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The meeting of the Board of Trustees of the Village of Avon was held in the Whitney Room, 74 Genesee Street, Avon, New York on Monday, October 19, 2015.

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

Staff: John Barrett  
Chief Gary Benedict, Jr.  
Chris Quinlan  
Tony Cappello  
Brian Glise

Visitors: Tom McTighe- LA&L  
John Camerota- Civil Engineer I NYSDOT Main Office  
Freight and Passenger Risk Bureau  
Bill Davis- MRB  
Conrad Baker- Genesee Sun

Mayor Freeman called the meeting to order at 6:00 p.m. and began the meeting with the Pledge of Allegiance.

### **TOM McTIGHE- OVERVIEW OF BRIDGE PROJECT on SPRING ST.:**

Tom McTighe, of LA&L was in attendance to give the Board information on the Spring Street Bridge Project. The bridge was built in 1887 of wrought iron, which does not have the same properties as modern steel. The bridge has carried heavy loads for many years, and the capacities of the train cars keep increasing. In the future, the cars could be carrying loads up to 315,000 pounds. The bridge needs to be stronger to support the train safely.

Mr. McTighe stated that the bridge would be certified at 14'6", which is 9" higher than the current structure. The clearance over the sidewalk would go from 75" to 84". There are no plans at this time to install lighting, however it is something that could be addressed in the future. Mr. McTighe also discussed the difference between painting the bridge and using "weathering steel". Weathering steel eventually wears to a dark brown color which is appealing to the eye and erodes smoothly, but doesn't hinder the strength of the structure with rusting, or pitting, which is seen on structures that have been painted. The steel is a better grade and would be the choice they would use for this project. Mr. McTighe submitted to the Board a preliminary drawing and tentative schedule for the project, which included a construction date of summer, 2016.

The Board inquired as to the possible excavation on Spring Street and also the traffic flow during the construction phase. Mr. McTighe was confident that there would be no need for any excavation. However, he felt that there would be lane closures for a few months during the project, and a complete shutdown of the road for approximately 3 weeks.

The Board also asked about funding for the project. Mr. McTighe stated that they are looking for funding from the NYSDOT Transportation Bond. The grant money would be used as well as funding from the railroad in an 80/20% ratio. Mayor Freeman questioned if the wall would be part of the project. At this time, it isn't. Discussion continued as to whether the rehabilitation of the wall could possibly be added to the project. Mr. McTighe said it was a possibility.

This project would also be an opportunity to work with Superintendent Barrett and his team to improve the drainage issues in that area. There is a culvert 300 feet north of the bridge that is blocked with debris. This will be cleaned out and opened up. They will also make sure the ditch is clear, extend the wing wall and add surge rock to prevent flooding and a washout. Mr. McTighe will come back with a design.

Mayor Freeman asked about the possibility of attaching a sidewalk crossing at Linden Street while the railroad does their Signal Crossing project. Could this be added as an alternate in the bidding so the Village would have an estimate of the cost, and would the railroad write the specs for it? Mr. McTighe said that he would check with Charles McGarry, the Planning Officer for this region, and he suggested that the Village use CHIPS monies for the sidewalk crossing.

## **DPW UPDATE:**

Superintendent Barrett was in attendance and updated the Board on the following:

- Steve Morsch has begun ditching behind Dick Neth's residence. Work is progressing, however it is very wet. Superintendent Barrett is hoping that it will dry out a bit more. Mr. Neth is pleased with the progress.
- The mapping for the I&I project is almost complete. Superintendent Barrett is verifying the locations of the breakpoints.
- Work continues at the Waste Water Treatment Plant. Two reed beds have been cleaned out in preparation for the winter.
- Leaf pick up has been advertised in the Penny Saver. Superintendent Barrett said there was very little in the way of leaves out for pick up this week. They will go through Thursday or Friday this week to start the first round.
- Superintendent Barrett is still waiting on quotes for the Keyless Entry doors for the Village Hall.

A request was made to the Board that the bank owned property on the corner of Isham and Doer be boarded up. There are people going in and out of the property that don't belong there. Mayor Freeman questioned if this is a Village responsibility. He feels that a more suitable solution would be to have an enclosure company take care of it properly and add it to the tax roll. Trustee Batzel suggested that we contact Attorney Whiting to ask how this should be handled. Chief Benedict will touch base with Attorney Whiting.

Trustee Batzel asked if there was any mapping of fire hydrants happening in the area, perhaps by Livingston County. Superintendent Barrett stated that he was unaware of anything being done in the area.

Mayor Freeman asked how the Keyless Entry project for the Fire Department was coming along. Trustee Batzel stated that wire was being installed and the project would continue next week.

### **BILL DAVIS- MRB:**

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

- Drainage- Work with drainage continues on Pole Bridge Road. The pond size has been refined. Trustee Batzel spoke to Justin Bowser, who is the resident of 5224 East Avon Road. He is receptive to the plans for the drainage toward his property and is waiting for official word as to the course of action.
- Waste Water Treatment Plant-The plans and specs have been submitted to the DEC. Also discussed was the Reconnaissance SPDES Wastewater Compliance Inspection letter received from the DEC dated October 14, 2015. The letter noted that MRB is continuing work with the Village in order to comply with the SPDES requirements and limitations for Total Phosphorus. The letter also contained recommendations for the improvement of other conditions noted at the facility related to the gas safety system and equipment. The DEC has requested a written response by November 16, 2015. MRB will work on the initial response.
- Bill Davis discussed the draft for the Sewer Use Law. He said that this is very involved and will need to be reviewed. The Industrial User Permits will also change, mainly for Kraft.

