

Avon Village Board Meeting  
Monday, March 16, 2009

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, March 16, 2009.

Present: Thomas Freeman, Mayor  
Mark McKeown, Trustee  
William Zhe, Trustee  
Philip Swanson, Trustee  
Robert Hayes, Trustee

Staff: John Barrett  
James Carney  
Tony Cappello  
Christine Quinlan

Visitors: Bruce Amey  
Tom LaGrou  
Dick Driscoll  
Stan Driscoll  
Richard Martin

Mayor Freeman opened the meeting at 6:30 p.m. with the Pledge of Allegiance.

## **COMMERCIAL SEWER UNITS:**

Mayor Freeman opened the public hearing by reading the duly published notice.

Superintendent Amey asked the Board to leave the sewer units at 45 units rather than increase it to 48 at 245 Clinton Street. There was a water leak that was found under the structure and if you look at our overall consumption just that one quarter was extremely high. We repaired it and ask that our sewer units remain as is.

Richard Martin questioned his water/sewer bill at Iler's garage. He asked that since the water was turned off why he should receive a bill for water/sewer when the building is under construction? Mr. Martin expressed dissatisfaction and felt it was unfair.

Avon Village Board Meeting  
Monday, March 16, 2009

Superintendent Barrett explained even though water has been requested to be turned off, a sewer bill would still be generated even though the property is vacant.

Since they are going to start drywall next week, Mr. Martin said to forget about the refund.

The Board asked what his plans are for the building, and he said he didn't know at this time.

The Board talked about obtaining land from Mrs. Postler so perhaps a driveway could be put in so we would be able to get rear access to the signal from the East side.

John Barrett – I called Superintendent Amey and said we would like to tie the whole Village together with sidewalks. We're looking at 600' of sidewalk. It would connect at the end of the soccer field and end at the parking lot.

Superintendent Amey reported that John Barrett plowed the area this winter for the walkers. There are a lot of kids that go up thru there. It would tie the whole Village together. \$6856.00 for materials and labor and \$6495.00 for equipment which totals \$13,351. We would like to do it now. The school would pay for labor and material. The school doesn't need to bid it since they are working with Village.

Superintendent Barrett stated that the spring would be a good time to start this project.

A motion was made by Trustee Zhe and seconded by Trustee Swanson to approve this project and it was carried by the following vote:

Mayor Thomas Freeman	Voting	Yes
Trustee Philip Swanson	Voting	Yes
Trustee William Zhe	Voting	Yes
Trustee Mark McKeown	Voting	Yes
Trustee Robert Hayes	Voting	Yes

The Board reviewed the proposed commercial sewer unit changes as follows:

<u>Acct.</u>	<u>Name</u>	<u>Present</u>	<u>Proposed</u>
300700	St. Agnes School	2	3
500700	J.O. Cook, Inc.	24	21
4001000	ACS Elementary	6	7
4001100	ACS	45	48

Avon Village Board Meeting  
Monday, March 16, 2009

4001200	Nursing Home	27	28
5001400	CVS	2	1
5001500	Tom Wahl's	20	19
5002100	Peppermints	5	6
11002600	B & B Precision	6	9
12004300	Star Headlight	14	11
12004500	J.O. Cook, Inc.	7	4
12004600	Gray Metals	16	10
12005500	A.B. Equipment(Fat Sam's)	<u>6</u>	<u>3</u>
		180	170

Upon a motion made by Trustee Zhe the above-referred to changes to the sewer units are adopted with the following changes:

4001100	ACS	45	45
---------	-----	----	----

Trustee Swanson seconded the motion and it was passed by the following vote:

Mayor Thomas Freeman	Voting	Yes
Trustee Philip Swanson	Voting	Yes
Trustee William Zhe	Voting	Yes
Trustee Mark McKeown	Voting	Yes
Trustee Robert Hayes	Voting	Yes

**VILLAGE BOARD MEETING MINUTES:**

Upon a motion made by Trustee Hayes the minutes from March 2<sup>nd</sup>, 2009 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
Philip Swanson, Trustee	Voting	Yes
Robert Hayes, Trustee	Voting	Yes

## **TREASURER'S UPDATE:**

Treasurer Quinlan filed the tentative budget with the Village Clerk on March 13, 2009. The tentative budget was presented to the Village Board at tonight's meeting by the Village Clerk. The third quarter review will be discussed at the budget work session on Wednesday, March 18<sup>th</sup>.

