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The meeting of the Village Board of Trustees was held at the Avon Village Hall, 74 Genesee Street, Avon, New York on Monday, March 10, 2014.

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

Staff: Tony Cappello  
John Barrett  
Christine Quinlan

Visitors: Bill Davis, MRB Group

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

**BILL DAVIS, MRB:**

Bill Davis stated that the Amended Waste Water Treatment Plant Engineering Report is assembled and has been sent to EFC and DEC. We'll wait to hear from them.

Part of the Planning Grant is the survey which needs to meet the MWBE component. Fishers will do the survey which hopefully starts within the next couple of weeks. It will be a site survey.

The New York State Department of Environmental Conservation has required the Village of Avon to identify users of its Publicly Owned Treatment Works that may be considered significant Industrial Users. They would have the potential to discharge waste or substances that may:

- 1) Pass through the Publicly Owned Treatment Works
- 2) Interfere with the operation of the Publicly Owned Treatment Works
- 3) Endanger publicly Owned Treatment Works employees, or
- 4) Limit sludge management alternatives for the Village of Avon

We have a list of users and a sample letter for commercial users asking them to disclose all the chemicals that may potentially be discharged to floor drains or the sewer system.

Mayor Freeman – We also take Livingston County Water and Sewer as our customers and will insist the County does their own survey.

Trustee McKeown suggested getting Cathy VanHorne involved and having her come here to discuss. If they seem to fight us then it should go to the Supervisor.

Bill Davis – We can prepare the letter and sit down with her to discuss. You’re following requirements of the DEC. It’s a process to see what they are doing and exclude them from industrial users and eliminate their property for consideration. An industrial user is anything that can affect the Waste Water Treatment Plant process or quality, or over 25,000 gallons a day.

Mayor Freeman – Who will be responsible for the monitoring of this?

Bill Davis – We will help you work through this process and will get a proposal to the Village to keep us on track. I will outline and put in a proposal on what MRB is going to do. The ultimate goal is to protect the WWTP and the Genesee River.

Mayor Freeman – It needs to be documented that MRB will be responsible for tracking which should be written into the proposal.

Superintendent Barrett reported that Barilla and Kraft is all done and permits are in place.

Mayor Freeman - This all came about because we were issued a new SPDES permit?

Superintendent Barrett – Correct.

#### **WWTP OPERATOR:**

Civil Service sent over duties and qualifications for Water/Wastewater Treatment Plant Operator/Trainee. The position needs to go through Civil Service. Clerk Baker is waiting to hear back from the Civil Service Office after asking the question if an applicant is already certified and have their license can they be hired as a provisional employee until they take the exam.

Bill Davis – It is tough to find licensed operators today.

The Board agreed to go ahead and advertise for the position.

The Board had a brief conversation regarding the Village’s SPDES Permit and on taking action on the items that are needed in order to stay in compliance with the DEC.

Bill Davis reported that there will be a drainage meeting at the school on Tuesday, March 18<sup>th</sup>. He will be meeting with the engineer from Hunt Architect.

Mayor Freeman noted that a detention pond is being proposed at school and a diagram was passed around.

**D'ANGELO PARKWAY:**

Bill Davis reported that upon review, the current Village Land Development Regulations state that roof leaders are not permitted to be connected to any Village storm system. Based on this, other methods of mitigation for the drainage issues will need to be considered.

The longstanding concern with the North Avenue Heights subdivision has been impacted on the residences along North Avenue, particularly in regards to drainage. To mediate these concerns for the Village at the time of subdivision approval it was required that side lot swales be installed on every lot to intercept surface runoff and that a berm be installed along the west side of Lot 1. It appears that the swales may have been filled in over time, or have been graded out with the construction of the homes and the berm has yet to be installed.

A few years ago, in response to some neighbors' concerns, the Village installed a curtain drain along the northwestern edge of the subdivision behind the residences on North Avenue. According to the Department of Public Works, the curtain drain was a 6" perforated plastic pipe in a 24" wide trench, and daylighted above a catch basin on D'Angelo Parkway. So far it appears that this has been effective, but the Village will be further monitored this coming spring.

