

A regular meeting of the Town of Avon was held on Thursday, May 25th at 6:00 P.M. at the Avon Village Hall, 74 Genesee Street, Avon, New York 14414.

PRESENT: Supervisor David LeFeber, Deputy Supervisor Thomas Mairs, Councilmen Paul Drozdziel, and Malachy Coyne.

ABSENT: Councilman James Harrington

OTHERS: Attorney James Campbell, Code Enforcement Officer Brian Glise, Kim McDowell, Confidential Secretary to the Town Supervisor

VISITORS: Cindy Kellen, Edward Forsythe, Diana Farrell, Heather Randall

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 and there were none.

RESOLUTION #128 APPROVAL OF MINUTES

On motion of Deputy Supervisor Mairs, seconded by Councilman Drozdziel the following resolution was ADOPTED AYES 4 NAYS 0 ABSTAIN 0

RESOLVE to approve the minutes of May 11, 2023 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 – Absent, Councilman Coyne – Aye, Deputy Supervisor Mairs - Aye, Supervisor LeFeber – Aye

DISCUSSION - MRB GROUP REPORT

Dave Willard was not present, but Supervisor LeFeber stated NextEra submitted a revision to address the drainage issue on the solar farm on Routes 5 & 20. MRB Group will be reviewing the plans and will send a comment letter when completed. They are still working on the joint water study and will have more information coming next week as well.

DISCUSSION - HIGHWAY/WATER REPORT

Highway/Water Superintendent Crye was not present but sent the following report:

HIGHWAY:

- **Shop**
- **Parks & Cemetery's and weedeater for Memorial Day**
- **Mowing roadsides**
- **Work for Cty. On Stewart Road in York**
- **Helped Lima & Caledonia - oil & stone**
- **Oil & Stoned part of North Avon Road, Pole Bridge Rd, South Avon Road, and Nations Road**
- **Helped Village grind**
- **Some ditching**

WATER:

- **Everyday maintenance & sampling**

DISCUSSION - CODE ENFORCEMENT REPORT

Code Enforcement Officer Brian Glise reported on the following:

- Code Enforcement Officer Glise asked if the proposed drainage solution for Routes 5 & 20 will include the house and they believe it does.
- Solar meeting a couple of nights ago and it is going well.
- Teddy Vanson is looking for permission/waiver to film at Avon Parks during the day/night. He is going to provide the Town with a written request. There was discussion on what would be the best way to handle this request and they determined he needs to provide the Town with a one-time liability insurance policy to get a waiver.

RESOLUTION #129 GRANTING FILMING IN AVON PARKS BY TEDDY VANSON

On motion of Supervisor LeFeber, seconded by Councilman Drozdziel the following resolution was ADOPTED AYES 4 NAYS 0 ABSTAIN 0

RESOLVE to approve the filming at Avon Parks after hours with a one-time event insurance policy provided to the Town by Teddy VanSon and his employees.

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

DISCUSSION - CODE ENFORCEMENT REPORT (CONT)

- Certificate of Occupancy was given in Royal Springs, CEO Glise feels this is the last house for Phase 1

- CEO Glise responded to a complaint regarding the berm removal at the gravel pit on Oak Openings Road.
- Deputy Supervisor Mairs questioned what happens if the solar farms are in decommissioning mode due to default, does the Town have anything in place to cover the cost and we require a decommissioning bond to be on file and updated yearly.

DISCUSSION - ATTORNEY REPORT

Attorney Jim Campbell reported on the following:

- Solar committee meeting was held two nights ago, and it is going well. The topic of this meeting was Type 2 solar. The discussion was on where we would like to have solar in the Town of Avon along with where not to have solar. Some suggestions for not having solar were Route 39 to Geneseo and Route 5 & 20 going into the Village. Our next meeting will be in a few weeks and have asked Clara Mulligan to attend to get help with the comprehensive plan objectives.
- LAL RR proposal for rezoning is almost complete. Our code's process is having a recommendation from the Planning Board to the Town Board and then holding a joint meeting with a public hearing. The next Planning meeting is June 19, 2023, and the joint meeting/public hearing should be at the next Board meeting on June 22, 2023.
- CEO Glise asked about the traffic and have a light put in at that intersection at the truck stop and can the Planning Board require the applicant to do anything; the Planning Board can't require the NYS DOT to put a light there, but they can require the applicant to involve the NYS DOT in the application process and have a traffic study done.

