

A Regular Meeting of the Town of Avon was held on Thursday, October 11, 2007 at 6:00 P.M. at the Avon Town Hall with the following members present:

PRESENT: Supervisor David LeFeber, Deputy Supervisor Kelly Cole, Councilmen Donald Cook, Jr., James Blye and Thomas Mairs

OTHERS: Highway Superintendent Robert Ayers, Attorney Timothy Ingersoll, Code Enforcement Officer Anthony Cappello, Engineer Timothy Rock, Water Superintendent McKeown, and Town Clerk Sharon Knight

VISITORS: Charlie Leonard

Pledge of Allegiance

Supervisor LeFeber asked for any public comments and there were none.

DISCUSSION

APPROVAL OF MINUTES DATED SEPTEMBER 13, 2007

Town Clerk Knight presented an amendment to the minutes dated September 13, 2007 as requested by Youth Recreation Director Tami Snyder. Her request was made due to titles being incorrectly identified during the meeting. A review of the microcassette determined less description could be provided for Board consideration.

RESOLUTION #156

APPROVAL OF MINUTES

On motion of Councilman Cook, second by Councilman Mairs the following resolution was

ADOPTED AYES 5 NAYS 0

RESOLVE to approve the minutes of September 13, 2007 as presented.

Supervisor David LeFeber	voting	AYE
Deputy Supervisor Kelly Cole	voting	AYE
Councilman Donald Cook	voting	AYE
Councilman Thomas Mairs	voting	AYE
Councilman James Blye	voting	AYE

RESOLUTION #157

APPROVAL OF MINUTES

On motion of Deputy Supervisor Cole, second by Councilman Mairs the following resolution was

ADOPTED AYES 3 NAYS 0 ABSTAIN 2 (Councilman Cook & Blye)

RESOLVE to approve the minutes of September 27, 2007 as presented.

RESOLUTION #157-continued  
APPROVAL OF MINUTES

Supervisor David LeFeber	voting	AYE
Deputy Supervisor Kelly Cole	voting	AYE
Councilman Donald Cook	voting	ABSTAIN
Councilman Thomas Mairs	voting	AYE
Councilman James Blye	voting	ABSTAIN

RESOLUTION #158  
APPROVAL OF MINUTES

On motion of Deputy Supervisor Cole, second by Councilman Blye the following resolution was

ADOPTED AYES 4 NAYS 0 ABSTAIN 1 (Councilman Cook)

RESOLVE to approve the minutes of October 1, 2007 as presented.

Supervisor David LeFeber	voting	AYE
Deputy Supervisor Kelly Cole	voting	AYE
Councilman Donald Cook	voting	ABSTAIN
Councilman Thomas Mairs	voting	AYE
Councilman James Blye	voting	AYE

RESOLUTION #159  
APPROVAL OF MINUTES

On motion of Supervisor LeFeber, second by Councilman Cook the following resolution was

ADOPTED AYES 4 NAYS 0 ABSTAIN 1 (Deputy Supervisor Cole)

RESOLVE to approve the minutes of October 4, 2007 as presented.

Supervisor David LeFeber	voting	AYE
Deputy Supervisor Kelly Cole	voting	ABSTAIN
Councilman Donald Cook	voting	AYE
Councilman Thomas Mairs	voting	AYE
Councilman James Blye	voting	AYE

DISCUSSION  
ATTORNEY REPORT

Supervisor LeFeber reported he met with Ashantee Developer Helge Heen and new ideas were expressed by the Developer that will be shared in the future. The total Planned Unit Development is 160 acres and the Developer needs to offer twenty percent to the Town to adhere to the Open Space portion of the Town Code.

DISCUSSION-continued  
ATTORNEY REPORT

At tonight's Livingston County Planning Board meeting a review of the extension to the Royal Springs Planned Unit Development presented by Developer Peter Kolokouris is being considered.

