

A regular meeting of the Town of Avon was held on Thursday, September 14, 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, Councilmen Malachy Coyne

ABSENT: Councilmen Paul Drozdziel, Tom Crye, Highway/Water Supervisor

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

VISITORS: Janet Manko, Judy Falzoi, Cindy Kellen, Kitty Bressington, Maureen Wheeler, Grace Fizenzel, Edward Forsythe

Supervisor David LeFeber called the meeting to order at 6:01 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 a few.

Visitor Judy Falzoi had some concern from the August 24, 2023 board meeting minutes that was mentioned of a Cannabis showing near or at the entrance of Royal Springs. As of now, no application has been filed with the Town of Avon. We did have an inquiry about possibility having cannabis showing at the entrance of Royal Springs. We have heard nothing from property owner Peter Kolokouris. Internally, the Town staff has discussed how we will handle an application if we receive one. At this location, the current zoning and the intent of the PUD would not permit this use at that location.

Visitor Janet Manko discussed the hazards and ill effects of cannabis.

RESOLUTION # 172 APPROVAL OF MINUTES OF AUGUST 24, 2023

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

RESOLVE to approve the minutes of August 24, 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

DISCUSSION- AVON LIBRARY – Thanking the board for always supporting the library. Maureen Wheeler and Grace Fizenzel gave a budget review and also all the services they provide for the community members. Encouraged all to attend ribbon cutting ceremony on September 23, 2023 at 1:00 p.m. Supervisor David LeFeber thanked the library for the contributions they make to the Avon Community. We appreciate the budget detail and forward thinking as we allocate Town dollars to the operation to the Library.



DISCUSSION-ATTORNEY REPORT

Attorney Campbell gave the following report:

- Received a response from NYS DOT regarding maintaining maintenance and snow removal on sidewalks/overpass on 390 Exit 10. They cited highway law for the maintenance and the snow removal is at the discretion of the Town Board. With that said, the Town will need to maintain the sidewalk. Tom will need to place it on his radar to check regularly.
- Lead pipe inventory. Reviewed federal guidelines & lead pipe inventory requirement, EPA requirement. Plan w/ crew and recommend going to homes and doing inventory by October of 2024. The trend is we as the supplier of water are going to be more regulated as time goes on.
- Solar meeting last week; good meeting. 1-2 meetings before we have updated regulations.
- Avon On The Green Pilot, a lot of processes taking place and good amount of exchange of emails, correcting/tax bills, refunds and Bill Fuller has been a great help.
- Diana Farrell, Town Clerk and Attorney Campbell will be going to County Clerk's office to file Solar documents. Invoices will be sent to the applicant who is having paperwork filed.

DISCUSSION- HIGHWAY/WATER REPORT

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

HIGHWAY:

- **Shop maintenance**
- **Helped Town of York paving & Caledonia**
- **Brush**
- **Shoulders**
- **Mowed back County Road**
- **Guardrails Town & County**
- **Replaced driveway – Garden St.**
- **Mowed & Weedeat Parks & Cemeteries**

WATER:

- **Everyday maintenance & sampling**

Dump days was steady

Highway inventory

RESOLUTION # 173 HIGHWAY INVENTORY ACCEPTED

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 approve that Highway Superintendent has filled his duty to submit the Highway inventory of as September 1, 2023.

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

DISCUSSION- CODE ENFORCEMENT REPORT

Code Enforcement Brian Glise gave the following report:

- Cannabis Show case contacted Code department stated that currently out of town but will be sending paperwork if they plan on attending Planning/Zoning meeting next week.
- CO on apartment on Linden St.
- Next Era the engineer for the Solar at Polebridge Road contacted me. They have fulfilled the changes to the drainage that MRB suggested. The developer will be going back to the Planning/Zoning board for site plan amendment and special use permit amendment. They will also be replacing dead trees. The outcome will be a correction to the drainage system so it will function correctly.
- Solar tour will be taking place Friday, September 22, 2023.

DISCUSSION – ENGINEERING REPORT

MRB Group Engineer Dave Willard gave the following report:

- James Steele Park the contractor finished storm sewer. He will be back next week for sanitary sewer.
- The last THM sample complied. He is following up with the EPA.

Supervisor David LeFeber and Councilmen Malachy Coyne will be meeting on Friday with Village of Lima, Water authority for opportunities source supplemental for water.

DISCUSSION – TOWN CLERK REPORT

Diana Farrell gave following report:

- Hunting licenses continuing; slowing down.
- The new tax program will not be changing this year, per Bill Fuller. Possible next year. I will need training on the current program.
- New credit card up and running; previous card company will be cancelled.

RESOLUTION #174 ACCEPT THE MONTHLY REPORTS

On motion of Supervisor David LeFeber seconded by Councilman James Harrington the following resolution was ADOPTED AYES 4 NAYS 0 ABSENT 1.

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

Town Clerk’s August 2023 Report:

Total Local Shares Remitted:	\$ 2,289.86
New York State Department of Health	\$ 90.00
NYS Ag. & Markets for spay/neuter program	\$ 61.00
NYS Environmental Conservation	\$ 3,460.24
TOTAL	\$ 5,901.10

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

DISCUSSION – COMPREHENSIVE PLAN

Met with Finger Lakes Planning willing to work with the Board to add/supplement. We will get a proposal from them. Placed \$30,000 in budget in the tentative budget. Will put a committee together. No action will be taken at this time as we await for the proposal.

RESOLUTION # 175 DONATION 1926 AHRENS-FOX

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

RESOLVE to re-evaluate donation at a later date.

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

RESOLUTION #176 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 2023-17 in the following amounts:

Concerning ABSTRACT of Claims Number 2023-17 including claims as follows:

General Fund	Amounts totaling \$ 253,172.17
Highway Fund	Amounts totaling \$ 13,197.58
Water Fund	Amounts totaling \$ 5,692.67
Cemetery Fund	No Voucher
Opera Block Capital Improvement	No Voucher
Royal Springs Lighting	Amounts totaling \$ 1,178.70
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

RESOLUTION # 177 TENTATIVE 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 give the Town Clerk the Tentative budget. All board members and Department Heads will receive copy.

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

DISCUSSION - OPEN ITEMS:

- Councilmen James Harrington asked if the front window were cleaned. Discussed another position for Highway Department for part of Building Maintenance. Will discuss further at Budget meeting.

Visitor comments:

Edward Forsythe made comments about the Town of Avon.

On a motion of Councilmen Malachy Coyne, seconded by Deputy Supervisor Thomas Mairs the meeting was adjourned at 8:20 P.M.

Respectfully submitted by:

Diana Farrell, Town Clerk