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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 Tuesday, December 18, 2012.

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

Staff: Tony Cappello
Chief James Noble
Christine Quinlan
John Barrett

Visitors: Stephanie Dempsey
Shawn Dempsey

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

VILLAGE BOARD MEETING MINUTES:

Upon a motion made by Trustee Zhe the minutes from November 29, 2012, December 4, 2012 and December 10, 2012 meetings 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	Voting	Yes
Robert Hayes, Trustee	Voting	Yes

SEAN DEMPSEY:

Mayor Freeman informed Sean that he needs to have a system in place for his 5k race because it involves a lot of people to make it work. There is a lot of activity down there and it all needs to be worked out.

Sean Dempsey explained that he is a Boy Scout in Troop 86 and is working on his Eagle Scout Project. He would like to set up a 5k race to benefit the Avon Food Pantry. The admission for the race would be five nonperishable items or five pieces of clothing such as socks or gloves. (Give 5 to be in the 5k). He would like permission to use the field of the Avon Driving Park. The 5k race will take place around the fitness course. It will start near the bridge and go all the way around.

Mayor Freeman – When were you planning to do this? There’s advertising.

Sean Dempsey – Either late spring or Corn Festival week-end.

Trustee Zhe – Corn Festival would be a perfect time because baseball is done.

Chief Noble – I would like to see what we would have to supply for the event because Corn Festival is a busy day for us.

Mayor Freeman suggested that Superintendent Barrett also needs to be notified along with the ambulance.

Trustee Batzel– They could look at the Fire Police also to help out.

Treasurer Quinlan – Rotary could help you with advertising.

Mayor Freeman – Contact some food processing places, Kraft and Barilla and you might get additional contributions through them.

Superintendent Barrett - I think August works better, in the spring the trails are wet.

Chief Noble – Someone should be there supplying water to the runners.

Mrs. Dempsey – What about insurance?

Mayor Freeman – We will look into it to see if our insurance would cover that.

Trustee Zhe reminded Sean about attending the next Parks Commission meeting on January 9th at 7 p.m.

VOUCHERS AND MANUAL CHECKS:

Upon a motion made by Trustee McKeown the vouchers and manual checks were approved for payment:

General Fund	\$ 28,576.21
Schedule C Fund	\$ 4,362.95
Water Fund	\$ 4,827.57
Sewer Fund	\$ 2,496.02
Fund #10	\$
Fund #11	\$ 35,940.89
Fund #17	\$ 186.94
Fund #46	\$ 30.03
Fund #48	\$
Fund #50	\$
Fund #51	\$ 27.30
Fund #52	\$
Fund #53	\$
Fund #54	\$
Fund #55	\$
Fund #56	\$
Fund #57	\$
Fund #58	\$
Fund #59	\$
Fund #60	\$
Fund #61	\$
Fund #62	\$
Fund #63	\$
Fund #64	\$
Fund #65	\$
Fund #66	\$

Fund #67	\$
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	\$ 27.30
Fund #91	\$
Fund #92	\$
Fund #93	\$ 17.97
Fund #94	\$
Fund #95	\$
Fund #96	\$
Fund #97	\$
Fund #98	\$
Fund #99	\$

TOTAL	\$ 76,493.18

Manual Checks:	NYS Child Support Proc. Center – Child Support	\$ 256.00
	Law Enforcement Officers Union – Police Dues	\$ 394.14
	SEIU 200 United – DPW Dues	\$ 187.00
	Grizzley Industrial – Combo Sander/Sanding belt	\$ 537.90
	Nationwide Retirement Solution – Deferred Comp.	<u>\$1,081.00</u>
	TOTAL:	\$2,456.04

Trustee Zhe 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

YEAR-END INTERFUND TRANSFERS:

Treasurer Quinlan requested that the Board resolve to have the following transfers completed:

General Fund (A9952.9)>Fire Equipment Reserve (HR21-5031A)	\$25,000
Water Fund (F9956.9)>Water Equipment Reserve (HR32-5031A)	\$10,000

A motion was made by Trustee Batzel to resolve the above transfers as requested. The motion was seconded by Trustee Zhe and 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

CODE ENFORCEMENT OFFICER UDATE:

Kurt Klein declined the job of roof replacement for Dennis Catuzza so the Mayor has asked Attorney Whiting to look into the possibility of selling the house by court order.

