

The meeting of the Board of Trustees of the Village of Avon was held in The Whitney Room of Village Hall, 74 Genesee Street, Avon, New York on Monday May 6th, 2019.

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

Staff: Christine Quinlan, Treasurer
 Chief Joseph Geer, Police Chief
 Tony Cappello, Zoning/Code Officer
 Andy Anderson, Fire Marshal
 John Gibson, Planning Board
 Chief Brian Strozewski- Fire Chief
 Jake Whiting, Attorney

Visitors: Bill Davis, MRB
 Avon Library Board
 Amanda Driscoll, Avon Central School PTA
 Kurt Zobel, Spring Street

EXECUTIVE SESSION:

Upon a motion made by Trustee Zhe and seconded by Trustee Hayes, the Board entered into executive session at 5:00pm to discuss personnel, contractual, and legal issues. They exited executive session at 5:58pm. 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

After exiting executive session, the staff and several community members joined the meeting. Mayor Freeman called the meeting to order at 6:00pm and began with the Pledge of Allegiance.

AVON FREE LIBRARY:

Maureen Wheeler, President of the Library Board of Trustees, Rebecca Budinger-Mulhearn, Avon Library Director, and several members of the Library Board attended our meeting in an effort to update the Village Board on the new and improved Avon Free Library. To date, the Library has had over 10,000 visitors, which has been calculated by the cameras that were installed during the renovation. This year will prove to be a benchmark year for the Library. The

2018 Director's Annual Report was provided to the Board along with a calendar of events. Discussion pertained to the renovation of the library and how it has changed to better meet the needs of the growing and changing community. It has become a place for locals to host meetings and events that accommodate more people, gives more opportunities for quiet space for students to work, and offers laptops for community use. There was a good amount of discussion dedicated to the electronic opportunities in the library. Not only are the laptops a new feature, but e-content borrowed through the library was over 3500, over 6300 hits to the website, 4100 computer uses, and over 3100 Wi-Fi connections in 2018. The library is open 6 days a week and hold many family friendly events, including movie nights, arts and crafts, book discussions, and many more. Information can be found on their website (avonfreelibrary.org) and on Facebook.

Also discussed were plans for the future. There will be a new boiler and an ac system, along with a generator that will be funded through construction grants. Also, having a generator will make it possible for the library to establish itself as a designated disaster relief area.

The Mayor asked about parking and safety around the library. It has been a trouble spot with pedestrians not using the cross walks and such. The traffic seems to gain speed as they leave the Downtown District and it can be dangerous with so many people in and out of the library. Possible solutions included a three way stop at the corner of Genesee Street and Clinton Street, speed bumps, making angled parking in front of the library, and removing one of the crosswalks that is at Clinton Street. The Mayor asked if the library personnel could keep an eye out to see if they notice ways that people come into the library in order to find easy and direct routes.

KURT ZOBEL:

Mr. Zobel discussed with the Board an issue he has had with the sewer line on his property. He was wondering about easements, and what responsibility the Village was held to. Superintendent Barrett stated that the precedence is that the Village does not maintain laterals to the homes, only the main lines. Usually, there are no issues from the curb to the roads, however, if a homeowner has someone dig, there have been times when the Village has run a camera in order to make sure the line is clear, and there are no issues.

Bill Davis of MRB discussed the current Sewer Use Law and stated that Superintendent Barrett's explanation was correct. The law is currently being updated. It was reinforced however, that the Village does not take responsibility of the line until the homeowner replaces anything to the main.

PTA-5K RUN

Amanda Driscoll, a representative for the ACS PTA was in attendance, and asked about the possibility of holding their annual 5K run in the Village. It is usually run on school grounds, but the PTA wanted to get the community more involved. A route was provided for consideration. They were anticipating holding the event in June. Unfortunately, after discussion with the rest of the Board and Chief Geer, the request was denied. Chief Geer stated that the police department

needs more advance notice in order to have the proper coverage for the event, and to notify the residents. The Board invited them to come back earlier next year.

