

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 September 25th, 2017.

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

Staff: Tony Cappello
John Barrett
Chief Joe Geer

Visitors: Bill Davis, MRB
Emily Palumbos, MRB
Art Pearson
Lorrie Ferris
Howard Hanna Real Estate Services-Senna Clements
Girl Scout Troop 51041

Absent: Rob Hayes, Trustee

Mayor Freeman called the meeting to order at 6:00pm and began with the Pledge of Allegiance.

CHARLTON B & B:

A representative from Howard Hanna Realty-Senna Clements- was in attendance and discussed with the Board a client who is interested in purchasing the property. They asked specifically about the requirements for using the property as a bed and breakfast, as it had been in the past. Trustee McKeown discussed the code from the municipal code book about Bed and Breakfasts and that a special use permit is required. Discussion continued on the proper procedure in order to move forward with the project. Mayor Freeman said he would reach out to the Planning Board Chairman, Paul Drozdziel and the Ms. Clements in order to proceed.

GIRL SCOUT TROOP 51041:

Troop 51041 was in attendance to talk to the Board about a project they would like them to support; A Pilot Pantry. The pantry would be a drop box, located in between the Fire Hall and the Village Hall (outside), for people to leave donations and take what they need. The donations would hopefully be non- perishable items. There are six girls who will be monitoring the box for items, if they are past the best used date, etc. The Board was excited to hear the troop's idea and is looking forward to seeing the final project.

DPW UPDATE:

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

- River Street is complete.
- Working on brush.

- Moving to Wadsworth Ave. to work on the drainage project by the National Grid building
- Pipe is here for the Oak Hill/ Lake Road project. The manholes need to be put in and then the crew will be ready to begin.
- Pipe is here that is needed for the project at the Downs. This project needs to be completed before January, 2018.
- Ross Lane- there has been discussion about making the road one way, however, for the time being, the crew is going to fill plastic barricades with water and anti-freeze and will block the hill to prevent anyone going down to Rochester Street.
- *WWTP*- In the final stages of the upgrade. Equipment is starting to move out and landscaping is happening.

BILL DAVIS, MRB:

Bill Davis gave an update to the Village Board on the following:

- *Drainage/Storm water*-Drainage area behind Tops and east of High Street and North Ave. Village asking for MRB Group proposal to study drainage in this area and help address drainage issues. Bill and MRB would like meeting with Tom F and John B to discuss potential scope of project and whether or not Town would need to be involved. MRB took preliminary look at area and topo from Lidar available at this time. Kurt R from MRB to step meeting to get started and further define scope.
- *Wastewater* -Bill discussed changes in SPDES permit, generally including:
 - Chlorine, Total Residual, Daily Maximum 20 ng/L (very low)
 - Mini Pretreatment Schedule: Within three months of the modification date (EDPM), the permittee shall submit a copy of the enacted Law accompanied by proof of enactment, need attorney to assist Village with adoption of law
 - Added seasonal disinfection (with schedule of compliance)
 - Reduced the acute and the chronic WET action levels
 - Added a new total mercury limit of 50ng/L and changed the Mercury Minimization Program from a Low Priority POTW to a High priority POTW
- Bill discussed schedule of compliance for disinfection and a potential funding and compliance time table. MRB to provide Village with a potential timetable for project overall.
- Bill discussed stream flow dilution used in the permit (for disinfection and toxicity) which may be applied in the future to other effluent limitations and that the Village should take some preliminary measures to be able to better quantify stream flow, cross section, and dilution which may help in the future prior to another SPDES modification.

- Bill to write response letter to DEC in regards to SPDES permit. Response timeframe has lapsed (9/20) but suggest a response anyway (will discuss 7Q10 stream flow, schedule, and phosphorus requirement).

VOUCHERS AND MANUAL CHECKS:

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

#1-GENERAL FUND	\$73560.14
#4-SCHEDULE C	\$8411.15
#5-WATER	\$9809.87
#6-SEWER	\$98529.03
#49-CAPITAL	\$262.50
#63-CAPITAL	\$1970.50
#64-CAPITAL	\$256.00
#66-CAPITAL	\$6023.20
#72-CAPITAL	\$575.00
#77-CAPITAL	\$76823.18
#83-CAPITAL	\$3510.61
#93-CAPITAL	\$
#DEBT SERVICE	\$1350.00
TOTAL	\$281081.18

Manual Checks:

Nationwide Retirement	Deferred Comp. p/r#17-19	\$1375.00
Law Enf. Off. Union	Police Dues for September	\$427.10
SEIU 200 United	DPW Dues for September	\$308.66
TOTAL:		\$2110.76

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	Absent

TREASURER UPDATE:

Treasurer Quinlan reported the following to the Board:

- Treasurer Quinlan received a letter regarding the disbursement of funds for the State and Municipal Facilities Program in relation to the improvements to the Avon Driving Park and Case Park. The final step is having Mayor Freeman sign off on the agreement on behalf of the Board.