RESOLUTION #130 SCHEDULE PUBLIC HEARING FOR THE REZONING OF LAL RR FOR JUNE 22, 2023 AT 7:00PM WITH THE PLANNING BOARD

On motion of Supervisor LeFeber, seconded by Deputy Supervisor Mairs the following resolution was ADOPTED AYES 4 NAYS 0 ABSTAIN 0

RESOLVE to schedule a public hearing and have a joint meeting with the Planning Board for the LAL RR rezoning from Agriculture to PDD, tax map number #55.-1-70.11.

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

DISCUSSION - ATTORNEY REPORT (CONT)

- Attorney Campbell did receive a complaint from a contractor who had a roofing job on Oak Openings Road, who claims CEO Glise wouldn't issue the certificate of completion because there were a few things that needed to be done but the homeowner wouldn't allow the contractor back on the property to do them. The homeowner has now filed a

complaint against the contractor with the Attorney General. Attorney Campbell along with CEO Glise have issued a letter to the contractor regarding his complaint.

DISCUSSION – SUPERVISOR LEFEBER

- Resident on Pole Bridge Road is contesting her latest water bill, her usage was unusually high due to a leaky toilet which the water operator located and fixed for her. Supervisor LeFeber stated the forgiveness amount would be \$48.13.

RESOLUTION #131 APPROVE CREDITING \$48.13 TO WATER CUSTOMER FOR LEAKAGE ON HER WATER BILL

On motion of Councilman Coyne, seconded by Deputy Supervisor Mairs the following resolution was ADOPTED AYES 4 NAYS 0 ABSTAIN 0

RESOLVE to credit \$48.13 on customer water bill for small leak.

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

DISCUSSION – SUPERVISOR LEFEBER (CONT)

- Is in the process of getting the quote for professional review of Town employee’s pay rates.
- The other day when Supervisor LeFeber went into the Town office, the door was locked to get to the Court offices and both Clerks were in the office. Supervisor LeFeber reached out to one of the Judges regarding this matter and he did not get a response.
- Supervisor LeFeber had a discussion with Liam Coyne on his interest in becoming a member of the Water Works Committee and the Board agreed to pass his name along to the Village Board members for consideration.
- Supervisor LeFeber thanked Heather Randall for helping out this past month and he would like to keep her on as Deputy Town Clerk while Diana is learning the ropes, and everyone agreed.

RESOLUTION #132 ACCEPT THE CLAIMS

On motion of Deputy Supervisor Mairs, seconded by Councilman Drozdzial the following resolution was ADOPTED AYES 4 NAYS 0 ABSTAIN 0

RESOLVE to accept for payment Abstract 2023-11 in the following amounts.

Concerning ABSTRACT of Claims Number 2023-11 including claims as follows:

General Fund	Amounts totaling \$ 16,326.18
Highway Fund	Amounts totaling \$ 11,358.74

Water Fund	Amounts totaling \$	1,914.86
Cemetery Fund	Amounts totaling \$	
Royal Springs	Amounts totaling \$	

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

OPEN ITEMS TOWN BOARD MEMBERS

Councilman Coyne had no open items.

Councilman Drozdziel stated we are still waiting for RG&E to come and upgrade the meter for the new generator, second and third floor are moving along, and he anticipates an October 2023 completion for the project.

Deputy Supervisor Mairs had no open items.

RESOLUTION #133 AMMEND THE TOWN LETTERHEAD TO INCLUDE DIANA FARRELL AS THE TOWN CLERK

On motion of Deputy Supervisor Mairs, seconded by Councilman Coyne the following resolution was ADOPTED AYES 4 NAYS 0 ABSTAIN 0

RESOLVE to amend Town letterhead to include Diana Farrell as Town Clerk.

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

DISCUSSION - OPEN ITEMS:

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

On motion of Deputy Supervisor Mairs, seconded by Councilman Coyne the meeting was adjourned at 8:08 P.M.

Respectfully submitted by:

Kim McDowell, Confidential Secretary to Town
Supervisor