

A Regular Meeting of the Town of Avon was held on Thursday, December 8, 2011 at 6:00 P.M. at the Avon Opera Block/Town Hall with the following members present:

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

OTHERS: Attorney James Campbell, Town Engineer Timothy Rock, Water Superintendent Daniel McKeown, Code Enforcement Officer Anthony Cappello, Assessor Tami Snyder, and Town Clerk Sharon Knight, CMC/RMC

VISITORS: R. Thompson, Bob Nilsson, Bill Lloyd, Scott Rosebrough, Jim Carney, Bruce Clarke, Stephen Werner, Richard Hite, Jo Beth Bellanca, Beth Carr, Meg Lloyd, Bob Ayers, Nicholas Varrone, Richard Steen, Lew Gurley, Tim Hayes, Kirk Vanderbilt, Mike Freeman, John Kellen Jr., Jeremy Batzel, Bryan Scott, Tom Freeman, Deirdre Phillips, Bill Christiano, Malachy Coyne, Marylou Borynton, Martha Cousins, Holly Watson, Forrest Watson, Clara Mulligan, Paul Swartz, Sheila Palmiter, Marla Palmiter, Scott Giorgis and Joe Schill

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

Pledge of Allegiance

Supervisor LeFeber welcomed Mr. Robert Thompson who requested time on the agenda to provide a presentation on natural gas drilling.

Mr. Thompson introduced Nicholas Varrone and Robert Nilsson and they requested the Town Board consider a one year moratorium for the following reasons:

New York State will be issuing permits beginning in February 2012.

A final study is expected in 2014.

Both New York City and Syracuse are exempt from granting permits for water sheds.

A presentation was provided including a video of an area that is being drilled.

Supervisor LeFeber stated that he visited areas in Pennsylvania and personally witnessed the same type of action as shown on the video being shared.

Only 30% of workers are local.

Serious crime went up.

Organic status of companies will be lost, such as Nut Butter in Nunda.

Please visit their web site <http://www.frackfreegeneseeblogspot.com/>

Do not sign a gas lease prior to reviewing your mortgage as it may be forfeited,

Questions asked from those in attendance included:

Where are the chemicals being shipped out and where are they going to go after usage?  
Mr. Thompson answered that when the liquid comes out of the ground it is not considered waste.

What about hearing the other side of this issue? Supervisor LeFeber responded stating no decisions are being made at this time. The local law process would need to be followed that include a proposed local law be written, a public hearing scheduled, a legal notice be prepared and put in our legal paper, opening and closing the hearing. These procedures welcome comments from everyone. He also stated that newly elected Town Board Members were invited to attend tonight's meeting and they are in attendance.

Attorney Campbell spoke of the number of Towns he is working with in the County and has found there is not a lot of experience on this issue, as this is all new. The industry is regulated by New York State and takes the authority out of our hands. Regulations need to be reviewed and having a moratorium would allow us to push the pause button to educate ourselves on the legal rights of the municipalities. If a moratorium is acted upon the Board should have an education plan. The moratorium is not a block, however; it does provide a limit time to suspend action. Outright bans are not recommended at this time.

Visitor Steve Warner reported the Town of Dryden is in court being challenged and an answer from the court is expected this February. This is one case and with different courts in different areas it is not uncommon to have different interpretations of the law by the Justices.

If a moratorium is not in place the Town would not be able to keep the drilling out.

As a landowner, a visitor recommended to the Board to adopt the local law in acting a moratorium.

The effects on the salt mine is unknown.

Regulations on the use of highways can be done that are not specifically related to hydraulic fracturing. Other communities will be looking at this during the moratorium.

Town Clerk Sharon M. Knight, CMC/RMC addressed the Board and Visitors that if they were not able to attend the public hearing their comments would be a part of the Official Record if they provided a notarized copy. And that she serves as a Notary.

Supervisor LeFeber stated that two letters have been received by the Board and it seems there is interest in this subject.

The presenters stated this is the sixteenth presentation in the last three weeks. They continue to gather information about the entire process and this is a time sensitive issue.

Supervisor LeFeber reported the next board meeting is the 29<sup>th</sup> of December and the Organization meeting will be scheduled for January 2, 2012.

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

Supervisor LeFeber called for a five minute recess.

**RESOLUTION #177 AUTHORIZE ATTORNEY CAMPBELL TO PREPARE LOCAL LAW**

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

ADOPTED AYES 5 NAYS 0

RESOLVE to approve Attorney Campbell to prepare a local law regarding a one year moratorium for drilling gas wells.

**Vote of the Board: Councilman Blye - Aye, Councilman Mairs – Aye, Councilman Cook - Aye, Deputy Supervisor Cole - Aye, Supervisor LeFeber - Aye**

**RESOLUTION #178 APPROVAL OF MINUTES**

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

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

RESOLVE to approve the minutes of November 10, 2011 as presented.

**Vote of the Board: Councilman Blye - Aye, Councilman Mairs – Aye, Councilman Cook - Aye, Deputy Supervisor Cole - Abstain, Supervisor LeFeber - Aye**

**RESOLUTION #179 APPROVAL OF MINUTES**

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

ADOPTED AYES 3 NAYS 0 ABSTAIN 2 (Deputy Supervisor Cole and Councilman Blye)

RESOLVE to approve the minutes of November 17, 2011 as presented.

**Vote of the Board: Councilman Blye - Abstain, Councilman Mairs – Aye, Councilman Cook - Aye, Deputy Supervisor Cole - Abstain, Supervisor LeFeber - Aye**

**DISCUSSION – ATTORNEY REPORT**

Attorney Jim Campbell reported on the following:

He received a phone call from Royal Springs Development Attorney David Henehan. Mr. Henehan is requesting a response to his letter asking for the release of the Bond the Town is holding. The response was the Board is preparing a list of several items that have not been completed in the Development and will be requesting the items be addressed by the Developer.

**DISCUSSION – ATTORNEY REPORT-continued**

A meeting was held last week in regards to the floor in the main lobby and hall way. The meeting was attended by Marianacci Inc., the floor installer, a representative of the manufacture of the flooring and a representative of Bero Architect. All believe the floor is performing well, however; there is not the type of maintenance needed, including but not limited to the throw rugs not being absorbent enough.

**DISCUSSION – HIGHWAY REPORT**

Highway Superintendent Thomas Crye reported on the following:

The Department has finished putting up snow fence, the service equipment is being prepared for the spring season, the trailer has been cleaned and is being painted, and hedge rows have been trimmed.

Supervisor LeFeber stated he received a notice from the County that land was purchased and road construction is needed on Tec Drive. Engineer Rock and Highway Superintendent Crye will meet with the design engineer to see if it's a project our Highway could complete if time allowed. The Board appeared to be committed to the project.

FEMA money was received today for the emergency work that was completed in April and May on the North Littleville Road culvert.

**DISCUSSION - ENGINEERING REPORT**

Engineer Rock reported on the following:

We continue to wait for approval from the Livingston County Health Department to install new waterlines on South Avon Road.

A survey of the North Littleville Road culvert was completed. Property owner Mr. Louis Lee shared his concerns with the surveyor. Attorney Campbell shared his thoughts on not moving forward without submitting an application for a stream permit from the New York State Department of Conservation that requires a hydraulic study. He agrees it is a time consuming and financial burdens, but the process is required. The results could be hefty fines for not following the required process.

DRAFT FOR DISCUSSION

RECEIVED  
DEC - 8 2011  
STACON M. KNIGHT  
TOWN CLERK / TAX COLLECTOR

David LeFeber, Supervisor  
and Board Members  
Town of Avon  
23 Genesee Street  
Avon, New York 14414

December 6, 2011

**Re: Royal Springs Subdivision  
Punch List**

Dear David and Board Members,

Attached is an overall subdivision photo map and a set of eleven (11) maps showing the rights-of-way within the Royal Springs Subdivision. A portion of the topo map showing general grading around the development is also attached. Also enclosed is a copy of a letter to Jim Campbell, dated 11/18/11, that discusses work needed within the detention pond of Royal Springs.

