

A meeting of the Town of Avon was held on Thursday, August 22, 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, Brian Glise Code Enforcement Officer, Tom Crye, Highway/Water Supervisor, Dave Willard MRB Group Engineer, Diana Farrell, Town Clerk

VISITORS: Bob Westfall, Hannah Wolfe, Collin Hayes, James Garner

Supervisor David LeFeber called the meeting to order at 6:00 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.

DISCUSSION: James Garner from Fox & West looking to purchase Lot 16 from the IDA. The Town Board asked that Mr. Garner get written permission from the IDA to talk to the Town about getting permission for the use that he is requesting for the property. In preparation for this discussion Mr. Garner provided the following for the Town Board to review.

**Application to the Town of Avon for the Development of Lot 16,
Interstate Drive**

**Jim Garner, Fox & West
5642 Tec Drive**

Lot Details

Lot 16, 2.468 acres. A portion of Tax account No. 35.00-1-13.535
Fronting onto Interstate Drive. Zoned L1, light Industrial.

Recent Activity

Lot 16 is part of the Tec Drive development managed by Livingston County IDA. The IDA has recently installed Storm Drains, as per the original site plan, and as required per code.

The drains collect storm water runoff from Lot 16, and discharge into the existing detention pond on Tec Drive.

It has been determined that the existing detention pond was sized to accept this storm water.

The IDA granted me early access to allow the placement of inert fill to bring the lot up to grade.

Need for Development

At my adjacent developments on Lot 23, tenant Vermeer requires additional outside storage for construction equipment within a locked, fenced compound.

Proposed Development

After allowing for the required 30% green space around the perimeter, a chain-link security fence will be installed, enclosing the storage area which will receive a layer of crushed rock to provide an all-weather surface.

Access will be directly from Interstate Drive.

What is Not Part of the Proposed Development

No buildings are required or planned. No additional development above grade.

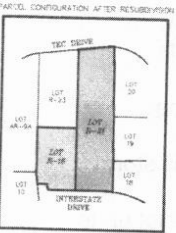
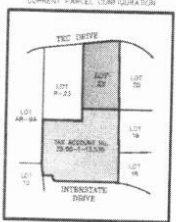
No Utilities or Mechanical work of any type. No paving or concrete work.

No connection to Town sewer required, therefor no additional burden on the water treatment plant.

APPROVED BY RESOLUTION OF THE PLANNING BOARD OF THE TOWN OF AVON, NEW YORK ON THE _____ DAY OF _____, 2021 SUBJECT TO ALL REQUIREMENTS AND CONDITIONS OF SAID RESOLUTION. ANY CHANGE, TRANSFER, MODIFICATION OR REVISION OF THE PLAT, AS APPROVED, SHALL VOID THE APPROVAL, SIGNED THIS _____ DAY OF _____, 2021 BY:

(SIGNED) CHAIRPERSON OF THE PLANNING BOARD FOR THE TOWN OF AVON
 (SIGNED) CHAIRPERSON OF THE PLANNING BOARD FOR THE TOWN OF AVON

- = SEWER MANHOLE
- = TELEPHONE JUNCTION BOX
- △ = GAS VALVE
- ⊙ = CONCRETE MONUMENT FOUND
- ⊕ = IRON PIN SET & TO BE SET
- ⊖ = IRON PIN/PIPE FOUND
- M/M = MAP & MEASURED



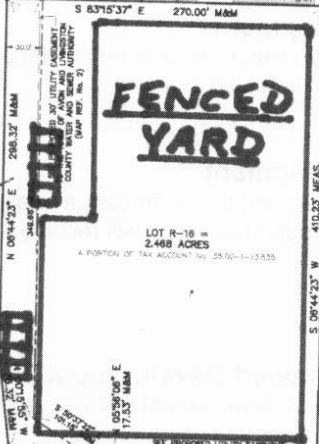
**Application to the Town of Avon
for the Development of
Lot 16, Interstate Drive**

