

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

Staff: Tony Cappello, Code Enforcement Officer
Reid Whiting, Attorney
Jim Carney, Chief of Police

Visitors: (at 6:00 p.m.) Josh Williams, Genesee Sun

(at 7:00 p.m.)

Tom & Carol Lyttle	Brad & Debbie Hill
Jeanna Ruter	Duane Dembroski
Liz Welch	Jeff Taylor
Deb Taft	Tom Murray
Jim Wilber	Mike Mariani
Merv Abbott	Dwight & Joan Brown
Jim & Doreen Krause	Mark Mitschow
Phil Livingston	Will McLaughlin
Lori Woolston	Pat Driscoll
Jeff Yunker	Cathy Raynor
William Cushing	James Gilmore
Charles Kanty	Mary Beth Brinkerhoff
Tom Wallin	Russell Brown
Steve Rosen	Charles Leonard
Jim Kime	Barbara Herman
Jim Kime Jr.	Joan Reid
Thomas DeFranco	Dave & Luke Sharman
Kay Conlon	Bruce & Mary Rankin
Roland Thurston	Ed Haubner
Al DeCook	Bill & Erin Schmerbeck
Todd Gunther	Jason Klemmer
Norm & Marcia Barrett	Dusty _____
John Norton	Tom Mairs
Art Kirsch	Steve Stephenson
James & Leah Root	Luke Crissy
Daniel DeSano	Robert House
Richard Cook	Keith Karn
Don & Sue Mastin	Herb Jones
George & Nancy Sullivan	John Havens
Ann Jenson	Kathy Salvati
Gideon Schery	Jefferson Lalik
Francis Pelligrino	Al Beach
Ted Coyne	Nancy Tompkins

Greg & Kris Deragon
Darlene Kiel
Tom Bartolini

Pat Evans
Dennis Turner
Dave & Beth Dixon

Mayor Freeman called the meeting to order at 6:00 p.m.

MINUTE APPROVAL:

Upon a motion made by Trustee Batzel the minutes of April 18, April 19 and April 25, 2011 were approved. The motion was seconded by Trustee Zhe and carried by the following vote:

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

CLOSED PROJECTS:

Upon a motion made by Trustee Zhe the following projects are hereby closed and the remaining monies returned to their original funding sources:

<u>Project Name</u>	<u>Balance Remaining</u>	<u>Original Source</u>
H50-Turnout Gear	\$130.78	HR21-Fire Eq.
H71-Hurst Spreaders	\$0	
H91-Rts. 5&20 Sewer	\$30,626.75	Debt Service Fund

Trustee McKeown 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	Voting	Yes
Robert Hayes, Trustee	Voting	Yes

TAX WARRANT:

Mayor Freeman read the tax warrant. Upon a motion made by Trustee McKeown, Mayor Freeman is duly authorized to execute the tax warrant for 2011 collection of Village taxes as set forth below:

TAX WARRANT

To: Christine Quinlan
Village Treasurer

You are hereby commanded to receive and collect from the several persons named in the assessment roll, hereto annexed, the several sums named in the last column thereof opposite their respective names, for the following purposes:

For the General Fund	-	\$ 959,266.00
For Water Liens	-	\$ 34,348.16
For Sewer Liens	-	\$ 20,937.02
For Prorated Tax Exemptions	-	\$ 1,735.48
Being for all purposes a total amount of	-	\$1,016,286.66

Upon receipt of the roll and warrant by you, and on or before the first day of June, you shall cause to be published in the official papers of the Village, once a week for two consecutive weeks, a notice that such tax roll and warrant have been left with you for the collection of taxes therein levied, and shall designate one or more convenient places in the Village where you will receive taxes from June first to and including July first from eight o'clock in the morning until four o'clock in the afternoon, except Saturday, Sundays and holidays.

For said period of time you will receive all taxes paid to you without additional charge.

On all such taxes remaining unpaid after July 1st, interest of five per centum shall be added for the month of July and an additional one per centum for each month or part thereof until payment or tax sale; all pursuant to Section 924(a) of the Real Property Tax law.

You shall attend at the time and place specified in said notice for the purpose of receiving said taxes.