The maps document the problems we found with curbs and sidewalks within the Subdivision. The points have been survey instrument GPS located and have been identified as to severity of cracks. The recommended replacement for gutters is for 60 locations totaling 540 linear feet, 16 of the gutter inlet aprons totaling 96 feet and 19 sections of sidewalk, totaling 86 feet. Attached is an estimate of the cost of the repairs.

Fifty nine (59) cracks need repair. Construction equipment was allowed to cross the curbs and sidewalks, without plywood protecting it, causing many of the problems that were found. Attached is a technical data sheet for a polyurethane crack sealant that can be used with saw cutting, cleaning and then filling with this self leveling sealant for a successfully repair.

The attached letter to Jim Campbell, identifies the need to complete the construction on the detention pond outfall structure by removing the temporary filter that is plugging the outlet. There are a number of woody plants and trees on the berm, that need to be removed.

Regarding the storm sewer system, several inlets have not been completed, with the frame resting on 2" X 4"s. A few inlets have geofabric under the grate, blocking the flow of water. These need to be cleaned and the frames set. Most of the inlet aprons were poorly constructed. They need to be replaced where they are damaged. The storm sewer shows evidence of silt entering several of the inlets. The storm sewer should be cleaned and televised before being accepted for dedication.

The area designated as a community space does not have permanent structures, nor fences that encroach into the area. There is a sidewalk into the area on the southeast side, but not on the west side. A swale runs across the parcel, on the west side.

RECEIVED

The sidewalk of Eleni Court also has not been completed. There are a number of lots (8 to 11) that could be developed in a Section 5. The stream that is south of the development has been relocated in the vicinity of the home on the southwest cul-de-sac. This stream drains the area almost to Sutton Road, between Rolling Ridge and NYS Route 390. This stream effects the water crossing Nune Park.

Athena Drive ends without a turn-around or cul-de-sac. An acceptable system approvable by the Town Highway Superintendent should be added to the end of the road.

Sincerely,

Timothy C. Rock, P.E.

James Campbell, ESQ., Town Attorney  
Thomas Crye, Highway Superintendent  
Dan McKeown, Water Superintendent

## Mary Blye

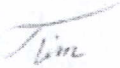
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**From:** Timothy Rock <trock@larsen-engineers.com>  
**Sent:** Tuesday, December 06, 2011 3:18 PM  
**To:** Mary Blye; jim@krukandcampbell.com  
**Subject:** draft Royal Springs letter and information for discussion  
**Attachments:** 20111206150812440.pdf; 20111206150826008.pdf; 20111206150834661.pdf;  
20111206151020773.pdf; 20111206151044774.pdf; 20111206151053453.pdf;  
20111206151116415.pdf

Mary,

Kindly forward to Board members and Tom Crye for discussion at Thursday's meeting.

Thanks,



Timothy C. Rock, P.E.  
Municipal Engineer  
700 West Metro Park • Rochester • NY • 14623  
Tel: 585.272.7310 ext. 611 • Fax: 585.272.0159  
Cell Phone: 585.520.5550  
[trock@larsen-engineers.com](mailto:trock@larsen-engineers.com)  
[www.larsen-engineers.com](http://www.larsen-engineers.com)



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ENGINEERS  
PLANNERS  
SCIENTISTS  
SURVEYORS

James W. Campbell, Jr., Esq.  
7312 East Main St.  
Lima, NY 14485

November 18, 2011

**Re: Nune Park Flooding  
Royal Springs Detention Pond**

Dear Jim,

Attached is a portion of sheet 20 of 20 from the Royal Springs Subdivision, Phase 1, Section 1, prepared by Fraser-Willey & Assoc., and dated June 7, 2002. This sheet details the Detention Pond Outlet Structure that was constructed as part of the development.

The "Temporary Bottom Drain Detail" is noted on the sheet. It is a temporary filter to prevent sediment from being discharged during construction. There is a note to remove this after the site is stabilized. This temporary filter has not been removed, it is still in place.

The effect of this filter is to hold water in the pond between storms and cause storm events to exit the pond through the top of the Outlet Structure. This sends an increased rate of outflow downstream. Attached is a recent picture of the outlet showing debris on top of the Outlet Structure.

This is one of the causes of the flooding of Nune Park that was discussed at last evening's Town Board Meeting. This "Temporary Bottom Drain" needs to be removed as soon as it can be done.

As you know, at the request of the Town Board, we are in the process of documenting the condition of infrastructure at Royal Springs, and will have our report in a few weeks. The flooding issue discussed above, needs to be addressed now.

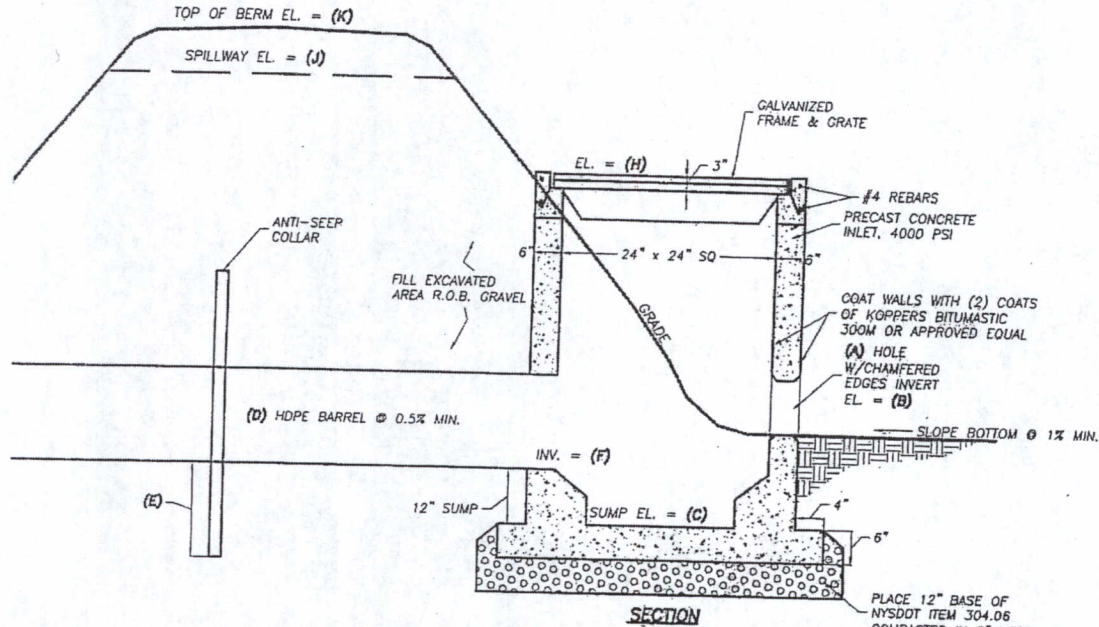
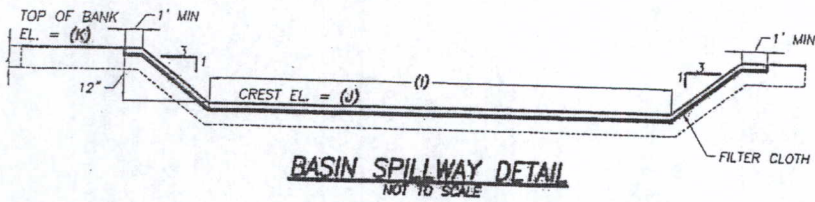
Sincerely,

A handwritten signature in black ink, appearing to read "Timothy C. Rock", written over a white background.

