

The meeting of the Board of Trustees of the Village of Avon was held in the Whitney Room of the Village Hall, 74 Genesee Street, Avon, New York on Monday, July 11, 2016.

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

Staff: Tony Cappello, Code Enforcement Officer
Brian Glise, Fire Marshall
John Barrett, Supt. of Public Works
Chief Gary Benedict

Visitors: Kurt Rappazzo, MRB Group
Reid Whiting, Attorney
Bob Austen, 5 Hal Bar Rd.
Jim Rogers, 80 Lacy St.
Durinda LaBarbera, 43 Hal Bar Rd.

Mayor Freeman called the meeting to order at 6:00 P.M., and began the meeting with the Pledge of Allegiance.

POLICE UPDATE:

Chief Benedict reported that the speed sign is charging and will be moved to Sackett Rd. soon. Per Supt. Barrett, the bridge will be closed tomorrow per NYS DOT. Mayor Freeman questioned whether the Village should place barricades at Linden St. for tractor trailers that inadvertently are misdirected. Supt. Barrett responded that NYS DOT is handling all traffic signage for the project.

FIRE MARSHALL UPDATE:

Mayor Freeman asked for an update on the sparkling device tent sales from Fire Marshall Glise. Fire Marshall Glise will look on e-codes for ideas from other municipalities. Glise suggested hours of operation and increasing insurance requirements. Mayor Freeman asked Fire Marshall Glise to provide the Board with recommendations for the future.

Fire Marshall Glise mentioned that he has been working on code requirements with an interested party in purchasing the Avon Inn property.

Fire Marshall Glise and CEO Cappello discussed properties that may have an easement, whether a structure can be put in that easement. How do they know where easements are, what they are for, etc.? Attorney Whiting's office provided a copy of easements to the Village which Supt. Barrett has possession of and can help decipher. Attorney Whiting suggested putting the onus on the homeowner to provide proof of their easement and associated verbiage.

CEO UPDATE:

CEO Cappello requested Shanks Enterprises to remove the dumpster at 79 Genesee St. due to rodents. Mayor Freeman relayed to the Board that he spoke with Lee Shanks agreeing to pay for this one-time dump and removal at a cost of \$148.50, realizing with the intentions of putting the bill on the owner's property tax bill.

MRB UPDATE:

Kurt Rappazzo was in attendance to update the Board on the following:

- Oak Hill Dr.-waiting for survey. Design will be complete within 1-2 months.
- Polebridge Rd.-MRB preparing additional information to National Grid re easements
- I&I- MRB to begin dry weather testing tonight. Per Supt. Barrett, Tim Holtz & Chad Bailey will be on duty to provide assistance.
- NYS DEC EPG opportunity for \$30K with 20% match for UV disinfection and update engineering report. MRB will write grant application with hourly rate not to exceed total of \$2,000.

Village of Avon RESOLUTION
Consolidated Funding Application, Engineering & Planning Grant

Resolution of Support for Grant Application from the Village of Avon Board of Trustees, for the New York State Consolidated Funding Application, Engineering and Planning Grant

WHEREAS, the Village of Avon has been notified by the New York State Department of Environmental Conservation by letter dated May 23, 2016 that the State Pollution Discharge Elimination System (SPDES) Permit for their POTW on Farmers Road will be modified to require effluent disinfection; and

WHEREAS, the New York State Department of Environmental Conservation provides a competitive, statewide grant program to help municipalities pay for the initial planning of eligible Clean Water State Revolving Fund water quality projects; and

WHEREAS, funding can be used by municipalities for the preparation of an engineering report as well as planning activities to determine the scope of water quality issues, evaluate alternatives, or propose a capital improvement project; and

WHEREAS, the Board of Trustees of the Village of Avon, Livingston County, supports the submission of a Consolidated Funding Application on behalf of the Village for funding to develop an engineering report for the installation of effluent disinfection equipment at its POTW; and

NOW, upon motion by Village Trustee Hayes, and second by Village Trustee William Zhe, it is RESOLVED, that the Board of Trustees of the Village of Avon recognizes and fully supports the submission of a Consolidated Funding Application by MRB Group for an amount not to exceed \$2,000 on behalf of the Village for an Engineering and Planning Grant.