**Jim Garner, Fox & West
5642 Tec Drive**

LOT R-23
 N/F
 FOX AND WEST, INC.
 L1294 D.1293
 L1296 D.656
 TAX ACCOUNT NO. 35.00-1-13.529
 MAP REF. No. 6

LOT AR-94
 N/F
 5636 TEC DRIVE LLC
 L1274 D.805
 TAX ACCOUNT NO. 35.00-1-13.521

STORM DRAINS



LOT 10
 N/F
 D.P. TOOL & MACHINE, INC.
 L1284 D.2450
 TAX ACCOUNT NO. 35.00-1-13.52

- REFERENCES -
- 1) NEEDS TO LIVINGSTON COUNTY INDUSTRIAL DEVELOPMENT AGENCY LOTS 17 & 18 8/18/08
 - 2) MAP OF CROSSROADS COMMERCE PARK, N 84°13'54" W 87.30' M/M BY BME ASSOCIATES LAST DATED JULY 18, 2004 FILED MAP NO. A08813
 - 3) MAP OF CROSSROADS COMMERCE PARK BY BME ASSOCIATES DATED NOVEMBER 2013
 - 4) MAP OF CROSSROADS COMMERCE PARK COMPLETION OF TEC DRIVE AND LOT R-23 AND LOT 31 BY BME ASSOCIATES LAST DATED MARCH 13, 2014 FILED MAP NO. A08837
 - 5) MAP OF CROSSROADS COMMERCE PARK BY BME ASSOCIATES DATED MAY 2014 FILED MAP NO. A08960
 - 6) MAP OF THE RESUBDIVISION OF LOT 23 OF CROSSROADS COMMERCE PARK, PHASE II BY MELCHER & O'DONOGHUE, L.L.C. DATED JULY 17, 2020 JOB NO. 130-88049 FILED MAP NO. A09142
- I HEREBY CERTIFY THAT THIS MAP WAS MADE AND IS CORRECT FROM NOTES OF A SURVEY COMPLETED JULY 16, 2021.
- MELCHER & O'DONOGHUE, L.L.C.



NOTES:
 1) UNAUTHORIZED ALTERATION OR ADDITION TO THIS SURVEY MAP IS A VIOLATION OF SECTION 7209, PARAGRAPH 2 OF THE NEW YORK STATE EDUCATION LAW.
 2) THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A CURRENT ABSTRACT OF TITLE AND IS SUBJECT TO ANY STATE OF FACT THAT MAY BE REVEALED BY AN EXAMINATION OF TITLE.

MAP OF A RESUBDIVISION OF LOTS 16, 17, & 21 OF THE CROSSROADS COMMERCE PARK SUBDIVISION SHOWING LAND BELONGING TO LIVINGSTON COUNTY INDUSTRIAL DEVELOPMENT AGENCY BEING PART OF TOWN LOTS 65 & 66, TOWNSHIP 10, RANGE 7 OF THE PHELPS AND GORHAM PURCHASE STATE IN THE TOWN OF AVON, LIVINGSTON COUNTY, NEW YORK
 JUNE 10, 2021

MELCHER & O'DONOGHUE
 LAND SURVEYORS, P.C.
 P.O. BOX 267
 3077 LANEVILLE ROAD
 AVON, NEW YORK 14414
 PH: (585) 228-2990

JOB No. L21-8801W

The Town Board had several questions for Mr. Garner about the request for Lot 16. The Town Board took the following action:

RESOLUTION #130 APPROVAL TO REQUEST ATTORNEY CAMPBELL TO DRAFT RESOLUTION FOR THE NEXT TOWN BOARD MEETING TO ACCOMDATE THE REQUEST ASKED BY MR GARNER PROVIDED HE PRESENTS A LETTER FROM THE IDA THAT HE CAN ACT ON THEIR BEHALF

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

RESOLVE to approve Attorney Campbell to draft the resolution.

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

DISCUSSION: Hannah Wolfe from Wolfe Trucking, LLC located at 5665 Tec Park Drive, Avon. She is requesting the ability to apply and become a Registered Repair Facility. This would give the ability to inspect their own trucks and trailers in house, instead of taking to a registered shop. If the opportunity arises, they could also inspect and do preventive maintenance repairs on their customers equipment. This request would not require any site plan changes or hire any additional employees. Letter from Piranha is needed.



