

Avon Village Board Meeting  
Monday, August 16, 2010

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The meeting of the Board of Trustees of the Village of Avon was held at the Avon Village Hall, 74 Genesee Street, Avon, New York on Monday, August 16, 2010.

Present: Mark McKeown, Deputy Mayor  
William Zhe, Trustee  
Robert Hayes, Trustee  
Timmy Batzel, Trustee

Absent: Mayor Thomas Freeman

Staff: Christine Quinlan  
John Barrett  
Jeremy Batzel, Fire Chief  
Reid Whiting, Attorney

Visitors: Paul Brown

Deputy Mayor McKeown opened the meeting at 6:30 p.m. with the Pledge of Allegiance.

## **RETIREMENT INCENTIVE PUBLIC HEARING:**

At 6:30 p.m. Deputy Mayor McKeown read the duly published notice of the public hearing for Local Law #4 of 2010 entitled "A Local Law electing the 2010 retirement incentive program as authorized by Part A-Chapter 105-Laws of 2010.

BE IT ENACTED by the Board of Trustees of the Village of Avon as follows:

- 1) The Village of Avon hereby elects to provide all of its eligible employees with a retirement incentive program authorized by Chapter 105, Laws of 2010.
- 2) The commencement date of the retirement incentive program shall be November 1, 2010.
- 3) The open period during which eligible employees may retire and receive the additional retirement benefits shall be 60 days in length.
- 4) The actuarial present value of the additional retirement benefits payable pursuant to the provisions of this local law shall be paid as one lump sum, or in five annual installments. The amount of the annual payment shall be determined by the Actuary of the New York State and Local Employees' Retirement System, and it shall be paid by the Village of Avon for each employee who receives the retirement benefits payable under this local law.

5) This act shall take effect August 16, 2010.

Attorney Whiting – Do you have a collective bargaining plan?

Trustee Zhe – No

Attorney Whiting – The open period can commence any time once it's adopted.

Attorney Whiting - Eligible employees must submit notice within 60 days. Once eligible participants submit notice, you have to submit an affidavit of payment determining whether you will make a lump sum payment or a five year payment plan.

Per calculations by the Treasurer, the onetime payment would be most feasible with a difference of approximately \$28,000. The good thing is payment would not be due until 2/1/2012.

The Board agreed the lump sum payment is what the Board would like to do. They will discuss it further when Mayor Freeman is in attendance.

Attorney Whiting – Are there any concerns on the proposed ESL?

Trustee McKeown – The only concern I would have is the egress.

Attorney Whiting – Greer's' request should clarify tax accounting.

## **PAUL BROWN:**

I have a form to use the hall to get public input on the Park Theatre. This would be an organizational meeting to see what ideas we can come up with. He questioned the Certificate of Insurance and deposit and wondered if these things can be waived. The idea is to discuss leasing the Park Theatre. I would like to have it the 2<sup>nd</sup> Thursday after Labor Day on the calendar which would be September 16<sup>th</sup>.

Trustee Hayes – Is the owner of the theatre amenable for this sort of thing?

Mr. Brown – Yes, I have had several meetings with him. He's in favor of what my ideas are and we're trying to negotiate on a price.

Trustee McKeown – Does anyone have a problem waiving the fees?

The Board was in agreement with waiving the fees, and Clerk Baker will check into the Certificate of Insurance that is required.

Trustee Hayes suggested advertising for the meeting so people can be made aware.

## **FIRE DEPARTMENT UPDATE:**

Chief Batzel gave an update:

- Firemen going to Pierce in Wisconsin to pick up the new truck. They will be leaving Avon on August 29<sup>th</sup> and should be home September 1<sup>st</sup>. The higher price of \$145,000 still appears on the web site for the sale price of the old pumper. Chief Batzel will call Scott Sutherland to find out why.

