

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 June 19th, 2017.

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

Staff: Tony Cappello
Brian Glise
Chris Quinlan
Chief Gary Benedict

Visitors: Shirley Mendola
Gary Mendola
Ann Younger
Anthony Saylor
Timothy Paul
Mark and Amy Peri
Dan and Donna Shinnars

Mayor Freeman called the meeting to order at 6:01pm and began with the Pledge of Allegiance.

GARY MENDOLA:

Gary Mendola approached the Board with a few things he wanted to alert them to. He proceeded to discuss the rainy season and stated that the water is getting out of hand and is coming across the driveways. He is concerned with the erosion he sees and says that the more it erodes the worse the water gets. He also wanted to make sure that they knew that there is a tree that is cracked down the middle of the trunk and he is worried that it will fall down and land across the stream that the draining water is flowing down. The Mayor stated that the Village is aware of the water flow there and is looking to find the source. Another possibility is where they may be able to put a pond and continuing maintenance with the existing ponds behind those homes. He will have the engineers take a look and also look at the erosion. The Mayor thanked Mr. Mendola for bringing his concerns to the Board.

ANN YOUNGER:

Ann Younger discussed with the Board the Comprehensive Plan. Ms. Younger is a part of the committee and wanted to give a brief update. She stated that she felt that it was important to keep the plan short and simple, and to cut some of the recommendations that were perhaps unnecessary. Ms. Younger also discussed a Village website that she feels would be an asset to

the community. She used the Mt. Morris community website as an example, explaining that it could be a place that could contain things such as a business directory, or community events, school, church, and sporting events, among other things. She would really love to see the Village do the same kind of thing.

Trustee Hayes stated that it felt more like a “Chamber” idea. To have the municipality or local government be involved is difficult because there are rules and regulations that need to be followed. He said he would like to talk more in depth with her about her ideas.

Ms. Younger also discussed the Park Theater. A committee has been formed that is interested in purchasing the theater. According to Ms. Younger, the seller’s price is currently \$129,900. The committee has discussed using the theater for an arts/entertainment structure. They do not want to see it just disappear from Avon or become office space. To the committee, it is something that needs to be preserved. There were many rumors floating around and the Mayor stated that there had been no proposal offered or approved by the Board for anything to go into the theater. Ms. Younger said she just wanted to give her ideas to the Board.

FLOODING:

Residents from High Street asked for a brief update about flooding and voiced some concerns that there seems to be flooding that is now either coming from the farm or the new construction site by Tops (Avon Commons).

The Mayor explained that the discussion of storm water drainage, retention and detention is a continuous conversation. There are projects that will help with this. He discussed the 5&20 project that is set for next year. The drawings have been approved by NYS and we have asked for financial assistance from the State to help fund this project. We are currently waiting to hear back. Also, the owners of the farm have been very open and has worked side by side with the Village to help with drainage from there.

Code/ Zoning Officer Cappello said that if there is water coming from the construction site, they need to be responsible for stopping it. It is part of their drainage plans for the apartments. He will reach out to them and remind them that need to be aware and keep up with the drainage issues even if they are not finished with the project. Mayor Freeman asked if he gets the inspection reports from them. Tony stated that he does get the reports, but he will stay on top of them.

Trustee Batzel feels that the storm drains throughout the Village need to be cleaned out more often. If it was done more regularly, it would help when there is a heavy rain.

VOUCHERS AND MANUAL CHECKS:

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

#1-GENERAL FUND	\$99916.15
#4-SCHEDULE C	\$1824.11
#5-WATER	\$1639.74

#6-SEWER	\$47732.02
#17-TA	\$
#50-CAPITAL	\$
#62-CAPITAL	\$
#65-CAPITAL	\$
#72-CAPITAL	\$1407.50
#73-CAPITAL	\$1872.10
#77-CAPITAL	\$159719.34
#78-CAPITAL	\$
#DEBT SERVICE	\$
TOTAL	\$313719.96

Manual Checks:

Nationwide Retirement	Def. Comp P/R 17-11	\$1475.00
Nationwide Retirement	Def. Comp P/R 17-12	\$1375.00
Law Enf. Off. Union	Police Dues June 2017	\$427.10
SEIU 200 United	DPW Dues June 2017	\$308.66

TOTAL: \$3585.76

The motion was seconded by Trustee Zhe, 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

Upon a motion made by trustee Hayes and seconded by Trustee Batzel, the contribution to the Library was approved, pursuant to the contract being attached. The motion was carried by the following vote:

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

POLICE UPDATE:

Chief Benedict gave the following update to the Board:

- Chief Benedict is turning in his resignation effective June 30th 2017. He has accepted a position in Middletown Virginia as the Chief in a department similar in size to Avon. He will be building up the department and is officially starting there on July 1, 2017. In the

meantime, Sergeant Geer will be the officer in charge. Chief has been working with him on some of the administrative things that he may not be aware of and has complete faith in him. The Board wished Chief Benedict well and hopes he enjoys his new pursuit in Virginia.