The Board of Trustees voted as follows:

Timothy Batzel-*Aye*
Robert Hayes-*Aye*
William Zhe-*Aye*
Mark McKeown-*Aye*
Thomas Freeman-*Aye*

DPW UPDATE:

Superintendent Barrett updated the Board that the contractor has begun mobilizing at the Wastewater Treatment Plant, with a pre-construction meeting date being planned.

The DPW crew is working on High St. drainage before paving begins and on the River St. sidewalks with the hope of completing to the guardrail area this summer. Supt. Barrett is coordinating the street grinding crew for the first week in August for Clinton St., with paving to be completed before Corn Fest. Then the crew will be working on the drainage project near the Nursing Home as well as drainage on North Ave. on the Howlett property. In September, the Village and Town crews will be cooperatively working on the drainage project on Polebridge Rd. and Carriage Lane.

Mayor Freeman, Trustee McKeown and Supt. Barrett met with Dick Neth regarding drainage near his property on Spring St.

Per a NYS DEC forester, the ash trees in the Avon Driving Park have been infected with the emerald ash borer. These trees need to be removed to prevent potential liability. Mayor Freeman is concerned with public notification as this affects approximately 1000-2000 trees. Supt. Barrett and Attorney Whiting will work on a request for proposal to cut and remove all of these trees, with stumps to be cut down to three feet, to be completed before the next Village Board meeting for review and approval.

TREASURER'S UPDATE:

Treasurer Quinlan was in attendance and discussed the following:

- The Village Board is intending to apply for Restore NY funding for the Avon Inn property.

Intent to Apply for Restore NY Funding

If Municipality is intending to apply for Restore NY funding, this form must be submitted by the leading municipal official. Mail form to Restore NY, Empire State Development, 625 Broadway, Albany, NY 12245 or e-mail a signed pdf.copy to RNY4Intent@esd.ny.gov by **July 13, 2016**.

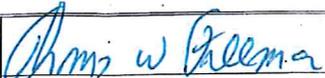
Applications from municipalities that do not submit this form will not be accepted.

ESD will acknowledge receipt of the Letter of Intent by sending a confirmation e-mail to the contact person identified below. It is the responsibility of the municipality to ensure that the Letter of Intent has been received by ESD. If an e-mail confirmation notice is not received by July 13th, the municipality must contact ESD at (518) 292-5200.

Municipal Name	Village of Avon		
Street Address (not PO Box)	74 Genesee St.		
City, State, Zip	Avon, New York 14414		
County	Livingston		
Contact Name	Christine Quinlan		
Title	Treasurer		
Phone Number	585-226-8118		
E-Mail Address	quinlan@frontiernet.net		
NYS Unemployment Insurance Tax #	04-61242 9		
Type of Municipality	City <input type="checkbox"/>	Town <input type="checkbox"/>	Village <input checked="" type="checkbox"/>
Senate District #(s) and Name(s) <small>(If multiple, list all. Attach additional page if necessary.)</small>	# 59	Senator Patrick Gallivan	
Assembly District #(s) and Name(s) <small>(If multiple, list all. Attach additional page if necessary.)</small>	# 133	Assemblyman Bill Nojay	

In the section below, provide a brief project description that includes how the project meets Restore NY goals (e.g. that the project will demolish/deconstruct and/or rehabilitate/ reconstruct vacant, abandoned, surplus and/or condemned residential, commercial and/or mixed use buildings). The description should include the size of the project (e.g. number of and/or square feet of buildings in the project). It should also include the intended reuse of the properties and other salient information such as its location in a target area of the community, or that it is part of a local revitalization or urban development plan. The description should not exceed 150 words.

