

A regular meeting of the Town of Avon was held on Thursday, March 9th at 6:00 P.M. at the Avon Opera Block/Town Hall, 23 Genesee Street, Avon, New York 14414.

PRESENT: Supervisor David LeFeber, Deputy Supervisor Thomas Mairs, Councilmen James Harrington, and Paul Drozdziel

ABSENT: Councilman Malachy Coyne

OTHERS: Attorney Campbell, Tom Crye, Highway/Water Supervisor, Brian Glise Code Enforcement Officer, Dave Willard MRB Group Engineer and Sharon M. Knight, MMC/RMC Town Clerk

VISITORS: Chuck Morgan

Supervisor LeFeber called the meeting to order at 6:00 P.M. and led those in attendance in the Pledge of Allegiance.

VISITOR COMMENTS:

Supervisor LeFeber asked if there were any visitor comments. There were none at this time.

DISCUSSION – SUPERVISOR LEFEBER COMMENTS

Supervisor LeFeber read the following for the official record:

On Friday February 17th, I submitted a notarized statement to be part of the Feb 23rd Board meeting to Deputy Town Clerk Jennifer Shannon. I read this statement at the February 23rd Board Meeting. This did not make the draft meeting minutes on the Town website or the minutes in the Board packet or minutes presented by Email on February 27th. Other individuals in past have submitted notarized documents read at the meeting and have been included in minutes. So, I will read again.

David LeFeber, my comments for the February 23, 2023, Town Board meeting.

On February 6, 2023, Deputy Town Clerk, Jennifer Shannon, asked the Town Board if there were any changes to the draft minutes of the January 26, 2023 meeting via email.

I submitted these changes to Deputy Town Clerk, Jennifer Shannon, via email at 2:57PM on February 6, 2023:

- Deputy Clerk hours are being depleted not saved.
- Concerned about unemployment claim being filed against Town if hours depleted.
- People in January visited Clerk office to pay taxes on a Wednesday afternoon and I instructed them to come another time to present their taxes in person to Clerk's office
- Feel since the Town is investing in the facility that the office should be open 40 hours

Deputy Clerk, Jennifer Shannon, included my comments in another draft minutes via email at 12:39PM on February 7, 2023.

DISCUSSION – SUPERVISOR LEFEBER COMMENTS-continued

Deputy Clerk, Jennifer Shannon, sent a Board packet to Town Board members at 11:58AM on February 8, 2023, via email which included the draft minutes with my comments removed and with no indication why they were removed.

Upon asking why my comments were removed at a public Town Board meeting February 9, 2023, Town Clerk, Sharon Knight, who was not present at the January 26, 2023, meeting listened to a tape and suggested, the tone, flavor, and character of my comments weren't worthy of having in the minutes.

David LeFeber, Supervisor, Town of Avon



HEATHER RANDALL
Notary Public, State of New York
Livingston County. Reg. #01RA6332113
My Commission Expires Oct. 26, 2023

Attorney Campbell suggested Supervisor LeFeber along with his Confidential Secretary Kim McDowell put things on our Town website.

RESOLUTION #54 ENTER INTO EXECUTIVE SESSION

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

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 and discussion regarding proposed, pending, or current litigation inviting Attorney Campbell. TIME 6:04 P.M.

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

RESOLUTION #55 CLOSE EXECUTIVE SESSION

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

RESOLVE to close executive session with no action taken at 6:16 P.M.

RESOLUTION #55 CLOSE EXECUTIVE SESSION-continued

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

DISCUSSION-ATTORNEY REPORT

Attorney Campbell gave the following report:

- Pilot Avon CSG 11 pilots have been signed, Stokoe has them and then they will come back to the Town for the Supervisor's signature.
- Final revisions have been made for Wheat Solar
- The road use agreement for SCG 1 and 2 - Changes were made to the County's Road use agreement and will be used for protection of our roads.
- Met with Brian, Kim, Colin Hayes to discuss codification – Lance thought to do a full recodification while working on Comp Plan. A list has been kept by Brian of issues. We have a contract with General Code Publishers, and we should decide to move forward or make limited changes while working on the Comprehensive Plan Update. The Board discussed updating the Comp. Plan versus starting from scratch.
- Preference for Comprehensive Plan is updated every five years, but it takes several years for updates. Its suggested 7 – 10 years for an update.