The idea of the installation of curtain drains was discussed along the rear of the North Avenue properties inside the loop. These drains would be of similar design and construction as the one previously installed by the DPW. The drains would run at the rear property line of the two most western lots in the subdivision to intercept stormwater prior to the properties along North Avenue. The estimated length of the trench is about 500 linear feet. The project would also require the Village to secure easements from the two land owners in the subdivision for the installation, operation and long-term maintenance of the curtain drains.

At this time MRB would recommend the Village consider the installation of the curtain drain and consider the following actions:

- The Village Board will need to formally decide on this course of action.
- MRB Group will take strategic survey shots to determine the best direction to pitch the drainage line, run the necessary drainage calculations, and size the drain accordingly.

Mayor Freeman – If this development was designed today, what would happen?

Bill Davis – Things have changed quite a bit, storm regulations have changed. The Certificate of Occupancy would be held until conditions were corrected.

Mayor Freeman – The original design was weak and this is to protect seven homes on North Avenue. It's our responsibility.

Trustee McKeown – Where is the developer in this?

Mayor Freeman noted that some of it is our problem, but developer has some blame for this also. Mayor Freeman will talk with Mrs. D'Angelo on sharing the expense.

**DPW UPDATE:**

Superintendent Barrett distributed a project list to the Board to review.

Superintendent Barrett reported that he was meeting the following night with the Water Committee. It appears Schedule C water rates will remain at \$2.27. The Village consumption is going down 3%, Kraft is going down and the Town is going up 3%.

Trustee Hayes reported that there were at least 10 street light out.

Superintendent Barrett was aware and is working on them.

Trustee Hayes questioned the banner for Main Street goes Blue for the month of March.

Superintendent Barrett stated that they couldn't get the stakes in the ground because the ground is frozen.

**EXECUTIVE SESSION:**

Upon a motion made by Trustee Zhe, the Board went into executive session at 6:25 p.m. to discuss personnel issues. Trustee Batzel seconded the motion and the Board exited executive session at 6:45 p.m. The motion was carried by a unanimous vote.

**OFFICER TRAVIS MCFADDEN:**

A motion was made by Trustee Hayes and seconded by Trustee Batzel to act on Chief Benedict's recommendation to hire Patrolman Travis McFadden as a full time Police Officer. 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

**POLICE UPDATE:**

Chief Benedict gave the following update:

- Two new radios ordered. They will be paid for in the current year’s budget
- Chief Benedict and Sergeant Geer attended a Fire and Safety walk through in conjunction with the Fire Department at Kraft
- Currently working on the budget

Chief Benedict explained that he is requested an increase for part-time budget hours for picking up races, Corn Festival, and due to the transition of the part time Administrative Chief that no longer covers the road. There has not been an increase in part time salary since 2008.

An estimate for \$4,000 worth of repairs has been given on the Chief’s vehicle.

Due to the costly repairs to the 2005 Chief Benedict vehicle, it was brought to the Board that the Chief has been pricing new vehicles through Ford Credit Service. We won’t get anything for the 2005.

Trustee McKeown – What is the mileage on the police vehicles?

Sergeant Geer: 2005 – 111,000  
 2009 - 82,000  
 2011 - 42,000  
 2013 - 14,000

Chief Benedict will e-mail a list of arrests to the Board.

**CODE ENFORCEMENT OFFICER UPDATE:**

Code Officer Cappello updated the Board on the following items:

- McDonald’s is going ahead with their remodel and distributed photos of the proposal
- The apartment buildings and Community Center at Avon Commons has been sold
- The sign at 157 East Main Street is not in compliance and they have been asked to remove it. The Code Officer was asked if they could keep it up until March 17. They were told if they ever put another sign in their yard they will be fined.

Mayor Freeman asked Code Officer Cappello to give the Board an estimate for renovations for the Police Department. It would be approximately 480 square feet.