### **POLICE UPDATE:**

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

- The metal detector for Town Court- Chief Benedict was following up for Jan Cole. He stated that we needed to provide Court Security in order to operate the machinery. Mayor Freeman requested that documentation be provided stating that Court Security for Village Court is mandatory.
- Speed Sign- The sign is still not in. It is currently on back order. They estimate that it will take about another 4 weeks for delivery. The company has offered to deduct \$75.00 from the bill.
- Pistol/Shotgun Qualifications- All but one has completed the qualification.
- There have been several car larcenies behind Tops on Georgian Drive and down Sackett Road. The cars have all been unlocked, and have happened on the same nights. Chief Benedict continues to recommend that everyone lock their car doors.
- Halloween- A Halloween detail is in place. Historically there hasn't been any major problems.
- Holiday Crackdown monies from Livingston County has been refunded.

**CODE ENFORCEMENT UPDATE:**

Tony Cappello was in attendance to update the Board on the following:

- Banners at Community Bank- A conversation was held with Deb Fitch, the manager of Community Bank, regarding the banners hanging on the building. The code states that banners are only allowed to be up for thirty days, and only one banner per business. They can have a larger sandwich board, if desired, however it needs to be brought in nightly.
- Joe Burkhart-Property Maintenance- A letter was sent to Mr. Burkhart regarding the property maintenance on Lake Road. Mr. Burkhart has stated that he will take care of it.

Brian Glise was also in attendance and stated that he was almost caught up with all of his inspections.

**MINUTES:**

Upon a motion made by Trustee Batzel, the minutes from the October 5, 2015 Village Board meeting are hereby approved as submitted. Trustee Zhe 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 Zhe the following vouchers are approved for payment:

#1	\$ 54,679.48
#4	\$ 2,763.31
#5	\$ 5,431.13
#6	\$ 11,397.57
#11	\$ 4,598.04
#17	\$ 174.82
#50	\$ 11,075.78
#57	\$
#58	\$
#60	\$
#76	\$
#77	\$ 40,320.26
#93	\$
TOTAL	\$ 130,440.39

Manual Checks:

NYS Child Support	Child Support	\$ 660.00
Nationwide Retirement	Deferred Comp.	\$1,080.00
SEIU 200 United	Dues	\$ 239.20
Law Enf. Off. Union	Dues	\$ 343.12
Liv. Co. Dev. Corp.	Destination Downtwn	<u>\$ 60.00</u>
	<b>TOTAL:</b>	<b>\$2382.32</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 and updated the Board on the following:

- Deputy Village Clerk/ Treasurer Heather Randall has completed the bank reconciliations and they are currently up to date.

**CDBG GRANT APPROVAL:**

A final approval request for Jean Schoenthal, 139 Wadsworth Avenue, was submitted to the Board.

Upon a motion by Trustee McKeown, the application was approved. 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

**TRUSTEE’S UPDATE:**

- Alcohol at the Driving Park-Deputy Village Clerk/Treasurer Randall reached out to Mayor Rick Milne of Honeoye Falls-Lima for guidance as to the rules they use for events in which alcohol is served. He stated that the event that they held- The Brew Fest- was sponsored by Brew Crafters, who have a beer license. In addition,

they take out a special insurance policy. The fire department, which leases that particular park from the Village, also hold a host license. They do not allow alcohol to be SOLD in the parks. The Mayor is going to contact his insurance agent and follow up with her at a later date.

- Treasurer’s Workshop Approval-Treasurer Quinlan requested to be allowed to attend the Destination Downtown conference held in Geneseo, NY.

Upon a motion made by Trustee Batzel, the workshop request was approved. It was seconded by Trustee Zhe, 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

- DASNY Playground Grant Resolution for DPW and In-Kind Services- Treasurer Quinlan and Superintendent Barrett will meet to work out the details and update the Board at a later date.
- Pathstone Community Meeting-Deputy Village Clerk/Treasurer Randall gave a brief summary of the meeting held by Pathstone at Peppermint’s Restaurant on October 14, 2015.

**EXECUTIVE SESSION:**

Upon a motion made by Trustee Zhe, the Board entered into Executive Session at 7:55pm and exited at 8:15pm to discuss a personnel issue. The motion was seconded by Trustee Batzel and was carried by the following vote:

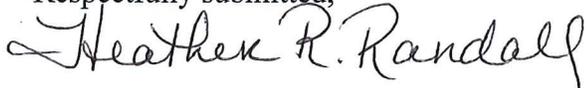
Mayor Thomas Freeman	Voting	Yes
Trustee Mark McKeown	Voting	Yes
Trustee William Zhe	Voting	Yes
Trustee Robert Hayes	Voting	Yes
Trustee Timmy Batzel	Voting	Yes

Upon a motion made by Trustee Zhe and seconded by Trustee Hayes, it was decided to have Aaron Bissell, from MRB, be on site at the WWTP one day per week. He will review the critical points being looked at in the plant and report back to the Board monthly. This will be at the cost of \$2400.00 per month. 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

Upon a motion by Trustee McKeown , the meeting was adjourned at 8:20pm.

Respectfully submitted,



Heather R. Randall  
Deputy Village Clerk /Treasurer