After the first day of July you shall proceed to collect the taxes remaining unpaid, with interest as herein provided, but without any other fee or charge, and for the purpose you are possessed of all the powers of a Town Tax collector. All interest collected shall belong to the Village.

You are to make a return of this warrant on the first day of October after the delivery thereof to you, showing the total amount of taxes paid and each tax unpaid with the receipt of the Village Treasurer for all taxes paid to her, and shall file the roll and warrant in the Office of the Village Clerk. All unpaid taxes shall be sent to the County Treasurer, per Village Board resolution. And for so doing, this shall be your sufficient warrant.

IN WITNESS WHEREOF: The Board of Trustees of said Village of Avon has caused these presents to be signed by its Mayor and the seal of the Village is hereunto affixed this 2nd day of May, 2011.

Trustee Zhe 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	Voting	Yes
Robert Hayes, Trustee	Voting	Yes

KRAFT FOODS UPDATE:

Mayor Freeman updated the Board about his meeting with Greg Manning, Kraft Foods. Since Kraft’s fiscal year began in January, their water rate increase and sewer monthly payments will be ramped up between now and June 2012. Kraft’s current water rate of \$2.27 will be increased by \$0.60 beginning June 1, 2011 for their May water consumption. Kraft’s monthly sewer payment will be remain the same as 2010-2011 less the water rate increase projection until January 2012 at which time it will increase.

Mayor Freeman and Treasurer Quinlan will draft letters to Kraft, Barilla and Caledonia regarding their water rate increases.

Mayor Freeman and Mr. Manning discussed the dumping of leaves and other brush on Kraft properties. The Board would like to offer a key to the Village brush dump at the Avon Driving Park so that Kraft employees can dump brush. Kraft will need to provide a certificate of insurance to the Village.

Treasurer Quinlan will investigate how other municipalities handle contractors and landscapers dumping in their municipal brush dumps. Are contractors given access with insurance requirements? Do contractors pay a fee to dump?

FYE INTERFUND TRANSFERS:

The Board reviewed the interfund transfers presented by Treasurer Quinlan. Upon a motion made by Trustee Zhe the following fiscal year end interfund transfers are hereby approved:

General Fund (A9951.9) > Equipment Reserve (HR22-5031A)	\$15,000.
General Fund (A9952.9) > Fire Equipment Reserve (HR21-5031A)	\$25,000.
General Fund (A9955.9) > Buildings Reserve (HR23-5031A)	\$ 6,666.

General Fund (A9953.9) > Streets Reserve (HR24-5031A)	\$40,000.
Schedule C Fund (C9956.91) > Filtration Plant Reserve (HR33-5031C)	\$50,000.
Sewer Fund (G9559.9) > Equipment Reserve (HR22-5031G)	\$20,000.
Sewer Fund (G99510.9) > Buildings Reserve (HR23-5031G)	\$ 6,666.
Sewer Fund (G9901.91) > General Fund (A5031)	\$50,000.

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	Voting	Yes
Robert Hayes, Trustee	Voting	Yes

CODE ENFORCEMENT UPDATE:

- Code Enforcement Officer stated property maintenance letters will be mailed out soon.
- The Dump Days at the Town Highway Garage will be accepting computers, televisions and other electronics.
- Mayor Freeman expressed the need for inspections during and after final grading at subdivisions. Due to the tremendous amount of rain certain swales have not properly drained in the D'Angelo Parkway subdivision. The Board would like to ask Mr. Cassada, North Avenue, for an easement, so that Supt. Barrett can install a French drain to tie into the backside of an existing manhole within the Cassada property.

OTHER ITEMS:

- Mayor Freeman reviewed the fire inspection report by Fire Marshall Rodamaker.
- Mayor Freeman would like the water at the Avon Driving Park turned on in mid-April so that pavilion renters have bathroom access. This item should be placed in the Village's annual "tickler file".
- Mayor Freeman spoke with NYSDOT and Jim & Liz Welch, Charlton owners, regarding the potholes near their east driveway. Supt. Barrett will fill in these potholes for now but a long-term solution is needed for this area as drivers pull off to the right on Rts. 5&20 westbound to get around drivers who are turning left onto Polebridge Rd. Chief Carney will provide the name of the Livingston County Traffic Safety Board representative to the Board, as well as draft a letter to NYSDOT regarding these issues for the Board to review.