## **RETIREMENT INCENTIVE PUBLIC HEARING:**

At this point the hearing was closed and Trustee Zhe offered the following resolution and moved for its adoption:

### **RESOLUTION**

At the meeting of the Board of Trustees of the Village of Avon held at 74 Genesee Street, Avon, New York on August 16, 2010, the following resolution was offered: "BE IT RESOLVED that the Board of Trustees of the Village of Avon does hereby elect to provide the benefits of Part A of Chapter 105 of the Laws, 2010, commencing on November 1, 2010 for all eligible employees who retire with an effective date of retirement set during the sixty day period beginning with and immediately following the commencement date and who are otherwise eligible as specified by Part A of Chapter 105, Laws of 2010," and it is further

Resolved, that Local Law #4 of 2010 is approved as written.

Trustee Hayes seconded the motion and it was passed by the following vote:

Thomas Freeman, Mayor	Absent	
Mark McKeown, Trustee	Voting	Yes
William Zhe, Trustee	Voting	Yes
Robert Hayes, Trustee	Voting	Yes
Timmy Batzel, Trustee	Voting	Yes

## **VILLAGE BOARD MEETING MINUTES:**

Upon a motion made by Trustee Hayes the minutes from August 2, 2010 are hereby approved as submitted. Trustee Zhe seconded the motion and it was carried by the following vote:

Thomas Freeman, Mayor	Absent	
Mark McKeown, Trustee	Voting	Yes
William Zhe, Trustee	Voting	Yes
Robert Hayes, Trustee	Voting	Yes
Timmy Batzel, Trustee	Voting	Yes

**VOUCHERS AND MANUAL CHECKS:**

Trustee Batzel questioned why the Village would pay for the towing of the vehicle the day of the Avon on the Green incident. They feel it should go through the driver’s insurance.

Upon a motion by Trustee Batzel, the following vouchers are approved for payment with the exception of DRJ Repair:

Fund #1 General Fund	\$ 37,038.68
Fund #4 Schedule C	\$ 16,731.33
Fund #5 Water	\$ 742.22
Fund #6 Sewer	\$ 2,274.63
Fund #9	\$
Fund #10	\$
Fund #11	\$
Fund #17	\$ 60.00
Fund #44	\$
Fund #45	\$
Fund #46	\$
Fund #47	\$
Fund #48	\$ 3,450.00
Fund #49	\$ 4,018.00
Fund #50	\$

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Fund #53	\$
Fund #54	\$ 233.55
Fund #55	\$
Fund #56	\$
Fund #57	
Fund #58	\$ 1,238.52
Fund #59	\$
Fund #60	\$
Fund #61	\$
Fund #62	\$
Fund #63	\$
Fund #64	\$ 2,264.02
Fund #65	\$ 1,112.72
Fund #66	\$
Fund #67	\$ 31.50
Fund #68	\$
Fund #69	\$
Fund #70	\$
Fund #71	\$
Fund #72	\$
Fund #73	\$
Fund #74	\$
Fund #75	\$
Fund #76	\$
Fund #77	\$
Fund #78	\$
Fund #79	\$
Fund #80	\$ 64.99
Fund #81	\$
Fund #82	\$

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Fund #83	\$	
Fund #84	\$	
Fund #85	\$	
Fund #86		
Fund #87	\$	
Fund #88	\$	
Fund #89	\$	
Fund #90		
Fund #91	\$	252.00
Fund #92	\$	
Fund #93	\$	
Fund #94	\$	
Fund #95	\$	
Fund #96		
Fund #97	\$	
Fund #98	\$	
Fund #99	\$	
<b>TOTAL</b>		<b>\$ 69,512.16</b>

Manual Checks:

Check #3429 NYS Child Support	\$ 230.00
Check #3427 NYS Income Tax Processing Unit	\$1,631.09
Check #3428 Nationwide Retire. Solution	\$1,798.37
Check #3430 Law Enforcement Officers	\$ 368.28
Check #3431 SEIU 200 United	\$ 319.79
Check #3426 Village of Avon – HSA	<u>\$ 1,537.50</u>

**TOTAL: \$ 5,885.03**



Trustee Hayes seconded the motion and it was carried by the following vote:

Thomas Freeman, Mayor	Absent	
Mark McKeown, Trustee	Voting	Yes
William Zhe, Trustee	Voting	Yes
Robert Hayes, Trustee	Voting	Yes
Timmy Batzel, Trustee	Voting	Yes

### **CLOSED PROJECTS:**

Upon a motion made by Trustee Zhe the following project was closed:

<u>Project Name</u>	<u>Balance Remaining</u>	<u>Original Source</u>
H45-Lawnmower	\$23.26	HR22-General Eq.

