

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 March 19th 2018.

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

Staff: Tony Cappello
Brian Glise
Chief Joe Geer

Visitors: Conrad Baker- Genesee Sun
Bill Davis- MRB
Aaron Bissell- MRB
Paul Drozdziel- Planning Board Chairman
Jennifer Marvin
Frank Matusak
Ed Forsythe
Tom Vonglis- Rotary
Kirk Vanderbilt- Rotary
Larry Sinclair- Deer Committee
Paul Toarmino- Deer Committee
Don Mastin- Deer Committee
Chuck Kanty- Deer Committee
Kevin Allen- Deer Committee
Scott Gage- Deer Committee
Mike Wilsco- DEC
John Steinmetz- Steinmetz Planning Group
Molly Gaudioso- Steinmetz Planning Group

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

PUBLIC HEARING- COMMERCIAL SEWER RENTS:

Upon a motion made by Trustee Zhe and seconded by Trustee Batzel, the Board opened the public hearing regarding commercial sewer rents at 6:00pm by having Deputy Mayor McKeown read the following notice published in the Livingston County News as required:

NOTICE OF PUBLIC HEARING

VILLAGE OF AVON, N.Y.

Notice is hereby given, that a public hearing will be held on **Monday, March 19th, 2018** at 6:00 p.m. at the Village Hall, 74 Genesee Street, Avon, New York, to hear any and all complaints in relation to the number of **COMMERCIAL** sewer rents assigned for the Village's year commencing **August 1, 2018**. 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. Written notice of any proposed change, either residential or commercial, will be given prior to the public hearing.

By Order of the Board of Trustees
Village of Avon, New York

Thomas Freeman, Mayor

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 |

The 2018 Commercial Sewer Properties were as follows:

| | | | |
|-------------------------|-----------------------|-------------|----------------|
| Avon Springs Club | 13 Genesee Street | 3-units | 4-proposed |
| Pizzaland, Inc. | 19 Park Place | 2-units | 3-proposed |
| Pemm, LLC. | 273 E. Main Street | 21-units | 32-proposed |
| E. Coyne | 78 Genesee Street | 20-units W | 24-proposed W |
| | | 16-units SE | 20-proposed SE |
| Avon Central School | 161 Clinton Street | 7-units | 10-proposed |
| Avon Central School | 245 Clinton Street | 23-units | 24-proposed |
| Avon Nursing Home | 215 Clinton Street | 16-units | 19-proposed |
| Tom Wahl's Inc. | 283 E. Main Street #1 | 12-units | 15-proposed |
| McDonald's | 25 E. Main Street | 6-units | 7-proposed |
| Avon Kid's Club | 220 Collins Street | 2-units | 4-proposed |
| Peppermint's Restaurant | 244 E. Main Street | 5-units | 7-proposed |
| TG-COTOPS Avon NY LLC | 520 Dream Valley Blvd | 1-unit | 2-proposed |
| TG-COTOPS Avon NY LLC | 600 Dream Valley Blvd | 8-units | 9-proposed |
| Tops Markets LLC (#431) | 270 E. Main Street | 5-units | 7-proposed |
| Avon Animal Hospital | 405 Rochester Street | 1-unit | 2-proposed |
| Star Headlight | 455 Rochester Street | 8-units | 11-proposed |
| Gray Metal Products | 495 Rochester Street | 7-units | 8-proposed |
| Aldon | 221 Rochester Street | 5-units | 6-proposed |
| A&B EQT. CO. | 58 W. Main Street | 3-units | 4-proposed |

After reading the published notice, the Mayor opened the floor for public comments:

- Frank Matusak- Mr. Matusak requested the Board to keep the sewer units for 13 Genesee Street at 3 units.
- Jennifer Marvin- Ms. Marvin requested the Board to keep the sewer units for 405 Rochester Street at 1 unit.

Discussion resulted in the following:

Upon a motion made by Trustee McKeown and seconded by Trustee Batzel the Board agreed to keep 13 Genesee Street at 3 units and 405 Rochester Street at 1 unit. The Board stated that they will monitor the water usage and revisit the increase next year. 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 |

The Board also discussed the commercial sewer units for the following:

- Avon Nursing Home
- Peppermints Restaurant
- Tops Markets LLC

Discussion resulted in the following:

Upon a motion made by Trustee Batzel and seconded by Trustee McKeown, the Board agreed to leave the commercial sewer units for Avon Nursing Home, Peppermints Restaurant, and Tops Markets LLC at their current units. 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 |

The Board kept the public hearing open to make accommodations to those businesses who may appear later in the evening.

