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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, December 2, 2013.

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

Staff: Tony Cappello
John Barrett
Christine Quinlan
Chief Gary Benedict

Visitors: Bill Davis, MRB
Kaitlyn Saunders
Leah Shea, Genesee Sun

Mayor Freeman opened the meeting at 6:00 p.m. with the Pledge of Allegiance.

BILL DAVIS, MRB:

Bill Davis reported that he and Mayor Freeman were meeting with the DEC on Thursday to review things and make sure that things were on track.

Bill Davis stated that he has been evaluating the flat line progress and is anticipating getting a report of the study which he believes will be cost effective.

MRB has put together a Project Engineering Report for the Wastewater Treatment Plant Improvements. The report has been prepared to evaluate the potential need to upgrade the existing WWTP. In addition, NYSDEC listed a number of deficiencies in its most recent inspection report. The Village is evaluating the need to implement improvements at its Wastewater Treatment Plant to address proposed changes to its State pollution Discharge Elimination System (SPDES) permit, accepting flows from the Lakeville WWTP. Phase 1 would be at a cost of \$10,000,000 with significant improvements that would include new preliminary treatment facilities, new influent pumps, upgrading trickling filter media, new trickling filter pumps and revision of trickling filter dosing and recirculation process, adding precipitant to the trickling filter effluent to remove phosphorus and construction of a new final

clarifier. For Phase 2 at a cost of \$2.5 million would be construction of two new primary clarifiers, and reactivating the aeration tanks.

Bill Davis mentioned that a letter was received today from New York State Environmental Facilities Corporation advising us that the project is eligible for subsidized financing in the Clean Water State Revolving Fund. In order to take advantage of this opportunity, the Village must submit an Application for Financing as soon as possible, but no later than the February 3, 2014 deadline.

Bill mentioned that the Village would need a bond resolution, estoppel notice and SEQR so decisions would have to be made quickly. If we don't submit a financial application now, we would sit on a list.

Mayor Freeman– How do we break it down?

Bill Davis – The estoppel is a minimum of 20 days, the bond resolution is 30 days minimum and SEQR could be done in a Board resolution. We're looking at approximately two months.

Trustee McKeown – I would like someone to come and explain to me what we're buying for \$10,000,000.

Bill Davis – We could come and explain the report. In the next week or two we could be prepared to explain the report. Chuck Bastian would have to put together a financing application for you. It would be a 30 year loan period with EFC.

Mayor Freeman – Could you write it down what is expected and a time frame. We need to involve Kraft. They have to be part of this process and understand what we're up against.

Bill Davis suggested that the Board review the technical report for the Wastewater Treatment Plant Improvements and set up a meeting to go over the report.

DPW UPDATE:

Superintendent Barrett – I received a call today for a project to start up a methane digester plant. The effluent would be from 20-25,000 gallons a day and they inquired if we would be able to take it and if we would be interested. They would truck it in. If we aren't interested, they would have to build a Waste Water Treatment Plant and assume a SPDES permit.

Superintendent Barrett suggested that we at least go and talk to them along with the engineers.

Bill Davis – The flow and loading is close to what we had figured. The new SPDES permit put us at capacity so it will be close. Within the next couple of days I'll have an answer. We don't want to cause more problems at the plant, that's why I need to do a study.

Superintendent Barrett informed the Board that he is submitting a Purchase Order for the methane valve replacement and labor at a cost of \$39,200 and labor cost of \$11,700. This work is being done on an emergency basis to restore the proper use.

Things being worked on now:

- Keeler installing pipe right now
- Currently doing Xmas decoration preparation. The lift is coming Tuesday and everything should be in place by Wednesday
- Shop Xmas Party December 19th

Superintendent Barrett reported that he received a phone call from the woman that purchased 55 Genesee Street recently. She asked why the Village doesn't plow the driveway in back. John explained to her that it's private property and she is very agreeable to come to the Board to see about giving the Village a right a-way or lease agreement so that driveway can be maintained by the Village.

Mayor Freeman suggested that she sit down with David LeFeber and himself because the Town is interested in purchasing that property.

POLICE UPDATE:

Per Mayor's request Chief Benedict introduced Kaitlyn Saunders to the Board. Kaitlyn is hoping to come here on a part-time basis. Chief Benedict stated that she just needs her physiological evaluation done.

