

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

Staff: John Barrett, Supt. of Public Works
Jay Batzel, Fire Chief
Jim Carney, Police Chief
Reid Whiting, Attorney
Ryan Colvin, MRB Group

Visitors: Josh Williams, Genesee Sun

Mayor Freeman called the meeting to order at 6:00 p.m. with the Pledge of Allegiance.

FIRE DEPARTMENT UPDATE:

Fire Chief Batzel discussed the hose testing performed by First Due Equipment that cost \$0.10/ft. of hose less than compared to double that two years ago yielding a cost savings of approximately \$1400. Through this testing it was determined that approximately 6000 ft. of three inch, two ½ inch and 1 ¾ inch canvas hose failed according to NFPA standards. Fire Chief Batzel obtained three quotes for the needed hose as follows:

- Tyler Fire Equipment, LLC \$5298 not including freight
- Dival Safety & Supplies \$5820 including freight
- Churchville Fire Equipment \$5927

Chief Batzel explained that consideration needs to be given to hose that is in stock, lead time, pricing with freight, etc. Mayor Freeman questioned whether the Board should plan on hose replacement purchase every so many years. Trustee McKeown questioned what would the Board and Fire Department do if we didn't have money for this purchase. Chief Batzel explained that yes, replacement should be reviewed each budget year, and that some of the hose was already repaired by fire department members. Mayor Freeman asked what the old hose could be used for. Superintendent Barrett will use the non-conforming hose for the sewer machine and streetsweeper. Chief Batzel uses this same hose for pump details so the firemen don't have to take the hose off a truck. Mayor Freeman questioned whether there could be a potential discount if the all of the hose was purchased from the same vendor, and if comparable pricing including freight could be obtained. Trustee Batzel offered to follow-up with the vendors to obtain the best possible pricing.

Upon a motion made by Trustee Hayes, Chief Batzel can purchase the hose after price negotiations by Trustee Batzel, for an amount not to exceed \$5820.

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

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

Mayor Freeman explained the emergency purchase of an air compressor for the Village building. The Fire Department uses the compressor to charge exhaust hose, air brakes, etc. Chief Batzel had replaced the pump of the old compressor three times at a cost of \$400 per time, and looked into the electric hookup which would cost about \$400, totaling \$1200 that would need to be put into it, versus purchasing one for \$1000. Chief Batzel obtained three quotes for the air compressor as follows:

- RW Lewis \$1000 including freight and delivery
- (Jay to provide name) \$1200
- WW Grainger \$1500

Mayor Freeman discussed the need for communication to the Board and Superintendent Barrett as the Village may have had a used air compressor available and/or knowing that Superintendent is purchasing a compressor for the WTP, he could have possibly purchased two cheaper than one. Superintendent Barrett will advertise the old air compressor for sale.

Chief Batzel discussed the need to replace seven portable radios. Four are broken, three are unrepairable and one is for a new Fire Police member. Chief Batzel obtained quotes as follows:

- Midlakes state contract \$693.87/unit
- FM Communications \$721.88/unit
- Midlakes retail \$941.25/unit

Mayor Freeman would like Chief Batzel to provide additional information and the inventory of the existing portable radios.

Upon a motion made by Trustee McKeown, Chief Batzel can purchase five portable radios not to exceed the state contract price. This purchase will be expensed to the Fire Department's capital budget.

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

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

PERMISSIVE REFERENDUMS:

Chief Batzel asked the Board to set-up permissive referendums to release monies so he can get started on several projects.

RESERVE HR-21 Fire Equipment:

Membership Incentive:

Trustee McKeown offered the following resolution and moved for its adoption:

RESOLUTION

A RESOLUTION authorizing the expenditures of \$5,000 from capital 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 Membership Incentive. 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 Zhe seconded the motion and it was carried by the following vote:

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

CAPITAL PROJECT:

Trustee McKeown 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 Membership Incentive.

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

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

Class A Marching Uniforms:

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

RESOLUTION

A RESOLUTION authorizing the expenditures of \$2,500 from capital reserve fund 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 the Class A Marching Uniforms. The maximum estimated costs of the aforesaid specific object or purpose is \$2,500.

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 Zhe seconded the motion and it was carried by the following vote:

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

CAPITAL PROJECT:

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

RESOLUTION

Resolved, that a capital project be established in the amount of \$2,500.
Resolved, that said capital project shall be number H and entitled Class A Marching Uniforms.

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

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

Chief Batzel updated the Board that the Simo unit was installed on Friday, December 16th, and the turnout gear will be ordered this week.

