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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, March 16, 2015.

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

Staff: John Barrett
Tony Cappello
Brian Glise
Christine Quinlan
Sergeant Joe Geer

Paul Drozdziel

Visitors: Pepper Lisieski
Theresa Cole
Stan Driscoll
Kim McDowell
Meg Holmes
Josh Williams

Mayor Freeman called the meeting to order at 6:00 p.m. with the pledge of allegiance.

COMMERCIAL SEWER PUBLIC HEARING:

Mayor Freeman read the official notice that was published in The Livingston County News. The Board is ready to hear any and all complaints in relation to the number of commercial sewer rents assigned for the Village's year commencing August 1, 2015. There will be no change in the number of residential units during that period unless there has been or will be a change in the number of living units within a building.

The Board reviewed the proposed commercial sewer unit changes. These accounts include multi-structures, i.e. a business with apartments above, as well as strictly commercial businesses is as follows:

<u>Acct.</u>	<u>Name</u>	<u>Present</u>	<u>Proposed</u>
1001300	Matthew Murphy	4	3
2006700	Edward Coyne	W-27 SE-23	W-26 SE-22
4001000	ACS Elementary School	8	9
300100	Pizza Land	5	2
4001100	ACS High School	24	23
5002100	Peppermints	7	9
5002250	Tops Markets	8	7
5002251	COTOPS	6	9
6006800	Community Integrated Svcs.	1	2
12004300	Star Headlight	11	10
12004600	Gray Metal Products	9	14
12004800	Aldon	6	7
12005500	A.B. Eqt. Co.	2	3
TOTAL W		118	124
TOTAL SE		114	120

Dan Driscoll said he received a letter stating that sewer unit is going to increase from two units to three units. He said nothing has changed. There is one apartment up and Fat Sam's below. A tenant may have left the water on because they were evicted.

It appears that there is one quarter where the water had increased.

A motion was made by Trustee McKeown and seconded by Trustee Hayes that the proposals presented be accepted as submitted with the exception of A.B. Equipment and the units will remain at two. 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

SENIOR CLASS (BRIDGE PAINTING):

The committee for the Senior Bash asked permission for the seniors to once again paint the bridge on Spring Street on June 26th at 7:00 p.m.

John Barrett informed them that there would be a \$50 charge to get the paint and once painted the DPW crew would repaint the bridge.

John – Set up a time with Police.

Mayor Freeman asked Sergeant Geer if there was anything he would want to see different.

Sergeant Geer – We just need an itinerary.

VILLAGE BOARD MEETING MINUTES:

Upon a motion made by Trustee Zhe the minutes from March 9, 2015 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
Timmy Batzel, Trustee	Voting	Yes
Robert Hayes, Trustee	Voting	Yes

THERESA COLE:

Ms. Cole stated that she was in attendance to talk about the Farmer's Market on behalf of the Chamber of Commerce. She explained the importance to support local commerce and the benefits of having a market here.

A Vision Statement was submitted. How do we get people here? I'd like to get some people from the city out here. It should be family friendly and I would like to change the location.

Mayor Freeman – What was the reason for it to be at Tops?

Treasurer Quinlan – It was down by the Zion Church and because of the construction we went to Tops.

Theresa Cole – I would like to make it something that people make time in their week for. Maybe we could do it with Saturday Night Outs. Maybe have some food trucks. There needs to be affordable goods and produce and a lot of variety, and family friendly.

Trustee Hayes – I thought it was a good idea. We need to exploit our Village and Town and wanted to make sure the Board would be amenable to have the Market in the Downtown area.

Josh Williams – Will it be in Tops this year? Has a decision been made?

Theresa Cole – I think the reason for coming here tonight is to see if we could come down to the Village with the Market. We would like something fresh and new.

Mayor Freeman – Affordable and healthy is good. We have a lot of senior citizens that live here in the downtown area and it would be beneficial for them.

DPW UPDATE:

- Meeting with Hach for BOD meters. Asked Kraft and Barilla to attend.
- Thursday meeting at 12:30 with Kraft. Going to tour through our WWTP and then we will tour Kraft's WWTP facility.
- Trying to set up Water Board Meeting for Wednesday night. Put in all numbers and they will be the same as last year.
- List of projects at water treatment plant, replacing valves and influent pumps submitted.
- Budget done and project list is submitted. Water/sewer rates should be done tomorrow.
- Duane Staples and Ken Berbary are returning this spring.
- Tom Moran is about ¾ of the way through the Village with the radio read meters.