Timothy C. Rock, P.E.

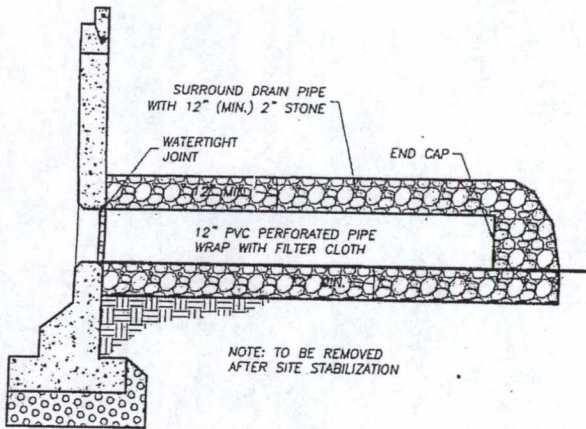
Cc: David LeFeber, Supervisor



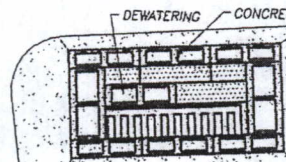
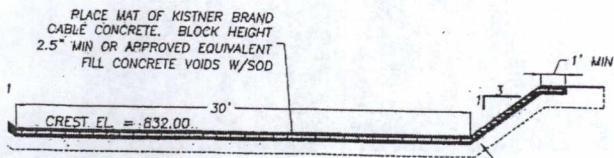


**BASIN OUTLET STRUCTURE DETAIL**  
NOT TO SCALE

BASIN OUTLET STRUCTURE I	
FEATURE	BASIN 2
(A) ORIFICE DIAMETER	12"
(B) ORIFICE INVERT	815.00
(C) SUMP ELEVATION	814.00
(D) BARREL DIA.	24"
(E) ANTI-SEEP COLLAR	24"
(F) BARREL INVERT IN	815.00
(G) BARREL INVERT OUT	814.00
(H) RIM ELEVATION	818.60
(I) SPILLWAY LENGTH	22'
(J) SPILLWAY ELEVATION	819.50
(K) TOP OF BERM ELEVATION	821.00



