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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 17, 2013.

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

Staff: John Barrett
Tony Cappello
Christine Quinlan
Chief James Noble
Gary Benedict, Jr.

Reid Whiting, Village Attorney

Visitors: Mary Ann Benedict
Nicole Benedict
Tom Benedict
Tom Vonglis
Kirk Vanderbilt
Wade Rockwood
Leah Shea, Genesee Sun

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

INTERIM CHIEF OF POLICE – GARY BENEDICT, JR.:

Mayor Freeman swore Chief Benedict in and had him sign the Oath of Office. Chief Benedict's wife and two children were present at the meeting. Chief Benedict will be replacing current Interim Chief James Noble who will be leaving effective June 30, 2013.

VILLAGE BOARD MEETING MINUTES:

Upon a motion made by Trustee Zhe the minutes from June 10, 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

DPW UPDATE:

Superintendent Barrett reported that the retention pond at Hal Bar Road had water to the top of the pond and is working perfectly. During the hard rain there were no water problems on Sackett Road. There was flooding up to Tom Wahl’s and CVS. Within three hours all water was gone. It pushed the waste water plant to the limit and water was backed up to manholes. It’s cheaper to pump it rather than fix it.

Code Officer Cappello informed the Board that he followed water from CVS and Trustee McKeown’s concern regarding Dick Martin’s proposal proved valid. There was 5” of water in Tom Wahl’s parking lot and you couldn’t get out of your car at CVS.

The DPW is getting ready to start Oak Street this week. The residents on the street shouldn’t be impacted that much and it will be closed up every night.

Did sidewalks on Genesee Street. Genesee Street is scheduled for July 1st. We will do notices for cars that park along Genesee Street. It will be done in one day.

Mayor Freeman suggested cleaning up the aprons after the work is done. There are not that many to do.

Trustee McKeown – We haven’t budgeted for that.

Superintendent Barrett will check how many there are and come back with a price.

Bill Davis from MRB came to plant on Thursday and went through the entire Waste Water Treatment Plant and discussed John Barrett’s concerns and Bill’s concern. Bill Davis will send a letter with his findings.

Grant available for a study we want to do at the WWT John Barrett reported.

Superintendent Barrett stated that either Bill Davis or I have heard nothing from DEC regarding the SPEDES permit.

Mayor Freeman questioned the status of the ice rink.

John Barrett reported that it is all picked up.

TOM VONGLIS (CORN FESTIVAL):

There are a few things that Rotary would like the Village to do that would help improve the Corn Festival:

- 1) Put electric service in Village Hall for musicians' to plug in the corner of the building so we don't have to run cords. Do it as part of a project or have Bill Wall do a 100 amp service? Mayor Freeman suggested Kirk talk to Bill Wall. Rotary would cover the cost.
- 2) Run power off poles, we need to get it into conduit. Currently when we set up power, we borrow power from a pole. We would like to install conduit up the pole. It is a Village owned pole, Rotary would cover the cost. That would be another Bill Wall job.
- 3) Can we do the large banner in the circle park again like last year? What time frame would you like to see? - Everyone agreed on a two week period.
- 4) Can we get the street sweeper on Tuesday or Wednesday?

Chief Gary Benedict will attend the July Corn Fest meeting.

WADE ROCKWOOD (DRAINAGE ISSUES):

Mr. Rockwood reported that when we receive heavy rain the manhole cover near his home is lifted up and releases large amounts of water. He asked the Board if the cover could be welded shut so it can't lift up.

John Barrett – I'm not sure if we could weld it, I don't know if it would hold. It's all coming from across the road.

Mayor Freeman informed Mr. Rockwood that according to our Village Engineers that with the amount of rain we recently received in the period of time we received it; it is just shy of a 50 year event. Technically, a 50-year event has a 2% chance of happening every year.

Attorney Whiting – Do you have an existing easement on the Gilmore property?

Superintendent Barrett – Yes

Mayor Freeman – We will definitely try to come up with something, it's a safety issue.

It was suggested that the Village run another 16" line and asked Superintendent Barrett to get a price for that and perhaps share the cost with the Town.

Mayor Freeman suggested that John check with MRB to see if that would work.

VOUCHERS AND MANUAL CHECKS:

Upon a motion by Trustee Zhe the following vouchers are approved for payment with discussion of two invoices.

