

EXECUTIVE SESSION:..... 2
POLICE UPDATE:..... 2
VILLAGE BOARD MEETING MINUTES: 3
VOUCHERS AND MANUAL CHECKS:..... 3
CLOSED PROJECTS:..... 6
DPW UPDATE:..... 6
FIRE CHIEF UPDATE: 7
CODE ENFORCEMENT UPDATE: 8
TRUSTEE’S UPDATE:..... 9
 ASSOCIATION OF VILLAGE BOARDS: 9
 CONFERENCE ATTENDANCE: 9
 LOCAL LAW #1-2013 – ANNEXATION: 9
 DENNIS CATUZZA: 10
 AMBULANCE MEETING: 10
 485 N:..... 11
 INTER MUNICIPAL AGREEMENT (MAIN STREET GRANT):..... 11
 TRASH PICKUP: 11
 FIRE DEPARTMENT PETITIONS:..... 12
EXECUTIVE SESSION:..... 12

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, February 4, 2013.

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

Staff: Tony Cappello
Chief James Noble
John Barrett
Fire Chief Bryan Scott

Mayor Freeman called the meeting to order at 5:00 p.m.

EXECUTIVE SESSION:

Upon a motion made by Trustee McKeown, the Board went into executive session at 5:00 p.m. to discuss personnel matters. Trustee Zhe seconded the motion and the Board exited executive session at 6:20 p.m. The motion was carried by a unanimous vote.

POLICE UPDATE:

Chief Noble reviewed the PROPERTY MAINTENANCE LAW with the Board. The Code Enforcement Officer will need to carry out the process and procedures as explained in Section 3 of the Local Law, after which time the Village may charge the property owner for removal and add such expense to the property tax.

Mayor Freeman informed Code Enforcement Officer Cappello he had received a complaint on the Fratter house on Genesee Street and the junk is piled high in the front of the house. He needs to take it around to the back. Mayor Freeman suggested contacting Larry Quakenbush who owns the home.

There will be an in service training for fire arms on the February 27th.

VILLAGE BOARD MEETING MINUTES:

Upon a motion made by Trustee McKeown the minutes from January 14, 2013 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	Voting	Yes
Robert Hayes, Trustee	Voting	Yes

VOUCHERS AND MANUAL CHECKS:

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

General Fund	\$ 13,416.52
Schedule C Fund	\$ 1,387.56
Water Fund	\$ 2,786.02
Sewer Fund	\$ 7,976.23
Fund #10	\$
Fund #11	\$
Fund #17	\$ 5,923.40
Fund #47	\$
Fund #48	\$
Fund #50	\$
Fund #51	\$
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	\$	
Fund #91	\$	
Fund #92	\$	
Fund #93	\$	319.57
Fund #94	\$	
Fund #95	\$	
Fund #96	\$	
Fund #97	\$	
Fund #98	\$	
Fund #99	\$	
TOTAL	\$	31,809.30

Manual Checks:	Village of Avon	HSA Contribution	\$3,505.00
	Village of Avon	HSA Contribution	\$ 360.00
	Village of Avon	HSA Contribution	\$1,360.00
	E-Z Pass NY Serv. Ctr.	E-Z Pass	\$ 25.00
	Industrial Tractor	6-CA 214 Rollers	\$ 935.00
	NYS Child Support	Child Support	\$ 256.00
	Nationwide Retirement	Deferred Comp.	\$1,108.44
	Postmaster	W/S Bills	\$ 390.06
		TOTAL:	\$7,939.50

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

CLOSED PROJECTS:

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

<u>Project Name</u>	<u>Balance Remaining</u>	<u>Original Source</u>
H46-Radar Units	\$0	
H51-Lawnmower	\$1376.70	HR22-General Eq.
H78-STEP Grant	\$.01	A201-Gen. Fund Balance

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

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

DPW UPDATE:

Superintendent Barrett solicited two quotes from reliable vendors that he felt comfortable working with to upgrade the main control panel at the Water Filtration Plant. Both of the vendors are familiar with the operation of the plant and have done work with the control system in the past. The two quotes are as follows:

AquaLogics Systems Inc. Syracuse, N.Y.	\$67,200
M&W Controls Hemlock, N.Y.	\$68,320

A quote was also submitted from AquaLogics, Inc. for the software integration from the proposed Main Panel Upgrade into the existing computer and alarm system at the water filtration plant. This is a sole vendor quote as AquaLogics had previously been chosen to implement our present computer system. The quote is as follows:

AquaLogics Systems Inc. Syracuse, N.Y.	\$13,460
---	----------

Superintendent recommended to the Board to accept the quotes provided by AquaLogic Systems Inc. for both. The project is all set up and is budgeted. The monies will come out of Schedule C.