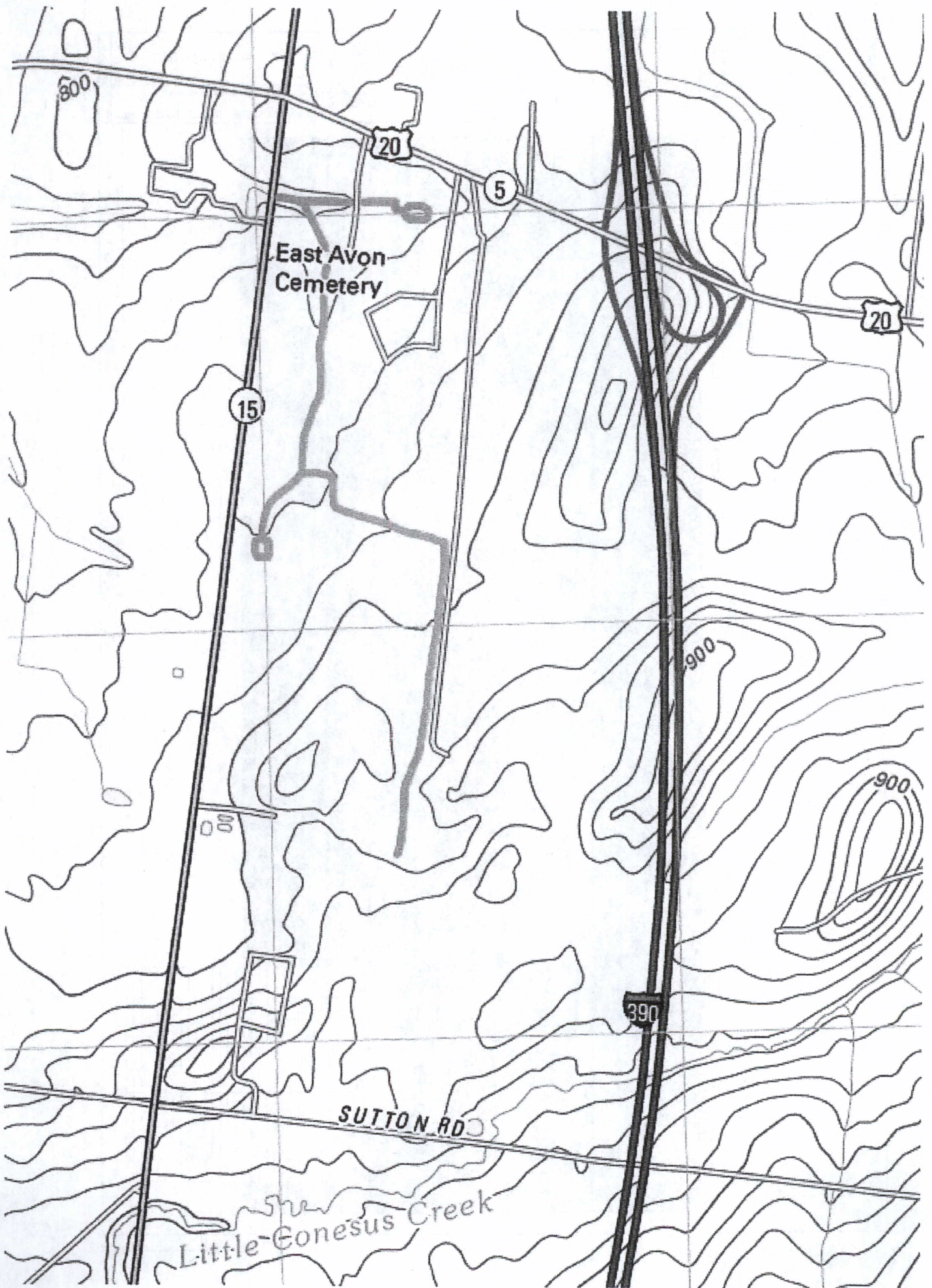
**TEMPORARY BOTTOM DRAIN DETAIL**  
NOT TO SCALE











EXISTING CONDITIONS PLAN

ROYAL SPRINGS SUBMISSION  
TOWN OF AYER, COUNTY OF LAMONT, STATE OF NEW YORK



**LARSEN**  
ENGINEERS

PROJECT NUMBER: T.C.N.  
SHEET NO.: B.P.  
DRAWING BY: W.R.V.  
SCALE: 1" = 20'  
DATE: NOV 2011

NO.	REVISIONS	BY	DATE

PROJECT NO.: 07-3-5611

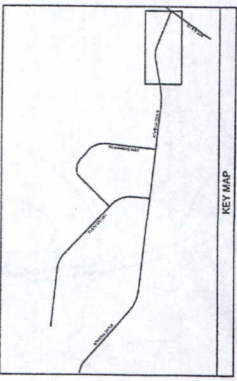
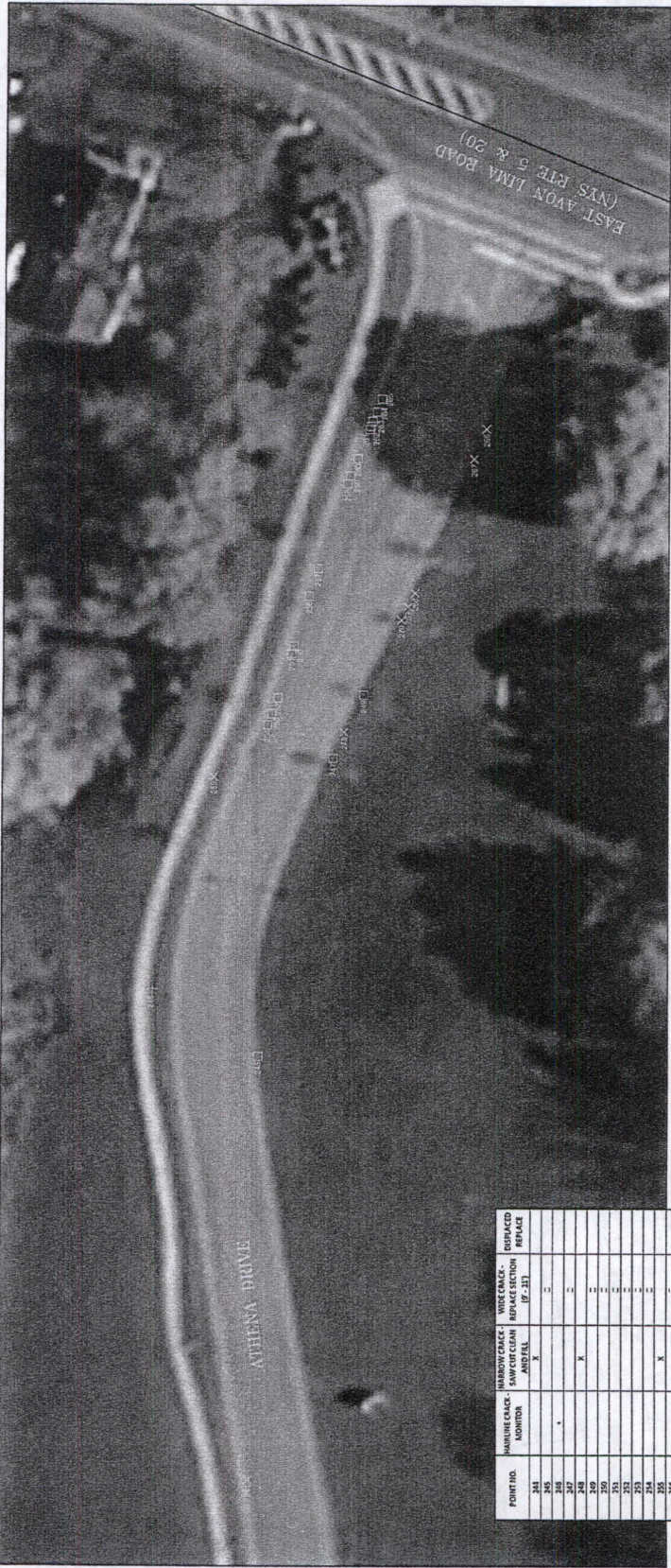
EC-1

1 OF 11

SCALE: ACCORDINGLY

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POINT NO.	HAIRLINE CRACK MONITOR	NARROW CRACK AND FILL	WIDE CRACK REPAIR	DISPLACED REPAIR
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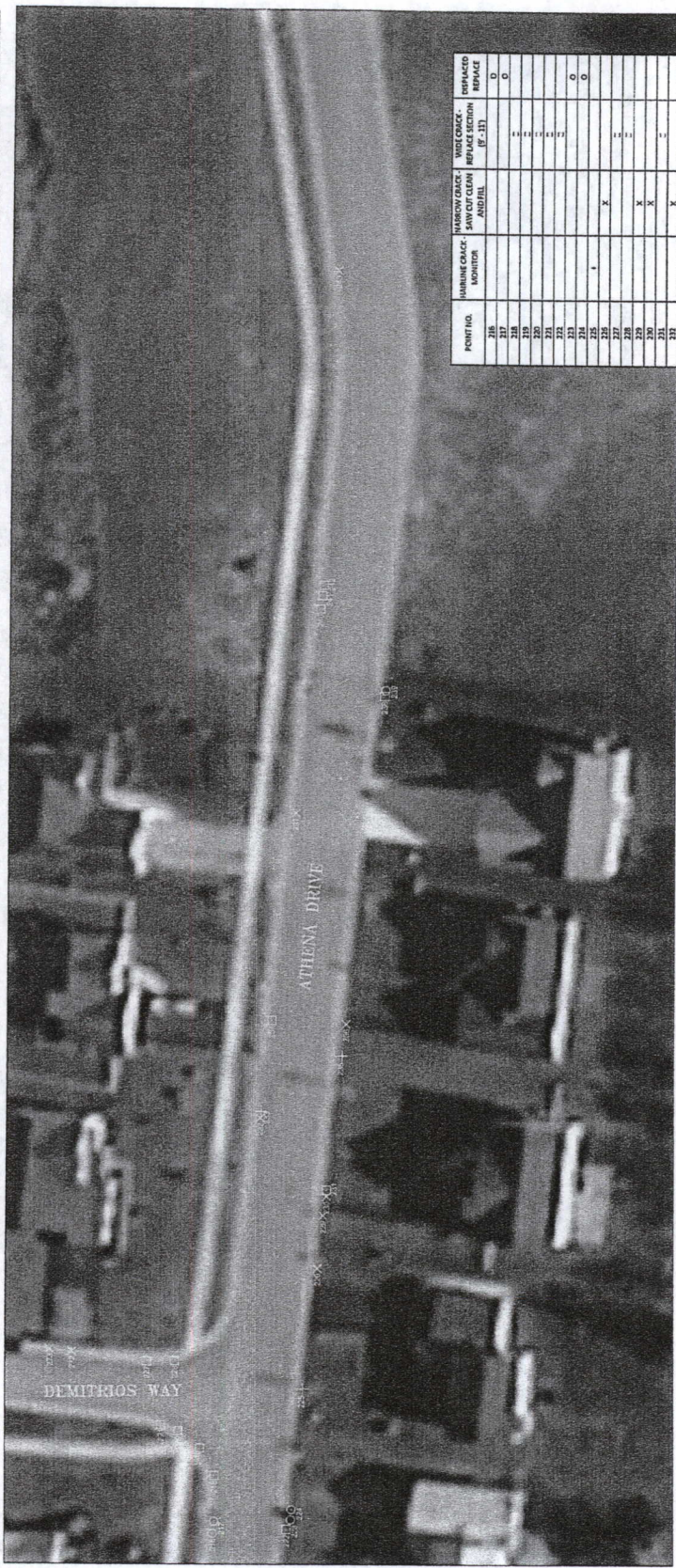
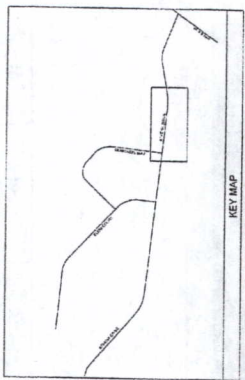
ROYAL SPRINGS SUBDIVISION  
 TOWN OF AVONDA COUNTY OF LIVINGSTON, STATE OF NEW YORK

EXISTING CONDITIONS PLAN

LARSEN ENGINEERS  
 200 WEST 10TH STREET, SUITE 200  
 NEW YORK, NY 10014-2000  
 TEL: 212-261-1111  
 FAX: 212-261-1112  
 WWW.LARSENENGINEERS.COM

NOV 2013  
 1" = 20'  
 B.P.  
 D.M.H.  
 T.R.

