

Avon Village Board Meeting
Monday, February 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, February 16, 2009.

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

Staff: John Barrett
Ryan Colvin
Reid Whiting
James Carney
Tony Cappello

Visitors: Howard Appell

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

VILLAGE BOARD MEETING MINUTES:

Upon a motion made by Trustee Zhe the minutes from January 26th and February 2, 2009 meeting are hereby approved as submitted. Trustee McKeown 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

EXECUTIVE SESSION:

Upon a motion made by Trustee Hayes, the Board went into executive session at 6:35 p.m. to discuss contractual issues and exited at 6:55 p.m. Trustee McKeown seconded the motion and it was carried by a unanimous vote.

TREASURER'S UPDATE:

GRANT AGREEMENT PROJECT:

New York State Housing Trust Fund Corporation has awarded a Community Planning Grant to the Village of Avon to receive an award in the maximum amount of \$12,000. The amount of Grant Funds that the Corporation has agreed to provide the Recipient under this Agreement is expressly conditioned upon the corporation's receipt of CDBG funds from HUD pursuant to the Act which is \$20,000, it will be a 60/40 matching grant.

The grant is designed to help municipalities identify and prioritize community development needs and goals and create strategies to achieve them.

Upon a motion made by Trustee Swanson, Mayor Freeman is duly authorized to execute the agreement between the Village of Avon and New York State Community Development Block Grant Agreement. Trustee Zhe seconded the motion and it was carried by the following vote:

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

FRA ENGINEERING & ARCHITECTURE, P.C.:

The Planning Board Chairman has requested the Village Board discuss and review a proposal from FRA Engineering for scoping services associated with the update of the Village of Avon Comprehensive Plan.

Upon a motion made by Trustee Hayes, Mayor Freeman is duly authorized to execute the agreement made between the Village of Avon and FRA Engineering & Architecture, P.C. not to exceed \$3,000. Trustee Swanson seconded the motion and it was carried by the following vote:

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

CLOSED PROJECTS:

Upon a motion made by Trustee Swanson the following projects are hereby closed and the remaining monies returned to the original source:

<u>Project Name</u>	<u>Balance Remaining</u>	<u>Original Source</u>
H-45-DPW Overhead Doors	\$320.00	HR-23 Buildings Reserve
H-85-Rescue Jack System	\$0	

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

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

VOUCHERS AND MANUAL CHECKS:

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

Fund # 1 General Fund	\$21,791.21
Fund # 4 Schedule C	\$ 4,604.75
Fund # 5 Water	\$ 624.13
Fund # 6 Sewer	\$3,286.37
Fund # 9	\$
Fund #10	\$
Fund #11	\$ 526.96

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Fund #17	\$ 177.52
Fund #43	\$
Fund #44	
Fund #45	\$7,680.00
Fund #46	\$
Fund #47	\$
Fund #48	\$
Fund #49	\$
Fund #50	\$
Fund #56	\$
Fund #57	\$
Fund #58	\$
Fund #59	\$
Fund #60	\$ 275.66
Fund #61	\$
Fund #62	\$
Fund #63	\$
Fund #64	\$
Fund #65	\$
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	\$

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Fund #88	\$
Fund #89	\$ 429.00
Fund #90	\$
Fund #91	\$ 429.00
Fund #92	\$
Fund #93	\$
Fund #94	\$ 33.52
Fund #95	\$
Fund #96	\$
Fund #97	\$
Fund #98	\$
Fund #99	\$
TOTAL	\$39,858.12

Manual Checks:	Check #2958, Postmaster – Feb. W/S Billing	\$ 153.63
	Check #3368, Postmaster – Feb. W/S Billing	\$ 153.63
	Check #3152, Law Enforcement Officers Union	\$ 418.72
	Check #3156, NYS Child Support Proc. Ctr.	\$ 483.50
	Check #3155, NYS Income Tax Proc. Unit	\$ 307.53
	Check #3153, SEIU 200 United	\$ 307.53
	Check #3154, Nationwide Retirement Solution	<u>\$1,806.28</u>
		\$5,154.44

Trustee Zhe 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

ATTORNEY UPDATE:

Attorney Whiting presented easements for Alexander Crossing which were executed by Mayor Freeman.

Attorney Whiting informed the Board that he was working on the deeds for Amalfi Drive and the pond and that there needed to be some corrections made. He will check with the County for the filing of these deeds and we should have them in a couple of weeks.

POLICE UPDATE:

Chief Carney submitted his January 09 Police Report to the Board.

Mayor Freeman asked Chief Carney how the car search was going.

Chief Carney informed the Board that DeLacey Ford came in below state bid and is holding a Crown Vic for them pending the 30 day process of publication.

Mayor Freeman asked if the old Crown Vic will be coming off the road.

Trustee Swanson stated that originally the Board at budget time said that in lieu of a leasing a car the old Crown Vic could be used for seminars.

DEPARTMENT OF PUBLIC WORKS:

Superintendent Barrett showed the Board pictures of Anderson Meadows and that the drainage and pond are working ok.

Ryan Colvin – Anything else that gets built out would have to go to the north.

Mayor Freeman –Is it up to today's standards?

Ryan Colvin – No, it's an open swale. Now there is a pipe in there. What is the capacity of these lines for future growth?

John Barrett – Do we have to honor a 30 year old site plan?

Reid Whiting – If the Village didn't put time restraints on it then, yes.

Ryan Colvin – In a letter of credit for the next phase we could put in a dollar amounts to cover potential problems. The area for a swale is not there because he put a pipe in; therefore the site plan is not as originally designed.