VOUCHERS and MANUAL CHECKS:

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

| | |
|-----------------|------------|
| #1-GENERAL FUND | \$51249.72 |
| #4-SCHEDULE C | \$7117.06 |
| #5-WATER | \$1813.97 |
| #6-SEWER | \$5148.74 |

| | |
|---------------|------------|
| #17-TA | \$ |
| #57-CAPITAL | \$882.50 |
| #62-CAPITAL | \$ |
| #65-CAPITAL | \$ |
| #72-CAPITAL | \$2265.00 |
| #73-CAPITAL | \$263.00 |
| #77-CAPITAL | \$ |
| #78-CAPITAL | \$ |
| #85-CAPITAL | \$156.03 |
| #DEBT SERVICE | \$22591.40 |
| TOTAL | \$91487.42 |

Manual Checks:

| | | |
|-----------------------|----------------------|-----------|
| Nationwide Retirement | Def Comp p/r 18-05 | \$1475.00 |
| Nationwide Retirement | Def Comp p/r 18-06 | \$1375.00 |
| Law Enf. Off. Union | Police Dues February | \$394.46 |
| SEIU 200 United | DPW Dues February | \$316.36 |

TOTAL: \$3560.82

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 |

MINUTES:

Upon a motion made by Trustee Batzel and seconded by Trustee Zhe, the minutes from the February 19th 2018 meeting are hereby approved as submitted. 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 | Yes |
| Robert Hayes, Trustee | Voting | Absent |

MRB UPDATE:

Bill Davis and Aaron Bissell of MRB updated the Board on the following:

- *Smoke Testing Results*- the testing done was to identify areas that may need further review as to the impact on the Village's collection system. The smoke testing helped locate areas, such as those with broken cleanouts, storm water cross connections, and areas that may be connected into the system 'illegally'. It was discussed that certain areas of the Village that should have further testing in the way of smoke, dye testing and televising. Also, MRB suggests that the creation of a GIS map to track I & I investigation, results and repair work would be beneficial to the Village and ensure that data is readily available to officials for planning, tracking and completion purposes. MRB submitted a draft proposal to the Board for these services in which Superintendent Barrett will review and create a priority list for a future meeting. They also provided a quote for field services for the cleaning and televising of sanitary and storm lines from JAMKO in the dollar amount of \$35,750.00 should the Board decide to move forward with that. No decisions were made and the discussion was tabled for a future meeting.

STEINMETZ PLANNING GROUP:

Planning Board Chairman Paul Drozdziel, along with John Steinmetz and Molly Gaudioso of the Steinmetz Planning Group, presented a section of the code they have been working on to update. They have been meeting twice a month for several months and feel they are ready to present a final draft for the Board to look over and adopt. Mr. Drozdziel also took a moment to publically thank the members of the Planning Board and Deputy Clerk Gary Margiotta for the extra time and work put forth for this very important project.

Mr. Steinmetz discussed the PRDD (Planned Residential Development District) versus the creation of an MR District (Mixed Residential). The team cleaned up the process for the PRDD in order to make the process easier to understand and established an MR District. The MR District will allow for the development of a mixed density residential neighborhood with different styles, housing types, green areas, etc, while continuing to further the walkability of the Village of Avon.

Chairman Drozdziel is confident that these updated sections are clear, concise, and a way to continue the growth of our community while maintaining the footprint and continuity of the Village.

According to Ms. Gaudioso, the Comprehensive Plan, along with these sections of the code will be ready for adoption once the Board has had ample time to discuss the information received and all questions have been answered to their satisfaction. The Board expressed that the draft is very informative and that they feel that the combined efforts of the Steinmetz Planning Group, the Planning Board and the Comprehensive Plan Committee has done a tremendous job with this undertaking and is pleased with the result. They will review all of the information and will proceed with a public hearing and adoption of these changes and the Comprehensive Plan at a future meeting.

AVON ROTARY:

Tom Vonglis and Kirk Vanderbilt approached the Board on behalf of the Avon Rotary to request the opportunity to provide a "Craft Tasting Garden" at the Corn Festival in August. Lake

Beverage would help create a “tasting” atmosphere in which they would provide all the essentials for the event. Rotarians would take a training course and would be the servers for the event. Focus would be higher end craft brews that tend to be higher in price in order to help discourage over indulgence. Insurance is provided by Rotary International. Ideas for creating a roped off, adult only area is already being discussed, and Chief Geer has been included in the discussion. This could help raise an extensive amount of money that will help Rotary continue to do the fabulous work they continue to do throughout Avon.

