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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 Monday, June 10, 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
Christine Quinlan

Visitors: Rick Bennett, Fisher Associates
Tami Snyder
Kevin VanSon
Dorothy Harness
Leah Shea, Genesee Sun

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

MRS. DOROTHY HARNESS – 142 TEMPLE STREET (WATER RUNOFF):

Mrs. Harness informed the Board that her neighbor to the south is improving his property and added a retaining wall and the water runoff is going to her property causing the inside wall going down into the basement to be wet and also the crawl space, which has never been wet. Her yard has been tiled and there is a basin. Her husband put in a 10-12” drain that goes through her yard. She was told she needs a curtain drain, not a french drain. If she puts in a curtain drain it would destroy the pipes and cost approximately \$3,000. She has made the neighbor aware of the situation.

Mayor Freeman suggested that Superintendent Barrett and Code Officer Cappello stop up and talk to the neighbor. We need to stop the runoff and pitch it back toward the neighbors house and along the edge put a 4” drain in that goes out to the street.

Code Officer Cappello stated that the code states you cannot have runoff from a neighboring property.

Mayor Freeman discussed previous water issues with Superintendent Amey and agreed that if the school does any more work, they would contact the Village and work with the Village's Engineers on the water runoff situation.

ERIE ATTICA TRAIL & BRIDGE PROJECT:

Rick Bennett of Fishers Associates presented to the Board documents that needed to be executed so that the Erie Attica Project can move forward. Mr. Bennett characterized the following documents that needed to be signed and approved:

- 1) Acceptance and award to Keeler Construction
- 2) Construction Inspection
- 3) Relocation of pipe line agreement for Lenape who owns the pipe

After all the documents are executed, the project will go to NYSTOD and a notable award will be issued and the construction project will begin.

A motion was made by Trustee Zhe authorizing Mayor Freeman to sign the documents as noted above. The motion was seconded by Trustee Hayes and carried by the following vote:

Thomas Freeman, Mayor	Voting	Yes
Mark McKeown, Trustee	Voting	No
William Zhe, Trustee	Voting	Yes
Timmy Batzel, Trustee	Voting	Yes
Robert Hayes, Trustee	Voting	Yes

Mayor Freeman – When should construction start?

Rick Bennett – A preconstruction meeting has been set up for this week on Wednesday, June 12th at 1:00.

VILLAGE BOARD MEETING MINUTES:

Upon a motion made by Trustee Hayes the minutes from May 20, 2013 & May 28, 2013 meetings are hereby approved as submitted. 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

VOUCHERS AND MANUAL CHECKS:

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

General Fund	\$ 85,995.67
Schedule C Fund	\$ 29,008.00
Water Fund	\$ 7,959.05
Sewer Fund	\$ 12,618.04
Fund #10	\$
Fund #11	\$
Fund #17	\$ 1,126.23
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	\$	332.08
Fund #94	\$	
Fund #95	\$	
Fund #96	\$	
Fund #97	\$	

FYE BUDGET ADJUSTMENTS:

Upon a motion made by Trustee Batzel, the following budget adjustments are approved as submitted:

To adjust for fiscal year end salary accruals and contractual expenses. (GENERAL FUND):

Increase	A1010.4	Board of Trustees	\$ 497.
	A1110.1	Village Justice	\$ 74.
	A1210.1	Mayor	\$ 1.
	A1325.4	Treasurer	\$ 535.
	A1325.41	Treasurer	\$ 530.
	A1412.4	Records Management	\$ 825.
	A1420.4	Law	\$ 648.
	A1640.4	Central Garage	\$ 349.
	A1680.4	Central Data Processing	\$2111.
	A1920.4	Municipal Association Dues	\$ 60.
	A3620.4	Safety Inspection	\$ 386.
	A3310.4	Traffic Control	\$ 213.
	A5110.2	Street Maintenance	\$8500.
	A5110.4	Street Maintenance	\$1433.
	A5110.420	Street Repairs	\$6178.
	A7111.1	Parks Maintenance	\$2650.
	A7111.4	Parks Maintenance	\$5091.
	A8020.4	Planning	\$1597.
	A8170.4	Street Cleaning	\$ 736.
	A8540.4	Drainage	\$1313.
	A8560.4	Shade Trees	\$ 446.
	A9010.8	State Retirement	\$7365.
	A9050.8	Unemployment Insurance	\$1841.
	A9055.8	Disability Insurance	\$ 964.
	A9289.8	Health Savings Acct.	\$4750.
Decrease	A1990.4	Contingency	\$37,628.
	A9015.8	Police Retirement	\$11,465.
Increase	A3120.100	P/T Police	\$30,439.
	A3120.111	Crossing Guard	\$ 936.
Decrease	A3120.1	F/T Police	\$31,375.