August 14, 2024

Avon Town Board

Attn: Kim McDowell

23 Genesee St

Avon NY 14414

Dear Avon Town Board-

Currently we are the tenants of 5665 Tec Park Drive, Building 3, Avon NY. Our Company, Derrick Wolfe Trucking, LLC, is primarily a for-hire transportation company specializing in hauling food grade liquid. At our shop location, we repair and maintain our own fleet with our mechanics. The maintenance we currently perform on our private fleet is mostly preventative maintenance repairs, such as oil changes, changing breaks and tires, break down repairs, etc. We currently cannot inspect our own trailers because we are not a registered repair facility. We are asking

for the ability to apply and become a Registered Repair Facility. Being able to be a registered repair facility would give us the ability to inspect our own trucks and trailers in house, instead of take them to a registered shop.

Furthermore, we would love the opportunity to be a Registered repair shop not just for inspecting our own equipment, but so when the opportunity arises, we could inspect and do preventative maintenance repairs on our customers equipment in our shop. This would not require any site plan changes nor would we have to hire any additional employees for this. We would be utilizing what we already have as our own private shop, would not need to buy any additional equipment and would be able to use the staff we already have hired.

Thank you for your time and consideration-

Derrick R Wolfe, CEO

The Town Board had several questions for Ms. Wolfe about the request for Wolfe Trucking. The Town Board took the following action:

RESOLUTION #131 APPROVAL TO REQUEST ATTORNEY CAMPBELL TO DRAFT RESOLUTION FOR THE NEXT TOWN BOARD MEETING TO ACCOMDATE THE REQUEST ASKED BY HANNAH WOLFE PROVIDED THAT SHE SUBMITS A LETTER THAT SHE CAN ACT ON BEHALF OF PIRANHA TRUCKING

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

RESOLVE to approve Attorney Campbell to draft the resolution.

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

RESOLUTION #132 APPROVAL OF MINUTES OF MEETING OF AUGUST 8, 2024

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

RESOLVE to approve the minutes of August 8, 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 Drozdzial – Aye, Councilman Coyne - Aye, Councilman Harrington - Aye

DISCUSSION-ATTORNEY REPORT

Attorney Campbell was present, and report was given:

- On-going discussions on the Amanda Murphy dog case. There are some fence concerns.
- There is a Solar project interest adjacent to Exit 9 off 390 east of the Travel Plaza. The property is owned by LA&L Railroad.
- Reviewed the Short-Term Rental agreement prepared by Planning Board. Discussion by the Board included the level of regulations we may include in the Town Code. More investigation is needed and possibly a future action could be to use the Local Law process to amend the Code.
- Helios Solar Project. A letter has been sent notifying the landowner as well as the solar company that an increased dollar amount needs to be bonded to keep up with increased costs for decommissioning.

DISCUSSION- HIGHWAY/WATER REPORT

Highway/Water Superintendent Crye was present, and report was given:

HIGHWAY:

- **Parks & cemetarys mowed & weed eating**
- **Mowing guardrails; town county and state Roads**
- **Wedging South Avon Rd**
- **Trees, Limbs & Brush storm & driveways**
- **Cleaned shop & equipment**

WATER:

- **Everyday maintenance & sampling**
- **Meter reading**

Also, the 2024 10-wheeler will be delivered in September. There was discussion about a water break in Twin Cedar mobile park.

DISCUSSION: Attorney Campbell heard back from Village of Avon attorney regarding IMA (Inter-municipal agreement). There are two concerns that the Town has. One being the selection of the Engineer. Dave Willard said the Village followed the proper procedure and MRB will be managing the project. The second being the division of the soft costs. The Village is proposing the costs be split on a percentage basis based on costs for the Village portion of the project vs the portion of costs that the Town is responsible for. Attorney Campbell feels that the costs should be tracked and charged to each municipality rather than simply using a percentage.

DISCUSSION – ENGINEERING REPORT

Dave Willard from MRB was present and report was given:

- Continued the discussion about how the joint tank project will be handled by MRB. Discussed design, inspection and payments and how grant funds will be distributed.

DISCUSSION- CODE ENFORCEMENT REPORT

Code Enforcement Brian Glise was present, and report was given:

- Next step for Sam Price sub-division on Fowlerville Rd. is to get a new survey map and file with County. There will be a new tax parcel ID and address.
- Bruckel violation. Still no application has been received. Jimmy Harrington has a conflict and recuses himself on further discussions. The Board has agreed to move forward and require Bruckel to be in compliance. This could include issuance of violations, or any action deemed appropriate.
- A temporary certificate of occupancy has been issued for the newly build home. The homeowner was given 60 days to complete work. A certified letter has been sent to the homeowner saying the work needs to be complete with an inspection to issue a permanent certificate of occupancy.
- Twin Cedars has submitted 10 new applications.