A resolution recommended by Livingston County regarding a Wind Energy System Pilot Agreement Policy will be considered at the next meeting.

Opera Block renovation proposals have been received by the Board from Bero Architecture P.C., Larsen Engineer Tim Rock, and Harris Beach. Attorney Ingersoll recommended the Board continue to use our Engineer Rock for those items listed by Harris Beach in their proposal. Deputy Supervisor Cole provided a copy of the Bero proposal for Architectural Services to the Board and Town Clerk. The Board will review and further discussion will be held at a future meeting.

RESOLUTION #160  
AUTHORIZING EXECUTION OF PROPOSAL FOR FINANCIAL CONSULTING SERVICES – BERNARD P. DONEGAN, INC.

On motion of Councilman Cook, seconded by Deputy Supervisor Cole the following resolution was

ADOPTED AYES 5 NAYS 0

BE IT RESOLVED BY THIS TOWN BOARD AS FOLLOWS:

The firm of Bernard P. Donegan, Inc. is hereby designated financial consultant to the Town of Avon

Said firm shall be compensated for its services to be rendered in connection with the \$2,419,290 building project authorization in accordance with its proposal letter dated October 2, 2007.

The Supervisor is hereby authorized to execute and deliver said proposal letter.

This resolution shall take effect immediately

Supervisor David LeFeber	voting	AYE
Deputy Supervisor Kelly Cole	voting	AYE
Councilman Donald Cook	voting	AYE
Councilman Thomas Mairs	voting	AYE
Councilman James Blye	voting	AYE

DISCUSSION  
HIGHWAY REPORT

Highway Superintendent Ayers provided an update for Cleary Road, reported mowing has been completed on both County and Town road sides, Boy Scout Ethan Deragon's Eagle Scout Project is moving forward and should be finished by Saturday, the Highway injured employee has a doctor appointment on October 29<sup>th</sup>, and this Monday, October 15<sup>th</sup> there will be one employee and himself working.

There was discussion on the road conditions on Route #5/20 heading East just past route #15.

DISCUSSION  
WATER REPORT

Water Superintendent McKeown reported he is reading meters and has not found any stopped meters as yet. There was discussion on the first payment of painting the water tank and outstanding issues include removal of a few barrels and resealing the driveway. Payments will be held until those issues are resolved as the project can not be certified.

DISCUSSION  
CODE ENFORCEMENT

Code Enforcement Officer Cappello reported that there is nothing to report.

DISCUSSION  
ENGINEER REPORT

Engineer Rock shared information of a seminar scheduled for October 18, 2007 from 3-5 P.M. in Albany.

RESOLUTION #161  
ACCEPT MONTHLY BUDGET REPORTS

On motion of Councilman Cook, seconded by Councilman Mairs the following resolution was

ADOPTED AYES 5 NAYS 0

RESOLVE to accept the September Supervisor Report and the following Town Clerk Report:

<u>Total Local Shares Remitted:</u>	<u>\$1018.30</u>
<u>County Treasurer for Dog Licenses</u>	<u>41.95</u>
<u>New York State Comptroller's Office</u>	<u>15.00</u>
<u>New York State Department of Health</u>	<u>90.00</u>
<u>NYS Ag. &amp; Markets for spay/neuter program</u>	<u>15.00</u>
<u>NYS Environmental Conservation</u>	<u>4,406.87</u>
<u>TOTAL</u>	<u>\$5,587.12</u>

RESOLUTION #161-continued  
ACCEPT MONTHLY BUDGET REPORTS

Supervisor David LeFeber	voting	AYE
Deputy Supervisor Kelly Cole	voting	AYE
Councilman Donald Cook	voting	AYE
Councilman Thomas Mairs	voting	AYE
Councilman James Blye	voting	AYE

RESOLUTION #162  
PAYMENT OF BILLS

On motion of Councilman Cook, seconded by Councilman Mairs the following resolution was  
ADOPTED AYES 5 NAYS 0

