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Avon Village Board Meeting
Monday, June 21, 2010

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, June 21, 2010.

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

Staff: Chief Carney
Christine Quinlan
Tony Cappello
Jeremy Batzel

Mayor Freeman opened the meeting at 6:00 p.m. with the Pledge of Allegiance.

VILLAGE BOARD MEETING MINUTES:

Upon a motion made by Trustee Zhe the minutes from June 7, 2010 meeting are hereby approved as submitted. Trustee Hayes seconded the motion and it was carried by the following vote:

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

VOUCHERS AND MANUAL CHECKS:

After reviewing the vouchers Trustee Batzel was against paying a bill from Raymond Wager, CPA for reviewing the outstanding Joint Youth bill that was due the Village from the Town of Avon. He feels it's immoral for the Village to pay that bill since that independent review was not needed or wanted by the Village.

Trustee McKeown – I agree with Trustee Batzel. It went through three of our employees and their answers came across the same that the Town owes the money. After having an independent agent take a look at it, it was proven that the Town owes the money. It has been dragged on for four years.

The Board discussed writing a letter expressing their displeasure with the whole situation. The Board decided that Mayor Freeman would contact Supervisor LeFeber out of courtesy for him,

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and express the Village Board's dissatisfaction in hopes that he would discuss it at their upcoming Board meeting. If nothing transpires after that two Village Board members will attend a Town meeting.

Upon a motion by Trustee McKeown the following vouchers are approved for payment.

Fund #1 General Fund	\$30,926.93
Fund #4 Schedule C	\$ 3,627.23
Fund #5 Water	\$ 1,420.80
Fund #6 Sewer	\$ 3,235.22
Fund #9	\$
Fund #10	\$
Fund #11	\$ 3,210.18
Fund #17	\$ 2,121.12
Fund #43	\$ 27.30
Fund #44	\$ 27.30
Fund #45	\$12,076.74
Fund #47	\$ 27.30
Fund #48	\$ 27.30
Fund #49	\$ 27.30
Fund #50	\$
Fund #52	\$
Fund #53	\$
Fund #54	\$10,160.61
Fund #55	\$
Fund #56	\$ 27.30
Fund #57	\$ 30.03
Fund #58	\$
Fund #59	\$
Fund #60	\$
Fund #61	\$ 27.30
Fund #62	\$ 8,997.00
Fund #63	\$

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Fund #64	\$4,004.06
Fund #65	\$ 2,163.00
Fund #66	\$ 24.57
Fund #67	\$ 220.50
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	\$
Fund #81	\$
Fund #82	\$
Fund #83	\$
Fund #84	\$
Fund #85	\$
Fund #86	\$
Fund #87	\$
Fund #88	\$
Fund #89	\$
Fund #90	\$
Fund #91	\$
Fund #92	\$
Fund #93	\$ 6.87
Fund #94	\$ 42.78

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Fund #95	\$
Fund #96	\$
Fund #97	\$
Fund #98	\$
Fund #99	\$
TOTAL	\$ 82,458.74

Manual Checks:

NYS Child Support Proc. Center – Child Support	\$ 230.00
NYS Income Tax Processing Unit – State Taxes	\$1,804.02
Nationwide Retirement Solution – Deferred Comp.	\$1,543.48
Law Enforcement Officer Union – Police Union Dues	\$ 335.98
NYS Child Support Proc. Center – Child Support	\$ 230.00
NYS Income Tax Processing Unit – State Taxes	\$1,607.07
SEIU 200 United – DPW Union Dues	\$ 319.79
Nationwide Retirement Solution – Deferred Comp.	<u>\$1,533.26</u>
	\$7,666.60

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

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

Treasurer Quinlan informed the Board that she's still waiting on Reid Whiting regarding the Erie Attica and the information needed to complete the audit.

ESTABLISH CAPITAL PROJECTS:

Treasurer Quinlan requested that the Village Board resolve to open the following projects:

Upon a motion made by Trustee Zhe the following projects are hereby opened:

- SCBA Packs in the amount of \$89,600 to be funded as follows:
 \$79,800 (95% of grant) from Federal grant monies
 \$ 4,200 (5% grant local match) from General Fund balance
 \$ 5,600 from HR21, Fire Equipment Reserve
- Community Manor Pipe drainage in the amount of \$5,000 from HR25
- Clean Drainage @ Driving Park in the amount of \$1,000 from HR25
- Water Meters in the amount of \$15,000 from HR32
- Bag Filtration on Recycle Water in the amount of \$50,000 from HR33
- Slurry Seal Parking Lot at WTP in the amount of \$5,000 from HR33
- Install 1,300 linear feet of 2" water line running from the water main to the back field as agreed upon for the school in the amount of \$7,409.24 per intermunicipal agreement dated 5/4/10

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

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

Trustee Zhe moved to authorize the expenditures for the opened projects and it was seconded by Trustee Hayes subject to permissive referendums under the provisions of Article 9 of Village Law listed below:

WATER EQUIPMENT:

METERS:

Trustee Zhe offered the following RESOLUTION and moved for its adoption:

RESOLUTION

A RESOLUTION authorizing the expenditures of \$15,000 from capital reserve *funds HR32 – WATER EQUIPMENT* for the Village of Avon, Livingston County, New York.