A motion was made by Trustee Hayes and seconded by Trustee Zhe to accept the quote for Aqua Logics and carried by the following vote:

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

Items currently being worked on were discussed as follows:

- Budgets & projects
- Picnic table repairs
- Clean out reed beds
- Kenny doing samples to haul to land fill
- Letter ready to go out to DEC re: inspection
- Working on back flow prevention list – talking to different areas so the Village can adopt a Local Law for backflow preventers
- MRB coming out to work on the GIS updates
- Water leak on Genesee Street – waiting for parts
- Had Secure Tronics come out on Friday and look at all the doors with Jim Noble and Bryan Scott, another company coming on Wednesday
- Got the replacement door over by the Fire Department

Mayor Freeman talked to the Board about radiant heating that’s in the concrete for the apron in front of the fire hall. He would like to get a quote on it and make it part of the project.

Mayor Freeman suggested to Superintendent Barrett before he does any tree trimming he check with Trustee Zhe and John Marks.

FIRE CHIEF UPDATE:

Chief Scott informed the Board that there are three members of the Fire Department that are no longer in good standing with the company. According to the Fire Department By-Laws the Village Board is to send by certified mail a letter to each of them informing them that they are terminated with the Avon Pumper Company and need to return any equipment or gear to the department.

Chief Scott reviewed with the Board projects he would like to set up in the future. Currently the Fire Department has a hurst cutter in the budget but would be better off if they could use that money to purchase a thermal imaging camera. They would have more of a need for that. They

currently have two, but the original camera won't function. They would like to look into a tablet for the Chief's truck (haz-mat and hybrid resource).

As far as budgeting goes Chief Scott would like to see two separate reserve accounts. One for equipment and one for vehicles.

Mayor Freeman suggested the next time we start the process to purchase a fire truck; he would like to see two citizens sit in on the truck committee. He believes outside input would be helpful.

Chief Scott asked if any remaining money from his budget could go into the truck reserve.

The Board thought that was a good idea, and thanked him for thinking ahead.

Chief Scott asked the status on Dennis Catuzza?

Mayor Freeman – We're going to force him to sell the house and even have a demolition company ready to come in. Ken Ippolitto has a good repo ire with him and we will have him talk with Mr. Catuzza.

Trustee Batzel suggested checking with the Assessor since the house is condemned the assessment should be lowered.

There will be a Kraft walk through and Chief Scott would like to get the Board to go so they can see why they need some of the equipment they request. They will display their haz-mat equipment and gear.

CODE ENFORCEMENT UPDATE:

Trustee McKeown and Mayor Freeman attended a recent Planning Board meeting and suggested that they think outside the box and think about what they would like to see in Avon. They suggested to the Planning Board that the Wadsworth Avenue area might be a good place to start. The gas station and the Greer property on the corner of Linden Street and Wadsworth Avenue. Mayor Freeman had spoken with Tom Cushing about the idea and was excited over it, but he said the zoning prohibited changes.

Mayor Freeman asked the Board to put together a list of things they would like to see in Avon.

Code Officer Cappello informed the Board that he has had someone approach him on the old Beikirch building located at 90 West Main Street. They have done a lot of work around the Village and Mr. Cappello informed him that he would do whatever he could to have his plans work out for him.

TRUSTEE’S UPDATE:

ASSOCIATION OF VILLAGE BOARDS:

On February 20, 2012 the Village of Lima will be hosting the Association dinner which will be held at The Pastaria Pub. Guest speakers will be Louise Wadsworth on Downtown Revitalization and the 2% Tax Cap of Bernard Donegan’s Office.

CONFERENCE ATTENDANCE:

A request was submitted for Kirk Vanderbilt, Ken Farrell and Tom Moran to attend the Western New York Waterworks Seminar to be held in Batavia on February 13, 2013.

A motion was made by Trustee Zhe and seconded by Trustee McKeown to approve the attendance as requested. The motion was carried by the following vote:

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

LOCAL LAW #1-2013 – ANNEXATION:

A joint Town/Village Public Hearing was held November 29, 2012 regarding Local Law #1 of 2013 entitled ANNEXATION by the Village of Avon from the Town of Avon, for a tract of real property comprising approximately 22.4 acres of land generally bounded on the east by lands now or formerly owned by Niagara Mohawk Power Corporation and the Village limits on the south. The real property that is the subject of the proposed annexation is owned by Livingston Industrial Complex, LLC and is identified as Tax Map Parcel Number 24-2-1.