Fund #1 General Fund	\$26,933.97
Fund #4 Schedule C	\$ 5,941.39
Fund #5 Water	\$ 2,003.12
Fund #6 Sewer	\$ 12,955.60
Fund #9	\$
Fund #10	\$
Fund #11	\$ 817.78
Fund #17	\$ 2.52
Fund #44	\$
Fund #45	\$
Fund #47	\$
Fund #48	\$
Fund #49	\$
Fund #50	\$
Fund #52	\$
Fund #53	\$
Fund #54	\$
Fund #55	\$
Fund #56	\$ 9,011.31
Fund #57	\$
Fund #58	\$

Fund #59	\$
Fund #60	\$
Fund #61	\$
Fund #62	\$ 7,937.50
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	\$ 1,191.30
Fund #84	\$ 2,600.00
Fund #85	\$
Fund #86	\$
Fund #87	\$
Fund #88	\$ 691.51
Fund #89	\$
Fund #90	\$

Fund #91	\$	
Fund #92	\$	
Fund #93	\$	17.97
Fund #94	\$	
Fund #95	\$	
Fund #96	\$	
Fund #97	\$	
Fund #98	\$	
Fund #99	\$	
TOTAL	\$	70,103.97

Manual Checks:

NYS Child Support Proc. Center – Child Support (Holtz)	\$ 256.00
NYS Child Support Proc. Center – Child Support (Ferrara)	\$ 767.00
Law Enforcement Officers Union – Police Union Dues	\$ 335.98
SEIU – DPW Union Dues	\$ 223.94
Nationwide Retirement Solution – Deferred Comp	\$ 981.00
TOTAL:	\$2,563.92

Trustee Hayes 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

GRANT OPPORTUNITIES:

A meeting was held with Bonnie Davis, Chris Quinlan, John Barrett, Rob Hayes, Phil Swanson, Bernie Thoma, and Bill Zhe. There are some grant opportunities that the Village would like to pursue:

- 1) Five Arch Bridge restoration through the Environmental Protection Fund (Historic Preservation)
 - 50/50 reimbursement program with a funding limit of \$300K
 - 50% can be in-kind with fundraising
 - 3-year timeframe to complete the project
 - Need to update Bero Architecture budget
 - Need to provide contractor price
- 2) Playground Equipment through the EPF (Recreational Trails)
 - 50/50 reimbursement program
 - 50% can be in kind w/fundraising, Village match, private match
 - \$80K total project with \$60K in cash and \$20K in match
 - Bernie advised putting in for \$90K & include administrative costs
 - Parks to provide their Parks Master Plan, Comprehensive Plan and residents survey & results
 - Bernie's recommendation to choose the Five Arch or Playground project. Can apply for both but may not be rated as well.
- 3) Tenant/owner-occupied housing grants through Community Development Block Grant (CDBG or HOME funding)
 - Not in the CFA so no deadline has been announced yet
 - Funding limit of \$300K (which is usually around 15 units)
 - Rental property reviews tenant's income levels that must meet a low-mid income level
 - Owner-occupied property reviews owner's income level
 - Can include 18% for program delivery and administration
 - Bernie's recommendation to begin process & apply for next year's funding
 - Bernie's recommendation to open to entire Village but have a target area so if they apply within that area, they receive additional points
- 4) WWTP planning report through the DEC/EFC Wastewater Infrastructure Engineering Planning Grant
 - Funding limit of \$30K
 - Bernie will speak w/Bill Davis, MRB Group, to obtain necessary information

The Board was in agreement to pursue the playground grant this year.

Treasurer Quinlan announced that they had their preconstruction meeting for the Erie Attica Trail Project and hopefully that will begin on July 1st.

ATTORNEY WHITING UPDATE:

FIRE CHIEF'S VEHICLE:

After learning that the Village can't donate to a private entity, Mayor Freeman suggested that we put it out for bid and Trustee McKeown suggested taking it to the auction.

Trustee Batzel added that he was ok with taking it to the auction. I think it would be a bad situation to donate it to the County.

Mayor Freeman – Would you put the funds into the truck fund or general fund?

The Board agreed that it should go back into the general fund because that's where it originally came from.

John Barrett – The auction isn't until October.