RESOLVE to accept for payment Abstract 2007-18A in the follow amounts:

General Fund	Vouchers #424 through #437 in amounts totaling \$8,414.22
Highway Fund	Voucher #218 through #224 in amounts totaling \$3,410.15
Cemetery Fund	No Voucher
Water Capital Improvement	No Voucher
Water Fund	Voucher #197 through #201 in amounts totaling \$7,877.69
Royal Springs Lighting	No Voucher
Special District Fund	No Voucher

Supervisor David LeFeber	voting	AYE
Deputy Supervisor Kelly Cole	voting	AYE
Councilman Donald Cook	voting	AYE
Councilman Thomas Mairs	voting	AYE
Councilman James Blye	voting	AYE

RESOLUTION #163  
PAYMENT OF BILLS

On motion of Councilman Cook, seconded by Councilman Blye the following resolution was  
ADOPTED AYES 5 NAYS 0

RESOLVE to accept for payment Abstract 2007-19 in the follow amounts:

RESOLUTION #163-continued  
PAYMENT OF BILLS

General Fund	Vouchers #438 through #495 in amounts totaling \$12,069.18
Highway Fund	Voucher #225 through #238 in amounts totaling \$18,393.71
Cemetery Fund	No Voucher
Water Capital	No Voucher
Improvement	
Water Fund	Voucher #202 through #211 in amounts totaling \$81,250.76
Royal Springs Lighting	No Voucher
Special District Fund	No Voucher

Supervisor David LeFeber	voting	AYE
Deputy Supervisor Kelly Cole	voting	AYE
Councilman Donald Cook	voting	AYE
Councilman Thomas Mairs	voting	AYE
Councilman James Blye	voting	AYE

DISCUSSION

NEW COUNTY SNOW & ICE CONTROL CONTRACT

There was discussion on the proposed new three year contract with Livingston County for the Snow & Ice Control Contract. Discussion included but was not limited to comparing the State versus the County rate-per-mile. Highway Superintendent Ayers informed the Board that if approved there would be a cost to the Town of Avon taxpayers. Additional financial support for installation of snow fences, storage in salt barns, and the use of a loader may or may not be a part of the rate-per-mile. Surrounding Counties' rates-per-mile ranged from \$3,500.00 to \$7,000.00.

This item was table as the Board would like further negotiations to be held with the County.

RESOLUTION #164

SET PUBLIC HEARING FOR NOTIFICATION OF UNIT PROPERTY CHARGES

On motion of Councilman Blye, seconded by Deputy Supervisor Cole the following resolution was

ADOPTED AYES 5 NAYS 0

RESOLVE to schedule a Public Hearing for tentative per unit assessment roll of the Royal Springs Subdivision Lighting District and the Bruckel Drainage District on Thursday, November 8, 2007 at 7:15 P.M. and the Town Clerk is directed to publish the following notice in accordance with applicable law: and further give notice by mail to each property owner with unit charges on their tax bill.

**TOWN OF AVON**  
**NOTICE OF PUBLIC HEARING**

RESOLUTION #164-continued  
SET PUBLIC HEARING FOR NOTIFICATION OF UNIT PROPERTY CHARGES

The tentative 2007 special assessment roll of the Royal Springs Subdivision Lighting District and the Bruckel Drainage District has been completed and is on file at the Avon Town Clerk's Office, 27 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 drainage and/or lighting on your property tax bill for 2008.

The Avon Town Board will hold a public hearing for owners of property located within the above-described districts on Thursday, November 8, 2007 at 7:15 P.M. in the Avon Town Hall, 27 Genesee Street, Avon, New York 14414 to hear objections to the special assessment roll.

