

A regular meeting of the Town of Avon was held on Thursday, July 27, 2023 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 James Harrington, Malachy Coyne

PLANNING BOARD: Kathy Cole, Brian Thorn, Collin Hayes and Christopher Sterner.

ABSENT: Tom Crye, Highway/Water Supervisor, Councilman, Paul Drozdziel, Dave Willard MRB Group Engineer

OTHERS: Attorney Campbell, Brian Glise Code Enforcement Officer, and Diana Farrell, Town Clerk

VISITORS: Cindy Kellen, Kitty Brassington, Don Mills, Jeff Bauman, Corey Zeh, Pam & Chris Rice, Edward Forsythe

Supervisor David LeFeber called the meeting to order at 6:02 P.M. and led those in attendance in the Pledge of Allegiance.

VISITOR COMMENTS: Supervisor David LeFeber asked if there were any visitor comments and there were none.

Supervisor David LeFeber discussed that the Open Public Hearing of the Joint Meeting & Public hearing from June 22, 2023 will remain open.

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

DISCUSSION -REZONING

- Attorney Campbell discussed that the Livingston County Planning did review this matter. They recommend the following: traffic study, internal traffic, secondary traffic and buffer to residential houses.
- Town Board and planning Board discussion:
 - Alternate road for use other for Bruckel Drive. South side of tracks not sufficient for access concern for two residential properties also on south side of tracks
 - Need for traffic light and traffic study in future if more development in future.
 - Zoning process we can re-zone – with or without LivWell being part of application.
 - When a future project presents; it could help determine future road placement.
 - Discussion on DOT taking action on traffic study and light.
 - Attorney Campbell will redo the Local Law taking out the LivWell project and consider the re-zone at the next Town board meeting in 2 weeks. The Town board support the re-zone. Attorney Campbell will resubmit to Livingston County Planning Department with the LivWell project removed.

RESOLUTION #151 APPROVAL OF MINUTES OF JULY 13, 2023.

On motion of Councilmen James Harrington seconded by Deputy Supervisor Thomas Mairs the following resolution was ADOPTED AYES 4 NAYS 0 ABSENT 1

RESOLVE to approve the minutes of July 13, 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 – Absent, Councilman Coyne- Aye, Councilman Harrington - Aye, Deputy Supervisor Mairs - Aye, Supervisor LeFeber – Aye

Supervisor David LeFeber read the Notice for the Public Hearing.

Legal Notice

Notice of Public Hearing

The tentative 2024 special assessment roll (to be used for the 2024 tax

bill) of the Route #39 Water Extension, Royal Springs Subdivision Lighting, and the Bruckel Drainage District has been completed and is on file at the Avon Town Clerk's Office, 23 Genesee Street, Avon, New York 14414 for review during regular business hours. The special assessment rolls indicate how many units you will be charged for water extension, drainage and/or lighting on your property tax bill for 2024.

The Avon Town Board will hold a public hearing for owners of properties located within the above-described districts on Thursday, July 27, 2023 at 6:30 p.m. at the Avon Village Hall, 74 Genesee Street, Avon, New York 14414 to hear objections to the special assessment roll and further give notice by mail to each property owner with unit charges on their tax bill.

By Order of Town Board
Diana Farrell, Avon Town Clerk
Dated: July 14, 2023

Supervisor David LeFeber asked if anyone cared to speak about the topic of the Public Hearing. No one spoke. The Supervisor stated that the Hearing will remain opened until end of meeting.

DISCUSSION-ATTORNEY REPORT

Attorney Campbell gave the following report:

- Discussion with Avon on the Green. They disagree that the Pilot has expired. Working with Tami Snyder with analysis.
- No meeting with Solar Committee; had conflict. Next meeting August 9, 2023.

DISCUSSION- HIGHWAY/WATER REPORT

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

HIGHWAY:

- Shop maintenance
- Shoulders around Town
- Weeding & shimming
- Helped Village of Lima
- Mowed & Weedeated Parks & Cemeteries
- Cut trees

WATER:

- Everyday maintenance & sampling
- THM sampling
- Meter reading

DISCUSSION- CODE ENFORCEMENT REPORT

Code Enforcement Brian Glise gave the following report:

- Six Sprouts building nearing completion; still working on some small things.
- Permit given to Solar site on Henty (CSG2). Starting project.
- Planning Board discussion of car wash on Tech Dr. for Bob Johnson. Returning with a plan. Not public; just for dealership.
- Several attempts to contact Dick Martin with no success regarding construction project for mini storage.

DISCUSSION – TOWN CLERK REPORT

- Training for new Credit Card machine;
- Deer licenses start August 1st. Been steady.

DISCUSSION – ENGINEERING REPORT

MRB Group Engineer Dave Willard was not present.