Superintendent Barrett expressed some concern with the County's Intermunicipal Agreement.

John Barrett stated that we have an emergency equipment list and I have no problem with that. The question is what equipment do you want to rent out and make available to other municipalities?

Mayor Freeman - Should we follow up with a letter to the county? Do we say man and equipment?

Trustee McKeown – They are looking for our equipment list to see what is available?

John Barrett – I will make up a list of equipment that we don't use much. I would hate to rent out equipment that we use often and find that we have an immediate need for it.

Superintendent Barrett reported that he is watching areas in the Village with potential water issues as the snow is melting.

Trustee Zhe reported that the Park Commission hasn't set up a park walk yet, and when they do they will let Jim Fusco know when that will be.

Trustee Batzel reported that the Elementary School sidewalk is heaved pretty badly.

Bruce Amey said they are looking at another driveway project. As long as they can work on our time schedule. He would like to do it in late spring.

PEPPER LISIESKI:

Ms. Lisieski introduced herself to the Board and informed them that she works for the VA. She is currently working with an individual from the Village of Avon that has some mental issues and is unable to make financial decisions for himself. His home is in disrepair and black mold has been found. Serve Pro could not clean it up and it has become uninhabitable. There is no electrical in the front of house. He is running extension cords and there are exposed wires. There is a smoke stack coming from the house and it looks like it's gotten very hot. There is moldy wet carpet on top of things and he is a hoarder. The bank will not touch the place. The neighbor is pretty close and if the house should go up in flames the neighbors are at risk. How do we help this gentleman?

If the home is condemned, the VA will be there to help, he will not be homeless. He deserves better than that. He does not grasp what is going on. He is somewhat agreeable to move.

Mayor Freeman asked if the individual listens to Ms. Lisieski?

Pepper Lisieski – Yes he does.

Mayor Freeman – Our concern is the neighbors, why doesn't he put a for sale sign up?

Pepper Lisieski – I have talked to a real estate person. He still owes thousands of dollars on his home. As his case manager I can try to talk to the Financial Institution on what he owes.

Trustee McKeown – We need to take some action to help him relocate.

Mayor Freeman – We are limited on what we can do on private properties that have been foreclosed on.

Mayor Freeman – Do you want us to foreclose on it?

Pepper Lisieski – I think so. I will talk to admissions coordinator and hopefully within two weeks he will be at a new place.

Tony Cappello – First I have to condemn the house. Also 25 Doer Avenue has the same problem. The place was flooded and there has to be mold growing.

Tony will write the condemnation.

CODE ENFORCEMENT OFFICER UPDATE:

- Lady on North Avenue upset because of flooding caused by homes at the D'Angelo Parkway. She was instructed to talk to Superintendent Barrett.
- Inspected the Odd Fellow building for upstairs apartments. There is a fire escape and stairs down and will submit an application for apartments.
- Brian Glise went to the Glenn Apartments. There was dry wall hanging from water damage in an apartment. The owner said he would fix the roof in the spring. The catch basins in the parking lot have collapsed and it backs up and floods the basement.

PAUL DROZDZIEL:

Paul Drozdziel explained to the Board that the Planning Board is a seven member board and have been operating as a six member board for a year. If you look back at the minutes we haven't had full attendance or Kevin O'Donohue has had to bow out because he has done the survey work for the applicant in over a year. It seems difficult to get a full board so we brought up the discussion once again of a five member board and concluded a five member board would work. Bonnie's last meeting will be in April. We talked about an alternate.

Mayor Freeman– The alternate member would help with Kevin's situation.

Trustee Zhe – What changed your thinking?

Paul Drozdziel– A lot of group thinking and just went along with the flavor of the day and I encouraged people to share their thoughts and opinions. We can move forward with the five member board at this time.

Trustee McKeown – What is the criteria for an alternate?

Mayor Freeman – I checked with Churchville. They would sit off to the side at each meeting and not be able to vote unless needed. That could be implemented at a later date.

A change in the Local Law would need to be made going from a seven person board to a five person board.