NO.	REVISIONS	BY	DATE




POINT NO.	MARKING CRACK - MONITOR	NARROW CRACK - SAW CUT CLEAN JOIST	WIDE CRACK - REFERENCE SECTION [P-11]	REBAR CRACK - REFERENCE SECTION
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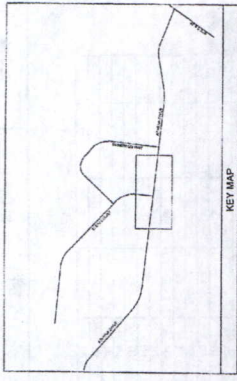
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2 OF 11

EC-2

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DRAWN BY D.M.H.		SCALE 1" = 20'				
NO. REVISIONS		PROJECT NAME		TOWN OF AYON, COUNTY OF LIVINGSTON, STATE OF NEW YORK ROYAL SPRINGS SUBDIVISION EXISTING CONDITIONS PLAN		
BY DATE		SHEET NUMBER		1" IS ONE INCH ON ORIGINAL DRAWING 0" IS NOT ONE INCH ON ORIGINAL DRAWING 1" SCALES ACCORDINGLY		

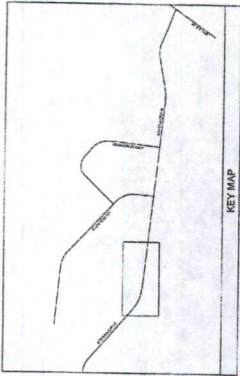


POINT NO.	WIDE CRACK - JUNCTION	NARROW CRACK - SAW CUT CLEAN AND FILL	WIDE CRACK - REFRACTION (P-11)	WIDE CRACK - REFRACTION (P-11)	WIDE CRACK - REFRACTION (P-11)
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 USER: D.M.H.



PROJECT NUMBER: _____ PROJECT NAME: _____		DATE: NOV 2011 SCALE: 1" = 20' DRAWN BY: B.P. CHECKED BY: D.M.H. PROJECT NUMBER: _____		 <b>LARSEN ENGINEERS</b> <small>100 WEST 100th STREET, SUITE 200, NEW YORK, NY 10025          TEL: (212) 490-1000 FAX: (212) 490-1001          WWW.LARSENENGINEERS.COM</small>		<b>EXISTING CONDITIONS PLAN</b> TOWN OF HONOLULU, COUNTY OF HONOLULU, STATE OF HAWAII		SHEET NO.: 07-3-5611
NO. _____ REVISIONS BY DATE		PROJECT NUMBER: _____ PROJECT NAME: _____		DATE: NOV 2011 SCALE: 1" = 20' DRAWN BY: B.P. CHECKED BY: D.M.H. PROJECT NUMBER: _____		<b>ROYAL SPRINGS SUBDIVISION</b> TOWN OF HONOLULU, COUNTY OF HONOLULU, STATE OF HAWAII		SHEET NO.: 07-3-5611



POINT NO.	HARBOR CHECK - MONITOR	HARBOR CHECK - SAW CUT CLEAN AND FILL	WIDE CHECK - REPLACE SECTION (P. 11)	DISPLACED REFERENCE
157				0
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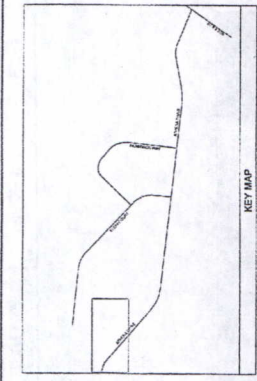
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4 OF 11

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REVISIONS			
PROJECT NUMBER _____		PROJECT NAME _____	
NO. _____	DATE _____	BY _____	DATE _____



POINT NO.	HARBOR CRACK MONITOR	WATER LEVEL MONITOR	WATER LEVEL MONITOR (P. 15)	DISPLACED
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ROYAL SPRINGS SUBDIVISION  
 TOWN OF AVALON, COUNTY OF LAMARCA, STATE OF NEW YORK  
 EXISTING CONDITIONS PLAN  
 SHEET NO. 07-S-5611  
 DATE 07-5-2011  
 EC-5  
 5 OF 11  
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ROYAL SPRINGS SUBDIVISION

TOWN OF YORK COUNTY OF LIVINGSTON, STATE OF NEW YORK



**LARSEN ENGINEERS**  
 100 WEST 100TH STREET, SUITE 100  
 NEW YORK, NY 10024-1000  
 TEL: 718-335-1100  
 FAX: 718-335-1101

PROJECT NO. T.R.  
 DRAWN BY D.M.H.  
 SCALE 1" = 20'  
 DATE NOV 2013

NO.	REVISIONS	BY DATE

6 OF 11

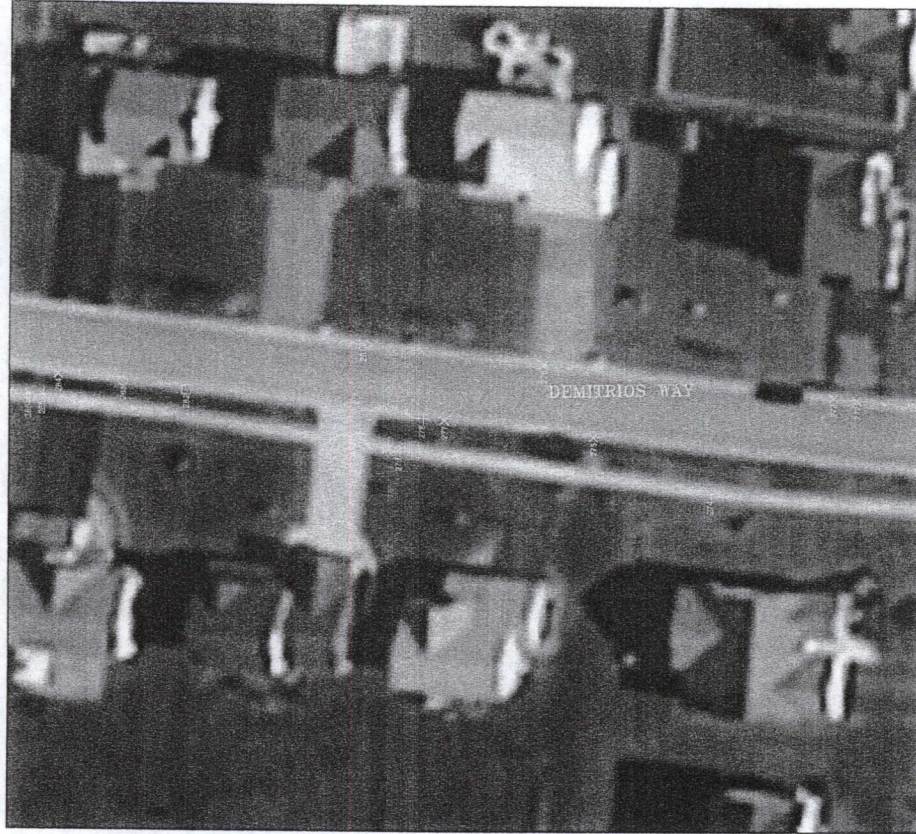
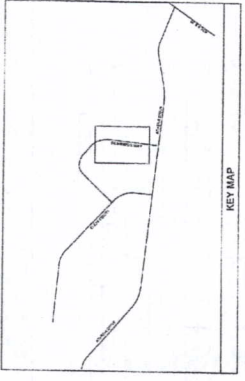
EC-6

SCALE: 1" = 20'

DATE IS ONE INCH ON ORIGINAL DRAWING

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POINT NO.	HURDLE CRACK MONITOR	MANHOLES - SAW CUT	MANHOLES - AIRFILL	MANHOLES - BRASS	MANHOLES - BRASS WITH [7'-11"]	DISPLACED	REPLACE
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ROYAL SPRINGS SUBDIVISION  
 TOWN OF AVON, COUNTY OF LIVINGSTON, STATE OF NEW YORK



NOV 2011  
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 D.M.H.  
 DRAWN BY  
 T.C.R.  
 CHECKED BY