Mr. Cappello reported that he is just monitoring the house on Prospect Street for now.

POLICE UPDATE:

Chief Noble submitted to the Board a standard software maintenance agreement for New World Systems Corporation, which is for communication for the 911 center. The agreement will remain in effect for a period of three years from January 1, 2012 to December 31, 2015. The cost will be \$2,805. Chief Noble recommends that the Board make this approval.

A motion was made by Trustee Zhe and seconded by Trustee McKeown to enter into the contract with New World Systems. 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

Chief Noble reported that he and Treasurer went to Hoselton and submitted a P.O. for a Chevrolet Tahoe. The cost is \$28,300.55. The original quote was for \$38,000 which included hardware and lighting. A quote was received from Compusec for \$8100 and waiting for a firm quote for stripping. The savings is a little under \$2,000. The turnaround time has been extended to 20 weeks because of Hurricane Sandy.

EXECUTIVE SESSION:

Upon a motion made by Trustee McKeown, the Board went into executive session at 6:15 p.m. to discuss personnel matters. Trustee Hayes seconded the motion and the Board exited executive session at 6:25 p.m. The motion was carried by a unanimous vote.

DPW UPDATE:

2013 FORD F150:

Superintendent Barrett submitted three different quotes for a 2013 Ford F150 for the Board’s review. The project would be funded through Schedule C, and last spring we sold a truck in anticipation of purchasing a new one.

After a brief discussion a motion was made by Trustee Batzel to accept the bid from Genesee Valley Ford for \$22,665.00. The motion was seconded by Trustee Hayes and carried by the following vote:

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

The next quote submitted was for a 39” standard duty bucket for \$978 which would be funded by the sewer budget.

A motion was made by Trustee Zhe and seconded by Trustee McKeown to purchase the 39”bucket. The motion was carried by the following vote:

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

BUILDING SECURITY:

A discussion was held regarding the security of the building. Superintendent Barrett stated he would like to get the Police Department, Fire Department and Village Board together to decide what doors they want to have a door key access or key fob access.

Chief Noble – We have a security system at the fire department in Clifton. We can assign who has access and when. I can set up something and you can come down and take a look at our Fire House which was installed by West Fire.

Trustee McKeown – We have a ton of ideas and we need to narrow it down. What is the next step?

Superintendent Barrett – I will get an overview of the whole building which will show the doors and where they are located.

Trustee McKeown – Not only from a key perspective but also when we receive the overview, perhaps we can think about the building renovations at that time.

ST. AGNES SCHOOL:

A letter was sent to the Village regarding an ongoing sewer problem that occurs at their school. The problem apparently has periodically occurs during times of heavy storm water when the sanitary sewer is infiltrated.

Superintendent Barrett explained that the sewer there is flat so there's almost no flow from St. Agnes. Superintendent Barrett stated that the school replaced their service about 5-6 years ago. Their next option is to put a sump pump and a grinder pump forcing it out. Hopefully the Village smoothed it out on Monday.

Trustee Zhe – If this doesn't work they need to know it's really not our problem.

Superintendent Barrett – There's no way to lower the sewer.

Mayor Freeman asked Superintendent Barrett to call Liberty Pump to see what they would charge for a grinder pump.

DEC LETTER:

John Barrett reported that currently he is working with MRB on the letter from DEC noting some deficiencies that were found. A discussion on the sewer plant was held. MRB will address the report and set another five year plan in place so we know what it will cost to update.