Name of Project	Avon Inn
Estimated Project Costs	\$1,400,000
Estimated Restore NY Request	\$500,000
Briefly describe Project	<p>The Village of Avon is a member of the Livingston County Downtown Partnership Revitalization Program. The Avon Inn at 55 East Main St. is a prominent landmark within the designated downtown district of Avon and is listed on the National Register of Historic Places. The 15,000 square foot anchor building is currently vacant and derelict. NYMS-TA funds assisted with design concept documents and cost estimates. The planned scope of work is estimated at \$1.4 million and includes the creation of nine residential units and four guest rooms as well as the rehabilitation of the entire building to create a mixed use facility for weddings, events and a tavern area. This project will revitalize the Avon community by creating a destination business with a minimum of 8-10 new jobs. This project is a high priority for this community and would not be feasible without Restore NY funding.</p>

Signature		Date	July 11, 2016
Title	Mayor		

Upon a motion made by Trustee Zhe and seconded by Trustee McKeown, the Board agreed to submit the Intent to Apply for Restore NY funding. The motion was 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

- The Village Board is applying for funding for the stabilization, preservation, and restoration of the Five Arch Bridge. Heather Grant, Liv. Co. Grantwriter and Treasurer Quinlan have been updating the grant application for the Five Arch Bridge project.

A motion was made by Trustee Zhe authorizing Mayor Freeman of the Village of Avon to file an application for funds from the New York State Office of Parks, Recreation and Historic Preservation in accordance with the provision of Title 9 of the Environmental Protection Act of 1993, in an amount not to exceed \$434,000, and upon approval of said request to enter into and execute a project agreement with the State for financial assistance to the Village of Avon for restoration of the Five Arch Bridge and if appropriate, a conservation easement/preservation covenant to the deed of the assisted property. The Village agrees to provide a match of \$146,000 either in cash from General Fund Balance or in-kind contributions for this project.

The motion was seconded by Trustee Batzel and 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

- The Board reviewed the revised downtown district map and 2016 NYMS target area map to include the Avon Library. A motion was made by Trustee Hayes to approve these revisions. The motion 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
Robert Hayes, Trustee	Voting	Yes
Timmy Batzel, Trustee	Voting	Yes

PATHSTONE:

The Board acknowledged receipt of the Planning Board’s report and findings document. The Board members have had the opportunity to review the document and understand it. Trustee Hayes reviewed the Planning Board’s report and detailed each finding.

Pathstone has alleged that the Board told them to pursue a Planned Residential Development District (PRDD). A review of the Board minutes indicates no such direction was given as to such. The Board is permitted but not required to consider an application for a PRDD as any other application for an amendment of the Zoning Map, and may, but isn’t required to set a public hearing date to consider the application (Village Code 30.134 D).

Discussion ensued with Trustee McKeown commenting that the Board needs to know if there is some type of need for workforce housing. The Village should welcome workforce employees to live in our community. Trustee Zhe questioned whether there is a need. Trustee Batzel commented that the comprehensive plan is five years old and should be a moving target, with economic development being sought, we may need to consider adjustments. Mayor Freeman stated that the Village has finite areas for growth, not necessarily right for high-density housing. Traffic concerns and drainage need to be considered thoroughly in respect to each project. Mayor Freeman commented that he had suggested a PRDD to Pathstone, outside of a Board meeting, when he thought that the project was going to involve all twenty three acres. Mayor Freeman was disappointed to learn that the project didn’t incorporate all twenty three acres. Mayor Freeman and the other Board members commended the due diligence of the Planning Board members.