Upon a motion made by Trustee Swanson, the public hearing shall be scheduled for April 20<sup>th</sup> at 7:00 p.m. for the adoption of the proposed budget. 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
Philip Swanson, Trustee	Voting	Yes
Robert Hayes, Trustee	Voting	Yes

## **WATER/SEWER RESOLUTION:**

Trustee Swanson offered the following resolution and moved for its adoption:

### RESOLUTION

WHEREAS, the Village of Avon residents are billed quarterly for the use of water and sewer within the Village, and

WHEREAS the February 1<sup>st</sup> billing is the last billing prior to the year end fiscal closing, and

WHEREAS, there are delinquent water and sewer accounts, it is therefore

RESOLVED, that all delinquent water and sewer amounts not paid prior to April 2, 2009 are, and they shall be, added to the Village of Avon tax roll for each specific delinquent account.

Trustee Zhe seconded the motion and it was carried by the following vote:

Avon Village Board Meeting  
Monday, March 16, 2009

Thomas Freeman, Mayor	Voting	Yes
Mark McKeown, Trustee	Voting	Yes
William Zhe, Trustee	Voting	Yes
Philip Swanson, Trustee	Voting	Yes
Robert Hayes, Trustee	Voting	Yes

**VOUCHERS AND MANUAL CHECKS:**

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

Fund # 1 General Fund	\$29,028.31
Fund # 4 Schedule C	\$10,375.98
Fund # 5 Water	\$ 1,161.79
Fund # 6 Sewer	\$11,999.75
Fund # 9	\$
Fund #10	\$
Fund #11	\$ 526.96
Fund #17	\$ 177.52
Fund #43	\$
Fund #44	
Fund #45	\$
Fund #46	\$
Fund #47	\$
Fund #48	\$
Fund #49	\$
Fund #50	\$
Fund #56	\$
Fund #57	\$
Fund #58	\$
Fund #59	\$
Fund #60	\$ 1,125.10
Fund #61	\$
Fund #62	\$
Fund #63	\$
Fund #64	\$
Fund #65	\$
Fund #66	\$
Fund #67	\$

Avon Village Board Meeting  
Monday, March 16, 2009

Fund #68	\$
Fund #69	\$
Fund #70	\$
Fund #71	\$
Fund #72	\$
Fund #73	\$
Fund #74	\$
Fund #75	\$
Fund #76	\$
Fund #77	\$
Fund #78	\$ 4,306.02
Fund #79	\$
Fund #80	\$
Fund #81	\$
Fund #82	\$
Fund #83	\$
Fund #84	\$
Fund #85	\$
Fund #86	\$23,606.31
Fund #87	\$
Fund #88	\$
Fund #89	\$ 136.50
Fund #90	\$
Fund #91	\$ 136.50
Fund #92	\$
Fund #93	\$ 7.74
Fund #94	\$
Fund #95	\$
Fund #96	\$
Fund #97	\$
Fund #98	\$
Fund #99	\$
TOTAL	\$82,588.48

Manual Checks:	Check #3167, HSA Funding (Ippolito)	\$1,487.50
	Check #3170, Law Enforcement Officers Union	\$ 387.00
	Check #3171, NYS Child Support Proc. Center	\$ 483.50
	Check #3169, NYS Income Tax Processing Unit	\$1,531.00
	Check #3172, SEIU 200 United	\$ 307.53
	Check #3168, Nationwide Retirement Solution	<u>\$1,593.44</u>
		\$5,789.97

Trustee McKeown seconded the motion and it was carried by the following vote:

Thomas Freeman Mayor	Voting	Yes
Mark McKeown, Trustee	Voting	Yes
Philip Swanson, Trustee	Voting	Yes
William Zhe, Trustee	Voting	Yes
Robert Hayes, Trustee	Voting	Yes

At this point Treasurer Quinlan reviewed the proposed budget with the Board.

## **POLICE UPDATE:**

Chief Carney reported that the Police Departments been quiet.

Chief Carney informed the Board that he had spoken to the Village's Attorney regarding the Defense and indemnification of officers and employees of public entities. If they are looking at you as a suspect you need a defense attorney with you. Attorney Whiting looked at it and in a civil case you're represented, for a criminal case you are not. The Village has never adopted Article 18. Article 18 is part of what covers you. Chief Carney suggested talking with Attorney Whiting.