Trustee Hayes suggested sending a letter to the Planning Board stating the importance of attending meetings on a regular basis.

Mayor Freeman brought up the MRB bills that get back charged to individuals. There has been some uncertainty when individuals are to reimburse the Village for engineering charges.

Paul Drozdziel admitted he does not have a clear understanding on how the cost is passed along or shared. First I think we need to get the person in the room and hear their ideas before involving MRB. I'm not sure how MRB gets invited. I come into a meeting and they are there.

Mayor Freeman - We will work through charge backs with Ryan Colvin.

Mayor Freeman questioned if Town Engineers and Attorneys are present at every meeting.

Tony Cappello – Every meeting the engineer is there.

The Mayor updated Chairman Drozdziel on drainage issues and Alexander Crossing.

Trustee Batzel – If Bonnie isn't going to go back to the Livingston County Planning Board, will we have to appoint someone to fill that spot?

Mayor Freeman – I'm not sure.

VOUCHERS:

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

#1	\$ 46,902.67
#4	\$ 7,153.80
#5	\$ 2,248.02
#6	\$ 2,625.25
#17	\$ 1,760.00
#49	\$ 21.45
#50	\$ 21.84
#64	\$ 626.40
#77	\$ 12,121.53
#87	\$ 2,075.00
#93	\$ 17.97
#11	\$ 22,906.25
TOTAL	\$ 98,480.18

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

BANK RECONCILIATIONS:

Treasurer Quinlan reported that the Bank Reconciliations were up to date. Jen from Ray Wagers office came into the office earlier today and finished up to March 1st.

Trustee McKeown volunteered to set up a time with Deputy Clerk Margiotta to review the bank reconciliations and make sure they are current.

CLOSED PROJECTS:

Upon a motion made by Trustee Hayes the following projects are hereby established as follows:

<u>Project Name</u>	<u>Balance Remaining</u>	<u>Original Source</u>
H66-AFD Gear Racks	\$ 773.95	HR21-Fire Eqt. Reserve
H68-Playground Eqt.	\$8665.31	A201-Gen. Fund Balance

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

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

OPEN PROJECTS:

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

Parks Lodge in the amount of \$8665.31 from General Fund Balance

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

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

TRUSTEE'S UPDATE:

WATER/SEWER RESOLUTION:

Trustee McKeown 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 1st billing is the last billing prior to the yearend 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 9th, 2015 are, 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:

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

FAIR HOUSING MONTH:

The Board has been asked by THOMA Development Consultants to declare “April as Fair Housing Month.

WHEREAS, in accordance with the Title VIII Fair Housing Policy of the Civil Rights Act of 1968 and the Fair Housing Amendments Act of 1988 and,

WHEREAS, the month of April, 2015 has been designated by the U.S. Department of Housing and Urban Development’s Office of Fair Housing and Equal Opportunity as Fair Housing Month.

NOW THEREFORE, BE IT RESOLVED, that the Village board of Avon hereby declares and proclaims April as Fair Housing Month in the Village.

A motion was made by Trustee McKeown and seconded by Trustee Hayes to approve the above proclamation. The motion was carried by the following vote:

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

Mayor Freeman reported that the smoke alarm in the Park Theatre went off.

Code Officer Cappello stated that the structure as a whole seems sound. The bathrooms and basement are in rough shape. It would take some money to get it up and running.

Mayor Freeman – What do we need to do? When people ask what are we doing to get it opened? He won’t get grant money if he is going to sell it.

Trustee Hayes – Until we can talk him down to a decent price nothing is going to happen.

Mayor Freeman suggested inviting Mr. Rittersbach to a Chamber Meeting.

Mayor Freeman informed the Board that there is some interest in Dick Martin’s property up by the Nursing Home.

A Budget Work Session is scheduled for March 30th at 5 p.m.

EXECUTIVE SESSION:

Upon a motion made by Trustee Hayes, the Board went into executive session to discuss personnel matters at 8:35 p.m. and exited at 9:00 p.m. Trustee Zhe seconded the motion and it was carried by a unanimous vote.

Upon a motion the meeting was adjourned at 9:00 p.m.

Respectfully submitted by,

A handwritten signature in cursive script, appearing to read "Patricia E. Baker".

Patricia E. Baker
Village Clerk