considered at our organizational meeting.

A letter from the Town Court was received regarding the required audit and Deputy Supervisor Mairs agreed to schedule an audit with the Court Clerk next Tuesday for an early January meeting.

We are moving forward with EFPR to provide financial services in 2020 along with ADP and Baldwin Business Services is to complete the 2019 Annual Update Document.

There was further discussion on the request to change the speed limit on Oak Openings Road. A resolution will be considered at the next meeting.

On December 16, 2019 at 7:00 P.M. a meeting needs to be scheduled with the Planning and Zoning Board of Appeals Members to consider forward movement of an application by Piranha Milling & Paving Contractors LLC. The boards are strictly considering the application that includes only Phase 1 and there is enough sewer for that phase. Restrictions of additional phases will be in written form and it was suggested to add the written form on the site drawings. The Board took the following action:

RESOLUTION #218 SCHEDULE JOINT MEETING WITH THE TOWN OF AVON PLANNING AND ZONING BOARD OF APPEALS

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

RESOLVE to provide the following notice to the Livingston County News:

TOWN OF AVON
LEGAL NOTICE

A special Joint meeting with the Town of Avon Planning and Zoning Board of Appeals is scheduled for December 16, 2019 at the Avon Town Hall/Opera Block, 23 Genesee Street Avon, New York, 14414 at 7:00 P.M. for discussion on an application submitted by Piranha Milling & Paving Contractors LLC and any other business that comes before the Board.

By order of the Town Board
Sharon M Knight MMC/RMC, Town of Avon Clerk
Dated: December 13, 2019

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

DISCUSSION – HURRICANE VOUCHER

There was continued discussion on the Hurricane voucher, and it was removed from the completed abstract. A new abstract will be prepared by the Town Clerk's Office

RESOLUTION #219 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- 23 in the following amounts:

Concerning ABSTRACT of Claims Number 2019-23 including claims as follows:

RESOLUTION #219 PAYMENT OF BILLS-continued

General Fund	Voucher #547 through #588 in amounts totaling \$ 23,160.31
Highway Fund	Voucher #198 through #213 in amounts totaling \$ 5,546.89
Water Fund	Voucher #116 through #123 in amounts totaling \$ 4,970.27
Cemetery Fund	No Voucher
Opera Block Capital Improvement	No Voucher
Royal Springs Lighting	Voucher #12 through #12 in amounts totaling \$ 1,006.98
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

RESOLUTION #220 ACCEPT THE MONTHLY REPORTS

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

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

Town Clerk’s November 2019 Report:

<u>Total Local Shares Remitted:</u>	<u>\$1,320.38</u>
<u>New York State Department of Health</u>	<u>\$ 45.000</u>
<u>NYS Ag. & Markets for spay/neuter program</u>	<u>\$ 72.00</u>
<u>NYS Environmental Conservation</u>	<u>\$2,083.32</u>
<u>TOTAL</u>	<u>\$3,520.70</u>

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

OPEN ITEMS

Councilman Coyne will reach out to the other members of the Battery Storage Committee to check availability and then schedule their first meeting.

DISCUSSION – VISITORS COMMENTS

Visitor Judy Falzoi shared complements of the excellent job of the Highway Department and the use of their twenty-foot spread salter in the Royal Springs Development.

RESOLUTION #221 EXECUTIVE SESSION

On motion of Supervisor LeFeber, seconded by Councilman Harrington 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 person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a person or corporation. TIME 7:40 P.M. inviting Attorney Campbell.

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

RESOLUTION #222 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 8:20 P.M.

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

On motion of Councilman Harrington seconded by Councilman Drozdziel the meeting was adjourned at 8:21 P.M.

Respectfully submitted by:

Sharon M. Knight, MMC/RMC Town Clerk