Upon a motion made by Trustee Hayes, the Board of Trustees finds that it isn’t necessary or appropriate to hold a further public hearing with regard to Pathstone’s application for a PRDD. Now, based on the entire record of proceeding had with regard to Pathstone’s application for a PRDD for the Country Hill Estate’s project and based upon the Report and Findings document submitted to the Board of Trustees by the Planning Board, it is hereby moved that Pathstone’s application is denied. 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
Robert Hayes, Trustee	Voting	Yes
Timmy Batzel, Trustee	Voting	Yes

Treasurer Quinlan was directed to have Clerk Randall inform this decision filed in the Village Clerk’s office on July 11, 2016, to Pathstone in writing.

MINUTES:

Upon a motion made by Trustee McKeown, the minutes from the June 6, 2016, Village Board meeting are hereby approved as submitted. Trustee Batzel 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	Abstain
Timmy Batzel, Trustee	Voting	Yes

VOUCHERS AND MANUAL CHECKS:

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

#1-General Fund	\$15,374.31
#4-Schedule C Fund	\$ 8,164.89
#5-Water Fund	\$ 6,497.25
#6-Sewer Fund	\$12,959.95
#17-Trust & Agency Fund	\$ 6,407.88
#93-Capital Fund	\$ 1,518.93
TOTAL	\$50,923.21

Manual Checks:

NYS Child Support Processing Ctr.	Child Support-Ferrara	\$ 660.00
Nationwide Retirement Solutions	Deferred Comp.	\$ 1,375.00
Law Enforcement Officer Dues	Police Dues	\$ 384.88
SEIU 200 United	DPW Dues	\$ 301.10
Morsch Pipeline, Inc.	Directional Drilling	\$22,000.00
Cassidy & Underwood	CDBG	\$19,885.00
Daniel Davis Construction	CDBG	\$ 4,800.00
Daniel Davis Construction	CDBG	\$ 7,460.00
Lima Carpet Co.	CDBG	\$ 3,566.33
Thoma Development Consultants	CDBG	\$ 2,123.45
Nationwide Retirement Solutions	Deferred Comp.	\$ 1,350.00
NYS Child Support Processing Ctr.	Child Support-Ferrara	\$ 660.00
	TOTAL:	\$64,565.76

The motion was seconded by Trustee Hayes, and was 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

TRUSTEE'S UPDATE:

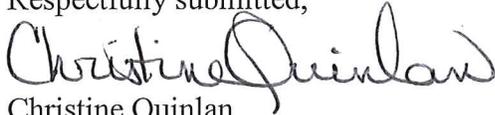
- Trustee McKeown would like to recognize Chad Bailey for passing his Grade D water operator with a letter of appreciation.
- Trustee Hayes reported that the deer committee met on June 30, 2016, although he wasn't able to attend. The deer committee was traveling to Trumansburg tonight to meet with their Mayor. The next deer committee meeting is on July 14, 2016.
- Mayor Freeman would like Trustees Zhe and Batzel to reconvene with Councilman Mairs and Coyne, and ask Lee Shanks to meet with them to discuss ideas for a downtown refuse compound. Treasurer Quinlan offered to contact Laurie Mastin from National Grid to see if they would be willing to provide an updated cost estimate regarding the lighting behind the businesses on Genesee St.
- Trustee Zhe said that he, Treasurer Quinlan and Clerk Randall met with Jan Rogers and Carolyn Lyness-Barratt from Livingston Insurance to review our current coverages.
- Mayor Freeman provided the Board with an update on Springbrook, issues with utility billing and financial reports.
- Trustee Zhe reported that a historical marker recognizing the spas will be placed near the kiosk at the Driving Park, dedicated on July 28, 2016, at 10 a.m.

OTHER ITEMS:

Bob Austen asked the Board about drainage issues on East Main St. between 229 East Main St. and 243 East Main St. Mayor Freeman will contact Supt. Barrett as millings were supposed to have been put there to create a diversion dam.

Upon a motion made by Trustee McKeown, the meeting was adjourned at 7:30pm.

Respectfully submitted,



Christine Quinlan
Treasurer