RESOLUTION #152 ACCEPT THE TRANSFER BUDGET

On motion of Deputy Supervisor Thomas Mairs seconded by Councilmen James Harrington the following resolution was ADOPTED AYES 4 NAYS 0 ABSENT 1.

RESOLVE to accept the transfers.

GENERAL FUND - TOWNWIDE

Transfer From:

UNANTICIPATED REVENUE

| | | |
|-------|----------------|---------------------|
| A4089 | Fed Aid (ARPA) | \$ 93,271.62 |
| | | <u>\$ 93,271.62</u> |

Transfer To:

| | | |
|------------|------------------------------|---------------------|
| AA9901.400 | Transfers Other Funds (ARPA) | \$ 93,271.62 |
| | | <u>\$ 93,271.62</u> |

GENERAL FUND - OUTSIDE VILLAGE

Transfer From:

UNANTICIPATED REVENUE

| | | |
|-------|--------------------------|---------------------|
| B5031 | Interfund Revenue (ARPA) | \$ 39,134.12 |
| | | <u>\$ 39,134.12</u> |

Transfer To:

| | | |
|-----------|--------------------|---------------------|
| B8020.400 | Planning Contr Exp | \$ 39,134.12 |
| | | <u>\$ 39,134.12</u> |

HIGHWAY - TOWNWIDE

Transfer From:

UNANTICIPATED REVENUE

| | | |
|--------|--------------------------|---------------------|
| DA5031 | Interfund Revenue (ARPA) | \$ 54,137.50 |
| | | <u>\$ 54,137.50</u> |

Transfer To:

| | | |
|------------|----------------------|---------------------|
| DA5130.200 | Machinery, Equip Exp | \$ 54,137.50 |
| | | <u>\$ 54,137.50</u> |

HIGHWAY - OUTSIDE VILLAGE

Transfer From:

UNANTICIPATED REVENUE

| | | |
|--------|----------------------|---------------------|
| DB3501 | Consolidated Highway | \$ 85,265.00 |
| | | <u>\$ 85,265.00</u> |

Transfer To:

| | | |
|------------|--------------------------------|---------------------|
| DB5112.200 | Perm Improvements, Capital Exp | \$ 85,265.00 |
| | | <u>\$ 85,265.00</u> |

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

RESOLUTION #153 ACCEPT THE CLAIMS

On motion of Councilmen James Harrington seconded by Councilmen Malachy Coyne the following resolution was ADOPTED AYES 4 NAYS 0 ABSENT 1

RESOLVE to accept for payment Abstract 2023-14 in the following amounts:

Concerning ABSTRACT of Claims Number 2023-14 including claims as follows:

| | |
|---------------------------------|-------------------------------|
| General Fund | Amounts totaling \$ 41,386.97 |
| Highway Fund | Amounts totaling \$ 1,991.65 |
| Water Fund | Amounts totaling \$ 1,470.50 |
| Cemetery Fund | No Voucher |
| Opera Block Capital Improvement | No Voucher |
| Royal Springs Lighting | No Voucher |
| 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 – Absent, Councilman Coyne- Aye, Councilman Harrington - Aye, Deputy Supervisor Mairs - Aye, Supervisor LeFeber – Aye

DISCUSSION – PROPERTY TAX EXEMPTION-QUALIFYING VOLUNTEER FIREFIGHTERS AND AMBULANCE WORKERS

Livingston County did adopt exemptions qualifying volunteers. The Board discussed the possibility of holding a hearing to grant these exemptions to Avon taxpayers. The Board decided at this time to take no action.

Supervisor David LeFeber mentioned a letter was drafted by our project architect to speed up work on the building project. Attorney Campbell will review the letter before it is sent.

Supervisor David LeFeber asked again if anyone cared to protest the Units they were assigned in their special district. No one questioned their number of units.

On motion of Supervisor Deputy Supervisor Thomas Mairs seconded by Councilmen James Harrington the following resolution was ADOPTED AYES 4 NAYS 0 ABSENT 1.

RESOLUTION #154 CLOSE UNIT CHARGE PUBLIC HEARING

On motion of Councilmen James Harrington seconded by Councilmen Malachy Coyne the following resolution was ADOPTED AYES 4 NAYS 0 ABSENT 1

RESOLVE to close the hearing regarding the Unit charge special District with no changes.

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

DISCUSSION - OPEN ITEMS: There were no discussion on open items.

Supervisor David LeFeber asked if there were any comments on the Public Hearing, which remains open considering the property re-zone. There were no comments.

Visitor comments:

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

On motion of Deputy Supervisor Thomas Mairs, Councilmen James Harrington, seconded by the meeting was adjourned at 7:35 P.M.

Respectfully submitted by:

Diana Farrell, Town Clerk