Mayor Freeman reviewed MRB’s letter with Tony and said he was going to coordinate obtaining the necessary easements with Jim Biondolillo.

Mick LaFever submitted a letter of resignation to the Mayor. Due to health reasons he is resigning from the Planning Board.

Mayor Freeman instructed the Board to think about going back to a five member board as oppose to the current seven member board.

Trustee McKeown - Should we advertise for it?

Mayor Freeman – Yes.

Trustee Zhe asked if the construction of the new playground would need a building permit.

Code Officer Cappello indicated they would and Mayor Freeman stated that the fee would be waived.

**VILLAGE BOARD MEETING MINUTES:**

Upon a motion made by Trustee Hayes the minutes from February 17, 2014 meeting 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:**

Upon a motion made by Trustee McKeown vouchers were approved for payment.

General Fund	\$ 17,924.62
Schedule C Fund	\$ 10,324.08
Water Fund	\$ 5,381.18
Sewer Fund	\$ 13,582.43

Fund #10	\$
Fund #11	\$ 22,976.95
Fund #17	\$ 1,752.15
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	\$
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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	\$	406.78
Fund #94	\$	
Fund #95	\$	
Fund #96	\$	
Fund #97	\$	
Fund #98	\$	
Fund #99	\$	
TOTAL	\$	72,348.19

## Manual Checks:

NYS Child Support Proc. Center – Child Support	\$1023.00
SEIU – March Dues	\$ 226.74
Law Enforcement Officers Union – March Dues	\$ 376.44
Nationwide Retirement Solution – Deferred Comp.	\$ <u>906.00</u>
<b>TOTAL:</b>	<b>\$2532.18</b>

Trustee Zhe seconded the motion 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	Voting	Yes

**TREASURER’S UPDATE:**

Treasurer Quinlan reported that we are currently under last year’s assessment and the new assessment will start with the school tax. The fund balances are currently being reviewed and the wish lists are coming in.

The General Fund is basically done and trying to keep the tax rate at a 1% increase which would mean dipping into fund balance for about \$15,000. The Police Department has increased their hours for coverage.

Schedule C will remain the same and water should be ok. The Treasurer just started working on the Sewer Fund.

A 3% increase was budgeted into the Police Fund for accrued hours.

The Department Heads have a meeting scheduled for Wednesday and after that Treasurer Quinlan told the Board she would have a better idea of fund balance.

The Board discussed the possibility of hiring a part time Town/Village Code Enforcement Officer and Zoning Officer.

Mayor Freeman and the Board agreed to hold their first budget meeting at 5:30 p.m. on Monday, March 24<sup>th</sup>.

Trustee Zhe stated that he would like to see a transfer into reserves for the Five Arch Bridge Project.

**TRUSTEE'S UPDATE:**

**STREETSCAPE PROPOSAL APPROVAL:**

The Office of Community Renewal has received the request for consideration to utilize New York Main Street program streetscape funds to implement the Avon Streetscape Design Plan which has been awarded for streetscape enhancements in the amount of \$15,000.

A purchase order request was submitted by Treasurer Quinlan for (4) 32 gallon steel receptacles, (4) 8' cast benches with steel seats, and (4) planters to match the receptacles totaling \$15,893.

A motion was made by Trustee Zhe authorizing the expenditure of \$893. The motion was seconded by Trustee Hayes 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	Voting	Yes

Trustee Hayes reported that the Lions Club expressed their gratitude for the use of the hall over the weekend for their pancake breakfast. They are making a donation to the Playground Fund.

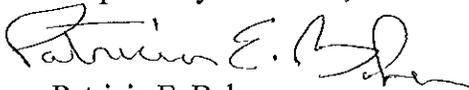
The Fire Department submitted a Purchase Order for the purchase of a Hurst JL-500t Cutter in the amount of \$6595.00.

A motion was made by Trustee Hayes and seconded by Trustee Batzel to approve the Purchase Order. 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

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

Respectfully submitted,



Patricia E. Baker  
Village Clerk