

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 May 22nd, 2017.

Present: Thomas Freeman, Mayor
Mark McKeown, Trustee
Bill Zhe, Trustee
Tim Batzel, Trustee
Rob Hayes, Trustee

Staff: Chris Quinlan
John Barrett
Brian Glise
Chief Gary Benedict
Sergeant Joe Geer

Visitors: The Cassada's
Don Mastin-Deer Committee
Chuck Kanty- Deer Committee
Scott Gage- Deer Committee

Mayor Freeman called the meeting to order at 6:05pm and began the meeting with the Pledge of Allegiance.

RICHARD CASSADA:

Mr. and Mrs. Cassada came back before the Village Board to discuss the water damage to their home. There is still extensive damage, and he believes that the bulk of the problems stem from the construction of D'Angelo Parkway. Mr. Cassada stated that there was no water issue from 1962 up until the building of D'Angelo Parkway. They have done work to try to repair drainage issues, but there is still a problem. The Cassadas explained that they have a finished basement that they are unable to use because of the damage. Mrs. Cassada proceeded to show the Board pictures on her cell phone of the water that comes through their backyard and explained that the creek has redirected itself right onto their property. Superintendent Barrett explained that they are going to be putting in a catch basin at Howlett's and that will redirect through the Driscoll's. The Mayor asked Superintendent Barrett to have Lance Brabant of MRB, Tony Cappello and Brian Glise to take a look at the Cassadas property and give some engineering resolve. Superintendent Barrett said he will organize a meeting between all parties.

DPW UPDATE:

Superintendent Barrett was in attendance to update the Board on the following:

- **OAK HILL DRIVE-** Superintendent Barrett said that he has the right of ways for the landowners, and that he should be hearing from them soon. He is going to call Lakeland to order the structures needed. The Lake Road work will hopefully begin in July.

- **Wadsworth Avenue Flooding-** the railroad ditched from Kraft north. The Village didn't know that was happening and when there was a heavy rain storm, there was flooding on Wadsworth Avenue by the National Grid building. Trustee Batzel stated that if Kraft closed the gates at the parking lot, it would help with flooding.
- **Avon Driving Park-** Steve Schiano is working on cleaning up at the Driving Park and is getting ready to do some planting after taking down the Ash trees that were infected by the Emerald Ash Borer.
- **United Way Day of Caring:** Superintendent Barrett said that there are students coming from the high school to help the Village Crew prepare the Village and the Circle Park for the Memorial Day holiday. The students helped with clean up and mulching among other things.
- **Livingston County Soil and Water District-** Trustee Zhe and Superintendent Barrett met with Mr. Robert Stryker who is the District Manager of the Livingston County Soil and Water District. They met at the downs to discuss a project consisting of piping, ditching and filling up Mill Street. They discussed the funding available and it is believed that they could get full funding to be able to pay for the whole project.
- **Waste Water Treatment Plant (WWTP)-**Work continues at the WWTP. The first cover has been lifted on the digester and the piping is being worked on. It will be about two to three weeks until they will be ready to come online. The primary needs to be drained down in order to start to warm the secondary. At this point, Superintendent Barrett wants to talk to MRB to figure out what will happen with the "dead sludge".

VOUCHERS AND MANUAL CHECKS:

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

#1-GENERAL FUND	\$48039.89
#4-SCHEDULE C	\$2901.46
#5-WATER	\$298.03
#6-SEWER	\$58296.26
#17-TA	\$
#50-CAPITAL	\$
#62-CAPITAL	\$
#65-CAPITAL	\$
#72-CAPITAL	\$
#73-CAPITAL	\$1244.07
#77-CAPITAL	\$96243.26
#84-CAPITAL	\$34060.10
#91-CAPITAL	\$647.84
TOTAL	\$241730.91

Manual Checks:

