

A meeting of the Town of Avon was held on Thursday, May 09, 2024, at 6:00 P.M. at the Avon Town Hall, 23 Genesee Street, Avon, New York 14414.

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

OTHERS: Attorney James Campbell, Tom Crye, Highway/Water Supervisor and Dave Willard MRB Group Engineer Brian Glise Code Enforcement Officer and Diana Farrell, Town Clerk

VISITORS: Cindy Kellen, Kitty Bressington, Stephen R. Golemb, Bill Davis, MRB

Supervisor David LeFeber called the meeting to order at 6:01 P.M. and led those in attendance in the Pledge of Allegiance.

DISCUSSION: Stephen Golemb on behalf of Gracelife Church of Avon presented a proposal for purchasing & building on Land located off Tec Drive in the Town of Avon. Interested in purchasing 4 acres for use of their church congregation services, ministries and activities. The Board has no issues of this proposal but recommended to contact the Livingston County Water & Sewer Authority for availability of wastewater service. The Board asked the applicant to provide a little more detailed information about the site plan at a future town board meeting.

DISCUSSION: Bill Davis presented the Board with Income Survey considerations. The Village of Avon has contracted with a firm to do an income survey of Village residents for the purpose of securing grant dollars for the wastewater plant and possibly water system improvements. Bill Davis asked the Town Board if they had an interest in surveying Town water customers. He explained the benefits of a survey which if income is lower than the census data could result in more grant dollars for future water projects. The Town of Avon will provide MRB with its customer list so the firm can come up with a proposal to survey Town water customers. It's expected the Town Board will have a proposal at its next Board meeting. Bill Davis mentioned the tank improvement project. The project includes work to be done on the Village tank and the Townline tank. The Village will manage the entire project. The Town will pay for it's improvements from reserves in the Town Water Fund. For the project to proceed an intermunicipal agreement will need to be adopted by both the Village Board and Town Board at a joint meeting. The village attorney is drafting a document to be sent over to the Town for the Town attorney and Town Board to review.

VISITOR COMMENTS: Supervisor David LeFeber asked if there were any visitor comments and there was one. A resident, Ellen Turner asked what IMA meant. It was explained to her it meant Intermunicipal Agreement. She also asked about EFC. It was explained that it means Environmental Facilities Corporation. She also asked if MRB will be the Engineer & Design for the project. It was explained that MRB will be putting a bid in as a requirement of all projects financed by EFC (NYS Lending Agency used by Municipalities).

RESOLUTION #75 APPROVAL OF MINUTES OF MEETING OF APRIL 25, 2024

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

RESOLVE to approve the minutes of April 25, 2024, 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: Supervisor LeFeber – Aye, Deputy Supervisor Mairs – Aye, Councilman Drozdzziel – Aye, Councilman Coyne - Aye, Councilman Harrington - Aye

DISCUSSION-ATTORNEY REPORT

Attorney Campbell was present, and report was given:

- John Hancock annuity check was received and deposited in the East Avon Cemetery Account.
- Brian Glise, Code Officer and MRB visited the site for Empire Sun LLC Solar. They reviewed the work the contractor partially completed for drainage improvements. The engineer for the project was also on site. The result of this visit was MRB evaluating the work done so far. The work was complete, but several changes were made by MRB in writing to improve the drainage. The engineer for Empire Sun asked for an extension past June 30, 2024 for completion. The Town is going to ask for a Bond for work not completed by June 30, 2024. This work is projected to mainly involve stabilization of the dirt by seeding grass. If these terms are met the applicant will be allowed to turn on the solar array. Councilman Harrington is opposed to allowing the solar panels to be turned on under these terms. The rest of the Board appeared in favor.
- A letter was received from Avon CSG II their project upon completion the project will produce slightly more power than the design called for. The result is the Town will get a little more money from the host agreement and the pilot than the original documentation because these monies are based on productive capabilities of the project.
- Town Highway Department employees looking for Unionization. Will talk at length in Executive Session.

DISCUSSION – ENGINEERING REPORT

MRB Group Engineer Dave Willard was present but was in discussion with Bill Davis regarding the Income Survey Consideration and has nothing else to report.

DISCUSSION- HIGHWAY/WATER REPORT

Highway/Water Superintendent Crye was present a report was given:

HIGHWAY:

- **Parks & cemetery's & mowing & weed-eat**
- **Ditching**

- **County work**
- **Roads ready for oil, stone & paving**
- **Wedging & cold-patching**

WATER:

- **Everyday maintenance & sampling**
- **Meter changes**
- **Start flushing**

Highway/Water Superintendent Crye also mentioned they are starting to pick up service for senior citizens residents for dump days which is May 11, 2024. Also would like to surplus Caterpillar 2021 950 GC.

RESOLUTION #76 SURPLUS CATERPILLAR 2021 950 GC

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

RESOLVE to approve to surplus Caterpillar 2021 950 GC.

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

DISCUSSION- CODE ENFORCEMENT REPORT

Code Enforcement Brian Glise gave the following report:

- Conducting inspections daily
- Application submitted for Code training in June 2024.
- Several applicants who are looking for variances and site plan approval which require work performed by the Town Engineer are asking at the start of the process what the fees owed upon completion will be. Currently the Engineering fees are charged after approval has been granted. Often times this can be more than the applicant anticipated. Code Officer Glise asked for residential applications if a set fee could be determined in advance of the approval process. Dave Willard mentioned MRB has a new billing procedure but will try to figure out a probable fee schedule in advance of the application process.
- The next Planning Board meeting does not have any applicants at this time. They will talk about meeting procedures, possibly having the planning board go from 7 members to 5. If so, this must be done by Local Law.

