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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, April 20, 2009.

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

Staff: John Barrett  
James Carney  
Tony Cappello  
Chris Quinlan

Visitors: Lori Cruz

Mayor Freeman opened the meeting at 6:00 p.m. with the Pledge of Allegiance.

## **VILLAGE BOARD MEETING MINUTES:**

Upon a motion made by Trustee McKeown the minutes from April 13, 2009 are hereby approved as submitted. Trustee Zhe seconded the motion and it was carried by the following vote:

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

## VOUCHERS AND MANUAL CHECKS:

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

Fund #1 General Fund	\$22,137.74
Fund #4 Schedule C	\$ 12,829.01
Fund #5 Water	\$ 127.70
Fund #6 Sewer	\$ 69,882.02
Fund #9	\$
Fund #10	\$
Fund #11	\$ 12,246.29
Fund #17	\$ 4,830.70
Fund #44	\$
Fund #45	\$
Fund #46	\$
Fund #47	\$
Fund #48	\$
Fund #50	\$
Fund #52	\$
Fund #53	\$
Fund #54	
Fund #55	\$
Fund #56	\$
Fund #57	
Fund #58	\$
Fund #59	\$
Fund #60	\$ 351.96

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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	\$ 1,254.00
Fund #81	\$
Fund #82	\$
Fund #83	\$
Fund #84	\$
Fund #85	\$
Fund #86	\$ 947.85
Fund #87	
Fund #88	\$ 1,965.60
Fund #89	\$ 1,267.96
Fund #90	\$
Fund #91	\$ 1,267.96
Fund #92	\$

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Fund #93	\$ 1,101.05
Fund #94	\$
Fund #95	\$
Fund #96	
Fund #97	\$
Fund #98	\$
Fund #99	\$
TOTAL	\$130,209.84

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

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

Mayor Freeman referred to his letter to Kraft Foods dated February 23, 2009 stating that the Village would pursue stimulus money for capital work projects already set up in our five-year plan. Any stimulus money we receive towards the work at the plant would be a direct benefit to Kraft. The Village is willing to suspend their contribution for one year to our Capital Reserve Account for work at the Waste Water Treatment Plant.

Mayor Freeman asked for a motion to release money from the Capital Reserve Account in the amount of \$64,500. Trustee Swanson made a motion to release the fund and the motion was seconded by Trustee Zhe and carried by the following vote:

Thomas Freeman Mayor	Voting	Yes
Philip Swanson, Trustee	Voting	Yes
William Zhe, 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 their original source:

<u>Project Name</u>	<u>Balance Remaining</u>	<u>Original Source</u>
H-51-Hose Replacement	\$334.41	HR21-Fire Eqt. Reserve
H53-Replace N. Ave. gutters	\$5037.82	HR24-Streets Reserve
H61-Flow Testing	\$11,164.64	HR41-Sewer Lines
H63-Leak Detection	\$2921.18	HR31-Water Dist. Lines

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

## **EXECUTIVE SESSION:**

Upon a motion made by Trustee Hayes the Board went into executive session at 6:20 p.m. to discuss contractual matters. Trustee Zhe seconded the motion and the Board exited executive session at 6:30 p.m. The motion was carried by a unanimous vote.

## **2009-10 BUDGET PUBLIC HEARING:**

Mayor Freeman opened the public hearing for 2009-10 budget by reading the duly published notice.

Mayor Freeman once again asked that \$100 be taken out of his pay per month for supplies and refreshments for the neighborhood meetings.

There will be an overall tax increase of 1.44%, but the residential water/sewer rate will remain the same as in 2008.

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Upon a motion made by Trustee McKeown the budget was approved as proposed.  
Trustee Hayes seconded the motion and it was passed 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

## TAX WARRANT:

Upon a motion made by Trustee Swanson, Mayor Freeman is duly authorized to execute the tax warrant for the 2009 collection of Village taxes as set forth below:

### TAX WARRANT

TO: Christine Quinlan  
Village Treasurer

You are hereby commanded to receive and collect from the several persons named in the assessment roll, hereto annexed, the several sums named in the last column thereof opposite their respective names, for the following purposes:

<b>For the General Fund</b>	-	\$	<b>900,816.00</b>
<b>For Water Liens</b>	-	\$	<b>33,982.65</b>
<b>For Sewer Liens</b>	-	\$	<b>20,883.57</b>
<b>For Prorated Tax Exemptions -</b>		\$	<b>1,722.98</b>

**Being for all purposes a total amount of \$ 957,405.20**

Upon receipt of the roll and warrant by you, and on or before the first day of June, you shall cause to be published in the official papers of the Village, once a week for two consecutive weeks, a notice that such tax roll and warrant have been left with you for the collection of taxes therein levied, and shall designate one or more convenient places in the Village where you will receive taxes from June first to and including **July first** from eight o'clock in the morning until four o'clock in the afternoon, except Saturday, Sundays and holidays.

For said period of time you will receive all taxes paid to you without additional charge.

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On all such taxes remaining unpaid after July 1st, interest of five per centum shall be added for the month of July and an additional one per centum for each month or part thereof until payment or tax sale; all pursuant to Section 924(a) of the Real Property Tax law.

You shall attend at the time and place specified in said notice for the purpose of receiving said taxes.

After the first day of July you shall proceed to collect the taxes remaining unpaid, with interest as herein provided, but without any other fee or charge, and for the purpose you are possessed of all the powers of a Town Tax collector. All interest collected shall belong to the Village.

You are to make a return to this warrant on the first day of October after the delivery thereof to you, showing the total amount of taxes paid and each tax unpaid with the receipt of the Village Treasurer for all taxes paid to her, and shall file the roll and warrant in the Office of the Village Clerk. All unpaid taxes shall be sent to the County Treasurer, per Village Board resolution. And for so doing this shall be your sufficient warrant.

IN WITNESS WHEREOF: The Board of Trustees of said Village of Avon has caused these presents to be signed by its Mayor and the seal of the Village is hereunto affixed this 20<sup>TH</sup> day of April, 2009.

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THOMAS FREEMAN, MAYOR

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

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

## **BRIAN BATY CONTRACT:**

The Board briefly discussed the proposed contract for consulting services by B.M.A. Consulting Services, Inc. The Board agreed that they would like Brian Baty to attend a Board meeting and explain the type of services that are available to the Village through B.M.A. Consulting Services.

## **LORI CRUZ (CROP WALK AGAINST HUNGER):**

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Avon Interfaith Council will sponsor on May 9<sup>th</sup> the Avon Walks Against Hunger Campaign. 100% of the proceeds will stay here. It will take place throughout the Village. Teenagers can do this as Community Service. Registration will be here at the Village Building beginning at 8:30 a.m.

## DEPARTMENT OF PUBLIC WORKS:

Superintendent Barrett updated the Board on the status of his department as follows:

- Street sweeper is working fine.
- School project should be started next week. They want it done by June 1<sup>st</sup>.
- Justin Matusak has returned
- As soon as the summer kids return the grinding work will begin
- Regraded the track at the Driving Park
- Will be doing sidewalks in Case Park and making repair to others
- Sidewalks along North Avenue on hold for now
- New flags will be put up around the Circle Park for Memorial Day
- Grass seed will be finished in the park
- D.O.T. now wants one of the sidewalks put back in the park

Mayor Freeman stated that they would review the list of jobs that need to be done at the next meeting.

Treasurer Quinlan announced that the Department of Public Works is ready to begin the project of putting in sidewalks from James Chest home to the south end of the school parking lot. The project will be fully funded by the school; therefore, the project needs to be set up. The Village will buy the material and bill the school.

Upon a motion made by Trustee Hayes the following project is hereby established as follows:

Sidewalks for \$13,351 to be funded through Avon Central School

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

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

Superintendent Barrett questioned if the monies could be released so he could order the backhoe. If we wait until next year, there will be a 5% - 7% increase. The old backhoe should bring \$8,000 - \$10,000. I'd like permission to buy it now.

A motion was made by Trustee Zhe to release monies (\$60,000) for the backhoe project. The motion was seconded by Trustee Swanson and carried by the following vote:

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

Mayor Freeman informed Superintendent Barrett that he would like to see service on vehicles brought back into the Village as much as possible.

The water rates for Barilla, Kraft & Caledonia were briefly discussed.

Currently Kraft is paying Schedule C rate of \$2.22, Barilla is paying \$2.09 and Caledonia is charged \$4.00.