TRUSTEE'S UPDATE:

NUTRITION LEASE:

The Village received a letter regarding the lease agreement for the nutrition site for the period of January 1, 2013 – December 31, 2013. The lease is substantially the same as in previous years.

Upon a motion made by Trustee Batzel the lease between the Village of Avon and the County of Livingston for the purpose of housing the Senior Nutrition site is hereby approved and Mayor Freeman is duly authorized to execute the agreement on behalf of the Village of Avon. Trustee Zhe seconded the motion and it was carried by the following vote:

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

ERIE ATTICA RESOLUTION:

Mayor Freeman - Have all your questions been answered?

Trustee McKeown – Have we been getting reimbursed for our bills?

Treasurer Quinlan – We turn in the bills and they have been paid within 30 days. It’s been all engineering bills. NYS is supplying the inspectors and paying for it, they will supply two people. The agreement finally resolved moving the gas line and working on a construction management plan. Keeler is still the lowest bidder and they have until January 7th, 2013 to award the bid. We will receive a packet from Fishers on what we have to do.

The Board agreed to meet in January on January 2nd, and January 14, 2013.

Trustee McKeown questioned the funding for the gas line relocation and rebuilding the bridge.

Treasurer Quinlan reported that there is enough money in the project for the gas line and that John Barrett has taken care of the bridge so they have the clearance they wanted. He even put in a catch basin.

MASTER FEDERAL AID PROJECT AGREEMNT (ERIE-ATTICA TRAIL FROM THE GVG TRAIL TO THE VILLAGE OF AVON:

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

Authorizing the implementation, and funding in the first instance 100 percent of the federal-aid and State “Marchiselli” Program-aid eligible costs, of a transportation federal-aid project, and appropriating funds therefore.

WHEREAS, a Project for the Erie-Attica Trail from the Genesee Valley Greenway to the Village of Avon, P.I.N. 4754.92 (the Project”) is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 80 percent Federal funds and 20 percent non-federal funds; and

WHEREAS, the Village of Avon desires to advance the Project by making a commitment of 100 percent of the non-federal share of the costs of the preliminary engineering and design phases, and construction, construction support and construction inspection phases.

NOW, THEREFORE, the Village Board of Trustees, duly convened does hereby

RESOLVE, that the Village Board of Trustees hereby approves the above-subject project; and it is hereby further

RESOLVED, that the Village Board of Trustees hereby authorizes the Mayor of the Village of Avon to pay in the first instance 100 percent of the federal and non-federal share of the cost of preliminary engineering and design work, and construction, construction support and construction inspection, for the Project or portions thereof; and it is further

RESOLVED, that the sum of \$1,192,000 is hereby appropriated from the Village Board of Trustees and made available to cover the cost of participation in the above phases of the Project; and it is further

RESOLVED, that in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the Village Board of Trustees shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof, and it is further

RESOLVED, that the Mayor of the Village of Avon be and is hereby authorized to execute all necessary Agreements, certifications, or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the Village Board of Trustees with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality’s first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and it is further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project, and it is further

RESOLVED, this Resolution shall take effect immediately

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

Mayor Thomas Freeman	Voting	Yes
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Trustee William Zhe	Voting	Yes
Trustee Mark McKeown	Voting	No
Trustee Philip Swanson	Voting	Yes
Trustee Robert Hayes	Voting	Yes

JUDY HOBBS (HORSE BARN LEASE):

A lease for stall rental was presented to the Board for approval for Judy Hobbs to rent three stalls. A motion was made by Trustee Hayes and seconded by Trustee Batzel to approve the lease as submitted. The motion was carried by the following vote:

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

Trustee Hayes reported that he had attended a school meeting regarding capital improvements. If you have ideas or suggestions the School Board would welcome them. - \$2.3 million in the reserve right now.

Upon a motion the meeting was adjourned at 8:00 p.m.

Respectfully submitted,



Patricia E. Baker
Village Clerk