

A regular meeting of the Town of Avon was held on Thursday, April 25, 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 (arrived at 6:04 P.M.), and Councilmen Malachy Coyne, James Harrington and Paul Drozdziel

OTHERS: Attorney James Campbell, Code Enforcement Officer Brian Glise, Highway/Water Superintendent Tom Crye, and Town Clerk Sharon 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 – VISITORS COMMENTS**

Supervisor LeFeber asked for Visitor Comments and there were none.

### **RESOLUTION #74 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)

RESOLVE to approve the minutes of April 11, 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**

### **RESOLUTION #75 APPOINTMENT OF ASSESSOR TAMI SNYDER**

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

ADOPTED AYES 5 NAYS 0

RESOLVE to appoint Tami Snyder as Assessor, term to expire September 30, 2025.

**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:

A proposed local law was presented to the Town Clerk 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 Light Industrial District (L-1). The law will be sent to Livingston County Planning Board for referral under General Municipal Law section 239m along with Part 1 of the FEAF.

The Right to Farm Committee is in the planning stages of scheduling another meeting.

Work on the Helios Pilot continues for property located at 1112 East River Road, tax parcel #24.-2.-4.122.

There was discussion on the Board's ability to change the Procurement Policy as state regulations have changed. It is being investigate by Attorney Campbell as further research is needed, and recommendations will be provided at a future meeting for Board consideration.

Supervisor LeFeber requested Attorney Campbell prepared the legal documents that are required to develop a Highway Reserve Fund.

**DISCUSSION – HIGHWAY/WATER REPORT**

Highway/Water Superintendent Crye reported on the following:

Highway - plow equipment has been put away, cleaned up highway barns while preparing for the walk through, worked at school, ditching, brush, shoulders, and began mowing cemeteries. We were able to sell the excavator for \$22,300.00, which was a good price and proves that our upkeep on equipment is valuable.

Water – Kelly Sloan has passed his tests and in now our “Operator in Charge”. Meter readings are being conducted, billing will go out next week and there was a small leak on North Littleville Road. A line that runs along side North Littleville Road from Jones Lane to Antonio Drive will be shut off as it's no longer needed.

**DISCUSSION – CODE REPORT**

Code Officer Glise reported on the following:

- We are getting permits for fences, pole barns and demolitions
- Mathew's sign has been approved
- Howlett's storage shed was taken down

**RESOLUTION #76 SET PUBLIC HEARING FOR LOCAL LAW 1A-2019**

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

ADOPTED AYES 5 NAYS 0

RESOLVE, to adopt the following legal notice:

**TOWN OF AVON  
LEGAL NOTICE  
LOCAL LAW T-1-2019  
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 13, 2019 for the purpose of considering public opinion and comment about or concerning a proposed local law relating to the following:

The purpose of 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 Light Industrial District. It is the specific intention of this Local Law to only modify the zoning district boundaries (and accordingly change the zoning classification) relating to that portion of Tax Identifier Map Parcel No. 24.-2-4.122 that is on the west side of East River Road. The remaining portion of Tax Identifier Map Parcel No. 24.-2-4.122 that is on the east side of River Road (approximately 60.40 +/- acres) shall continue to be within the Agricultural District (A) and classified thereby.

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](http://www.avon-ny.org)

All interested persons are invited to appear and be heard at the aforesaid time and place.

Dated: April 30, 2019

Publish: May 30, 2019

By order of the Town Board of the Town of Avon

Sharon M. Knight, MMC/RMC Town Clerk

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

**DISCUSSION – SOLAR PILOT**

There was discussion on the solar pilot for Helios. Additional work needs to be completed including decommissioning as the Planning Board will review and need to approve their acceptable plan. The Solar Pilot could be approved by the Town Board with the condition of the Planning Board's final approval of decommissioning.

Assessor Snyder stated that the date when payment to the Town will be made needs to be included in the PILOT agreement. Attorney Campbell asked the Assessor to give this thought and let him know of the decision.

**DISCUSSION – ENGINEER REPORT**

David Willard, MRB Group Engineer was not in attendance.

**DISCUSSION – TOWN CLERK REPORT**

Town Clerk Knight reported on the following:

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

Update from Congressman Collins  
Avon Chamber of Commerce - 2  
Liv. Cty. Planning Department – Watershed Education Center  
Memorial Day Program – Highlight Maureen Kingston

The question was presented to the Board if May 23<sup>rd</sup> would be a good date to recognize the Avon Youth recognized at the Annual Livingston County Youth Recognition Ceremony.

The Court was having difficulty receiving phone calls and after the assistance of Avaya I believe that the problem has been corrected.

A request was received today from Nick Binnert, CPL a Rochester based Architecture Engineering and Planning Company. They are asking for information about our water including district maps. Water Clerk Kim McDowell is gathering the information. Supervisor LeFeber stated a county wide comprehensive review is being conducted through a Livingston County grant. A few years back the Board adopted a FOIL policy regarding sharing water infrastructure information. It was recommended by Attorney Campbell to include the policy with the Town's water information. Town Clerk Knight will share the adopted policy to Water Clerk McDowell.