- Trustee Hayes discussed the motor vehicle accident on 6/16/17. A student was crossing 5&20 and the car that stopped to let them cross was rear ended. He expressed that it is imperative that we receive something from the high school stating what they have decided as the official school crossing. Trustee Hayes recommends that they designate Lacy Street to be the dedicated crosswalk for the school. NYSDOT said that a push button light system is available that can be used once the designation by the school has been made. An additional idea would be to re-assign the crossing guard to be at Lacy Street and 5&20 rather than Clinton and Lacy, OR, perhaps allocate another resource so we could have someone both places. Mayor Freeman stated that we need the designation from the school in order to continue. This is what the State needs in order to move forward.

CODE ENFORCEMENT UPDATE:

- Code Enf/Fire Marshal Glise went to the new development to do a sprinkler check.
- The fireworks tent will be set up again in the Dollar General parking lot for the holiday.

AVON INN:

The Village received a request from the Avon Inn to waive the 30 day notice required for the liquor license.

Upon a motion made by Trustee Batzel and seconded by Trustee Zhe, the Board agreed to the waiver. A letter will be sent to the Tracy Jong Law Firm, who requested on behalf of the Avon Inn. 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

RE-ESTABLISHMENT of RESERVE FUNDS:

Based on a recommendation by the NYS Comptroller’s Office, the Board discussed the re-establishment of the reserve funds for the Village. The following is a list of funds that were a part of the discussion:

1. Equipment Reserve Fund
2. Buildings Reserve Fund
3. Streets Reserve Fund
4. Drainage Reserve Fund
5. Water Lines Reserve Fund

6. Water Equipment Reserve Fund
7. Water Filtration Plant Fund
8. Sewer Lines Fund
9. Sewer Plant Fund

Upon a motion made by Trustee Batzel and seconded by Trustee Zhe, the Board agreed to re-establish the reserve funds for the Village. 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:

- In order to maintain the integrity of his position and prevent a conflict of interest, Trustee Hayes expressed that his wife, Allison, works at Hurricane Technology.
- **Horse Barn-** discussion of the horse barn lease agreement has continued for several meetings. Again, the term "subleasing" was brought to the table. Currently, according to the lease agreement there is no subleasing allowed. Specifically, some of the Board wants the agreement to state that renters need to rent their own stalls and have their own insurance. They are also suggesting an attachment to the lease that is a waiver for the renters to sign, that remove the Village from liability. The Mayor said he will reach out to the Village Attorney.
- **WWTP Expansion Study and I&I Update-** the Board decided to talk about these items at the next meeting when Superintendent Barrett would be back from vacation.
- **Ash Trees-** the Board received a great assessment from Steve Schiano. Work continues.
- **Breeders Association Meeting-** Trustee Zhe wanted to let the Board know that he and Treasurer Quinlan would be attending the meeting.
- **Livingston Cycling Club-** the Mayor was contacted and asked if the Village would be willing to host the recreational event to be held on Sunday July 23rd, 2017. The event brings in quite a bit of riders and their families, and the club likes to use local businesses for food and to help publicize the event. They are not going to need to shut down traffic and police impact would be minimal.

Upon a motion made by Trustee Hayes and seconded by Trustee McKeown, the Board agreed to allow the race. 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

• *Avon Commons Letter of Credit-*

Upon a motion by Trustee Batzel, and seconded by Trustee Zhe, and with the recommendation of MRB's Lance Brabant, the Village Board granted a letter of credit release for Avon Commons Lot R-35-Georgian Way and Collins Street, MRB Group project number 0110.10003.00-phase 10 in the amount of \$344743.50. There is \$140989.50 remaining to complete the project. The motion was carried by the following vote:

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

EXECUTIVE SESSION:

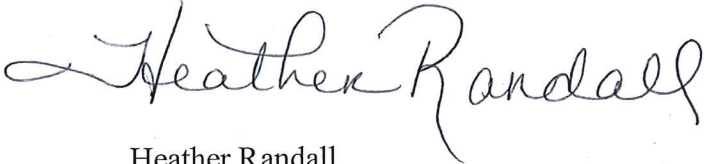
Upon a motion made by Trustee McKeown and seconded by Trustee Zhe, the Board entered into executive session at 7:50pm and exited at 9:20pm to discuss contractual and personnel matters. The motion was carried by the following vote:

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

No action was taken.

Upon a motion by Trustee Batzel, the meeting adjourned at 9:20pm.

Respectfully submitted,



Heather Randall
Village Clerk