Mayor Freeman – The Board wanted to meet you and as a part-timer you will be working the unpopular shift. What are your goals?

Kaitlyn – I prefer smaller towns in this area. I currently work in Mount Morris.

Chief Benedict – Mount Morris put her thru the academy.

Mayor Freeman– All your training is current? It's your call Chief to hire her as part-time.

Chief Benedict reported that he received the Civil Service appointment list from the County. I would like to recommend that the Board appoint Travis McFadden to part-time Civil Service which would allow us to work him 80 hours in the two week period. Also he asked the Board to

consider what we're going to do with the open slot from John Jordan slot. It's been hard to fill some time slots at times.

Mayor Freeman responded by saying that no full time position will be considered until after the first of the year.

A motion was made by Trustee Hayes and seconded by Trustee Zhe to appoint Travis McFadden to part-time Civil Service position made effective today. The motion 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

It was reported that there was a problem with the gas pumps at the school over the week-end. We used our credit cards to buy gas.

The Police Department did the bell ringing at Tops the day before Thanksgiving.

VILLAGE BOARD MEETING MINUTES:

Upon a motion made by Trustee Batzel the minutes from November 18, 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 McKeown, vouchers and manual checks were approved for payment:

General Fund	\$ 10,700.14
Schedule C Fund	\$ 5,110.44
Water Fund	\$ 2,680.49
Sewer Fund	\$ 6,992.13
Fund #10	\$
Fund #11	\$
Fund #17	\$ 918.96
Fund #44	\$
Fund #46	\$
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	\$	
Fund #98	\$	
Fund #99	\$	
TOTAL	\$	26,734.24

Manual Checks:	The New York Water Environment Seminar (Farrell)	\$100.00
	NYS Child Support	Holtz&Ferrara \$1023.00
	Nationwide Retirement Sol. Deferred Comp.	<u>\$1156.00</u>
	TOTAL:	\$2279.00

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 OFFICER UPDATE:

- No responses to letters sent out regarding deterioration of homes
- Gray Metal going good will start framing.

Code Officer Cappello questioned the status of Alexander Crossing?

Attorney Whiting reported that he haven't heard back from Dave Morris and haven't heard that they will reject it.

Mayor Freeman asked Attorney Whiting to call tomorrow. We would like to wrap this up.

REID WHITING:

The Board questioned Attorney Whiting on additional coverage for Failure to Supply liability coverage with a \$1,000,000 limit.

Attorney Whiting – I have not heard of a cause of action for that against any municipality.

Depending on the cost if it's a few hundred dollars, I think it would be worth it. In general if a water main broke it would be considered an act of nature and provide a defense to the Village. If the Village didn't get to a water break within a reasonable time they might be held responsible.

As far as the mechanic’s lien for Dennis Catuzza’s property it is not available because it has to be a consensual work item. There is however a procedure to secure a lien whenever there is an

emergency or health reasons. I have the process underway and need the Mayor to sign a petition which will be presented to a supreme court.

EXECUTIVE SESSION:

Upon a motion made by Trustee Zhe, the Board went into executive session at 7:20 p.m. to discuss personnel matters. Trustee McKeown seconded the motion and the Board exited executive session at 8:25 p.m. The motion was carried by a unanimous vote.

TRUSTEE’S UPDATE:

LETTER OF RESIGNATION:

A letter was received from Bryan Scott notifying the Board that the last day of employment with the Village of Avon will be in mid-February, 2014. His last day physically at work will be January 1st and at that time will be using vacation and personal time until it is depleted.

A motion was made by Trustee Zhe and seconded by Trustee McKeown that the letter of resignation was accepted by the Board 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

COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM:

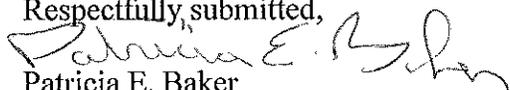
A motion was made by Trustee Hayes resolving that Thomas Freeman, as Mayor of the Village of Avon, is hereby authorized and directed to file an application for funds from the New York State Office of Community Renewal through its Community Development Block Grant Program 2013, and upon approval of said request to enter into and execute a project agreement with the State for such financial assistance to the Village of Avon for a housing rehabilitation program.

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

Upon a motion the meeting was adjourned at 8:30 p.m.

Respectfully submitted,



Patricia E. Baker

Village Clerk