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 August 12th, 2019.

Present: Thomas Freeman, Mayor

Mark McKeown, Trustee Tim Batzel, Trustee

Bill Zhe, Trustee Robert Hayes, Trustee

Staff: John Barrett, Superintendent of Public Works

Tony Cappello, Code Enforcement Officer

Chief Joseph Geer, Police Chief Andy Anderson, Fire Marshal

Visitors: Tom Cole

Brian Cole

Bill Davis, MRB

Molly Gaudioso- Barton & Loguidice D.P.C. John Steinmetz- Barton & Loguidice D.P.C.

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

BRIAN COLE- NOISE COMPLAINT:

Mr. Cole wanted to make a public complaint stating that the dog kennel on Rochester Street (Christopher Robins) is not adhering to noise ordinances. The noise coming from the kennel is very early in the morning and later in the evening times. Complaints have been made to the police for three years according to Mr. Cole and he has spoken to the owner directly, to no avail. Mr. Cole has a rental property in close proximity to the kennel and the residents in the rental have complained numerous times to him. Chief Geer has stated that the owner of the business has been given a citation, but that is all they are able to do. Chief Geer told Mr. Cole to tell his tenant to continue calling 911 and the police will continue to write the citation.

DPW UPDATE:

Superintendent Barrett gave a brief update on the following:

- Finished topsoil on the sidewalk project at the Downs.
- Excavated for and installed the base for the dog park at the Downs.
- Prepping for Corn Festival.
- Installed the slide gate between the trickling filter and the secondary clarifier to be able to flood the trickling filter.
- Installation of the sidewalks on North Ave. continues.
- Picking up brus'ı around the Village.
- Repairing blacktop throughout the Village.
- Carbon change out at the water filtration plant.

- Water leak on Pole Bridge Road near Avonola Railroad Bridge. The bolts corroded due to electrolysis in the bonnet of the in line 8" valve. The plastic line was put in approximately 15 years ago.
- Working with Villager Construction who was doing work at the school. The brought their grindings down to us. We also received gravel which is at the Downs.
- Easements- still working on the easement for Wadsworth Ave. Supt. Barrett will check with Mr. Forsythe to see if there is one.
- Fire Hydrants @ Hite's and Dollar General- hydrants are working, the parts are in for the hydrant at Dollar General.

MRB UPDATE:

Bill Davis updated the Board on the following:

- Sewer Collection I &I Project- Final report submitted to EFC for approval for grant funds. DEC Issued comments. MRB will provide a response and a revised final report to EFC and DEC. Schedule of I7 I improvements has been requested by DEC.
- WWTP Disinfection- MRB completed report and submitted application for the WQIP Grant. SEQR has been completed. Draft of the report has been submitted to the Village for review. MRB will submit report to be listed with EFC in September. Grant announcements are expected toward the end of 2019.
- Water Plant Study- MRB is working to provide preliminary engineering on the project. Hydraulic profile has been developed. Currently waiting on pump selection options.
- Water Tank Study- Final proposal has be executed. MRB held a kick off meeting and will start collecting data. A hydrant testing plan will be developed and scheduled with the Village and Town.
- Rte. 5 & 20 Culvert Replacement- awaiting feedback on potential funding. Mayor Freeman expressed frustration because the pipe that was put in (by the Town) pushes water into that area and makes the water issue even worse. What do we do? What CAN we do? Figure out a way to make a detention pond in that area?
- SIU Permits- still have no contact with Kraft. Updates may need to be made before signatures. Also need to discuss that the clarifier cleaning needs to be done.
- Sewer Use Law- pending final adoption. Reaching out to the Village attorney.

PUBLIC HEARING:

Upon a motion made by Trustee McKeown and seconded by Trustee Zhe, the Board opened the public hearing at 6:30pm to discuss proposed local laws 1 and 2. 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 McKeown read the following notice, published in the Livingston County News as required:

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that a public hearing will be held before the Board of Trustees of the Village of Avon on Monday, August 12, 2019, at 6:30 p.m. in the Whitney Room at the Village Hall, 74 Genesee Street, Avon, New York on the following matters:

A local law with various changes to the zoning code; and

A local law authorizing the Planning Board to issue special user permits and revoking that authority from the Zoning Board.