- Mayor Freeman spoke with Dick Neth, Spring St., regarding lawn cleanup and installation of guardrail.

EXECUTIVE SESSION:

Upon a motion made by Trustee McKeown, the Board went into executive session at 6:40 p.m. to discuss personnel matters. Trustee Zhe seconded the motion. The Board exited executive session at 6:57p.m. The motion was carried by a unanimous vote.

DEER MEETING:

At 7:00 p.m. Mayor Freeman welcomed the public to an informational meeting regarding Avon's deer population. Mayor Freeman introduced Arthur Kirsch, NYS DEC, who proceeded to show a PowerPoint presentation titled Community Based Deer Management and An Evaluation of Deer Management Options (April 2008). These presentations are exhibits within the minute's folder due to their length.

Mr. Kirsch's Community-Based Deer Management presentation asked Is there a problem? Mr. Kirsch explained traditional concerns, and how to guarantee that efforts to solve a community deer issue will fail as well as essential elements for success. Mr. Kirsch detailed the community-based deer management process and the deer management assistance program.

After Mr. Kirsch's presentation, Mayor Freeman opened the floor for questions.

Keith Karn asked about the effect on venison consumed by humans if experimental contraception was being used. Mr. Kirsch replied that the Federal Drug Administration is involved in this matter and no findings have been presented yet.

Jim Wilber commented that he has found a liquid spray (All Natural Liquid Fence Deer and Rabbit Repellant) that works pretty well. The active ingredient in the spray is putrefied eggs.

Steve Stephenson asked if the deer could be pushed during hunting season from the concentrated protective areas within the Village. Mr. Kirsch replied that it can't hurt during the first few days of hunting season, but deer normally return to their original habitat.

Deb Taft asked if the Village would be willing to do something to thin out the herd, such as permits within the Village. Deb commented that she has had approximately \$500 worth of trees damaged by the deer.

Dave Sharman asked why the Irondequoit deer committee disbanded. Mr. Kirsch replied that the Irondequoit deer committee went through the entire process of surveys to the public, education, etc., but at the end they didn't want to stick their necks out.

Dave Sharman asked for a list of reference communities that would be good to work with. Mr. Kirsch replied that problems such as deer take years to resolve and each community's timelines vary. Cayuga Heights in Ithaca, Irondequoit and New Haven, CT would be good models to use. Irondequoit had bait and shoot program and then a bow hunting program. Vehicular accidents dropped by 85%.

Ed Haubner asked for the numbers of deer that were in Irondequoit. Mr. Kirsch stressed that numbers are not available; trends are more important, i.e. vehicular accidents, vegetation destroyed, etc.

Liz Welch, Charlton owner, expressed that she and her husband didn't allow hunting on their property for the past few years. They recently have lost a horse and a Doberman that helped to keep the deer away. Liz and her husband are willing to work with the Village towards a solution.

Mayor Freeman commented that the Village has ninety five (95) acres of parkland that is not all at the Avon Driving Park.

Trustee Hayes asked if the popularity of hunting and the permits issued has declined. Mr. Kirsch agreed that the popularity of hunting and the number of hunters has decreased. Permits issued haven't. Avon is in 8-H unit that covers approximately six hundred (600) to seven hundred (700) square miles. This unit is one of the top five (5) growing deer populations in New York State. Normally two doe permits are issued in the fall and two more in November to each hunter.

Dick Cook expressed that posted properties make it difficult to hunt. Farmers are not willing to let someone hunt on their property.

Dusty _____ stated that permits are available but one can't discharge a firearm in the Village. Would the Village be willing to issue permits? Mayor Freeman replied that this process would take time, and a committee would review this more in detail.

Mr. Kirsch discussed the reproductive rates. Mayor Freeman added that this new addition to the population occurs near Memorial Day.