DISCUSSION – TOWN CLERK REPORT

Diana Farrell was present, and report was given:

- DEC sales are continuing. Foot traffic at the Clerk's office from August 9th-August 22nd is 77.
- Last week when I was away, things went smoothly-no issues.
- Online Training for AED for staff is in the process. The hands-on basic life support training will be held on Tuesday, August 28th here in our office.
- The AED will be delivered early next week. It will be in Kim's area. The bulletin board will be moved, and we need to paint before installing AED. Councilman Drozdziel offered to assist with painting and installing.

RESOLUTION #133 APPROVE Gworks PROPOSAL FOR UPGRADED WATER SOFTWARE PROGRAM

On motion of Councilman Harrington seconded by Councilman Coyne the following resolution was ADOPTED AYES 5 NAYS 0.

RESOLVE to approve GWorks Proposal.

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

DISCUSSION: Supervisor LeFeber started interviews for the Planning Board. Both candidates are dedicated to the community and would be a nice addition to the Planning Board. Steve Csapo for the remainder of the term which is 4 months and be reappointed in December for the 4-year term. Lee Hanvey’s term until December 2027. Both will need to see Town Clerk to take oath.

RESOLUTION #134 APPROVE STEVE CSAPO FOR PLANNING BOARD COMMITTEE MEMBER

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

RESOLVE to approve Steve Csapo for Planning Board term to expire December 31, 2024.

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

RESOLUTION #135 APPROVE LEE HANVEY FOR PLANNING BOARD COMMITTEE MEMBER

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

RESOLVE to approve Lee Hanvey for Planning Board term to expire December 31, 2027.

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

RESOLUTION #136 ACCEPT THE CLAIMS

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

RESOLVE to accept for payment Abstract 2024-16 in the following amounts:

Concerning ABSTRACT of Claims Number 2024-16 including claims as follows:

General Fund	Amounts totaling \$ 193,342.76
Highway Fund	Amounts totaling \$ 14,671.86
Water Fund	Amounts totaling \$ 59,763.34
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: Supervisor LeFeber – Aye, Deputy Supervisor Mairs – Aye, Councilman Drozdziel – Aye, Councilman Coyne - Aye, Councilman Harrington - Aye

DISCUSSION: Supervisor LeFeber discussed the upcoming 2025 budget year. Would like to set a date/time for Budget Workshop. Supervisor LeFeber stated that he would have the tentative budget to town clerk by 26th of September. The board discussed October 8, 2024 at 4:00 p.m. for the budget workshop.

RESOLUTION #137 SCHEDULE SPECIAL BUDGET WORKSHOP

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

RESOLVE to approve a special budget workshop on October 8, 2024, at 4:00 pm at the Avon Town Hall 23 Genesee St., Avon, NY.

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

DISCUSSION: Supervisor LeFeber the State had questions on our Annual Financial Statement. We answered those questions, and the State is satisfied.

DISCUSSION: Supervisor LeFeber mentioned that the 2023 audit is finalized and will provide copies to the Town Board soon.

DISCUSSION: Supervisor LeFeber told board members that the letter to the Livingston County Traffic & Safety Board has been sent regarding the Sutton & Lakeville Road intersections.

Supervisor LeFeber has asked County Planning to submit application to the Genesee Transportation Council to consider doing a study of the Rte 5&20 corridor between Polebridge Road and Lima Town-Line. Supervisor LeFeber will reach out to the Town of Lima to see if they have any interest in extending the study (eastward) to include a portion of the Town of Lima.

Union negotiations are moving slowly.

OPEN ITEMS TOWN BOARD MEMBERS

Councilman Drozdziel talked about the most recent Comprehensive Plan workshop that was not well-attended. The survey has officially closed and will be looking at the results. Also, the company for the signage will be back on September 11, 2024. Erie Electric will return to look at the lighting downstairs as well the outdoor lighting.

VISITOR COMMENTS:

Collin Hayes asked about the years of service for Kathy Cole. This is being talked about and will be inviting her to a board meeting to be recognized.

On motion of Deputy Supervisor Mairs seconded by Councilmen Harrington the meeting was adjourned at 7:58 P.M.

Respectfully submitted by:

Diana Farrell, Town Clerk