DISCUSSION- CODE ENFORCEMENT REPORT

Code Enforcement Brian Glise gave the following report:

- Met with Planning Board Member/General Code Employee Colin Hayes regarding codification.
- Will be at RIT for training next week M, T and W.
- Out of town on Friday
- Twin Cedars - April 11th scheduled meeting with MRB Engineering, Highway/Water Superintendent, and Attorney for 50 additional proposed homes sites. Water issues should be considered. Recent water breaks near 5/20. Dig Safe should be involved.
- Moving next Thursday and Friday 17th to the first floor.
- Person did not like what I told him, so he called the Attorney Campbell. A bill through the Town of Avon for the service will be sent to the person. This is the same as everything else that gets billed out. A permit will not be issued without payment of the service to the Attorney.
- Six Sprouts installation inspection this week. Bringing in a site plan to the next meeting.
- Discussion regarding continued issues with Solar on 5/20 – still not approved to allow producing electricity.

DISCUSSION- HIGHWAY/WATER REPORT

Highway/Water Superintendent Crye gave the following report:

- Highway – snow removal, working in shop, brush, ditching, all roads are in good shape.

- Water – everyday maintenance and sampling, water inspection for the Health Department at 77 THM. The testing will be sent to MRB Group for reporting purposes.

RESOLUTION #56 AGREEMENT TO SPEND TOWN HIGHWAY FUNDS

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

RESOLVE to approve the following:

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6

RESOLUTION #56 AGREEMENT TO SPEND TOWN HIGHWAY FUNDS-continued

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

DISCUSSION- HIGHWAY/WATER REPORT-continued

Three quotes were received for the purchase of a new truck. Municipalities are no longer purchasing on bid as vehicles are not available. The Board took the following action.

RESOLUTION #57 APPROVAL OF THE PURCHASING 2022 RAM

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

RESOLVE to purchase a 2022 RAM 2500 Crew Cab 4 x 4 tradesman at a cost of \$54,137.50.

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

DISCUSSION – ENGINEERING REPORT

MRB Group Engineer Dave Willard provided the following report:

- The Water Study was provided to the County and discussions were held last Friday.
- Reducing water flow from Pole Bridge Road to Routes #5/20 is positively being worked on with the property owner. Code Enforcement Officer did report of an additional complaint and several phone calls being received by the Town. There is a record of the progress being made. It's been drier the last two years.
- A jumper wire was installed, and it was questioned how we would stop them from turning on the system.
- Violations of the Solar Developer were discussed including the Town Code Enforcement Officer not approving turning on the solar field.
- The Planning Board has approved adoption of the new forms and rules of procedures provided by MRB Group.
- Reviewing the fee schedules in needed.

DISCUSSION - TOWN CLERK REPORT

Town Clerk Sharon Knight provided a written report and confirmed that the Town Board received it prior to meeting.

Town of Avon

Department/Committee Bi-Monthly Update to the Town Board

Department Heads/Committee Clerks – Please complete and submit this update by noon pm the Wednesday prior to the bi-monthly town board meetings. Do your best to keep this update to just one page. Simple bullets for the updates are fine. Routine department/committee updates will not be presented during board meetings. Only items in the “Requests for Town Board Decisions will be discussed during the board meetings unless there are questions of the Town Clerk. Thank you.