Received by email today was the draft Town of Avon CDU OS it's the Official Statement. After review I'll provide Supervisor LeFeber with my comments.

**DISCUSSION – TOWN CLERK REPORT-continued**

Some time ago the Board determined that computers should be replaced after five years of service. Replacements do not always follow that rule based on many variables. A chart was shared on the TV screens to show a history and current replacement needs. After some discussion the Board approved to purchase two laptops and request that Hurricane provide recommendations for replacements. Assessor Snyder stated that her computer should not have windows 10 because her software is not compatible.

The history of complying with New York State Regulations regarding Workplace Violence Prevention and Sexual Harassment Policy follows:

Workplace Violence Prevention was first discussed in July of 2015 with a draft policy being provided to the Town Board by the Town Clerk. Below is additional history:

August 2015 was our first training completed by Livingston County Sheriff's Deputy.  
July 2016 NYS Department of Labor (DOL) came in and issued violations and modification of abatements.

June 2016 additional training by the DOL was conducted and included all employees, appointed Boards and volunteers.

August 2016 The Policy was adopted by the Town Board

August 2016 A summary of work-related injuries and illnesses was completed for 2015.

February 2018 Deputy Supervisor Mairs and Harrington were chosen to oversee personnel and if this fits under that category.

May 2018 Notification was provided to the Board that we are not in compliance.

November 2018 an additional policy was adopted entitled Sexual Harassment Policy

January 2019 Deputy Supervisor Mairs was chosen to oversee Workplace Violence Prevention

The Livingston County Sheriff's Department is offering Deputy John Morgan to complete training in Livingston County Towns and his available dates are the 6th, 13th and 15<sup>th</sup> of May. The NYSDOL is also willing to come out to provide training, although specific dates have not been requested.

The last thing is I'm putting together a committee to develop a Records Management Policy and Procedures for Town Board adoption. I would like to include a Board Member that would be available for a few Tuesdays for lunch meetings. Deputy Supervisor Mairs agreed to be the Board Representative.

**RESOLUTION #77 PAYMENT OF BILLS**

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

ADOPTED AYES 5 NAYS 0

RESOLVE to accept for payment Abstract 2019-08 in the following amounts:

**RESOLUTION #77 PAYMENT OF BILLS-continued**

**Concerning ABSTRACT of Claims Number 2019-08 including claims as follows:**

<b>General Fund</b>	Voucher #168 through #191 in amounts totaling \$ 7,422.91
<b>Highway Fund</b>	Voucher #65 through #72 in amounts totaling \$ 4,855.08
<b>Water Fund</b>	Voucher #39 through #41 in amounts totaling \$ 668.53
<b>Cemetery Fund</b>	No Voucher
<b>Opera Block Capital Improvement</b>	No Voucher
<b>Royal Springs Lighting</b>	No Voucher
<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**

**PROCUREMENT POLICY LIMITS:** Attorney Campbell reported on the limits associated with our procurement policy stating that further review is needed. He will report at a future meeting.

**AUTHORIZE THE SUPERVISOR TO SIGN – GRANT APPLICATION NEW YORK STATE OFFICE OF PARKS, RECREATION AND HISTORIC PRESERVATION:**

There was discussion on the resolution for the opera block grant and a SEQR that will need to be completed by the Town Board approving the Supervisor to sign the grant application. Further discussion included the need for a project inspector/Clerk of the Works and Deputy Supervisor Mairs agreed to fill that position.

**SENIOR XYZ INSURANCE:** Supervisor LeFeber reported on including this group on our recreation insurance policy and then provide liability coverage to the Village as that is there meeting place. It appears there would not be an additional cost to the Town.

**RESOLUTION #78 ADD XYZ CLUB TO THE TOWN RECREATION INSURANCE POLICY.**

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

ADOPTED AYES 5 NAYS 0

RESOLVE to add XYZ Club to the Town’s insurance policy at no additional cost.

**RESOLUTION #78 ADD XYZ CLUB TO THE TOWN RECREATION INSURANCE POLICY-continued.**

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

**OPEN ITEMS**

Councilman Coyne stated the Right to Farm Committee is scheduling another meeting.

The Democrat & Chronicle reported that several million dollars was awarded to seven upstate parks. We are hoping Papermill Park is one of the seven.

**DISCUSSION VISITOR COMMENTS**

Supervisor LeFeber asked for any visitor comments and Janet Manko shared information about solar including that downstate customers will receive benefits and that this is not a job generator. She also shared information about pollinators/bee keeping.

There was also discussion on the Town of Avon's ability to opt out of future solar projects.

On motion of Councilman Coyne seconded by Councilman Harrington the meeting was adjourned at 7:17 P.M.

Respectfully submitted by:

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Sharon M Knight Town Clerk MMC/RMC