DISCUSSION – TOWN CLERK REPORT

Diana Farrell gave following report:

- Foot traffic from Friday, April 26, 2024 – Thursday, May 9, 2024 – approximately 27 (town clerk only) no other departments.
- Met with Village of Avon staff for a demonstration on a new vendor for website reorganization. Kim and I will be meeting with our current website vendor for some options.
- Kim and I practiced on the 3rd floor w/ the “recording option” Will wait to have it downloaded and email to us to see if the recording is better than using a hand-held recorder.
- Brought to my attention that meeting dates for December (14th & 28th) are on Saturday’s. Would like to make a change and will complete a public notice of change for the 12th & 30th.
- A follow-up email was sent to Liz Mistretta regarding grant for Laserfiche. She is hoping to hear something in July or but could be in the Fall before making people aware but she has seen them get better

RESOLUTION #77 CHANGE TOWN BOARD MEETING DATES OF DECEMBER 14TH & 28TH TO DECEMBER 12TH & 30TH.

On motion of Supervisor LeFeber seconded by Councilmen Drozdziel the following resolution was ADOPTED AYES 5 NAYS 0

RESOLVE to change Town Board meeting dates of December 14th & 28th to December 12th & 30th.

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

RESOLUTION #78 ACCEPT COLLIN HAYES A CHAIRMAN OF PLANNING BOARD

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

RESOLVE to accept Collin Hayes as the Chairman of the Planning Board Committee as of May 9, 2024.

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

DISCUSSION: Retirement calendars are due for newly elected officials, Town Clerk, Farrell, Town Judge, Torregiano, Councilman Drozdziel and also Highway/Water Superintendent, Crye. All calendars have been received except for Judge Torregiano. It was decided that a certified letter will be sent to him requesting his documented hours.

RESOLUTION #79 ELECTRICITY SUPPLY COST

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

RESOLVE to lock in energy supply rate for two (2) years from New Wave Energy.

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

RESOLUTION #80 PROPOSAL TO DEEP CLEAN FLOORING ON 2ND FLOOR RESTROOMS

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

RESOLVE to accept the proposal from CleanTec for \$405.00 to deep clean flooring on 2nd floor restrooms.

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

RESOLUTION #81 ACCEPT KENRON PROPOSAL FOR EVAPORATOR COIL WASHINGS

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

RESOLVE to accept the proposal from Kenron for Evaporator Coil Washing.

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

DISCUSSION: Supervisor LeFeber mentioned we have NYSERDA grant for \$10,000 which can be used towards replacement of a heat pump and LED lights in the stairwell.

RESOLUTION #82 ACCEPT THE CLAIMS

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

RESOLVE to accept for payment Abstract 2024-9 in the following amounts:

Concerning ABSTRACT of Claims Number 2024-9 including claims as follows:

General Fund	Amounts totaling \$ 15,930.92
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Highway Fund	Amounts totaling \$	1,756.45
Water Fund	Amounts totaling \$	3,691.38
Cemetery Fund	No Voucher	
Opera Block Capital Improvement	No Voucher	
Royal Springs Lighting	Amounts totaling \$	1,240.28
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: Supervisor LeFeber – Aye, Deputy Supervisor Mairs – Aye, Councilman Drozdziel – Aye, Councilman Coyne - Aye, Councilman Harrington - Aye

OPEN DISCUSSIONS:

Councilmen Harrington asked Town Board if they had any issue if he cleaned up Papermill Park. The graffiti needs to be painted over. Councilman Drozdziel stated he will price out paint, as well as graffiti paint to apply so it won't continue to be painted. He also noted that the picnic table is in rough shape and should be removed.

Councilmen Coyne wanted to confirm that the windows will be washed and Councilmen Drozdziel confirmed that they will be washed shortly after they are done painting.

Councilmen Drozdziel confirmed the Comprehensive Plan meeting is Tuesday, May 14th – there was a mis-print stating Thursday but it is Tuesday. The survey has about 170 participants so far.

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

DISCUSSION: Attorney Campbell ready to go into Executive Session to discuss the Union Contract with the Board. Discussed the importance of Town Board members to not talk to anyone regarding the Union contract at any level. If you feel that you can't refrain from doing so, you should excuse yourself from going into executive session. Attorney Campbell explained to Councilman Mairs that he should excuse himself as his fiancé's son is employed with the Town. Councilman Mairs agreed. Councilman Harrington has excused himself as well since he is close friends with the Highway Department and they talk regularly.

RESOLUTION #83 ENTER INTO EXECUTIVE SESSION

On motion of Supervisor LeFeber, seconded by Councilman Coyne the following resolution was ADOPTED AYES 3 NAYS 0 ABSTAIN 2

RESOLVE to enter executive session for the purpose of discussing collective negotiations pursuant to Article 14 of the Civil Service Law. The Town Board invited Attorney Campbell & Highway/Water Superintendent Crye to participate. TIME 8:20 P.M.

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

RESOLUTION #84 CLOSE EXECUTIVE SESSION

On motion of Councilman Coyne, seconded by Councilman Drozdziel the following resolution was ADOPTED AYES 3 NAYS 0 ABSENT 2

RESOLVE to close executive session with no action taken at 9:02 P.M.

RESOLUTION #85 AUTHORIZE TO OBTAIN THE SERVICES OF WEBSTER SZANYI FOR UNION MATTERS

On motion of Supervisor LeFeber seconded by Councilmen Coyne the following resolution was ADOPTED AYES 3 NAYS 0 ABSENT 2

RESOLVE to authorize Webster Szanyi for union matters.

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

On motion of Supervisor LeFeber, seconded by Councilmen Drozdziel the meeting was adjourned at 9:08 P.M.

Respectfully submitted by:

Diana Farrell, Town Clerk