| Description | Information/Update |
|---|--|
| Department/Committee : | Town Clerk/Collector, Registrar, Records Management Officer, Marriage Officer, Notary |
| Department Head: | Sharon M. Knight, MMC/RMC |
| Date of Report: | March 8, 2023 |
| Requests for Town Board Decisions: | <ol style="list-style-type: none"> 1. Approval of minutes not yet considered: February 23, 2023 2. Abstract 2023-5 3. Resignation of Jennifer Shannon |
| Key Points/Updates: | <ol style="list-style-type: none"> 1. We have collected 93% of tax bills. Approximately 54 online payments, 1792 mail, and 629 counter. 2. Updated projected schedule of mandated reduced Deputy Town Clerk hours. 3. Hosting the Avon Garden Club in the Town Clerk’s Lobby March 28th 4. Free Rabies Vaccination Clinics - 2023 |
| Routine Updates: | <ol style="list-style-type: none"> 1. Scanning daily records into Laserfiche. 2. Dog Licenses, Tax Collection, Faxing, Coping, Notary Service, Local Laws, Legal Notices and Budget |

The following letter was read into the minutes by Town Clerk Sharon Knight



Sharon M. Knight, Avon Town Clerk
 International Institute of Municipal Clerk’s Master Municipal Clerk
 New York State Registered Municipal Clerk
 Jennifer Shannon, Deputy Town Clerk
 23 Genesee Street
 Avon, New York 14414

March 3, 2023

For the official record, I would like to thank Jennifer Shannon for her service to the Town Clerk's Office as the Deputy Town Clerk. She served our community in the Town Clerk's office for 4 months; her display of skills was outstanding. She learned duties of the position quickly and performed them with thoroughness. Her personality put people at ease while she provided outstanding public service. I always knew I could rely on Jennifer to follow my directions and do what was best for our community while representing the Town Clerk's office.

From applying for the Deputy Clerk's position to her last working day, Jennifer always portrayed professionalism. While I supported her in applying for other positions, I will miss her in this office, and so will those she came into contact with. She was offered all the positions she applied for and accepted to stay within our community. Avon Central School will benefit from her strong work ethics and are lucky to have Mrs. Jennifer Shannon as an employee.

Sincerely,

Sharon Knight, MMC/RMC

Sharon Knight, MMC/RMC
Avon Town Clerk

The following letter was received in the Town Clerk's Office

March 3, 2023

Dear Town of Avon,

It's hard to believe it has been 4 months since I took the job offer to become the Avon Town Deputy Clerk. Today has been a mix of emotions as I finish my last day. I will miss many faces that I got to see on a daily basis, and I value the friendships I have made along the way.

Before my day comes to an end, I wanted to let the Town of Avon know that I am very appreciative for Sharon Knight giving me the incredible opportunity to work for the Clerk's Office. I was just getting my feet wet with coming back into the workforce after being home with my children. Even though Sharon always treated me as her equal, I was very fortunate to have her as my boss. I couldn't have asked for a better mentor.

Sharon's leadership provided me with the best possible training to be successful in the position. The love, admiration and compassion Sharon has for our community goes beyond the job's scope of practice. Avon is lucky to have such a knowledgeable and dedicated Town Clerk.

Sharon knew that I had shared other career passions and encouraged me to explore those options. She was supportive when I told her I decided to peruse the career route in which I went to college for.

Thank you again for the opportunity to serve my community. I will forever value all I have learned, and will use those lessons throughout my career.

Sincerely,



Jennifer Shannon

RESOLUTION #58 DECLARE SURPLUS

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

ADOPTED AYES 5 NAYS 0

RESOLVE to declare the Historian's HP Deskjet 3847 as surplus to be stored by the Highway/Water Superintendent to be recycled at Dump Days.

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

DISCUSSION - TOWN CLERK REPORT-continued

Town Clerk Knight continued her report as follows:

- She expressed an apology for not inserting the Supervisor’s notarized comment in the draft minutes of February 23, 2023 and will insert.
- Confirmation was provided by the Board that the hourly rate for a Deputy Town Clerk is \$15.00 and there will be no additional dollars available for training a new person. It was suggested to include in an advertise for the position as “part time varied hours”. Paying by voucher is approved for a short period of time and the Employee Handbook would need to be signed by the Town Clerk’s appointed Deputy.