Jeanna Ruter stated that coyotes are natural predators of deer. Mr. Kirsch replied that experiments with coyotes wearing radio collars are being used to develop the coyote population estimates. Preliminary take from these experiments show that coyotes don't take many adult deer rather a substantial number of fawns.

Mary Beth Brinkerhoff asked for the statistical data for Lyme disease. Her dog was diagnosed with Lyme disease. She has a concern for pets but more importantly people. Children, school students and athletes and community members walk in the forest areas of the Anderson Meadows subdivision. She has a dog but it isn't outside at nighttime when the deer congregate in her yard.

Trustee Hayes stated that the Livingston County Health Department has zero (0) Lyme disease cases reported within the Village limits. The Center for Disease Control and Cornell Cooperative state that less than one percent (1%) of deer tick bites result in Lyme disease. Early treatment is the answer if Lyme disease is detected.

Jeff Yunker expressed that he feels that the NYS DEC should control the deer with bait and shoot, or whatever, but it is their responsibility. Mr. Kirsch stated that the DEC does issue permits.

James Root stated that the Village has a lot of greenspace. Deer have the uncanny knack of knowing where it is safe. Deer choose another place only by pressure. Deer run the same routes each day. The Village is a haven for them with cover, safety, food and water. Irondequoit had a land-locked situation where they could contain and kill the deer whereas Avon doesn't.

Dave Sherman stated that fertility methods alone will not work.

Ann Jenson who lives near Little Conesus Creek in the Town of Avon said that deer cross Sackett Road regularly on her property. Ann is willing to give permission to hunt the deer on her property.

Chuck Kanty stated that it is hard to drive deer out of an area. Chuck's neighbor who is an avid bow hunter is willing to drive the deer east towards the Town. Would repetitive efforts such as this drive work? Chuck's brother-in-law in Irondequoit shot his b-b gun at the deer until they left his property. Mr. Kirsch said that one can drive the deer out during hunting season, but they will come back as you can't change their homeland.

Mayor Freeman suggested forming a committee who will follow the process recommended by Mr. Kirsch. Volunteers for the committee are Chuck Kanty, Elizabeth Welch, Duane Dembroski, Dave Sharman, Keith Karn and James Root. A Village Board member will be the liaison with this committee.

Mayor Freeman would like copies of Mr. Kirsch's CD available to members of the committee, the Livingston County News, and posted on the Genesee Sun website, and the Village/Town website for public viewing.

VOUCHERS and MANUAL CHECKS:

Upon a motion made by Trustee McKeown the following vouchers and manual checks are approved for payment.

Fund #1 General Fund	\$17,665.87
Fund #4 Schedule C	\$ 1,100.40
Fund #5 Water Fund	\$ 3,122.97

Fund #6 Sewer Fund	\$13,289.00
Fund #17	\$ 5,841.52
Fund #56	\$ 9,972.70
Fund #58	\$13,372.25
Fund #93	\$ 255.42
TOTAL	\$64,620.13

Manual Checks:

TJ Maxx & Homegoods-3 ceramic pots for Parks	\$	209.99
Postmaster-water/sewer bills postage	\$	339.59

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

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

EXECUTIVE SESSION:

Upon a motion made by Trustee McKeown, the Board went into executive session at 9:15 p.m. to discuss personnel matters. Trustee Hayes seconded the motion and the Board exited executive session at 10:08 p.m. The motion was carried by a unanimous vote.

SUMMER LABORERS:

Mayor Freeman informed the Board that Corey Snyder accepted another job. The Board reviewed the applications for summer employment. After discussion, Trustee McKeown motioned to hire James Stanton and Trevor Conklin for summer laborer positions starting at \$8.00/hour. 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	Voting	Yes
Robert Hayes, Trustee	Voting	Yes

SEASONAL LABORER:

Mayor Freeman discussed the seasonal laborer position with the Board. Work assignments for the seasonal laborer would be determined by the Mayor and Supt. Barrett. After discussion, Trustee McKeown motioned to hire Edward Dauphin as a seasonal laborer position starting at \$10.00/hour.

Upon a motion, the meeting was adjourned at 10:30 p.m.

Respectfully submitted,


Christine Quinlan, Treasurer