

A regular meeting of the Town of Avon was held on Thursday, September 28, 2023 at 6:00 P.M. at the Avon Village Hall, 74 Genesee Street, Avon, New York 14414.

PRESENT: Supervisor David LeFeber, Councilmen James Harrington, Councilmen Malachy Coyne, Councilmen Paul Drozdziel.

ABSENT: Tom Crye, Highway/Water Supervisor, Deputy Supervisor Thomas Mairs, Dave Willard MRB Group Engineer

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

VISITORS: Janet Manko, Judy Falzoi, Kitty Bressington, Dick Skelly, Cindy Kellen, Bob Westfall, 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.

Judy Falzoi discussed that she would like the Town Board to inform the residents on matters affecting the residents. She mentioned the Village of Geneseo and the process they follow two years ago in determining from the public about the status of cannabis activity in the Village. She would like more information on the Town website and the Town to utilize social media. Supervisor David LeFeber thanked her for her observations and stated we will work hard to keep the public informed.

Janet Manko discussed the concerns of posting minutes and agendas of solar meetings on website. Be more interactive with the public.

Edward Forsythe commented he has been attending meetings for a while. He also said that there is a lot of information on website.

RESOLUTION #178 APPROVAL OF MINUTES OF SEPTEMBER 14, 2023

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

RESOLVE to approve the minutes of September 14, 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 Coyne- Aye, Councilman Harrington - Aye, Deputy Supervisor Mairs - Absent, Supervisor LeFeber – Aye

**RESOLUTION #179 APPROVAL OF MINUTES OF SPECIAL BUDGET MEETING
SEPTEMBER 21, 2023**

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

RESOLVE to approve the minutes of September 21, 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 Coyne- Aye, Councilman Harrington - Aye, Deputy Supervisor Mairs - Absent, Supervisor LeFeber – Aye

DISCUSSION- Supervisor David LeFeber discussed that the Town of Avon received the East Avon Fire Department budget proposal and the hearing notice. Dick Skelly is present and discussed the increase in the budget for 2024. The proposed budget has some dollars set aside to upgrade the HVAC system at the fire hall, the purchase of new equipment and the addition of paid staff between the hours of 7am to 5pm weekdays. The public hearing for this proposed budget is October 17, 2023.

DISCUSSION- Holiday Spectacular committee will be coming at the next board meeting. Not here tonight due to illness.

DISCUSSION- Justice Mike Torregiano was present to continue to discuss further hiring a deputy clerk. We continued the discussion started at the last meeting with Judge David Hoffman. It was discussed about the work that needs to be done around the court dates. There is a need for the department to have extra staffing to prepare for court and to hold court. Other times during the week, the workload is slower. These other times of the week there is concern expressed about court staff having nothing to do. The court has a voucher employee to help when court is being held. The request of the Judge was to include this individual on the Compensation schedule to be fingerprinted and background check completed so they can work in the court office.

**RESOLUTION #180 AMENDING COMPENSATION SCHEDULE FOR JUSTICE
DEPUTY CLERK**

On motion of Councilmen Malachy Coyne seconded by Councilmen Paul Drozdziel the following resolution was NOT PASSED AYES 2 NAYS 2 ABSENT 1

The RESOLUTION FAILED.

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

RESOLUTION #181 AMENDING COMPENSATION SCHEDULE FOR JUSTICE DEPUTY CLERK

On motion of Councilmen Malachy Coyne seconded by Councilmen Paul Drozdziel the following resolution was ADOPTED AYES 3 NAYS 1 ABSENT 1

RESOLVE to approve to amend the Compensation schedule. Hire a deputy clerk at \$16.00 per hour, Jessica Khoobar to start immediately. This appointment will be only til the end of 2023. Staying within the budget.

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

DISCUSSION- It was mentioned to Judge Torregiano that the agreement between the Town and Village when the courts began sharing an office and personal that the Village was going to compensate the court clerk for 12 hours a week and the Town would compensate the court Clerk for 18 hours a week. The Town would pay the cost of the deputy court clerk. The Supervisor will follow up with the Village to go back to the original agreement.

DISCUSSION-ATTORNEY REPORT

Attorney Campbell gave the following report:

- Solar Committee met for final meeting earlier this week. A lot of conversations, a lot of people. Have some great changes. Attorney Campbell will need to do some research before being presented back to the Committee. Will have a draft to Committee in October for Committee to review then will be presented to the Board for their review. The Town of Avon will utilize a landscape architect. We will have a public hearing before adopting the new local law.
- Participated in the Solar Tour on a bus. Traveled throughout the County. Avon seems to be the Town that surrounding communities look up to as a leader. Moratorium expires in February.
- We have resolved the Avon On The Green Pilot concerns for 2023. Another pilot request for the future years will probably come before the Board.

