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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, August 19, 2013.

| | |
|---|---|
| Present: | Thomas Freeman, Mayor (entered at 6:30 p.m.)<br>Mark McKeown, Trustee<br>William Zhe, Trustee<br>Timmy Batzel, Trustee |
| Absent: | Robert Hayes, Trustee |
| Staff: | Tony Cappello<br>John Barrett<br>Dan Snyder, Fire Chief |
| Visitors: | Kurt Rappazzo, MRB |

Deputy Mayor McKeown 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 July 25, and August 5, 2013 meetings are hereby approved as submitted. Trustee Batzel seconded the motion and it was carried by the following vote:

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

## VOUCHERS AND MANUAL CHECKS:

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

| | |
|---|---|
| General Fund | $ 28,924.68 |
| Schedule C Fund | $ 6,984.30 |
| Water Fund | $ 715.64 |
| Sewer Fund | $ 3,677.60 |
| Fund #10 | $ |
| Fund #11 | $ |
| Fund #17 | $ 2,408.83 |
| Fund #46 | $ 12,965.59 |
| Fund #47 | $ 3,589.99 |
| Fund #48 | $ |
| Fund #50 | $ 236.50 |
| Fund #51 | $ |
| Fund #52 | $ |
| Fund #53 | $ |
| Fund #54 | $ 7,722.76 |
| 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 | $ |
| Fund #94 | $ |
| Fund #95 | $ |
| Fund #96 | $ |
| Fund #97 | $ |
| Fund #98 | $ |
| Fund #99 | $ |
| | |
| TOTAL | $ 67,225.89 |

| | | |
|---|---|---|
| Manual Checks: | St. John Fisher College – Police Chief Seminar | $30.00 |
| | **TOTAL:** | **$30.00** |

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

| | | |
|---|---|---|
| Mayor Thomas Freeman | Absent | |
| Trustee Mark McKeown | Voting | Yes |
| Trustee William Zhe | Voting | Yes |
| Trustee Robert Hayes | Absent | |
| Trustee Timmy Batzel | Voting | Yes |

## DPW UPDATE:

- Finished up Railroad Avenue and Maple Street paving
- Went over completed project list with Board
- Most summer kids are gone, Dan Allen and Brittany Smyder will be staying on
- Started striping
- Will be fixing sidewalks
- Doing some work at Five Arch Bridge

Trustee McKeown questioned the paving of the aprons on Genesee Street.

Superintendent Barrett – Right after we said would do that, a resident on High Street just bought a house and asked if the Village would do an apron for them. We can't be setting a precedent so that's why I haven't done Genesee Street.

Mayor Freeman – When we do a street, aprons should be included in the project to protect the streets.

A motion was made by Trustee McKeown to protect our investment on newly paved roads; aprons shall be put in at that time. The motion was seconded by Trustee Batzel and carried by the following vote:

| | | |
|---|---|---|
| Mayor Thomas Freeman | Voting | Yes |
| Trustee Mark McKeown | Voting | Yes |
| Trustee William Zhe | Voting | Yes |
| Trustee Robert Hayes | Absent | |
| Trustee Timmy Batzel | Voting | Yes |

## KURT RAPPAZZO, MRB:

Bids were received and opened on Wednesday, August 14, 2013 at 11:00 a.m. for a structure to be demolished at 184 East Main Street. It was determined by the court that the home is an unsafe building and not fit for human habitation and a public nuisance, and has been properly condemned by Code Enforcement Officer Cappello, and it poses a hazard to the health, safety and welfare of Mr. Catuzza and the neighborhood surrounding 184 East Main Street.

The lowest bid came from Bronze Contracting, LLC who is a general contractor from Remsen, New York. MRB has received positive feedback from all their references and feel comfortable that they are capable of completing the work required. MRB has found no reasons to deny a contract award to Bronze Contracting. They will need to get a demolition permit, bonds and insurance certificates.

Mayor Freeman suggested as a courtesy that Attorney Whiting send a certified letter to Mr. Catuzza and his Attorney making them aware that the Village Board has awarded the contract bid to Bronze Contracting and offering one last chance to sell the property.

Mayor Freeman - The task of recouping all of our money will be a long and tedious one. We cannot garnish wages because Mr. Catuzza is a NYS employee, but we will file a personal judgment against him to take possession of the land. He is currently putting residents at risk regarding health and safety issues.