Be it resolved, by the Board of Trustees of the Village of Avon as follows:

The specific object or purpose of the Village of Avon, Livingston County, New York for which the expenditures of monies from the capital reserve funds is for monies needed for *WATER METERS*. The maximum estimated costs of the aforesaid specific object or purpose is \$15,000.

Upon this RESOLUTION taking effect, the same shall be published in full in THE LIVINGSTON COUNTY NEWS, the official newspapers together with a legal notice of the Village Clerk as provided by law.

This RESOLUTION is adopted subject to a permissive referendum.

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

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

CAPITAL PROJECT:

Trustee Zhe offered the following RESOLUTION and moved for its adoption:

RESOLUTION

Resolved, that a capital project be established in the amount of \$15,000.

Resolved, that said capital project shall be number H and entitled WATER METERS.

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

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

DRAINAGE:

PIPE DRAINAGE AT COMMUNITY MANOR:

Trustee Zhe offered the following RESOLUTION and moved for its adoption:

RESOLUTION

A RESOLUTION authorizing the expenditures of \$5,000 from capital reserve funds HR25 – DRAINAGE for the Village of Avon, Livingston County, New York.

Be it resolved, by the Board of Trustees of the Village of Avon as follows:

The specific object or purpose of the Village of Avon, Livingston County, New York for which the expenditures of monies from the capital reserve funds is for monies needed to REPLACE PIPE DRAINAGE AT COMMUNITY MANOR. The maximum estimated costs of the aforesaid specific object or purpose is \$5,000.

Upon this RESOLUTION taking effect, the same shall be published in full in THE LIVINGSTON COUNTY NEWS, the official newspapers together with a legal notice of the Village Clerk as provided by law.

This RESOLUTION is adopted subject to a permissive referendum.

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

Mayor Thomas Freeman	Voting	Yes
Trustee Robert Hayes	Voting	Yes
Trustee Mark McKeown	Voting	Yes
Trustee Timmy Batzel	Voting	Yes

Upon this RESOLUTION taking effect, the same shall be published in full in THE LIVINGSTON COUNTY NEWS, the official newspapers together with a legal notice of the Village Clerk as provided by law.

This RESOLUTION is adopted subject to a permissive referendum.

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

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

CAPITAL PROJECT:

Trustee Zhe offered the following RESOLUTION and moved for its adoption:

RESOLUTION

Resolved, that a capital project be established in the amount of \$1,000.

Resolved, that said capital project shall be number H and entitled CLEAN DRAINAGE AT NETH'S (DOWNS).

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

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

WATER FILTRATION PLANT:

BAG FILTRATION ON RECYCLE WATER:

Trustee Zhe offered the following RESOLUTION and moved for its adoption:

RESOLUTION

A RESOLUTION authorizing the expenditures of \$50,000 from capital reserve funds HR33 – WATER FILTRATION PLANT for the Village of Avon, Livingston County, New York.

Be it resolved, by the Board of Trustees of the Village of Avon as follows:

The specific object or purpose of the Village of Avon, Livingston County, New York for which the expenditures of monies from the capital reserve funds is for monies needed for BAG FILTRATION ON RECYCLE WATER. The maximum estimated costs of the aforesaid specific object or purpose is \$50,000

Upon this RESOLUTION taking effect, the same shall be published in full in THE LIVINGSTON COUNTY NEWS, the official newspapers together with a legal notice of the Village Clerk as provided by law.

This RESOLUTION is adopted subject to a permissive referendum.

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

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

CAPITAL PROJECT:

Trustee Zhe offered the following RESOLUTION and moved for its adoption:

RESOLUTION

Resolved, that a capital project be established in the amount of \$50,000.

Resolved, that said capital project shall be number H and entitled BAG FILTRATION ON RECYCLE WATER.

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

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

WATER FILTRATION PLANT:

SLURRY SEAL PARKING LOT AT WTP:

Trustee Zhe offered the following RESOLUTION and moved for its adoption:

RESOLUTION

A RESOLUTION authorizing the expenditures of \$5,000 from capital reserve *funds HR33 – WATER FILTRATION PLANT* for the Village of Avon, Livingston County, New York.