MRB:

Bill Davis provided the Board with a proposal for engineering services for a SEQR for the Five Arch Bridge. The proposal included all of the necessary requirements to complete the SEQR process at a total amount of \$3000.00.

Upon a motion made by Trustee Hayes and seconded by Trustee Zhe, the Board authorized Mayor Freeman to sign and accept the proposal provided by MRB for SEQR services in the amount of \$3000.00. 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	Yes

Mr. Davis stated that a SEQR should be ready by the next meeting.

The following was also discussed:

- Water Plant Study-Continue to work with Supt. Barrett and Lead Water Operator Vanderbilt.
- Water Tank Study- waiting on information requested from the County.
- I&I project- next step is to work out the solutions for the issues that were discovered during smoke testing.

DPW UPDATE:

Superintendent Barrett gave a brief update on the following:

- Genesee Street is ground- waiting for good weather for paving.
- Pipe is in for the McGraw/Forsythe project. Will begin once paving is complete.
- Discussed drainage at Avon Commons. Tony spoke with Mr. Masi about the different phases at the Commons to which Mr. Masi stated that at this time, there are no plans to continue work back where the single family homes are located. Supt. Barrett said that area has been cleaned up and feels that the phase three plan would not affect High Street drainage one way or another.
- Discussion continued about developers coming into the Village. It was said that some come in with a plan and then don't finish the project. Members felt that it is imperative that when a developer comes in, we need to be more forceful in keeping with a timeline so we are not waiting years for a development to be complete. Trustee McKeown said that this is a discussion that should include the Planning Board. Bill Davis said he will take the discussion to Lance to discuss with them.
- Supt. Barrett has a list of spots that need repair work done on the sidewalks.
- More information has been sent to Jake Whiting re: High Street easements.
- Olivia Findlay, one of our returning summer workers, will not be back until the end of June. Supt. Barret asked to allow Tim Cullinan, who has been out due to injury, to come

back under light duty restrictions until Olivia is able to return. He would be watering the flowers around the Village and helping to care for the newly planted trees at the Downs with Jim Fusco.

Upon a motion made by Trustee Zhe and seconded by Trustee Hayes, the Board agreed to let Tim Cullinan return for light duty work. 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

- Supt. Barrett still has to call about the dumpster at the horse barn.
- Received a complaint about the fact that there are no lines in the parking areas at the Downs. Supt. Barrett has this on his list of to do items. He plans on painting them diagonally to get as many spaces as possible.
- Supt. Barrett discussed his list of projects for the upcoming year. He asked that the following be established as projects :
 1. Grind and repave the south end of Genesee Street and the North end of North Ave. in the amount of \$100,500- \$72,903.25 from CHIPS monies, \$11,748.61 from PAVE-NY monies, and \$15,848.14 from HR24- Streets Reserve
 2. Utility Vehicle- \$20,000 from Equipment Reserve
 3. Blacktop Parking area-\$25,000 from Buildings Reserve
 4. East side Reed Street to D'Angelo Parkway Sidewalks- \$10,000 from Streets Reserve
 5. North Ave Drainage- \$4000, Masi Pond to creek at Neubeck's for Drainage- \$12,000, Mill St. creek drainage- \$7000 from Drainage Reserve
 6. Pick Up Truck-\$35,000 from Water Equipment Reserve
 7. Repair exterior wall of drying beds- \$5000, install online BOD meters- \$45,000, and epoxy basement floors- \$26,600 from Sewer Plant Reserve

Upon a motion made by Trustee Zhe and seconded by Trustee McKeown, the Board agreed to the opening of these projects. 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

They will go into the paper as required.

- PTAC Units- Supt. Barret had quotes for the replacement of the PTAC units in the hall there are 17 units that need to be replaced throughout the building. The Board discussed whether we should move forward with the previously proposed project through NYPA, or to continue on our own.