Nationwide Retirement	Def. Comp 17-10	\$1375.00
Law Enf. Off Union	Police Dues May	\$412.16
SEIU 200 United	DPW Dues	<u>\$308.66</u>
	TOTAL:	\$2095.82

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

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

CODE ENFORCEMENT UPDATE:

Brian Glise updated the Board on the following:

- Tetamore Home- Ty Lin Company is a firm that looks at the drawings for a structure and determines if it is up to code. The report shows that everything looks to be to the latest code. Ty Lin will then issue a certificate that we in turn give as part of us conforming to the new energy codes. Mayor Freeman asked about homes that are not up to the new codes. Brian stated that he is working with certain areas slowly. He reaffirmed that these are not Village codes but NY State codes.

POLICE UPDATE:

Chief Benedict gave the following update to the Board:

- The AEDs are all in. The old ones will go to St. Agnes. (These are still in working order)
- Spring Street has been closed for the Bridge project. According to the railroad spokesperson, the road will be closed for at least an extra 2 weeks.
- There have been issues with the police cars. There was an altercation with a suspect in the Tahoe. According to Chief, the perpetrator head butted the car in the midst of the incident, and while he was ok, he did \$500.00 worth of damage to it. The engine blew in the Crown Vic as well. Chief believes that it will be about \$3500.00 to repair. He is going to get a few more quotes to submit to the Board.
- Channel 8 News is looking to do a community BBQ with several villages and towns throughout the summer, including the Village/Town of Avon. The Board discussed the possibility of using the Circle Park in the heart of the Village. There is difficulty with this spot because of traffic around the circle. The Board also discussed the possibility of shutting down Genesee Street in order to showcase downtown.

TREASURER'S UPDATE:

Treasurer Quinlan gave the Village Board an update on the following:

- Treasurer Quinlan discussed that she will be attending a meeting with the Genesee Valley Breeders Association on June 8th, along with Trustee Zhe, Superintendent Barrett, and Parks Commission Chairperson John Marks, to discuss the state’s effort to grow the agricultural economy. She will also be meeting with Livingston County Grant writer Heather Grant in order to discuss possible grant opportunity for the Rotary Lodge. Treasurer Quinlan also sat in on a conference call with the Krause’s- the new owners of the Avon Inn- in regards to the Restore NY Grant. She also informed the Board that NYPA has a program that allows them to come to the Village to evaluate buildings, streetlights, etc. to help us with energy efficiency.
- **New York Main Street Grant-** Treasurer Quinlan expressed to the Board that she was going to apply for the grant again combining efforts with Leicester NY, in the amount of \$500,000.

Upon a motion made by Trustee Hayes and seconded by Trustee Zhe, the following resolution for the Main Street Grant was adopted:

RESOLUTION

Resolution by the Avon Village Board approving and endorsing The Livingston County Development Corporation in its application to NYS Homes and Community Renewal for funding under the New York Main Street Program for Building renovation projects in the designated downtown district.

WHEREAS, The Livingston County Development Corporation desires to apply for \$500,000 in financial assistance through the 2017 Consolidated Funding Application under the New York Main Street Program; and

WHEREAS, the application proposes funding to assist mixed-use building renovation projects within the designated downtown districts of Avon and Leicester; and

WHEREAS, the proposed funding will contribute to ongoing community revitalization efforts; and

WHEREAS, the grant application requires that the applicant obtain the approval and endorsement of the governing body of the municipality in which the projects will be located.

NOW, THEREFORE, BE IT RESOLVED, that the Avon Village Board approves and endorses the 2017 Consolidated Funding Application under the New York Main Street Program prepared and to be submitted by the Livingston County Development Corporation.

Passed by the following vote of all Avon Village Board Members voting in favor thereof:

Affirmative Avon Village Board Members:

Thomas Freeman, Mayor	Voting	Yes
Tim Batzel, Trustee	Voting	Yes
Mark McKeown, Trustee	Voting	Yes

William Zhe, Trustee	Voting	Yes
Robert Hayes, Trustee	Voting	Yes

- **Five Arch Bridge**-Treasurer Quinlan talked about the Five Arch Bridge restoration. She has been working with Heather Grant, grant writer from Livingston County.