Trustee McKeown questioned the number of members who respond to a day call. Chief Batzel said that for gas calls it is normally 2-3 people, but it definitely depends on the type of call. Chief Batzel is planning on talking with East Avon Fire Chief Farrell to propose East Avon and Avon running daytime structure fire calls together. Mayor Freeman proposed the two Fire Chiefs, two Fire Commissioners and two Village Board members meeting to discuss ideas. Chief Batzel explained that dependent upon the call mutual aide can always be requested. Chief Batzel stated that the Fire Department responds to multi-unit dwelling and businesses for RG&E calls, no longer to residential homes if the person calls RG&E.

ENGINEER UPDATE:

Mayor Freeman introduced Ryan Colvin as President of MRB Group. Bill Davis from MRB Group will be our secondary contact. Kurt Rappazzo from MRB Group works with the Planning Board.

Mayor Freeman asked Ryan to explain the USDA application that began almost four years ago for stimulus monies for work at the Village WWTP. The Village was counseled at that time by the Livingston County IDA to apply for monies to improve the WWTP that could ultimately result in the ability for Kraft to hire additional workers.

Ryan explained that the Village's WWTP five-year plan generated projects such as the influent structure and the digester cover. USDA provides low-interest loans/grants to communities based upon a rating system. Years ago when the Village began the pre-application process, USDA was a legitimate potential source of funding and it was much simpler than what USDA now has in place mainly due to USDA overallocating funds and pulling those same funds back from projects. Now the USDA funds are limited and the application process is much more detailed to find out which communities are serious. Ryan stated that due to the Village's income levels, the Village will probably not qualify at this time but there are historically low-interest bonding rates right now. The Village is on the NYS EFC list for funding as well for this project.

Mayor Freeman explained that the Village is planning to go ahead with the digester covers portion of the project by using Sewer Plant reserve monies. Bill Davis is preparing options and alternatives for Superintendent Barrett and the Board to consider. Trustee Freeman asked Superintendent Barrett is that where he would want to spend monies? Superintendent Barrett replied that yes, the digester covers is the first priority. The WWTP pumps are all upgraded and the controls are being worked on now.

Mayor Freeman asked if WWTP operator Farrell has false call-ins. Superintendent Barrett replied yes, and by upgrading the controls, Operator Farrell will have remote access thereby eliminating or reducing the need to travel to/from the plant.

Mayor Freeman asked Ryan for comments on Superintendent Barrett's response letter dated December 16th to NYS DEC regarding their annual WWTP inspection in October. Ryan reviewed the response letter and is okay with it. Mayor Freeman stated that there is a need for housekeeping on the WWTP building and grounds, and instructed Superintendent Barrett to send part-time labor over as needed.

DPW UPDATE:

Superintendent Barrett provided the Board with a quote in the amount of \$13,149 from Kinequip to replace the WTP air compressor. The electric set-up cost will be approximately \$500. The existing compressor is original to the plant of thirteen years. The Village will experience an annual electric savings of \$3600 with the new compressor. The trade-in value of the existing compressor is \$2500 so Superintendent Barrett has listed it on Craigslist for \$5000.

Upon a motion made by Trustee McKeown, Superintendent Barrett can purchase the WTP air compressor in the amount of \$13,149, which will be expensed to the capital project.

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

Thomas Freeman, Mayor	Voting	Yes
Timmy Batzel, Trustee	Voting	Yes
Robert Hayes, Trustee	Voting	Yes

Mark McKeown, Trustee	Voting	Yes
William Zhe, Trustee	Voting	Yes

Superintendent Barrett explained the need to upgrade the control and computer systems at the WWTP. Superintendent Barrett provided a quote to upgrade the WWTP control and computer systems in the amount of \$23,600 from Aqua Logics Systems Inc.

Upon a motion made by Trustee Zhe, Superintendent Barrett can purchase the WWTP control and computer systems in the amount of \$23,600 which will be expensed to two existing capital projects.

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

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

Trustee McKeown asked Superintendent Barrett to check on the two doors on the backside of the Fire Hall as they don't latch properly.