DISCUSSION- CODE ENFORCEMENT REPORT

Code Enforcement Brian Glise gave the following report:

- Solar Tour was interesting. A lot of interested people.
- Meeting today on codification of the Town code.
- Cannabis applicant went to planning/zoning meeting. Following our meeting the Village board meeting was taking place and the applicant approached the Village about his venture.
- Mrs Martin called and stated they are no longer interested in storage units on Route 15.

DISCUSSION – ENGINEERING REPORT

MRB Group Engineer Dave Willard was not present, but was updated by Supervisor David LeFeber

- An amended site plan was filed for the Polebridge Solar drainage. MRB was happy with the plan.
- Bill Davis reached out to the Village Mayor and Supervisor David LeFeber to meet and talk about finishing up the joint town/village water tank study.
- Polebridge Solar will have to go before the planning/zoning board to get approval for the new site plan regarding drainage and the maintenance of the drainage system. Also, the dead trees on site will have to be replaced.

DISCUSSION – TOWN CLERK REPORT

Diana Farrell gave following report:

- Things going well. Continue with hunting/fishing sales.

DISCUSSION- HIGHWAY/WATER REPORT

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

HIGHWAY:

- Shop maintenance on equipment & trucks
- Mowing county guardrails & spots
- Parks & Cemeteries
- Work for County hauling
- Mow 2 passes on Town roads

WATER:

- Everyday maintenance & sampling

RESOLUTION #182 LOCAL GOVERNMENT SUPPORT

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 to sign an agreement to provide financial services and payroll services to the Town of Avon.

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

RESOLUTION#183 PROPOSAL TO SIGN WEST FIRE

On motion of Councilmen Paul Drozdziel seconded by Councilman James Harrington the following resolution was ADOPTED AYES 4 NAYS 0 ABSENT 1.

RESOLVE to sign proposal with West Fire for testing alarms for the Town Hall Building.

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

RESOLUTION #184 LOCATION OF FUTURE TOWN BOARD MEETINGS

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

RESOLVE to hold all future board meetings at 23 Genesee Street Avon, NY 14414.

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

RESOLUTION #185 PROPOSAL KENRON HEAT PUMP

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

RESOLVE to purchase heat pump replacement for the Town Hall.

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

This is one of the original heat pumps from the renovation of 2009. The pumps over the next 5-7 years will be nearing the end of useful life. This particular pump we have had to do a lot of maintenance the last 2 years and it's time to replace.

RESOLUTION #186 FIRST FLOOR FLOORING/WAXING

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

RESOLVE to strip and wax the 1st floor at the Town Hall on Veteran's day weekend.

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

RESOLUTION #187 PHONE SYSTEM/HURRICANE INVOICE

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

RESOLVE to approve Hurricane Technologies to install the wiring for the new phone system.

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

RESOLUTION #188 COMPREHENSIVE PLAN PROPOSAL

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

RESOLVE to authorize the Supervisor to sign an agreement with Finger Lakes Planning to create a new Comprehensive Plan with a cost not to exceed \$25,000.

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

RESOLUTION #189 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 2023-18 in the following amounts:

Concerning ABSTRACT of Claims Number 2023-18 including claims as follows:

General Fund	Amounts totaling \$ 9,107.28
Highway Fund	Amounts totaling \$ 7,488.92
Water Fund	Amounts totaling \$ 4,318.66
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 – Aye, Councilman Coyne- Aye, Councilman Harrington - Aye, Deputy Supervisor Mairs - Absent, Supervisor LeFeber – Aye

RESOLUTION #190 PRELIMINARY BUDGET

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

RESOLVE to give the Town Clerk the Preliminary budget. Publish the Public Hearing notice and list the Elected Officials salaries. The Public Hearing scheduled for October 26, 2023 at 6:15 p.m. at the Town of Avon, 23 Genesee St, Avon.

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

DISCUSSION - OPEN ITEMS:

- Councilmen James Harrington wanted to know if the generator is up and running. And it was confirmed it was tested. Any type of power outage the generator will activate.
- Councilmen Paul Drozdziel wanted to express the thanks to the Avon Village Board for accommodating the Town of Avon to be able to hold their meetings in the Village Hall. The Avon Library had their ribbon cutting over the weekend. Supervisor David LeFeber made note that Councilmen Paul Drozdziel received an award for all his hard work on the library project and was much appreciated and his hard work and dedication was noted on the Town Hall renovation project.

Visitor comments:

Edward Forsythe made comments about solar committee work and the setbacks.

On a motion of Supervisor David LeFeber, seconded by Councilmen James Harrington the meeting was adjourned at 8:22 P.M.

Respectfully submitted by:

Diana Farrell, Town Clerk