Upon a motion made by Trustee Zhe and seconded by Trustee McKeown, the Board agreed to allow the Avon Rotary the opportunity to include a craft brew event at the Corn Festival. 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 |

The Board requested that Clerk Randall reach out to the Village’s insurance company to see if there are any other requirements for insurance coverage.

DEER COMMITTEE UPDATE:

Don Mastin, along with several of the Deer Committee members, updated the Board on their progress with their deer harvesting plan.

- The committee identified tasks needed to be completed before harvesting can begin. The largest task at hand currently is tackling the Village Statute 65.1. The committee requested that the Board change Statute 65.1 to allow bow and cross bow use in the Village for the designated purpose of reducing the number of deer in the Village per the Deer Committee Plan.

Upon a motion made by Trustee Batzel and seconded by Trustee McKeown the Board agreed to set up a public hearing regarding the change of the ordinance. Clerk Randall will reach out to Attorney Whiting to help mitigate the process. 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 |

- The committee also made note that baiting equipment will be needed. They are estimating at this time that a dollar amount of approximately \$4500.00 will be needed for the purchase of bait feeders, trail cams, ground blinds, and back stop material, corn, and miscellaneous items. That is an expense that could change and is down the road.

CODE ENFORCEMENT UPDATE:

Code Officer Cappello and Fire Marshal Glise updated the Board on the following:

- The Zoning Board met to hold a special hearing for Verizon and Empire Access to discuss their individual cabinets and pole structures for their requests. It was decided that

they would postpone this meeting in order to gather more information regarding a requirement of a SEQR. Bill Davis of MRB will follow up.

- There was a question about which board is responsible for issuing special use permits. Tony explained that it is the Zoning Board who is the responsible Board.
- Lou Masi is interested in changing the footprint of his building behind McDonalds. His building is filled and there is interest in expansion from some of the tenants in that location.

TRUSTEE’S UPDATE:

- Trustee Zhe discussed the request for aluminum bleachers for the Driving Park. The quote was for \$4500.00 for 4 sets of bleachers, 15 feet long 4 tiers from Kay Park Recreation. The Village is responsible for \$2250.00.

Upon a motion made by Trustee McKeown and seconded by Trustee Zhe the Board approved the p.o for the bleachers in the amount of \$4500.00. 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 Batzel and seconded by Trustee McKeown, the Board approved the request of Kirk Vanderbilt to attend the NYS AWWA Conference held in Saratoga on April 10-12, 2018, at no cost to 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 | Absent |

- The Board discussed the Schiano Logging Invoice. Mr Schiano spoke to Trustee Zhe to explain the invoice. The Board asked to have the invoice included in the next set of vouchers for approval and payment in the amount of \$5326.11.
- The Board discussed the technical assistance grant awarded to King Cole Bean Company. Livingston County and representatives of King Cole Bean are each paying a portion of a required fee for an inventory of the buildings.

Upon a motion made by Trustee Batzel and seconded by Trustee McKeown, the Board agreed to contribute \$500.00 toward the cost of match for the inventory of buildings. 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 |

- There were no further comments regarding the commercial sewer public hearing from earlier in the evening.

Upon a motion made by Trustee Zhe and seconded by Trustee Batzel, the Board closed the public hearing at 9:15pm. 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:

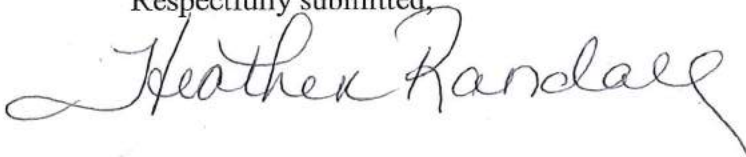
Upon a motion made by Trustee Batzel and seconded by Trustee Zhe, the Board entered executive session at 8:30pm and exited at 8:50pm upon a motion made by Trustee McKeown and seconded by Trustee Zhe, in order to discuss personnel issues. The motion was carried by the following vote:

| | | |
|-----------------------|--------|--------|
| 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 |

No action was taken.

Upon a motion made by Trustee McKeown, the Board adjourned at 9:20pm.

Respectfully submitted,



Heather Randall
Village Clerk