Upon a motion made by Trustee Zhe and seconded by Trustee Batzel, the Board agreed to have the Mayor sign the disbursement agreement. 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	Absent

- Received from the Livingston County Treasurer was a letter requesting the return of Village Taxes to the County by October 2nd, 2017

TAX RELEVY RESOLUTION:

Trustee Batzel offered the following resolution and moved for its adoption:

RESOLUTION

Whereas, the Village of Avon hereby requests that the County of Livingston collect certain delinquent Villages taxes for the tax levy of June 2017, and

Whereas, the Village of Avon will take no action to recover said unpaid taxes pursuant to Section 1440 of the Real Property Tax Law of the State of New York and no sale on account of said unpaid taxes will be held pursuant to law,

Now therefore be it resolved that the Village of Avon officially requests that the County of Livingston collect certain delinquent Village taxes for the tax levy of June 2016 pursuant to Section 1442 of the New York State Real Property Law.

And it is further resolved that a copy of this resolution, duly certified by the Treasurer of the Village of Avon shall be transmitted forthwith to the Livingston County Treasurer and the Clerk of the Livingston County Board of Supervisors.

Trustee Zhe seconded the motion and it 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	Absent

MINUTES:

Upon a motion made by Trustee Zhe and seconded by Trustee McKeown, the minutes from September 11, 2017 are hereby approved as submitted. The motion was carried by the following vote:

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

POLICE UPDATE:

Chief Geer gave the following update to the Board:

- St. Agnes 5K- the event went well.
- Chief Geer requested that the old police radios be deemed surplus.

Upon a motion by Trustee Zhe and seconded by Trustee Batzel, the Board agreed to deem the police radios surplus. 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	Absent

- Officer McFadden will be going to training provided by Livingston County, at no cost to the Village, to properly deal with mental health crisis, people with autism, and other issues that an officer may face during the day to day workings of the department.

CODE ENFORCEMENT UPDATE:

Tony Cappello and Brian Glise updated the Board on the following:

- Goodwill is going to remove the donation box located in the Top's Plaza. Unfortunately, there has been more trash dumped there than donations being dropped off. It has become unhealthy, unsightly, and it is unfortunate that it has come this.
- Tony has spoken to Verizon to request the information for a second time regarding the poles they want to install. They have not responded back with the information.
- Tony and Brian are both getting calls for inspections at the Avon Commons. Brian made sure to reiterate that a fire inspection is needed in order to have a C of O issued.
- Tony expressed to the Board that the Planning board is going to do a review of the zoning on Rochester Street.

TRUSTEE UPDATE:

Received from The NYS Comptroller's Office NYSLRS in regards to the reopening of the retirement plan Section 384-d for Officer's Matt McFadden and Rick Gage.

Upon a motion made by Trustee Zhe and seconded by Trustee Batzel, the following resolution was adopted:

Resolution reopening Section 384-d of the Retirement and Social Security Law for Matthew J. McFadden and Richard Gage as set forth in Chapter 237, Laws of 2017.

At a meeting of the governing board of the Village of Avon held in Avon, New York on September 25, 2017, Mayor Thomas W. Freeman offered the following resolution:

“ BE IT RESOLVED: that the governing board of the Village of Avon, does hereby assume the additional cost required to provide the reopening of Section 384-d of the Retirement and Social Security Law, pursuant to Chapter 237 of the Laws of 2017.”

The resolution was adopted with 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	Absent

Upon a motion by Trustee McKeown and seconded by Trustee Zhe, the Board agreed to move forward with the additional 3 month moratorium on amendments of the zoning map for the Village of Avon received from Attorney Whiting. 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	Absent

EXECUTIVE SESSION:

Upon a motion made by Trustee Batzel and seconded by Trustee Zhe, the Board entered into executive session at 7:20pm and exited at 7:55pm to discuss contractual 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	Absent

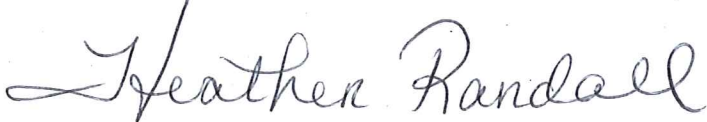
After exiting executive session, discussion regarding the hiring of a crossing guard stationed at Route 5 & 20 and Lacy Street ensued.

Upon a motion made by Trustee Batzel and seconded by Trustee Zhe, the crossing guard position will be at a rate of \$15.00 per hour. 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	Absent

Upon a motion made by Trustee Zhe, the meeting adjourned at 8:00pm

Respectfully submitted,



Heather Randall
Village Clerk