Upon a motion made by Trustee Swanson, the Village Board agreed to raise the Caledonia Water District #3 water rate to \$4.75. The new water rate to Livingston County Water & Sewer Authority will be effective August 1st. Trustee Zhe seconded the motion and it was carried by the following vote:

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

The Board along with Superintendent Barrett discussed the idea of billing water/sewer three times a year.

Superintendent Barrett informed the Board that he had just ordered the new water meter reader today and would like to wait until it's up and running before making a decision. They will evaluate the idea at a later date.

Trustee Zhe Reported:

- People are going back and dumping at the old dump site. We need to put a chain up.
- Signs are needed down at the Driving Park regarding dogs running loose and people not cleaning up after them.
- Garbage bags & cans are needed for Saturday for the crew that will be working on the fitness trails. Also the bathrooms will need to be opened.

Trustee McKeown questioned the lawn restoration on East Main Street.

Superintendent Barrett informed him that he would check on it.

Mayor Freeman asked Trustee Zhe for a list from the walk through of the park.

Mayor Freeman asked Superintendent Barrett to review the gray book and see if anything jumps out at him that should be addressed and report back to the Board. Mayor Freeman will also ask the Planning Board to review the regulations book and come back to the Village Board with suggestions or changes that may be needed.

Mayor Freeman discussed with the Board and Superintendent Barrett about the bricks that are settling in front of Hurricane Technology and Avon Dale. Because they are a hazard to pedestrians, Mayor Freeman instructed Superintendent Barrett to make the repairs necessary.

## **CODE ENFORCEMENT OFFICER:**

Code Officer Cappello updated the Board on the status of his department:

- Monitoring sidewalks at D'Angelo's Subdivision, they are still four short. He informed the Board that he will be doing a form letter and sending it out to several homeowners and property owners who need to have their yards and weeds taken care of.
- Iler's cleaned up all but two cars.
- King Cole has patched holes and cleaned up the yard.
- Mark Alexander is in the process of grading the new home on Pole Bridge Road and has not yet applied for a building permit for the second house.

The Board discussed perhaps putting in a gravel path from D'Angelo Parkway to Case Park. Mayor Freeman asked Trustee Hayes to check with the neighbors up there to see if it were something they would like.

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Mayor Freeman also asked Mr. Cappello to review the Gray Book, investigate and ask around and see if anything should be changed in our book.

It came to his attention that as Code Enforcement Officer, you need to have 25 hours of credits per year to remain certified. Therefore, Mr. Cappello informed the Board that he needs to have more money put in the budget to cover the classes that he will be attending this year.

## **POLICE DEPARTMENT UPDATE:**

Mayor Freeman questioned a police car at Rhodes and would like to spend money with the people that pay our bills, within the Village. So he asked that Chief Carney pass the word on that request to the other Officers.

Chief Carney informed the Board that a Grant has been submitted for COPS.

Waiting on stripping before new car is on the road. Before all molding is put back in he wants to make sure everything is complete.

Mayor Freeman if asked if the old Crown Vic will still remain as an active police car?

Chief Carney informed him that it will be an additional car.

A letter received from Bernard P. Donegan, Inc. dated April 13, 2009 was acknowledged regarding the \$1,100,000 Public Improvement (Serial) Bonds, 2009.

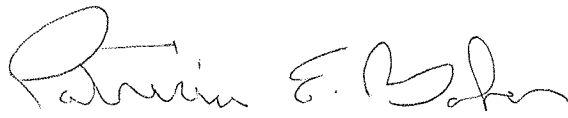
The Board along with Treasurer Quinlan discussed the Comprehensive Grant for the Planning Board. Mayor Freeman informed the Board that he would be meeting with Chairman Korth later in the week to discuss the details further.

Trustee Swanson gave a report of the meeting of Mayors concerning Downtown Revitalization Program (Alliance for Business Growth). Because of tight budgets due to the economy the program may end if interim 2010 support is not identified.

Upon a unanimous motion, the meeting was adjourned at 8:30 p.m.

Respectfully submitted

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A handwritten signature in black ink, appearing to read "Patricia E. Baker". The signature is written in a cursive style with a large initial "P" and a distinct "E" and "B".

Patricia E. Baker  
Village Clerk