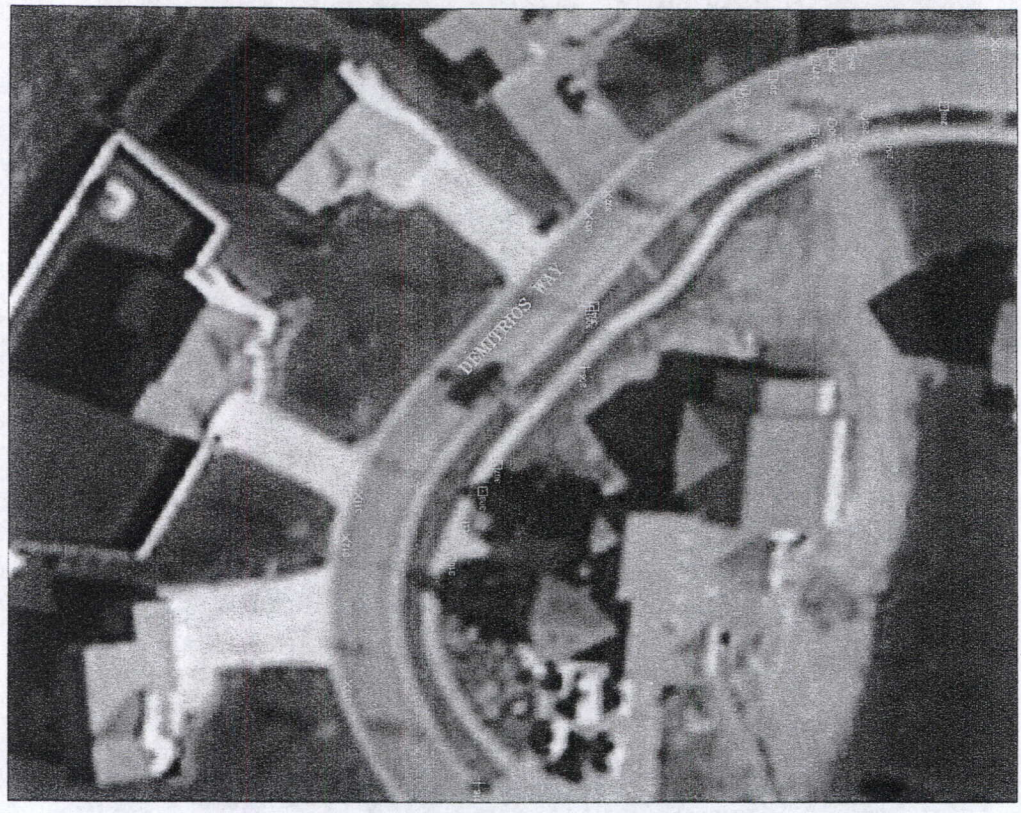
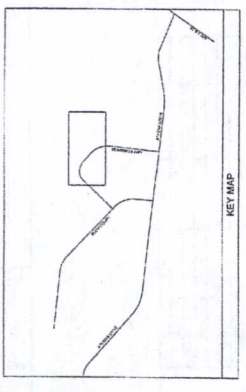
NO.	REVISIONS	BY	DATE

EC-7

7 OF 11

DATE IS ONE INCH ON ORIGINAL DRAWING  
 SCALE: ACCURATELY

POINT NO.	HORIZONTAL ANGLE	VERTICAL ANGLE	WIRE OR CABLE	WIRE OR CABLE POSITION	WIRE OR CABLE TYPE	WIRE OR CABLE SIZE	WIRE OR CABLE COLOR	WIRE OR CABLE MATERIAL	WIRE OR CABLE TENSION	WIRE OR CABLE WEIGHT	WIRE OR CABLE LENGTH	WIRE OR CABLE AREA	WIRE OR CABLE PERIMETER	WIRE OR CABLE VOLUME	WIRE OR CABLE WEIGHT	WIRE OR CABLE VALUE
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EXISTING CONDITIONS PLAN

ROYAL SPRINGS SUBDIVISION  
TOWN OF YORK COUNTY OF LINCOLN, STATE OF NEW YORK



**LARSEN ENGINEERS**  
200 WEST 45TH STREET, SUITE 200  
NEW YORK, NY 10018-0045  
PHONE: (212) 692-9200  
FAX: (212) 692-9201

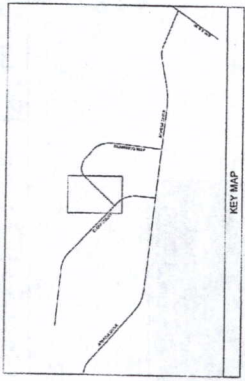
PROJECT NUMBER: \_\_\_\_\_  
DATE: NOV 2011  
SCALE: 1" = 20'  
DRAWN BY: D.M.H.  
CHECKED BY: \_\_\_\_\_  
IN CHARGE: F.C.R.

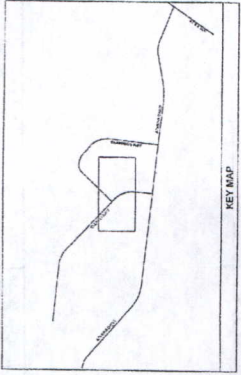
NO.	REVISIONS	BY	DATE

EC-8  
8 OF 11  
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POINT NO.	HARDWARE CRACK - HORIZONTAL	HARDWARE CRACK - VERTICAL	WIRE CRACK - REPAIR (SEE LIST)	DISPLACED
114				
115	X			
116	X			
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121				
122				
123				
124				
125				





BAR IS ONE INCH ON ORIGINAL DRAWING  
 IF NOT ONE INCH ON ORIGINAL DRAWING, SCALE INDICATED BY BAR IS TO BE USED.

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POINT NO.	HAMMILL CRACK MONITOR	BUSINESS CRACK - LAW FOR CLEAN AND FILL	ROCK CRACK - IMPALMATION BY 11'	DISPLACED
120	4		1	
121	4		1	
122			1	
123			1	
124			1	

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EXISTING CONDITIONS PLAN  
 TOWN OF ALLEN COUNTY OF LINDSEY, STATE OF NEW YORK  
 ROYAL SPRINGS SUBDIVISION



**LARSEN ENGINEERS**  
 200 WEST 10TH STREET, SUITE 100  
 LINCOLN, NEBRASKA 68502-1000  
 TEL: 402-478-0000 FAX: 402-478-0001  
 www.larsen-engineers.com

PROJECT NUMBER: T.C.2.  
 DRAWN BY: D.M.H.  
 CHECKED BY: B.P.  
 SCALE: 1" = 20'  
 DATE: NOV 2011

NO.	REVISIONS	BY	DATE

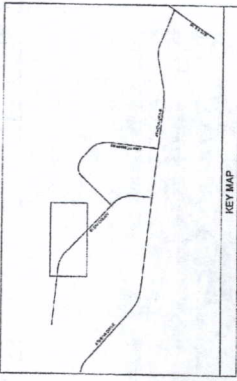
PROJECT NO. 07-3-3611

EC-10

10 OF 11

SCALE: 1" = 20'  
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 FEET BY SCALE ONLY. ON  
 PHOTOGRAPHIC COPY, ON  
 ORIGINAL DRAWING,  
 SCALES ACCORDINGLY.