Be it resolved, by the Board of Trustees of the Village of Avon as follows:

The specific object or purpose of the Village of Avon, Livingston County, New York for which the expenditures of monies from the capital reserve funds is for monies needed for *SLURRY SEAL PARKING LOT AT WTP*. The maximum estimated costs of the aforesaid specific object or purpose is \$5,000

Upon this RESOLUTION taking effect, the same shall be published in full in THE LIVINGSTON COUNTY NEWS, the official newspapers together with a legal notice of the Village Clerk as provided by law.

This RESOLUTION is adopted subject to a permissive referendum.

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

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

CAPITAL PROJECT:

Trustee Zhe offered the following RESOLUTION and moved for its adoption:

RESOLUTION

Resolved, that a capital project be established in the amount of \$5,000.

Resolved, that said capital project shall be number H and entitled SLURRY SEAL PARKING LOT AT WATER PLANT.

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

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

FIRE EQUIPMENT:

SCBA PACKS:

Trustee Zhe offered the following RESOLUTION and moved for its adoption:

RESOLUTION

A RESOLUTION authorizing the expenditures of \$5,600 from fire equipment reserve funds HR21 – FIRE EQUIPMENT for the Village of Avon, Livingston County, New York.

Be it resolved, by the Board of Trustees of the Village of Avon as follows:

The specific object or purpose of the Village of Avon, Livingston County, New York for which the expenditures of monies from the capital reserve funds is for monies needed for SCBA PACKS. The maximum estimated costs of the aforesaid specific object or purpose is \$5,600.

Upon this RESOLUTION taking effect, the same shall be published in full in THE LIVINGSTON COUNTY NEWS, the official newspapers together with a legal notice of the Village Clerk as provided by law.

This RESOLUTION is adopted subject to a permissive referendum.

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

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

CAPITAL PROJECT:

Trustee Zhe offered the following RESOLUTION and moved for its adoption:

RESOLUTION

Resolved, that a capital project be established in the amount of \$5,600.

Resolved, that said capital project shall be number H and entitled SCBA PACKS.

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

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

DPW UPDATE:

Mayor Freeman updated the Board on the status of the DPW since Superintendent Barrett was unable to attend.

- The DPW will be starting work at the school with a 2" water main to maintain the fields. The school will pay the Village \$6,600. We'll make sure it's metered water.
- They've been working at Community Manor.

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- 2500' of pipe has been put in on River Street.
- Sidewalks on Pole Bridge Road to Lake Road will be done soon. The sidewalk will connect to Five Lot.

Trustee McKeown – I would rather see John's crew doing potholes rather than working at the school.

CODE ENFORCEMENT OFFICER:

Code Officer Cappello updated the Board on the following items:

- Notice of Apparent Violations sent to Mr. & Mrs. James Davis
- Interest in the property next to Peppermints to install an ESL ATM machine. The Planning Board and Village Board would like people to go out onto Collins Street and to the light when they submit plans.

POLICE UPDATE:

The Board discussed the 5k charity run that is being proposed by Russell Loughry for either Saturday, July 31, or Sunday, August 1. The cause is a rehabilitation fund for his nephew (Bryan Parslow) who is paralyzed from the waist down. The Board along with the Chief of Police discussed the overtime that would be involved with extra Police Officers and discussed if they were comfortable with that.

The Board had some reluctance to give final approval and Mayor Freeman suggested that they contact Mr. Loughry and ask him to meet with the Mayor, a Board member and Chief Carney.

Chief Carney updated the Board on recent bike training school that John Jordan attended and arrests for May and June and tickets that were issued.

The Board discussed the Village speed limit with Chief Carney. Chief Carney will find out how many feet from the school are considered a School Zone. He will check and have an Officer see if all areas are marked properly.

FIRE DEPARTMENT:

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Chief Batzel stated that he reviewed the bid from Dival Safety & Supplies for the SCBA Pack Assembly and found everything to be in order.

Trustee McKeown – Did you contact any other the suppliers?

Chief Batzel – At the Fire show this past week end I questioned vendors and they said that some were limited by time constraints and some did not want to step on others toes. They have territorial issues.

Trustee Batzel - Dival is on the State Bid and Dival is lower than the State bid.

A motion was made to approve the bid from Dival Safety & Supplies as received by Trustee Hayes and it was seconded by Trustee Batzel and carried by the following vote:

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

The Board questioned if there has been any word on when the new fire truck will be arriving? Chief Batzel will know an exact date for the arrival of the new truck on August 1st. As for the old pumper, we've only had inquiries.

Trustee McKeown – How many members in the Fire Department?

Chief Batzel – 34 or 35.

EXECUTIVE SESSION:

Upon a motion made by Trustee McKeown the Board entered into executive session at 8:00 p.m. to discuss personnel issues. The motion was seconded by Trustee Hayes and the Board exited executive session at 9:20 p.m.

A request was made by Attorney Whiting for a pay increase. After careful consideration, the Board was in unanimous agreement to increase Attorney Whiting's salary to \$125 an hour for legal services performed as of July 1, 2010. The motion was made by Trustee McKeown and seconded by Trustee Hayes and carried by the following vote.

