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The meeting of the Board of Trustees of the Village of Avon was held in Conference Room B of the Village Hall, 74 Genesee Street, Avon, New York on Monday, December 7, 2015.

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

Staff: John Barrett  
Chief Gary Benedict, Jr.  
Tony Cappello  
Brian Glise  
Patty Baker  
Reid Whiting- Attorney  
Chris Quinlan  
Paul Drozdziel

Visitors: Bill Davis- MRB  
Deb McLeod- Springbrook  
Conrad Baker- Genesee Sun  
Bill Nevin

Mayor Freeman called the meeting to order at 5:00 p.m. and began the meeting with the Pledge of Allegiance.

### **SPRINGBROOK UPDATE:**

Debbie McLeod, a consultant from Springbrook, was in attendance and updated the Board on the implementation of the new software system. Debbie has been on site with the staff two previous weeks, and will be here for two weeks this time as well.

Debbie felt that the staff, while not as confident as she thinks they should be, has a very good handle on the proper processes for entering invoices, producing checks to pay vendors, and making journal entries for the transferring of monies between the appropriate accounts. The staff has already been working in the payroll module for several months, and have attained a level of confidence for that process. The budget has not been entered, however that is on the "to do list" for the upcoming week.

Debbie also stated that the group may need some sessions that are refresher courses as they get closer to processing some things, such as W2's and 1099's, as some processes only happen once or twice a year. She said she is more than happy to do these refreshers with the staff. The staff has been very glad to have Debbie here and is slowly getting more comfortable with this new system. The next step will be implementation of the Utility Billing starting in January, 2016.

**MRB UPDATE:**

Bill Davis was in attendance to update the Board on the following:

- Waste Water Treatment Plant- Aaron has been down at the plant making recommendations and notes on the general operations and how things are running. The addition of chemicals will increase the amount of sludge produced up to 50%, so the team needs to be more diligent with removing the sludge.
- Superintendent Barrett noted that they continue to work with trying to get the total phosphorous to the required number, and feels that they have almost reached the correct combination needed.
- Kraft sends loads that make it difficult to maintain a continuity with the numbers for the phosphorous, and the phosphorous needs to be limited at Kraft. Sampling weekly will give a better way to cross reference. Kraft also needs to level the load out so they get a better flow.
- The DEC has requested a meeting set for December 15, 2015 to discuss the response letter. Two concerns have been that the waste gas burner is not up to code, and the gas piping is not in a classified space with a separate entry. Both of these are pre-existing and non-conforming. The DEC has also noted that the Village is working hard to comply with the requested improvements, however next year they won't be so lenient and the Village could encounter penalties according to Bill Davis.
- It was discussed that Superintendent Barrett believes that his crew can do in house work concerning alternate heat sources for the plant. He wants to make sure that the ideas are feasible.
- A draft of the Sewer Use Law has been sent to the DEC, Superintendent Barrett, and Mayor Freeman. MRB is waiting for feedback from the Village. Attorney Whiting can also review.

**DPW UPDATE:**

Superintendent Barrett was in attendance and gave an update on the following:

- Leaves- The crew is done picking up leaves for the season. They will do a sweep throughout the Village to collect brush and then will be done completely. Normally the weather wouldn't allow the opportunity to continue this type of pickup so late in the season, however mild temperatures have been a welcome change.
- Kraft Sewers- Superintendent John Barrett will see where the Kraft sewers connect to the Village sewers to make sure they are clear. His intention is to put rubber plugs in them and once he has determined that there will be no flooding into the old building, he will seal them with concrete.
- The salt is all ready for the winter months.
- Quote for the Bobcat Snow Blower- Superintendent Barrett came to the meeting with a quote for a new snow blower that he spoke about at the last Village Board meeting. The total is \$4206.10 for the SB200 Snowblower- 60" width, with a 9.6 Hyd Motor Package (25-31 gpm). This includes the dealer assembly charge as well. The money will come

from leftover funds available in the project, and project Skidsteer. Superintendent Barrett also intends to sell the old snow blower hoping to get between \$500-\$600.

Upon a motion made by Trustee McKeown, the Board approved the purchase of the Bobcat Snow Blower. The motion was seconded by Trustee Hayes, and is carried by the following vote:

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

- Superintendent Barrett commented on the sidewalks up and down Clinton Street. He is very pleased with how nice everything looks and says that RG&E has done a great job. The Board agreed.

### **POLICE UPDATE:**

Chief Benedict was in attendance and updated the Board on the following:

- The Girl Scouts' "Dash Through the Snow" 5K event is this Saturday, December 12 2016. Chief Benedict said that he will get barricades and cones from Superintendent Barrett for the run.
- Chief Benedict met with Superintendent Aaron Johnson, the new Avon Central School Superintendent. Superintendent Johnson is very supportive of the school's SRO (School Resource Officer) Program and it looks as though the program will continue.
- The police cars have all been winterized and are ready for the season, with the exception of the Chief's car. The back windshield needs to be replaced.
- The speed sign is still not here. It was supposed to be here at the end of November, and has been on back order for several weeks. Chief Benedict has sent an email to the company, yet again, and as of the Board meeting, has not received a response.
- Chief Benedict discussed the No-Parking signs on Dooer Ave. He did a little research and discovered that local law needs to be changed in order to accommodate the request. Mayor Freeman still wants to speak to all of the neighbors in order to acquire cooperation from them.
- Chief Benedict and Superintendent Barrett discussed the abandoned house issue. They are going to make sure they are boarded up to try to keep people out. The water has been turned off.