Sharon M. Knight, Avon Town Clerk

Dated: October 11, 2007

Published: October 25, 2007

Supervisor David LeFeber	voting	AYE
Deputy Supervisor Kelly Cole	voting	AYE
Councilman Donald Cook	voting	AYE
Councilman Thomas Mairs	voting	AYE
Councilman James Blye	voting	AYE

DISCUSSION

SUPERVISOR REPORT

Supervisor LeFeber reported the Board has received the exemption income limits increases and the County has raised the income limits for the Senior Citizens Exemption and for Persons with Disabilities and Limited Incomes. He wanted to be sure all Board members are aware of the increases just in case they wanted to take any further action.

There maybe an opportunity to have the Counties planning department schedule a training session for the Zoning Board of Appeals.

Town of Livonia has a Comprehensive Plan for their Recreation Program and it is helpful in applying for grants. Supervisor LeFeber will seek a copy and provide to Councilman Cook.

Items to be discussed with the Village at the schedule joint meeting include a timeline for the Opera Block and court grant, Youth Recreation and web-site.

RESOLUTION #165  
DONATION TO AVON COMMUNITY ENGAGED

On motion of Deputy Supervisor Cole, seconded by Councilman Cook the following resolution was

ADOPTED AYES 5 NAYS 0

RESOLVE to donate \$100.00 to Avon Community Engaged to be used for the Red Ribbon Week Activities.

Supervisor David LeFeber	voting	AYE
Deputy Supervisor Kelly Cole	voting	AYE
Councilman Donald Cook	voting	AYE
Councilman Thomas Mairs	voting	AYE
Councilman James Blye	voting	AYE

DISCUSSION  
2008 TENTATIVE BUDGET

Highway Superintendent Ayers reported on his budget stating it is almost a carbon copy of the 2007 budget.

There was a lengthy discussion on the Equipment Fund DA 5130.2 Capital Reserve:

A request for \$80,000.00 includes a trailer and box identified and the remainder for capital reserve for future years. There has been a \$95,000 average for the last five years 2003 – 2007.

The Snow removal budget is running short for this year.

There was discussion on DA5120.1 – Bridge account being reduced by \$2,000.00 for the estimated fund versus tentative budget and CHIPS.

There was discussion in the Youth Recreation costs being a part of this budget.

Highway Superintendent Ayers compared the Livingston County News budget articles of the Town of Avon and Caledonia. He questioned why, in the Town of Avon, the highway department is continually blamed for tax increases. Supervisor LeFeber stated it was not his intention to blame the highway department for the tax increase and that he is proud of the accomplishments of the Highway Department and has supported them in their equipment needs.

Supervisor LeFeber stated the East Avon Cemetery was left blank but would be a part of the preliminary budget.

DISCUSSION-continued  
2008 TENTATIVE BUDGET

There was discussion on the drainage district improvements in the Royal Springs Development and is concerned about the necessary upkeep.

Code Enforcement Office Cappello stated he is happy with the tentative budget that increases his entire budget by \$949.00.

Town Clerk Knight requested an additional \$210.85 dollars for the 2007 budgeted position of Deputy Tax Collector. She stated the 2006 budget amount was \$1,670.00 which was reduced to \$1,650.00 in the 2007 budget. In the adopted 2007 Compensation Schedule the position received a 6 percent increase although a \$20 decrease was provided in the 2007 Town Board adopted budget. Currently the line item is \$14.85 over budget. The Board appeared to be in favor of the expenditure.

Town Clerk Knight reviewed a list she prepared of concerns previously expressed by the Town Board to confirm a complete list.

DISCUSISION  
OPEN ITEMS

Councilman Mairs stated dump days will be held this weekend.

Councilman Blye reported the Web site continues to be built. Also, he strongly recommends the Board consider the establishment of an "Ethics Committee". The Board appeared to be in favor of the recommendation and a goal will have one be in place by 2008.

On motion of Deputy Supervisor Cole, seconded by Councilman Cook, the meeting was adjourned at 9:30 P.M.

Respectfully submitted by \_\_\_\_\_ Sharon M. Knight, Town Clerk