The bids that were received were as follows:

- Bronze Contracting $59,850
- Environmental Construction Group $72,600
- FCD $79,500

In the interest of the health and safety for the citizens of Avon, a motion was made by Trustee McKeown and was seconded by Trustee Zhe and 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 | Absent | |

Kurt Rappazzo reviewed a recent meeting that occurred with Bruce Howlett and some Board members. Mr. Howlett had concerns over the access on Farmers Road. MRB will create a profile of Farmers Road and shoot elevations to allow for excavation which will enable commercial and agricultural vehicles to pass under the Erie Attica Trail overpass. The Village laborers will perform the excavation according to the elevations determined by the engineer.

## CODE ENFORCEMENT OFFICER UPDATE:

- Grass cut at Barilla Drive
- DEC, ammonia not in their jurisdiction not their concern. Kraft has a system in place for ammonia protection.

Trustee McKeown – Would the County have something in place for leaks?

Code Officer Cappello reported that Dennis Catuzza informed him that he will not be around his home at all during demolition.

The women at the apartment on Sackett Road went to a lawyer this afternoon because the power was shut off without any notification. The owner from the Glenn told National Grid to shut the power off. The County suggested to her that she needs to get a lawyer.

## TRUSTEE'S UPDATE:

### FIRE APPLICATION:

Upon a motion made by Trustee Batzel, the application of Valerie Sanza to the Avon Pumper Company is hereby accepted. Said 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 | Absent | |
| Trustee Timmy Batzel | Voting | Yes |

## EFC FUNDING RESOLUTION:

The Village Board agreed to approve MRB to submit the engineering report to EFC.

BE IT RESOLVED that, the Board of Trustees does approve the submission of the Engineering Report prepared by MRB Group, to the NYS Environmental Facilities Corporation to pursue potential funding through the Clean Water State Revolving Fund Program for the improvements to the Village of Avon WWTP.

The motion was made by Trustee McKeown and seconded by Trustee Batzel and carried by the following vote:

| | | |
|---|---|---|
| Mayor Thomas Freeman | Voting | Yes |
| Trustee Mark McKeown | Voting | Yes |
| Trustee William Zhe | Voting | Yes |
| Trustee Robert Hayes | Absent | |
| Trustee Timmy Batzel | Voting | Yes |

## WATER SERVICE APPLICATION/PERMIT APPROVAL:

A proposal for a water service application/permit was submitted for Board approval. The purpose of this is for when the Town of Avon requests a water service tap within an established Town of Avon Water district, and Village of Avon Staff must perform all taps on Village of Avon water mains. The Town of Avon or their agent will make all connections and installations after the corporation stop. Any water service that is longer than 100 feet (as measured from curb box to the entry point of the house) will require an approved meter pit at the edge of the right-of-way. The Town of Avon will install meter and provide meter reads to the Village. The fee will be $200.00.

A motion was made Trustee Zhe and seconded by Trustee McKeown to accept the water service application submitted by Kirk Vanderbilt. 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 | Absent | |
| Trustee Timmy Batzel | Voting | Yes |

## ZONING BOARD OF APPEALS:

One application was received for the position of Zoning Board member. On the application she mentioned she would serve as an alternate as she did in Churchville.

A motion was made by Trustee Batzel to appoint Barb Sadden to the vacant position on the Zoning Board of Appeals. The motion was seconded by Trustee McKeown and carried by the following vote:

| | | |
|---|---|---|
| Mayor Thomas Freeman | Voting | Yes |
| Trustee Mark McKeown | Voting | Yes |
| Trustee William Zhe | Voting | Yes |
| Trustee Robert Hayes | Absent | |
| Trustee Timmy Batzel | Voting | Yes |

Trustee Zhe reported that on September 21st, there will be a playground fund raiser, similar to Kiddies Day. The Playground Committee will be going to the Town Board asking for a donation and will start to appeal to businesses. We also put in for a grant. We're at about $17,000 now. The event in September will charge $5 per person and a maximum of $20 per family.

Chief Snyder entered the meeting and a brief discussion was held in regard to training, fire drills and standby.

## EXECUTIVE SESSION:

Upon a motion made by Trustee McKeown, the Board went into executive session at 7:50 p.m. to discuss personnel matters. Trustee Zhe seconded the motion and the Board exited executive session at 7:55 p.m. The motion was carried by a unanimous vote.

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

Respectfully submitted,

Patricia E. Baker
Village Clerk