Chief Noble – I could have Scott Rhodes come up and look at it and see if it's worth taking to the auction where he goes.

DEMOLITION SPECIFICATIONS:

Mayor Freeman announced that we want to start advertising for demolition of 184 East Main Street.

Tony Cappello added that Dennis Catuzza had called him today and wants him to look at building specs.

Mayor Freeman – If he could sell it we would all support that.

CODE ENFORCEMENT OFFICER:

Mayor Freeman – Do you need a permit for a hot water tank?

Tony Cappello – No

Trustee Batzel – Where do we stand with the bushes at the Korth home?

Superintendent Barrett – I talked with Glen Upright and was told that by the time you trim them it would be back to the stems. They need to be removed.

Mayor Freeman instructed Code Officer Cappello to send a letter to the Korths telling them that the Village had solicited an opinion regarding their bushes and there is no way to prune them back and it's a safety issue. They must be removed, and if they don't remove them the Village will and bill the homeowner.

A letter will also be sent to Kurt Zobel as well as Tim Letson regarding the bushes.

POLICE UPDATE:

- On Tuesday we're assisting Sharon Knight with a 6th grade tour
- On Tuesday, Chief Benedict and myself will be going to Law Enforcement Council and Drug Task Force
- Still following up on a burglary
- Revised copy with proposed changes to General Order 200 – Recruitment was distributed
- Chief Benedict, Mark Bishop and myself will be meeting with Dr. Supnick to review procedure

GENERAL ORDER (RECRUITMENT PROCEDURE):

Chief Noble explained that Chief Benedict is on the same page as far as the recruitment procedure. It is very comparable to the agency from which he came. By following the procedure you will find good, viable candidates. You will be given time to evaluate the part-timers. These are recommendations I am putting forward hoping you'll approve them.

Attorney Whiting noted where a correction needed to be made on wording.

Chief Noble continued to review the procedure that he had distributed to the Board.

Trustee Batzel – Background checks? Who will maintain them?

Chief Noble– The only thing in the Police Department files will be training materials.

Trustee Batzel – Will background checks be shared with the Board before hiring?

Chief Noble – Yes.

Trustee Batzel – You offer a conditional offer of employment. Before you make a conditional offer I believe the Village Board should have an interview with the applicant.

Chief Noble – I can add that the Board interviews before one of the conditions.

Trustee Batzel – Can the Board change general orders at any time?

Attorney Whiting acknowledged that they can.

Attorney Whiting suggested that the insurance company should also look at this general order, along with their attorney.

Police calendar – Officer McFadden is working nights, Officer Bingham will be out of school next week so she’ll be able to do more. I don’t know when Sergeant Geer will be back.

Chief Noble – I have to research changing over my cell phone, I would like to keep my current phone for two months and I will reimburse the Village the cost until I can find out when I’m entitled to a new phone.

The Board agreed to the request.

Mayor Freeman assured Chief Noble that he was heaven sent and had brought the Village a long ways, and thanked him for his services.

Chief Noble advised the Board that he has been working under a retirement waiver since January 1, 2012. He was advised by the New York State Post-Retirement Audit Unit that if he works past June 30, 2012, his pension and benefits will be suspended. At this time he submitted his letter of resignation.

A motion was made to accept the letter of resignation by Trustee Zhe and seconded by Trustee McKeown. The motion 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

TRUSTEE'S UPDATE:**PLANNING BOARD VACANCY:**

Board agreed to advertise for the Planning Board in the Genesee Valley Penny Saver.

TOBACCO FREE PARKS & PLAYGROUNDS:

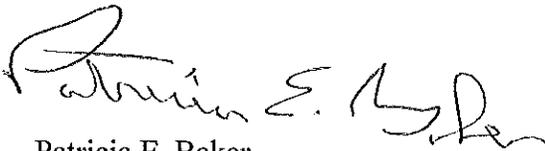
Trustee Zhe's proposal to the Board is to make all parks tobacco free and put it in the form of a resolution. We're asking people not to smoke and the county will provide us with signs. Trustee Zhe will have resolution written up from the county and at the next meeting the Board will approve it.

REVIEW "TO DO LIST":

The Board reviewed their "To Do" list of outstanding items.

Upon a motion, the meeting was adjourned at 8:10 p.m.

Respectfully submitted,



Patricia E. Baker
Village Clerk