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POINT NO.	CRACK MONITOR	WIDE CRACK - SPLIT	WIDE CRACK - REPAIR	DEFACED	REPLACE
109	*				
110	*				
111					
112					
113					







Revision: May 24, 2010  
 Supersedes: May 15, 2009  
 Ref#: 1026900

# TECHNICAL DATA SHEET



Henkel Corporation  
 Professional and Consumer Adhesives  
 Rocky Hill, CT 06067  
 Phone 1-800-624-7767  
 Fax (440) 250-7863  
[www.henkel.com](http://www.henkel.com) [www.stickwithpl.com](http://www.stickwithpl.com)

## DESCRIPTION

Loctite® PL® Polyurethane Self-Leveling Sealant is a professional grade sealant for concrete. It is a one component, polyurethane, self-leveling sealant for contraction/expansion joints and cracks in concrete floors and decks. It cures in place to form a highly resilient and abrasion resistant seal, which resists deterioration caused by weather, stress, movement, traffic and water. Its abrasion and tear resistance makes it ideally suited for applications exposed to pedestrian and vehicular traffic

## RECOMMENDED FOR:

- REPAIRING:
- Driveways
  - Garage Floors
  - Concrete Floors and Decks
  - Sidewalks

## NOT RECOMMENDED FOR:

- Vertical surface repair (use on horizontal surfaces only)
- Underwater applications or permanent water immersion
- Use in areas of high chlorine concentration such as around swimming pools
- Applications requiring temperature resistance greater than 180°F (82°C)
- Joint depths greater than 3/8" (9.5 mm) without the use of a backer rod. In joints deeper than 3/8" (9.5 mm) the sealant may bubble if applied too deep or if substrate is not absolutely dry
- Use with fillers impregnated with oil, asphalt, tar or any other migratory saturant
- Contact with oil-based caulking compounds, butyl caulking compounds and silicone sealants (Uncured and cured)
- Exterior applications when rain is expected before sealant reaches initial cure
- Aircraft runway or tarmac use

## FEATURES & BENEFITS:

Feature	Benefits
Self-Leveling formula.....	No tooling required
Low VOC formulation.....	Complies to stringent Federal & State Regulatory requirements
Flexible.....	Use on expansion joints; Withstands joint movement without distortion or failure
Weatherproof.....	Withstands a wide range of weather conditions; Virtually unaffected by extreme temperature changes
Paintable.....	Blends in with surroundings for a professional finish



Color	Item #	Package	Size
Limestone Gray	1402261	Paper Cartridge	10 fl. oz.
Limestone Gray	1402267	Paper Cartridge	10 fl. oz.
Limestone Gray	1402266	Paper Cartridge	28 fl. oz.

## COVERAGE

### For a 10 fl. oz. cartridge:

A ¼" (6 mm) bead extrudes approximately 30.6 ft (935 m).  
A 3/8" (9.5 mm) bead extrudes approximately 13.6 ft. (4.1 m).

### For a 28 fl. oz. cartridge:

A ¼" (6 mm) bead extrudes approximately 85.8 ft (26.1 m).  
A 3/8" (9.5 mm) bead extrudes approximately 38.1 ft (11.6 m).

### Tools Typically Required:

Utility knife, caulking gun and tool to puncture cartridge seal.

### Safety Precautions:

Wear gloves. Sealant may temporarily stain skin.

### Surface Preparation:

Surfaces must be structurally sound, dry and free of all loose aggregate, paint, oil, grease, asphalt, release agents, wax and mastic compounds prior to the application of the sealant.

### Backing Materials:

Maximum recommended joint depth is 3/8" (9.5 mm). Sealants may bubble if applied too deep or if substrate is not absolutely dry. In joints deeper than 3/8" (9.5 mm) use of a backer rod is recommended. For joints subject to puncture (i.e. by either high heels or umbrella points), use of a stiffer or higher density back up material is required. Cork or rigid non-impregnated cane-fiber joint fillers are suitable. Make sure that the backing material is tight to the sides of the joint to prevent loss of sealant through the bottom. Note: Do not use other caulks or sand as a bottom bed in a joint.

### New Concrete:

Remove all loose material, assuring that joining surfaces are clean, dry and structurally sound. Surfaces in contact with form release agents should be cleaned by sandblasting. Fresh concrete must be fully cured. Laitance must be removed by abrading.

### Old Concrete:

For joints previously sealed, remove all joint sealing material by mechanical means. If joint surfaces have absorbed oils, sufficient concrete must be removed to ensure a clean surface.

### General Preparation:

Use above 40°F (4°C). In cool or cold weather, store container where temperature is about 75°F (25°C) for at least 24 hours before using. Cut nozzle at a 45° angle to desired bead size and puncture inner seal.

### Application:

Apply sealant with a steady pressure, forcing into the joint. Fill joints from the bottom; avoid bridging of the joint, which may form air bubbles. Sealant will self-level to form a clean joint surface. Protect open containers from heat and /or direct sunlight. Do not use in joints deeper than 3/8" (9.5 mm) without the use of a backer rod. The depth of the sealant should be half the width of the joint. The maximum depth is ½" (31 mm) and the minimum is ¼" (6 mm). Sealant skins within 24 hours, is functional within 3 days and reaches full cure in about 1 week.

### Clean-up

Clean tools and any uncured sealant residue immediately with mineral spirits in a well-ventilated area to the outdoors. Cured sealant may be carefully cut away with a sharp-edged tool.

## STORAGE AND DISPOSAL

NOT DAMAGED BY FREEZING. Store in original, tightly closed container away from heat and direct sunshine. Elevated temperatures will reduce shelf life. In cool or cold weather, store container at room temperature for at least 24 hours before using. Use an approved hazardous waste facility for disposal.

## PRECAUTIONS

**WARNING!** Contains calcium oxide, toluene diisocyanate, silicon dioxide, mineral spirits and talc. Combustible liquid and vapor. **KEEP AWAY FROM HEAT, FLAME AND SOURCES OF IGNITION.** May cause skin, eye and respiratory irritation. May cause dermatitis and allergic responses. Avoid contact with skin, eyes and clothing. Potential skin and/or respiratory sensitizer. Ingestion may cause irritation. Avoid breathing vapor. Use only with adequate ventilation. **KEEP OUT OF REACH OF CHILDREN**

Refer to the Material Safety Data Sheet (MSDS) for further information

**DISCLAIMER**

The information and recommendations contained herein are based on our research and are believed to be accurate, but no warranty, express or implied, is made or should be inferred. Purchasers should test the products to determine acceptable quality and suitability for their own intended use. Nothing contained herein shall be construed to imply the nonexistence of any relevant patents or to constitute a permission, inducement or recommendation to practice any invention covered by any patent, without authority from the owner of the patent.

**TECHNICAL DATA**

Typical Uncured Physical Properties		Typical Application Properties	
<u>Color:</u>	Limestone	<u>Application Temperature:</u>	Apply and cure between 40°F (4°C) and 120°F (49°C)
<u>Appearance:</u>	Thick liquid	<u>Tack-Free Time:</u>	24 hours @ 75°F (24°C) and 50% Relative Humidity (ASTM C 679)
<u>Base:</u>	Polyurethane	<u>Fully Cured:</u>	3 to 7 days @ 75°F (24°C) and 50% Relative Humidity Cure time is dependent upon temperature, humidity, porosity of substrate and depth of joint.
<u>Viscosity:</u>	120,000 cps		
<u>Odor:</u>	Mild		
<u>Flash Point:</u>	> 200°F (93°C)		
<u>Specific Gravity:</u>	0.88		
<u>% Solids Content:</u>	96%		
<u>VOC Content:</u>	43 g/L		
<u>Shelf Life:</u>	12 months from date of manufacture (unopened)		
<u>Lot Code Explanation:</u>	3L0028HP11		
(Lot code stamped on bottom plunger of cartridge)	0 = Last Digit of Year of Manufacture 028 = Day of Manufacture based on 365 days per year  For example: 0028 = January 28, 2010		

**Typical Cured Performance Properties**

<u>Color:</u>	Gray
<u>Cured Form:</u>	Non-flammable, rubbery solid
<u>Service Temperature:</u>	-40°F (-40°C) to 180°F (82°C)
<u>Shrinkage:</u>	None
<u>Water Resistance:</u>	Yes
<u>Paintable:</u>	Yes, once fully cured (at least 7 days).
<u>Movement Capability:</u> (ASTM C 719)	± 25 %
<u>Ultimate Elongation at Break:</u> (ASTM D412)	800% ± 50%
<u>Adhesion in Peel:</u> (ASTM C 794)	30 ± 5 pli
<u>Tensile Strength:</u> (ASTM D 412)	350 ± 50 psi
<u>Tear Strength:</u> (ASTM D 1004)	50 ± 10 pli

Hardness, Shore A: 27.5 ± 2.5  
(ASTM C 661)

Specifications:

- ASTM C 920, Type S, Grade P, Class 25, Use T and M
- Meets CAN/CGSB-19.13-M87 Classification C-1-40-B-N, No. 81028
- Federal Specification TT-S-00230C, Type I, Class A
- Corps of Engineers CRD-C-541, Type I, Class A
- USDA compliant for use in Meat and Poultry areas.