Upon a motion made by Trustee Zhe and seconded by Trustee McKeown, the Board agreed to move forward with the replacement of the units with the help of NYPA. The motion was carried by the following vote:

Thomas Freeman, Mayor	Voting	No
Tim Batzel, Trustee	Voting	Yes

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

VOUCHERS and MANUAL CHECKS:

Upon a motion by Trustee McKeown, the following vouchers were approved for payment.

#1-GENERAL FUND	\$20101.92
#4-SCHEDULE C	\$4222.18
#5-WATER	\$3037.75
#6-SEWER	\$10775.43
#49-CAPITAL	\$
#50-CAPITAL	\$
#52-CAPITAL	\$
#57-CAPITAL	\$
#59-CAPITAL	\$
#93-CAPITAL	\$1808.52
#17-TA	\$6081.21
#11-DEBT SERV	\$
TOTAL	\$46027.01

Manual Checks:

Nationwide Ret. Sol.	Def. Comp p/r#19-09	\$1940.00
TOTAL:		\$1940.00

The motion was seconded by Trustee Zhe 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

MINUTES:

Upon a motion made by Trustee Batzel and seconded by Trustee Zhe, the minutes for the April 1st, 2019 meeting were 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	Yes
William Zhe, Trustee	Voting	Yes
Robert Hayes, Trustee	Voting	Yes

POLICE UPDATE:

Chief Geer provided the following update:

- 102 in the last two weeks, resulting in 8 arrests (3 drug related).
- Chief Geer will be meeting with Hurricane Technologies regarding the cameras for the hall. He will add more areas to the list. The loop for the cameras is 30 days.
- Chief Geer has been asked to sit on the 911 board for the County. His first meeting will be tomorrow.

FIRE DEPARTMENT UPDATE:

Chief Strozewski gave the following update:

- Physicals were done over the weekend. There was a good turnout.
- Parade season is approaching.
- Held an open house that was well attended. Had several inquiries and an application.
- Funeral reception was held at the hall for former Fire Chief Mike Germano. It was a nice turn out in his honor. Also, Chief Strozewski informed the Board of the sudden passing of Rush Fire Chief Jim Bucci. The Board asked to please extend their condolences to the family and department.
- Presented 2 applications for the department.

Upon a motion made by Trustee Hayes and seconded by Trustee Batzel, the Board accepted the applications for Lucas General, and Steven Praino for active duty in the Pumper Company. 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

CODE ENFORCEMENT UPDATE:

Code Enforcement Officer Tony Cappello gave the following update:

- Sidewalks at D’Angelo Parkway- Tony will reach out again to Mrs. D’Angelo to let her know it is time to start with the sidewalks. When the subdivision was approved by Planning Board, the sidewalks were part of the plan. They must go in. At last discussion, she was agreeable.
- Residence next to the Avon Inn- Tony spoke to the owner and the car will be removed tomorrow and the RV will be dismantled. Tony will follow up with a letter, and then an inspection after an agreed upon length of time.

TAX WARRANT 2019:

Upon a motion made by Trustee McKeown and seconded by Trustee Zhe, the following notice was approved by the Board:

**LEGAL NOTICE
TAX WARRANT
VILLAGE OF AVON**

To: Christine Quinlan
Village Treasurer

You are hereby commanded to receive and collect from the several persons named in the assessment roll, hereto annexed, the several sums named in the last column thereof opposite their respective names, for the following purposes:

For the General Fund	-	\$1,023,390.00
For Water Liens	-	\$ 53,458.69
For Sewer Liens	-	\$ 30,183.68
For Prorated Tax Exemptions	-	\$ 4,832.14

Being for all purposes a total amount of- \$1,111,864.51

Upon receipt of the roll and warrant by you, and on or before the first day of June, you shall cause to be published in the official papers of the Village, once a week for two consecutive weeks, a notice that such tax roll and warrant have been left with you for the collection of taxes therein levied, and shall designate one or more convenient places in the Village where you will receive taxes from June first to and including July first from eight o'clock in the morning until four o'clock in the afternoon, except Saturday, Sundays and holidays.