Mayor Thomas Freeman	Voting	Yes
Trustee Robert Hayes	Voting	Yes

Trustee Mark McKeown	Voting	Yes
Trustee Timmy Batzel	Voting	Yes
Trustee William Zhe	Voting	Yes

TRUSTEE'S UPDATE:

FIRE DEPARTMENT APPLICATIONS:

Upon a motion made by Trustee Hayes, the application of Chris Batzel for social membership and Robert Knapp for active membership in the Avon Fire Department is hereby accepted. Trustee Zhe seconded the motion and it was carried by the following vote:

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

Mayor Freeman announced to the Board that he would like to start having monthly Staff Meetings with one or two Board members. He'll keep the Board informed.

Trustee Zhe suggested that the Village Board take a good look at the Comprehensive Plan recently submitted. He had concerns with some of the content of the Plan. Did we get \$30,000 worth? Once the Board officially approves the plan the final release of payment will be made. The Board suggested that the Planning Board along with the Village Board review it one final time and perhaps set up a review committee to keep it updated.

There was poor participation from the Steering Committee. Some members never came.

Trustee Zhe also updated the Board on the Association Dinner.

Trustee Zhe mentioned a summer picnic in the Circle Park the day the bike race comes through.

CHANGE OF MEETING:

Because of the 4th of July Holiday, the Village Office will be closed on Monday, July 5th the next regularly scheduled Board meeting, it was the unanimous decision of the Board to hold their meeting on Monday, July 12th.

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A motion was made by Trustee Zhe and seconded by Trustee Batzel to change the next Village Board meeting. It was carried by a unanimous vote.

Mayor Freeman asked Trustee Batzel to work on a purchase policy.

Mayor Freeman updated the Board on a discussion he had with Bernie Thoma. There is a grant available to hire an architect for the Development Block Grant Program: Community Planning Program. The Block Grant which would come up the hill and around the circle and include Staudinger's apartments. The purpose of this would be to develop guidelines to the downtown area.

The Village of Avon anticipates submitting an application to the New York State Office of Community Renewal for funding under the federal NYS Community Development Block Grant Program: Community Planning Program on or before July 19, 2010.

The Village will be submitting an application with a maximum funding request of \$40,000. Public hearings are held as part of the process to solicit public input with respect to the application and to develop program activities. Community Development funds can be used for activities that are eligible under Section 570.482 of Subpart I of the federal Housing and Community Development Act of 1974. More complete details of eligible activities as outlined at Section 570.482, will be available at the public hearings.

The first public hearing is scheduled for Thursday, July 8, 2010 at 4:00 p.m. The second public hearing will be held on Monday, July 12, 2010 at 6:30 p.m. at the Village Hall, 74 Genesee Street, Avon, New York 14414. The Village Building is handicapped accessible for those needing such assistance. Any other persons or groups needing special accommodations should contact the Village at least one week prior to the scheduled meeting.

The public is urged to attend these public hearings to provide input into the application process, the proposed use of Community Development funds, and to express their views or pose questions with respect to the Community Development program. Comments may be verbal or written. Information with respect to the hearings may be obtained by call the Village's Community Development Consultant, Thoma Development Consultants, at (607)753-1433.

The existing Community Development Grants and related programs are funded under Title I of the Housing and Community Act of 1974, as amended. Fiscal Year 2010 funds for which the Village is applying for will be provided by the federal government, pursuant to Title I to New York State for award and administration. The public hearings are held pursuant to Section 570.486 Subpart I of the federal Small Cities Community Development Block Grant Program regulations and/or any similar State regulations that may govern the State's Community Development Program.

After the Neighborhood Meeting, Mayor Freeman talked with Laurel Barber with the DOT and she has money put aside for reseeding but not topsoil from the DOT Project. The project has not been closed out yet.

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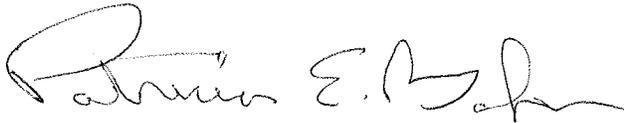
Trustee McKeown discussed the possibility of a stop sign at the end of the island at the driveway between Pizza Land and the Fire Department. He suggested a Local Law be done to change this.

Chief Carney also mentioned the yield sign by Pizza Land and suggested it should be a stop sign and both be done at the same time.

Clerk Baker will notify Attorney Whiting to arrange the public hearing for these two proposed Local Laws.

Upon a motion the meeting was adjourned at 9:30 p.m.

Respectfully submitted by,

A handwritten signature in cursive script, appearing to read "Patricia E. Baker". The signature is written in black ink and is positioned above the printed name.

Patricia E. Baker
Village Clerk