A motion was made by Trustee Zhe said local law #1-2013 entitled “ANNEXATION” is hereby adopted. Trustee Hayes seconded the motion and it was carried by the following vote:

Thomas Freeman, Mayor	Voting	Yes
William Zhe, Trustee	Voting	Yes
Mark McKeown, Trustee	Voting	Yes

Robert Hayes, Trustee	Voting	Yes
Timmy Batzel, Trustee	Voting	Yes

DENNIS CATUZZA:

Correspondence was received from Attorney Whiting regarding property at 184 East Main Street.

If an appraisal has been completed, the house should be listed for sale \$5,000 - \$10,000 greater than the appraised value. Only if there is a stipulation between the Board and Catuzza would the Village of Avon be involved in setting the list price and future downward adjustments to that initial price.

Attorney Whiting suggested that someone approach Mr. Catuzza about listing the house and get his cooperation. If he is not willing to cooperate than you would have to find someone to tear it down. It's a binding order to demolish the house.

Tony Cappello – It is even more of a safety hazard now that part of the roof is coming off.

Attorney Whiting – I think he is ready to cooperate and someone needs to talk with him. If he agrees to it Judge Temperato can change the order. You would take the assessed value and subtract the cost of demolition and that's the net value of the place.

Kenny Ippolitto should mention to him that we would like to give him every opportunity to get fair market value and then we will talk numbers.

AMBULANCE MEETING:

An e-mail was received by Trustee Batzel who attended an ambulance meeting along with Trustee McKeown.

The proposal is that the district be created under Article 12-A of the Town Law, and after the creation of the district, the Town contract with Avon Rotary-Lions Ambulance Service, Inc. under Town Law section 198, subd. 10-f(a)(ii) for operation, maintenance and repair of such emergency medical service and for the furnishing of prehospital emergency treatment.

They would like to have a joint meeting with the Town and Village Boards. The Board agreed that March 14th would work best for them. At that time they will present the proposal, the operational results from 2012 and how their operations are organized and managed, the 2013 budget, the plans for their remaining reserves, the overlay to the 2013 budget that forms the best estimate of the cents per \$1,000 of assessed valuation for the district's 2015 budget.

Also received was the ambulance district government procedure timeline.

They want to create an ambulance district. The service or district would contract with the Town and still be considered a private entity. There would be a line item on the tax bill. The Village would need to do a public referendum to be part of that contractual service.

Trustee Batzel – A couple of concerns is when they are developing their current budget they are increasing staff.

If they form a district they will have commissioners and they decide what purchases are made.

John Barrett – No preliminary number on tax amount?

Trustee McKeown – No

Trustee Batzel – There would be no control by the Town or Village. Would they need to put out for request a proposal to the State?

Attorney Whiting – Yes

Helen Zamboni eluded this is not the same as a Fire district.

485 N:

Mayor Freeman reported that Supervisor LeFeber and Superintendent Amey will take the information back to their Boards.

INTER MUNICIPAL AGREEMENT (MAIN STREET GRANT):

Upon a motion by Trustee Zhe Mayor Freeman was authorized to sign an agreement between the Village of Avon and the Livingston County Development Corporation for New York Main Street Grant Administration Services. The motion was seconded by Trustee Hayes and carried by the following vote:

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

TRASH PICKUP:

A letter was received from Attorney Whiting stating that he had spoken with John Mancini of the New York Conference of Mayors and was advised that he was not aware of any village which

mandates collection by private haulers on one day or that it is lawful to impose such a requirement.

He did say, however, that the Village can regulate pickup hours to prevent early morning or evening pickups, and he has seen such a local law.

Trustee Zhe suggested that we approach the subject in a more positive manner and perhaps invite the haulers to attend a meeting to discuss the idea with them.

FIRE DEPARTMENT PETITIONS:

The Village Board hereby acknowledges the petitions of the following for the 2013 Fire Department election scheduled for Thursday, April 4, 2013.

Daniel Snyder	Fire Chief
John Kellen, Jr.	1 st Assistant Chief
Brian Strozewski	2 nd Assistant Chief

A motion was made by Trustee Hayes and seconded by Trustee McKeown to accept the letters. It was carried by the following vote:

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

EXECUTIVE SESSION:

Upon a motion made by Trustee Batzel, the Board went into executive session at 8:25 p.m. to discuss personnel matters. Trustee Zhe seconded the motion and the Board exited executive session at 9:15 p.m. The motion was carried by a unanimous vote.

Upon a unanimous motion, the meeting was adjourned at 9:15 p.m.

Respectfully submitted,



Patricia E. Baker
Village Clerk