For said period of time you will receive all taxes paid to you without additional charge.

On all such taxes remaining unpaid after July 1st, interest of five per centum shall be added for the month of July and an additional one per centum for each month or part thereof until payment or tax sale; all pursuant to Section 924(a) of the Real Property Tax law.

You shall attend at the time and place specified in said notice for the purpose of receiving said taxes.

After the first day of July you shall proceed to collect the taxes remaining unpaid, with interest as herein provided, but without any other fee or charge, and for the purpose you are possessed of all the powers of a Town Tax collector. All interest collected shall belong to the Village.

You are to make a return of this warrant on the first day of October after the delivery thereof to you, showing the total amount of taxes paid and each tax unpaid with the receipt of the Village Treasurer for all taxes paid to her, and shall file the roll and warrant in the Office of the Village Clerk. All unpaid taxes shall be sent to the County Treasurer, per Village Board resolution. And for so doing, this shall be your sufficient warrant.

IN WITNESS WHEREOF: The Board of Trustees of said Village of Avon has caused these presents to be signed by its Mayor and the seal of the Village is hereunto affixed this 6th day of May, 2019.

Thomas W. 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	Yes

CLERK UPDATE:

Clerk Randall provided the Board with the following update:

- Received minutes from the Association Dinner meeting held 4/17/19.
- Received a letter from the Water Works Committee stating the committee recommends the water rate to remain at \$2.27 per 1000 gallons as the wholesale rate for both the Village and Town.
- Water Works Committee reappointed Louis Lee to a five year term.
- Budget Status Report provided to the Board electronically. Bank Recs current through 3/31/2019.

TRUSTEE’S UPDATE:

 **SPECIAL USE PERMITS:** Discussion was had regarding the issuance of Special Use Permits in the Village. Under the current code/zoning regulations, a special use permit is issued by the Zoning Board after it has been reviewed by the Planning Board. It has been requested and recommended by the Planning Board Chairman, and the Planning Board, that this be changed to the following:


- The special use permit application review criteria better aligns with the Planning Board’s review functions (please see page 4, section 30.66 in the Special Use Regulations Draft of the Zoning Update). The Recommendation is to have the Planning Board drive the process and change the decision to issue a decision of approval, approval with conditions, or denial from the Zoning Board to the Planning Board.

After discussing at length, and reviewing a previous discussion with Attorney Jake Whiting, who expressed that there are communities who have the Zoning Board issue these permits as well as Planning Boards, the Board agreed to the change. The Mayor disagreed stating that he felt having the Zoning Board involved was a good check and balances system.

Upon a motion made by Trustee McKeown and seconded by Trustee Hayes, the Board agreed to change the issuing Board from the Zoning to the Planning Board for Special Use Permits as stated in the Special Use Regulations Draft. The motion was carried by the following vote:

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

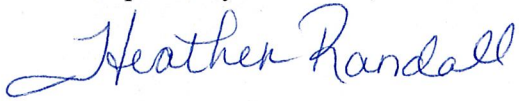
Clerk Randall will reach out to Attorney Whiting to find out the next steps to complete the change accordingly.

 **OATH OF OFFICE:** The Board invited Andy Anderson, the newly appointed Fire Marshal, and John Gibson, the newly appointed Planning Board member to join the meeting and be introduced to any staff they may not know. The Mayor welcomed them

and each signed the Oath of Office. Fire Marshal Anderson will be attending training later in the month. His appointment is yearly. Mr. Gibson's term is a five years.

Upon a motion made by Trustee Batzel, the meeting was adjourned at 9:10pm.

Respectfully submitted,

A handwritten signature in blue ink that reads "Heather Randall". The signature is written in a cursive style with a large initial 'H'.

Heather Randall
Village Clerk