VILLAGE BOARD MINUTES:

Upon a motion made by Trustee Zhe, the minutes from December 5, 2011, are hereby approved as submitted. Trustee McKeown seconded the motion and it was carried by the following vote:

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

VOUCHERS AND MANUAL CHECKS:

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

Fund #1 General Fund	\$ 29,789.64
Fund #4 Schedule C	\$ 2,533.19
Fund #5 Water Fund	\$ 1,465.69
Fund #6 Sewer Fund	\$ 6,647.21
Fund #11	\$ 36,029.62

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Fund #17	\$ 184.10
Fund #55	\$ 1,046.15
Fund #62	\$ 41,648.53
Fund #93	\$ 6.87
TOTAL	\$119,351.00

Manual Checks:

Genesee Valley Chapter NYWEA	\$ 30.00
Law Enforcement Officer's Union	\$ 394.14
NYS Child Support	\$ 256.00
SEIU 200 United	\$ 211.56
Nationwide Retirement Solutions	\$ 1,026.00

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

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

DEFERRED COMPENSATION:

The Board and Attorney Whiting reviewed the amended and restated Model Plan for Deferred Compensation. Upon a motion made by Trustee Zhe the Model Plan is amended and restated as follows:

WHEREAS, the New York State Deferred Compensation Board (the "Board"), pursuant to Section 5 of the New York State Finance Law ("Section 5") and the Regulations of the New York State Deferred Compensation Board (the "Regulations"), has promulgated the Plan Document of the Deferred Compensation Plan for Employees of the Village of Avon (the "Model Plan") and offers the Model Plan for adoption by local employers;

WHEREAS, the Village of Avon, pursuant to Section 5 and the Regulations, has adopted and currently administers the Model Plan known as the Deferred Compensation Plan for Employees of the Village of Avon;

WHEREAS, effective December 7, 2007 the Board amended the Model Plan to adopt provisions

- Expanding the eligibility for unforeseeable emergency withdrawals

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- Permitting law enforcement officers, firefighters, members of a rescue squad or ambulance crew who have retired for service or disability to request a plan distribution of up to \$3,000 annually to pay for health insurance or qualified long-term care premiums for themselves, their spouse or dependents.
- Permitting a beneficiary who is not the spouse of the deceased Participant to transfer their Plan account directly to an IRA.
- Permitting a Participant who is eligible for a distribution to rollover all or a portion of their Plan account to a Roth IRA.

WHEREAS, the Board has offered for adoption the amended and restated Model Plan to each Model Plan sponsored by a local employer in accordance with the Regulations; and

WHEREAS, upon due deliberation, the Village of Avon has concluded that it is prudent and appropriate to amend the Deferred Compensation Plan for Employees of the Village of Avon by adopting the amended Model Plan.

NOW, THEREFORE, BE IT RESOLVED, that the Village of Avon hereby amends the Deferred Compensation Plan for Employees of the Village of Avon by adopting the amended Model Plan effective December 7, 2007, in the form attached hereto as Exhibit A.

IN WITNESS WHEREOF, the undersigned have executed this Resolution in Livingston County, New York this 19th day of December, 2011 and directed that it be filed as appropriate.

Treasurer Quinlan will forward this resolution with the Board's signatures and other appropriate documents to Nationwide Retirement Solutions for filing with the NYS Civil Service before December 31, 2011.

CODE ENFORCMENT UPDATE:

Code Officer Cappello updated the Board on the situation at 414 Rochester St. Mayor Freeman explained that no action will be taken until after January 1, 2012.

Code Officer Cappello told the Board that Frank Csapo will be on the Village Board meeting agenda on January 9th as he has two interested new property/home buyers and only one lot in Phase I remaining. Mayor Freeman would like Parks Chairman Marks invited to this meeting.

Code Officer Cappello and Trustee Batzel discussed the recent Planning Board meeting. The Planning Board would like to concentrate their review on the Wesleyan Church property, the small piece of land on Halbar Road, Rochester Street and Wadsworth Avenue. Trustee Batzel directed Treasurer Quinlan to contact Rick Hauser of In Site Architecture to see if any other community has had a similar situation to that of the

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Wesleyan Church property for sale. Mayor Freeman commented that the County Planning Board is available as a resource.

Code Officer Cappello contacted the gentleman who leases the property at 234 Rochester Street to discuss the cars on the property. The gentleman leases the property from Mrs. D'Angelo for car storage. Car storage is not a proper use for this district. Code Officer Cappello will contact Mrs. D'Angelo.

Fire Marshall Rodemaker submitted a Request for Conference Attendance for NYS mandated training on March 12-March 15 in Henrietta. This request has been put on hold at this time.

POLICE UPDATE:

Chief Carney updated the Board on current activity including a felony criminal mischief case.

EXECUTIVE SESSION:

Upon a motion made by Trustee McKeown, the Board went into executive session to discuss personnel matters at 7:45 p.m. Trustee Hayes seconded the motion and it was carried by a unanimous vote. The Board exited executive session at 8:00 p.m.

SRO CONTRACT:

Attorney Whiting will review the existing School Resource Officer contracts and prepare a new agreement for the Town.

Upon a motion, the meeting was adjourned at 8:25 p.m.

Respectfully submitted,


Christine Quinlan, Treasurer