Mayor Freeman – How do we proceed?

Ryan Colvin – I suggest sending a letter from Village saying that as you get ready to finish the development the Village Board and would like to discuss the drainage situation in lieu of existing problems. I would get away from the swales. John Barrett will be able to handle the drainage to the south.

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Mayor Freeman instructed Superintendent Barrett to create a project for the 2009-2010 budget for the drainage at the south end of the development.

John Barrett reported that he was still working on the street sweeper.

Superintendent Barrett reported to the Board that Don Banker, Nick Lagattuta and Bill Lloyd all are billed off the master meter that was installed. They each have individual meters at their homes, but the Village takes the read from the master meter. Mr. Banker has come in numerous times concerned because his water bill is not getting paid. He pays his portion but a large balance remains on the account. If it's okay with the Board, I'd like to bill them individually. Mr. Banker is the only one that pays in a timely matter and it concerns him.

The Board unanimously agreed that there would be no problem in billing them separately.

Trustee McKeown – What is the status of the Pump House?

John Barrett – We just replaced windows and sidings and metal roofing, one new door is in and a second one ready to go in.

CODE ENFORCEMENT OFFICER:

Code Officer Cappello reported that recently a car cut down Ross Lane and because of the icy condition of Ross Lane the car was unable to stop and slid across Rochester Street. Since it is a private lane, who is responsible?

John Barrett – We've never been able to find ownership of that lane. 911 require us to put a street sign on the lane.

Reid Whiting – Does the Village plow it?

John Barrett – No.

Mayor Freeman– It is a separate parcel and no taxes are paid on it.

A letter was distributed by the Town Assessor stating that she thinks the property was foreclosed on and the owner is unknown. She will check with the County on this.

Code Officer Cappello stated that he closed another apartment down today. He informed the Board that he had the cooperation of the owner of the building and Social Service. The tenant trashed the apartment, and it is uninhabitable.

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Ryan Colvin suggested that Code Officer Cappello send a letter to Mark Alexander checking on the status of the improvements for Pole Bridge Road according to his open Letter of Credit and the time frame involved.

Code Officer Cappello also reported all the cigarette butts that are out in front of the businesses on Main Street. He suggested that a letter be sent out regarding littering.

TRUSTEES UPDATE:

Trustee Zhe reported that he had talked with Nick Mazza regarding trash pickup. He said that recent neighborhood meetings it had been discussed and was a viable issue. A couple other towns, Caledonia and Livonia are doing this. I believe Kathy Mussarella will do the research on it at no cost to us.

Mayor Freeman – I would like to keep this an open item and bring it up at other neighborhood meetings.

Mayor Freeman instructed Trustee Zhe to go ahead and gather information from the County.

Trustee Swanson – Especially if it's free I think it's worth it.

Trustee Hayes – Based on the feedback from the ambulance do we need to take action on a more stringent approach with the No Smoking Policy?

Reid Whiting – There's a uniform law adopted and it needs to be enforced.

Trustee Hayes – Should we send a memo?

Mayor Freeman has talked with the Ambulance Board and has attended their meetings.

The Board discussed the non-union employee's (John Barrett, Gary Margiotta, Christine Quinlan & Patricia Baker) Health Insurance Benefits.

Upon a motion made by Trustee Zhe the Board will pay the health insurance (Healthy Blue Health Saving Account Option 1) premiums for all full-time employees who elect coverage. The coverage will consist of Single, Two-Person, or Family (based upon the individual's applicable coverage), or if the full-time employee opts out, and does not take the insurance coverage, the employee will receive a flat amount of \$2,500, which can be paid in cash, or can be applied towards existing benefits provided by the Village, i.e., deferred compensation etc.

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The Village of Avon will pay premium for single dental coverage. (Smile Saver IV) for all full-time employees. Members who elect higher coverage will pay the difference.

Healthy Blue Health Saving Account Option 1, a high HSA deductible health care plan, is offered in combination with a Health Savings Account. The HSA will be administered by Key bank or an equivalent qualified administrator with administrative costs borne by the Village. The Village will make contributions to the employees HSA according to the following schedule:

The following maximum amount is the percent allowable by the IRS into the HSA.

1/1/2009	100%
1/1/2010	100%
1/1/2011	75%
1/1/2012	75%

The HSA contribution by the Village will be made on a quarterly basis. An employee in need may receive an earlier receipt of a quarterly payment upon proof of need. A new hire would receive HSA funding of 100% in the first year of employment and subsequent years funding according to the schedule set forth in this article. This Health Care Plan will take effect January 1, 2009.

The motion was seconded by Trustee McKeown and 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

Mayor Freeman asked Trustee Zhe and Trustee Swanson to look at the non-union contract.

Mayor Freeman discussed the budget meetings along with the Budget Deadline Dates and said we would have the Store Front Businesses as planned the first meeting in March and the Manufacturing Plants sometime in April during the day for a plant tour and a luncheon.

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EXECUTIVE SESSION:

Upon a motion made by Trustee Zhe, the Board went into executive session at 8:00 p.m. to discuss personnel issues and exited at 9:05 p.m. Trustee McKeown seconded the motion and it was carried by a unanimous vote.

Trustee Zhe informed the Board that he got the final job description of Park Ranger from John Marks. Trustee Zhe asked if they should come to the next Village Board meeting.

Mayor Freeman – Yes, he's welcome to come, the next meeting is fine.

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

Respectfully submitted,

Patricia E. Baker
Village Clerk