**DISCUSSION – WATER REPORT**

Water Superintendent McKeown did not have anything to report.

**DISCUSSION CODE ENFORCEMENT OFFICER**

Code Enforcement Officer Anthony Cappello reported New York State Department of Conservation has closed a business due to its effect of the residents sharing the same building and the owner not willing to close the business. Notification was not provided by the former Code Enforcement Officer and lead to his dismissal.

**RESOLUTION #180 PAYMENT OF BILLS**

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

ADOPTED AYES 5 NAYS 0

RESOLVE to accept for payment Abstract 2011-23 in the following amounts:

General Fund	Voucher #505 through #531 in amounts totaling \$14,085.46
Highway Fund	Voucher #200 through #214 in amounts totaling \$12,657.54
Water Fund	Voucher #172 through #182 in amounts totaling \$51,960.36
Cemetery Fund	No Voucher
Opera Block Capital Improvement	No Voucher
Royal Springs Lighting	Voucher #12 through #12 in amounts totaling \$1,006.89
Cross Roads Drainage District	No Voucher
Bruckel Drainage District	No Voucher
Royal Springs Drainage	No Voucher
Town Of Avon Fire Protection	No Voucher
Water Capital Improvement	Voucher #7 through #7 in amounts totaling \$3,950.00

**Vote of the Board: Councilman Blye - Aye, Councilman Mairs – Aye, Councilman Cook - Aye, Deputy Supervisor Cole - Aye, Supervisor LeFeber - Aye**

**RESOLUTION #181 RECEIVE MONTHLY REPORTS FROM THE AVON LIMA ROAD INC. ESCROW ACCOUNT, THE SUPERVISOR, AND TOWN CLERK**

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

ADOPTED AYES 5 NAYS 0

**RESOLUTION #181 RECEIVE MONTHLY REPORTS FROM THE AVON LIMA ROAD INC. ESCROW ACCOUNT, THE SUPERVISOR, AND TOWN CLERK -continued**

RESOLVE to accept the Citizens Bank Commercial Account of Avon Lima Road Inc. Escrow Account in Favor of the Town of Avon and monthly reports for November from the Supervisor, and the Town Clerk Report as shown below:

Town Clerk November Report:

<u>Total Local Shares Remitted:</u>	<u>\$818.65</u>
<u>New York State Department of Health</u>	<u>\$22.50</u>
<u>NYS Ag. &amp; Markets for spay/neuter program</u>	<u>\$36.00</u>
<u>NYS Environmental Conservation</u>	<u>\$2,347.26</u>
<u>RECREATION Fee</u>	<u>\$1,785.00</u>
<u>WATER Fee</u>	<u>\$3,584.40</u>
<u>TOTAL</u>	<u>\$8,593.81</u>

**Vote of the Board: Councilman Blye - Aye, Councilman Mairs – Aye, Councilman Cook - Aye, Deputy Supervisor Cole - Aye, Supervisor LeFeber – Aye**

**DISCUSSION WATER RELEVY**

Supervisor LeFeber stated that he did not provide or bring the water re-levy information to the meeting. The Board took the following action.

**RESOLUTION #182 WATER RELEVY**

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

ADOPTED AYES 5 NAYS 0

RESOLVE that the unpaid water bills be re-levied.

**Vote of the Board: Councilman Blye - Aye, Councilman Mairs – Aye, Councilman Cook - Aye, Deputy Supervisor Cole - Aye, Supervisor LeFeber - Aye**

**DISCUSSION SUPERVISOR'S REPORT**

Michael Hayes put the wreath on the front of the Opera Block/Town Hall.

### **DISCUSSION EMPLOYEE HANDBOOK**

Supervisor LeFeber stated the discussion on the employee handbook would take place at a future meeting.

All open positions for the 2012 calendar year will be advertised, letters to those currently serving will be sent.

The organization meeting is being planned for January 2<sup>nd</sup> at 7:00 P.M.

The annual request was received from the Livingston County Youth Bureau asking the Board to consider sharing funds from recreation, as the State is cutting another twenty-five percent or eliminated with a block grant. Once again, the Board appeared not to support providing them with funds.

A request for \$181.21 was received from Justice Piampiano to balance his court checking account. Information was provided from the Office of Court Administration and they advise the Justice is responsible for the shortage. The Board did not take any action as recommended by the Office of Court Administration.

The Office of the Comptroller will have representatives to review their audit with the Supervisor on Monday. A response to the audit is required within ninety days. Attorney Campbell stated that processes are important and a part of the results.

Beginning January 1, 2012, the Town of Avon will be responsible to provide the Internal Revenue Service with benefits provided to employees such as take home vehicles, shoe allowance and clothing allowance on the W-2 Form.

A notification to employees was sent regarding the required lunch if working six hours or more during the noon time meal period.

Discussions of particular employee could take place in executive session.

Employee handbook outstanding items included background checks, need for physicals in the Highway and Water Departments, Performance reviews versus Appraisal reviews, code of ethics, vehicle usage, no personal use of town resources, floating holidays, sick time (including accumulation of days), personal and vacation time.

### **DISCUSSION - OPEN ITEMS**

Councilman Mairs reported on the meeting he attended with Councilman Elect Robert Ayers. They learned of the history from 1950's to date, toured the facilities, and all finances were shared. Action items are to think of ways to help raise money as revenues continue to increase. Deputy Supervisor Cole questioned if there was any discussions of ways to reduce expenses. Further discussion of the Town Board included not having an affiliation with the Ambulance, the Towns of Caledonia and Livonia, 3<sup>rd</sup> party billing,

**DISCUSSION - OPEN ITEMS-continued**

cost of runs versus cost of insurance payments, inability of customers to pay, and not having an Advance Life Support (ALS) service.

Councilman Cook requested to have all e-mails from the Town to end on December 31, 2011 that he receives as Councilman.

Councilman Blye reported that he spoke with Village Mayor Freeman and both are interested in continuing with FM Design although a proposal was received from Mr. Deming.

**RESOLUTION #183 EXECUTIVE SESSION**

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

ADOPTED AYES 5 NAYS 0

RESOLVE to enter into executive session for the purpose of the medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation. TIME 8:00 P.M. inviting Town Clerk Sharon M. Knight, CMC/RMC.

**Vote of the Board: Councilman Blye - Aye, Councilman Mairs – Aye, Councilman Cook - Aye, Deputy Supervisor Cole - Aye, Supervisor LeFeber - Aye**

**RESOLUTION #184 CLOSE EXECUTIVE SESSION**

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

ADOPTED AYES 5 NAYS 0

RESOLVE that the Executive Session be closed and that this Board returns to the meeting with no action taken. Time 8:09 P.M.

**Vote of the Board: Councilman Blye - Aye, Councilman Mairs – Aye, Councilman Cook - Aye, Deputy Supervisor Cole - Aye, Supervisor LeFeber - Aye**

On motion of Deputy Supervisor Cole, seconded by Councilman Cook, the meeting adjourned at 8:10 P.M.

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