The motion was seconded by Trustee Hayes and carried by the following vote:

Thomas Freeman, Mayor	Absent	
Mark McKeown, Trustee	Voting	Yes
William Zhe, Trustee	Voting	Yes
Robert Hayes, Trustee	Voting	Yes
Timmy Batzel, Trustee	Voting	Yes

Treasurer Quinlan updated the Board on her meeting with Clem Chung from MRB; Ken Farrell, and Dawn Kuras from USDA regarding the pre-application for our WWTP Project in the amount of \$2.5M. The Recovery monies have been expended and our project is now transitioning to USDA annually appropriated allocation money. Moving forward, projects using this funding will be strictly based on USDA's priority scoring system. It should be noted that this system incorporates several parameters that depend on issues unrelated to the project, such as population size, median household incomes, and other rural community infrastructure.

At this time our project has a priority score of 30. Ms. Kuras reviewed the selection criteria sheet with us, and made recommendations on how to improve our score. At this point Treasurer

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Quinlan and Mr. Chung are working on providing Ms. Kuras with some documents needed to potentially improve our score.

Two criteria that the Board can consider are:

- Committing matching funds from the Sewer Fund balance or HR42-Sewer Plant Reserve
- Proceed with the project which will improve our rating although it will not guarantee funding

## **DPW UPDATE:**

- Finishing up Pole Bridge Road sidewalk this week
- Sidewalk repairs on Isham and Genesee Street and striping
- Trying to get buildings down behind stores and clean up
- Will chip seal Valley Lane and River Street in a month
- Trying to get roofs on pavilions at Downs
- Clean and seal monument
- Getting estimates on repairing gutters

Trustee Zhe – What about using the grindings for the parking lot at the Driving Park?

Superintendent Barrett – We would have to measure up the pile and see if we have enough, otherwise do it next year.

Crosswalk on Genesee Street needs to be repaired, maybe stamped concrete? Superintendent Barrett said he can talk to Tom Jerris on a price, and then determine do we do it this year or next year.

Trustee Hayes – A tree was taken out between Spring Street and Oak Street and the grass that grew back is all weeds.

Superintendent Barrett – We got a poor quality of seed and we went back around and redid spots. We'll check it out.

## **TRUSTEE'S UPDATE:**

Trustee Zhe reported that there is an abandoned car in the back of the Village building and Court Clerk Jan Cole asked Trustee Zhe if an old desk that she has been using could be donated to the Ambulance.

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The Board suggested that Trustee Zhe check with all Departments, if they have no need for the desk, then it can be donated to the ambulance.

Treasurer Quinlan reported that Roosevelt & Cross, Inc. deposited the total Note proceeds of \$480,190 into the Village's account for the new fire truck.

Code Officer Cappello issued an appearance ticket for Robert Morris for outdoor junk.

**FIRE DEPARTMENT APPLICATIONS:**

Upon a motion made by Trustee Hayes, the application of Kimberly A. Quinlan for social membership in the Avon Fire Department is hereby accepted. Trustee Batzel seconded the motion and it was carried by the following vote:

Thomas Freeman, Mayor	Absent	
Mark McKeown, Trustee	Voting	Yes
William Zhe, Trustee	Voting	Yes
Robert Hayes, Trustee	Voting	Yes
Timmy Batzel, Trustee	Voting	Yes

Upon a motion the meeting was adjourned at 7:45 p.m.

Respectfully submitted,



Patricia E. Baker  
Village Clerk