RESOLUTION

The Village Board is applying for funding for the stabilization, preservation, and restoration of 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 \$251,250, 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 \$83,750 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
Tim Batzel, Trustee	Voting	Yes
Mark McKeown, Trustee	Voting	Yes
William Zhe, Trustee	Voting	Yes
Robert Hayes, Trustee	Voting	Yes

- **LIVINGSTON COUNTY DEVELOPMENT**- The Board was presented with the Renewal of Village of Avon/Livingston County Development Corporation (LCDC) Memorandum of Understanding of which it is required that Mayor Freeman sign off. This will renew the Downtown Partnership Program Membership effective June 1, 2017.

Upon a motion made by Trustee Zhe and seconded by Trustee Batzel, the Board approved the Mayor to sign the renewal. The motion was carried by the following vote:

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

- **Fire Dept. Grant**- Treasurer Quinlan discussed the grant for the fire department and that they will be using it for a generator and 2 backpack leaf blowers. The cost for these items is \$2800.00.

Upon a motion made by Trustee Batzel and seconded by Trustee Hayes, the Board approved the request to apply for the grant. The motion was carried by the following vote:

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

- **Chris Bishop-** Treasurer Quinlan noted an error that was made in Mr. Bishop's taxes for the year and requested the Board to agree to correct the error.

Upon a motion made by Trustee McKeown and seconded by Trustee Zhe, the Board agreed to correct the clerical error based on Treasurer Quinlan's recommendation. The motion was carried by the following vote:

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

TRUSTEE'S UPDATE:

- Mayor Freeman discussed that buying down the bond for the WWTP will save the Village approximately \$50,000 per year.
- The Board has received a purchase offer for a .8 acre land parcel from the LIC. The Mayor wants the letter sent to Attorney Whiting.
- Attorney Whiting would like Superintendent Barrett to get GPS coordinates to include with the easements requested for East Main Street.
- The Board discussed the refunding of the building permit fee to Doug Yencer. His permit was not approved and the refund would be for \$341.66. Trustee McKeown didn't think refunding was the solution. He felt that after being told repeatedly that his request would more than likely be denied, he continued to move forward and paid for everything. He feels that this could set a precedent that the Village is not necessarily ready to follow.

Upon a motion made by Trustee Hayes and seconded by Trustee Zhe, the Board decided to refund the fee. The motion was carried, three to two, by the following vote:

Thomas Freeman, Mayor	Voting	Yes
Tim Batzel, Trustee	Voting	No
Mark McKeown, Trustee	Voting	No
William Zhe, Trustee	Voting	Yes
Robert Hayes, Trustee	Voting	Yes

- The Board decided to move forward with the Deer Committee's recommendation to work on the deer issue in the Village.

Upon a motion made by Trustee McKeown and seconded by Trustee Batzel, the Board agreed to allow the Deer Committee to move forward and submit the Deer Damage Application and Permit form to the DEC. The motion was carried, four to one, by the following vote:

Thomas Freeman, Mayor	Voting	Yes
Tim Batzel, Trustee	Voting	Yes
Mark McKeown, Trustee	Voting	Yes
William Zhe, Trustee	Voting	Yes
Robert Hayes, Trustee	Voting	No

EXECUTIVE SESSION:

Upon a motion by trustee Zhe and seconded by Trustee Hayes, the Board entered into executive session at 8:50pm to discuss contractual and personnel issues, and exited at 9:50pm. No action was taken. The motions were carried by the following vote:

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

Upon a motion made by Trustee Hayes and seconded by Trustee Zhe, the meeting adjourned at 9:50pm.

Respectfully submitted,



Heather Randall
Village Clerk