### **CODE ENFORCEMENT UPDATE:**

Zoning Inspector Tony Cappello and Code Enforcement Officer Brian Glise were in attendance and updated the Board on the following:

- The Barilla inspection is complete.
- St. Agnes is changing the alarm system. Brian will be going in to do the inspection on December 8<sup>th</sup>, 2015.

- It was also noted by Code Enforcement Officer Glise that in the upcoming future, commercial properties will be required to have carbon monoxide detectors. The code states that they will need to be hard wired to comply with the regulation. Brian will be verifying with St. Agnes when he does their inspection.

**MINUTES:**

Upon a motion made by Trustee Zhe, the minutes from the November 16, 2015 Village Board meeting are hereby approved as submitted. Trustee McKeown seconded the motion and it is carried by the following vote:

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

**VOUCHERS AND MANUAL CHECKS:**

Upon a motion by Trustee McKeown, the following vouchers are approved for payment:

#1- GENERAL FUND	\$ 637.57
#4- SCHEDULE C	\$ 4638.15
#5- WATER	\$ 37.49
#6- SEWER	\$ 144.44
#11	\$
#17- TRUST AND AGENCY	\$ 2409.92
#50	\$
#57	\$
#58	\$
#60	\$
#76	\$
#77	\$
#93	\$
<b>TOTAL</b>	<b>\$ 7867.57</b>

Manual Checks:

NYS Child Support	Child Support	\$ 660.00
Nationwide Retirement	Deferred Comp.	\$1,130.00
B&L Wholesale	CDBG Rehab	\$2,450.87
Env. Ed. Assoc.	CDBG Rehab	\$ 995.00
HomePro Hero	CDBG Rehab	\$ 325.00
Thoma Dev. Cons.	CDBG Program Del.	\$4,000.00
Thoma Dev. Cons.	CDBG Admin.	\$2,074.90
Zerodraft USA	CDBG Rehab	\$ 325.00
	<b>TOTAL:</b>	<b>\$11,960.77</b>

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

### TREASURER'S UPDATE:

Treasurer Quinlan was in attendance to update the Board on the following:

- Thoma, CDBG Grant- A request was made from Phil Connery on behalf of Jean Schoenthal (139 Wadsworth Ave.) for additional work that was not included on the original plan due to an error. The additional work is eligible and will total \$5000.00. Mayor Freeman questioned the amount of funds still available. Treasurer Quinlan assured him that there is still enough for another project- which currently has interested another resident- and Mrs. Schoenthal's work as well. The Board felt that was acceptable.

Upon a motion made by Trustee McKeown, the additional work for Jean Schoenthal (139 Wadsworth Ave) was approved. The motion was seconded by Trustee Batzel, and is carried by the following vote:

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

- Treasurer Quinlan stated that she will wait until after the first of the year to meet with the new grant writer for Livingston County, Heather Grant. She would also like to find out if Thoma will be used in any sort of capacity as well.

### TRUSTEE'S UPDATE:

- Village Clerk Patty Baker questioned if there has been a final decision made concerning the use/sale of alcohol at the Driving Park. This is a conversation that was started by the request for a fund raising event in which the event coordinators questioned the rules pertaining to alcohol on Village property. It has been a debate among the Board and has gone to the Parks Commission for their opinion as well. The Parks Commission's recommendation is to keep the current policy, which is no alcohol allowed. However, they feel that the final decision should rest with the Village Board. Mayor Freeman decided to table the issue until the next Board meeting and requested that we reach out to Colleen Mann, who raised the question, and invite her to attend.
- Turnover of Unpaid Water Bills to The Town for Collection- A discussion was held concerning the water bills that go unpaid by residents of the Town who are connected to Village water. General practice is that if a water/sewer bill goes unpaid for a certain

length of time, the bill gets rolled over onto the resident’s Village tax bill. This works well, however, the Village has no recourse with the residents of the Town. Attorney Whiting researched other municipalities who turn over those bills to their Towns for collection, and found that they had written documentation stating that the Villages and Towns inhabit the exact same location and therefore can be done. This is not the case with the Village and Town of Avon, therefore, another course of action needs to be taken. Attorney Whiting gave a few examples as to what could be done, including the following:

1. Send a letter notifying the resident of the delinquency.
2. After attempting to contact the resident, the water can be turned down.
3. If the attempts fail, we can gather them together and pursue a judgement in court. This however can be more of a hassle if the dollar amount isn’t worth the amount of money used to bring such things to court.

Currently, the Village has 7 bills that are delinquent. Village Clerk Baker has made many attempts to reach these residents using letters and turning down water pressure, which has been successful. She has set up payment plans for a few, but not all. Village Clerk Baker says she will continue to send letters and reach out.

**EXECUTIVE SESSION:**

Upon a motion made by Trustee Hayes, the Board entered executive session to discuss possible litigation at 7:20P.M., and exited at 9:40P.M. The motion was seconded by Trustee Zhe, and is carried by the following vote:

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

Upon a motion made by Trustee Hayes, the services of a land use planner was approved. It was seconded by Trustee McKeown, and is 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 by Trustee Batzel, the meeting was adjourned at 9:45P.M.

Respectfully submitted,

Heather R. Randall  
 Village Deputy Clerk/Treasurer