RESOLUTION #59 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 February from the Town Supervisor and from the Town Clerk as shown below:

Town Clerk’s February 2023 Report:

| | |
|---|------------------|
| Total Local Shares Remitted: | \$ 944.25 |
| New York State Department of Health | \$.00 |
| NYS Ag. & Markets for spay/neuter program | \$ 27.00 |
| NYS Environmental Conservation | \$.00 |
| TOTAL | \$ 971.25 |

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

DISCUSSION – SOLAR COMMITTEE – PLANNING MEETING AND LEADER

Councilmen Harrington and Coyne will represent the Town Board on the Moratorium Solar Committee. There were 8 or 9 individuals that applied. Attorney Campbell is also involved. A list of members will be provided along with meeting dates at the next meeting.

RESOLUTION #60 RECOMMENDATION TO THE LIVINGSTON COUNTY YOUTH BOARD REPRESENTATIVE

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

RESOLVE to recommend the appointment of Kelly Tonra as the Town of Avon Representative to the Livingston County Youth Board

RESOLUTION #60 RECOMMENDATION TO THE LIVINGSTON COUNTY YOUTH BOARD REPRESENTATIVE-continued

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

DISCUSSION – CROSSROADS INDUSTRIAL PARK

Supervisor LeFeber will have discussions with Livingston County IDA Director Bacon regarding the Crossroads Industrial Park regarding storm water, wastewater, and road maintenance.

RESOLUTION #61 ACCEPT THE RESIGNATION OF JENNIFER SHANNON DEPUTY TOWN CLERK

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

RESOLVE to accept the resignation of Jennifer Shannon as Deputy Town Clerk.

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

RESOLUTION #62 AMEND COMPENSATION SCHEDULE - REMOVE JENNIFER SHANNON DEPUTY TOWN CLERK

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

RESOLVE to amend the 2023 compensation schedule removing Jennifer Shannon as Deputy Town Clerk.

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

RESOLUTION #63 ACCEPT THE CLAIMS

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

RESOLVE to accept for payment Abstract 2023-5 in the following amounts:

Concerning ABSTRACT of Claims Number 2023-05 including claims as follows:

RESOLUTION #63 ACCEPT THE CLAIMS-continued

| | |
|---------------------|------------------------------|
| General Fund | Amounts totaling \$42,017.08 |
| Highway Fund | Amounts totaling \$ 4,324.85 |

Water Fund Amounts totaling \$ 4,813.94
Royal Springs Lighting Amounts totaling \$ 1,184.20

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

RESOLUTION #64 BARILLA ARTICLE 7 SETTLEMENT

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

RESOLVE to authorize Supervisor LeFeber to sign the amendment to Barilla’s PILOT with the IDA. One of the terms/conditions was that the automatic annual increase assessment be removed. We cannot change for three years after the change unless new facilities are added.

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

DISCUSSION- OPERA BLOCK/TOWN HALL RENOVATION

- Moving Kim, Brian, and David next Thursday/Friday to the first floor.
- File Cabinets need to be identified to determine if they will be on the first or lower level.
- Still waiting for a date from RG&E.
- Building automated system with set schedule for heating and cooling
- The heat pumps for the third floor will be placed in the attic space and will be hanging from the roof.
- A small conference room for 4, 6 or 8 people will be on the first floor.

DISCUSSION - OPEN ITEMS:

- A meeting of the Water works Committee scheduled for next Thursday night to consider water rate.
- The County Water Study has a lot of moving parts
- Working at the County to look at creative solutions to not break off from the Village.

On motion of Deputy Supervisor Mairs, seconded by Councilman Harrington the meeting was adjourned at 7:53 P.M.

Respectfully submitted by:

Sharon M. Knight, MMC/RMC Town Clerk