Mayor Freeman suggested talking with our insurance agent. He believes we already are protected from this.

## **EXECUTIVE SESSION:**

Upon a motion made by Trustee Swanson, the Board went into executive session at 8:30 p.m. to discuss contractual issues and exited at 8:55 p.m. Trustee Zhe seconded the motion and it was carried by a unanimous vote.

## DEPARTMENT OF PUBLIC WORKS:

The following projects are in progress:

- Doing brush pickup
- Painting box for the sweeper
- Doing sewer lateral at King Cole's
- Guys will be striping East Main Street Wednesday or Thursday
- Next week they will start with water mains

Superintendent Barrett reported that he is on vacation Friday, March 20<sup>th</sup>, and April 9<sup>th</sup> – 15<sup>th</sup>. Bryan Scott will be in charge.

Mayor Freeman asked Superintendent Barrett to send a list to him of jobs that need to be done while he is away.

John Barrett met w/John Marks on Friday and they decided to prescreen the applicants for the Park Maintenance position and then do four to five interviews.

Mayor Freeman said he thinks it should be just John Barrett and John Marks who conducts the interviews.

Mayor Freeman reported to the Board that Ryan Colvin would like the Village to seek short term CWRSF funding this fall (2009) the Facility Plan would need to be written and submitted to NYSEFC by April 1. By completing and submitting this report it presents the project as "ready", which is a higher priority for possible funding.

The Board discussed the Development Regulations Book and because of the slow process of some of the developments the Board would like to modify the book and when a project is approved after a certain length of time passes, the applicant would have to obtain reapproval.

John Barrett suggested that going forward we need to have Reid Whiting write it into the existing development regulations book.

The Board discussed the drainage issues up at Frank Csapo's development and along Genesee Street.

## **CODE ENFORCEMENT OFFICER:**

Code Office Cappello updated the Board on the following topics:

- Code Officer Cappello informed the Board that he had sent out a letter to Phil Iler instructing him to remove all junk cars on his vacant piece of land.
- Mark Alexander – Has to put some catch basins in and do the grading. He is waiting to go to the Planning Board to discuss the shared driveway with them.
- Gutter is not on Tom Vonglis's building that's why it's so icy.
- On Feb. 15<sup>th</sup> the Code Officer threw the individual out of Driscoll's apartment. Ample time was given to get the furniture and personal belongings out of the apartment. Driscoll's want to get it cleaned out now. The time limit has run out.

Mayor Freeman – It's an issue between their attorney and themselves.

Mayor Freeman read the letter from Brian Zamaria aloud and asked if they should make an offer for the property or let the Town try to get it?

After a brief discussion Mayor Freeman agreed to contact Tim Stanton regarding the property.

## **TRUSTEES UPDATE:**

Nick Mazza & Kathy VanHorn met with Tom Freeman and Bill Zhe regarding refuse removal. Copies of the local refuse removal were distributed along with the curbside collection programs throughout the County. It is substantially cheaper if we bid it out.

Mayor Freeman – I would like to pursue it through the summer and get feedback from the residents. If it were added to the taxes, it would be tax deductible. The Village would set the standard which would become part of the contract.

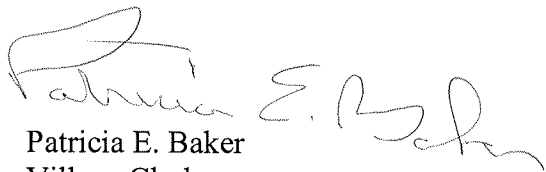
The Village Board agreed their annual meeting will be held on April 13<sup>th</sup>, at 6:30 p.m.

Mayor Freeman asked Trustee Hayes if he got a price on electronic signs. The Mayor also mentioned the possibility of selling memorial bricks by the Fire house to pay for the sign.

Avon Village Board Meeting  
Monday, March 16, 2009

Upon a motion, the meeting was adjourned at 9:30 p.m.

Respectfully submitted,

A handwritten signature in cursive script that reads "Patricia E. Baker". The signature is written in black ink and is positioned above the printed name and title.

Patricia E. Baker  
Village Clerk