To adjust for fiscal year end salary accruals and contractual expenses. (SCHEDULE C):

Increase	C1010.1	Board of Trustees	\$ 1.
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	C1210.1	Mayor	\$ 1.
	C8320.1	Source of Supply	\$ 6013.
	C9010.8	State Retirement	\$ 2665.
	C9030.8	Social Security	\$ 89.
	C9902.9	Water Filtration Bonds	\$ 1.
Decrease	C1440.4	Engineering	\$ 2500.
	C1950.4	Property Taxes	\$ 6270.

To adjust for fiscal year end salary accruals and contractual expenses. (WATER FUND):

Increase	F1010.1	Board of Trustees	\$ 1.
	F1010.4	Board of Trustees	\$ 497.
	F1325.4	Treasurer	\$ 439.
	F1420.4	Law	\$ 324.
	F1640.4	Central Garage	\$ 262.
	F1680.4	Central Data Processing	\$ 2111.
	F8310.4	Water Administration	\$ 407.
	F8335.4	Fluoridation	\$ 949.
	F8340.4	Transmission & Distribution	\$ 4078.
	F9010.8	State Retirement	\$ 10,878.
	F9289.8	Health Savings Account	\$ 785.
	F9956.9	Interfund Transfer	\$ 10,000.
Decrease	F9903.9	Transfer to Debt Service	\$ 30,731.

To adjust for fiscal year end salary accruals and contractual expenses. (SEWER FUND):

Increase	G1010.4	Board of Trustees	\$ 663.
	G1210.1	Mayor	\$ 1.
	G1325.400	Treasurer	\$ 1560.
	G1410.110	Clerk	\$ 327.
	G1420.4	Law	\$ 324.
	G1440.400	Engineering	\$ 19,131.
	G1490.100	Public Works Administration	\$ 195.
	G1620.400	Buildings	\$ 2336.
	G1680.4	Central Data Processing	\$ 2120.
	G8110.451	Sewer Administration	\$ 49.
	G8130.2	WWTP Equipment	\$ 11,667.
	G8130.301	WWTP Lab Supplies	\$ 5192.
	G8130.410	WWTP Lab Expenses	\$ 762.
	G8130.440	WWTP Equipment Repairs	\$ 1410.
	G9010.8	State Retirement	\$ 10,878.

Decrease	G9901.9V	Transfer to Debt Serv. Fund	\$ 41,533.
	G8130.100	WWTP Salaries	\$ 8800.
	G8130.422	WWTP Electricity	\$ 6282.

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

CODE ENFORCEMENT UPDATE:

- Code Officer Cappello reported that Sandy Irish and Aaron Smith are willing to have their property rezoned to B-2. The owner of the Town Square Plaza has not yet returned the call.
- Gray Metal Project is starting

POLICE UPDATE:

- An arrest was made in the robbery attempt at CVS
- Currently investigating a robbery at 158 Sackett Road

Trustee Hayes questioned the lead agency in the CVS robbery.

Chief Noble informed him that the Village was the lead agency and Chief Noble asked Livingston County for assistance. The Village made the arrest and did the paperwork.

DPW UPDATE:

- Starting work on Oak Street
- Doing skimming on Spring Street from Wadsworth Avenue, Railroad Avenue and a piece of roadway on Linden Street
- Marked sidewalks and going to do sidewalk repairs and some grinding.
- In July paving of Genesee Street, Spring Street and Railroad Avenue
- Working on bridge on Spring Street and marking curbs on Clinton Street

Mayor Freeman mentioned that with the large amount of rain that has been received, several trees need to be pruned throughout the Village.

Superintendent Barrett updated the Board on problems that he is having at the Waste Water Treatment Plant with gas check valves and blending valves. Replacement parts cannot be obtained so he is waiting for a quote to replace them all. There are no other options and believes the cost will be \$40,000 - \$50,000.

Mayor Freeman stated that he would like a letter from MRB supporting the decision to replace the valves.

On Thursday a critical review for the facility management plan will be done by Bill Davis of MRB at the Waste Water Treatment Plan.

Trustee Batzel – The bushes on the corner of Genesee Street & Spring Street need trimming.

Mayor Freeman suggested having someone from Terry Tree come out and look at the hedges and give their opinion on what needs to be done along with an estimate of cost and send a letter to the Korth's.

Mayor Freeman reported that he recently attended and spoke at a class reunion and several people commented on the trees and lawns in the Village and the 5&20 project and what a nice job the DPW has done.

TAMMY SNYDER & SCOTT VANSON (SPRING STREET BRIDGE):

Tami Snyder addressed the complaint that was received from Kevin VanSon on the painting of the bridge located on Spring Street. We started doing this in 2009 as part of the Senior Bash activities. The kids arrive at 4:00 p.m. and a section of the road is closed down for one hour. Kids have paint suits and parents will clean up. They will basically sign their names and perhaps leave a message.

Kevin VanSon asked to express his concerns to the Board.

Last year the graffiti remained on the wall until the Corn Festival. I am not against teen spirit but not only are we consistently woken up by loud teenagers in the middle of the night; I feel it is also a safety concern.

Tami Snyder – Unfortunately I cannot move the wall.

Kevin VanSon – I’ve seen kids almost get hit and I don’t feel I should have to look at this graffiti everyday as I leave my driveway.

Tami Snyder – It’s a tradition.

Kevin VanSon – I don’t understand why I have to do the burden of proof again. Why should it be shoved in my face? Don’t I have the right for peace and quiet in the summer time? Why does it have to be across from residents? Let’s figure out a better place to do it.

Chief Noble – I received a few calls regarding the bridge.

Mayor Freeman – I think the system worked and I didn’t realize it went to Corn Festival.

Tami Snyder – Whatever you guys want I will do it.

Kevin VanSon – How about the Village Circle?

Tami Snyder – Something in the middle the circle would be even more dangerous.

Kevin VanSon – It was stopped before and when it was stopped the kids were angry and did damage to my house and vehicles. A police report was done for it.

Mayor Freeman – By doing this it seems that the vulgarity had stopped.

Kevin VanSon – Can we please do it somewhere else other than in front of my residence? I will pitch in the first \$100 for it. Couldn’t it be on school grounds. I would even dig the post holes.

Tami Snyder – Our agenda is done, if you want it repainted in a week or 4 days we will do that. If the school allows us to put it up at the school we could do that. But now there isn’t enough time to make a change.

Tami Snyder – I will make a note that no more wall painting in the future.

Mayor Freeman – The Senior Bash is June 21st. I think it should be repainted by Monday, July 8th with the condition we will try to move it for next year. Superintendent Barrett will take care of repainting the wall and getting the paint.

EXECUTIVE SESSION:

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

Mayor Freeman – We will have Attorney Whiting make the final determination at next week's meeting.

Trustee Hayes reported he had received a phone call from someone questioning when the things will be removed from the ice rink so the basketball court can be used.

Mayor Freeman will contact Superintendent Barrett regarding that matter.

Mayor Freeman reported that he has had some conversation with Keith Herman of Tom Wahl's regarding tying into the back of CVS. The Board needs to figure out how we can get people to use the signal.

Upon a motion the meeting was adjourned at 8:45 p.m.

Respectfully submitted,



Patricia E. Baker
Village Clerk