Proposed Local Laws Nos. 1 and 2 of 2019 are available for review at the Village Hall located at 74 Genesee Street, Avon, NY, from 8:00 a.m. to 4:00 p.m. Monday through Friday.

The Board of Trustees will, at the aforesaid time and place hear all persons in support of this local law or objection thereto. Persons may appear in person or by agent or attorney.

Dated: July 10, 2019

By Order of the Board of Trustees Of the Village of Avon Heather Randall, Village Clerk

Discussion consisted briefly of the zoning changings, how it would clean up the boundaries and the revoking of the Zoning Board's authority to issue special use permits, granting that to the Planning Board. The County Planning Board approved the amendments and included advisory comments. One of the comments was to notify the Towns of Avon and Caledonia of the public hearing per NYS Village Law 7-706 (as referenced by the County) This was not done. That being said, the Board opted to set a new public hearing date for September 9th 2019 at 6:00pm to give the appropriate notice to the Towns of Avon and Caledonia, and advertise accordingly. Edits will be clarified.

There was no public comment.

Upon a motion made by Trustee Batzel and seconded by Trustee McKeown, the Board closed the public hearing at 7:40pm. A new public hearing will be held Monday September 9th 2019 at 6:00pm. 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 Robert Hayes, Trustee	Voting	Yes Yes
	Voting	

VOUCHERS and MANUAL CHECKS:

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

#1-GENERAL FUND	\$11745.94
#4–SCHEDULE C	\$6050.56
#5-WATER	\$2926.80
#6-SEWER	\$11117.95
#93-CAPITAL	\$1808.52
#17-TA	\$3911.58
TOTAL	\$37561.35

Manual Checks:

TOTAL: \$

\$

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

POLICE UPDATE:

Chief Geer provided the following update:

- Corn Fest went smoothly, no major issues. There were a few ambulance calls and one towed car, but noting out of the ordinary.
- 189 call since the last meeting. County has been great in their responses for our community as far as ambulance service is concerned. Response time is great.
- National Police Night Out was held August 6th in Nunda. The event was moved at the last minute and unfortunately, was not very well attended. They are looking to move toward this area next year.
- To piggy back on Mr. Cole's complaint, Chief Geer spoke to the Village Attorney who said that in our code, there is a section that is specifically geared toward dogs. That is the section that needs to be followed when talking about noise complaints. Chief Geer also wanted it known that the owner has always been cordial with the officers on duty.

TREASURER UPDATE:

Treasurer Quinlan was unable to attend, but provided the following update electronically:

- Out-of-district water users: Ison paid partial payment of \$200. on 6/5/19 and \$100 on 7/31/19...balance is now \$513.74...sending another certified letter....
 Storey still o/s balance of \$2652.12...Jake has a call in to J. Campbell and an email into J. Coniglio, and to let us know their feedback
- Genesee Transportation Council UPWP grant for CAP (Circulation, Access and Parking) project proposals due on 8/16
- NYS DEC tree planting grant...remaining monies to be spent on Dr. Luley (already paid) and additional 31 tree order.
- Waiting to request final disbursement for I & I study from NYS EFC
- Waiting to request final disbursement for Disinfection study from NYS EFC once report is approved
- GVBA 1st grant is complete.
- Beginning to complete paperwork for GVBA 2nd grant
- Bulletproof vest disbursement submitted
- Filing MWBE info. for Park Theater Restore NY grant
- NYPA PTAC meeting minutes provided
- NYPA Street lighting project moving forward with bi-weekly conference calls...National Grid preparing updated PSA & attachment agreement per their letter dated 7/29
- Restore NY...providing additional receipt documentation to NYS as requested...need to review & finalize draft agreement between Village and Inn
- Historic Resource survey complete...Landmark Society to attend Board meeting on 8/26...public meeting on 9/19
- KVS cloud demo possibly in mid-late Oct.
- Tax Collection Summary provided
- Jen Talbot here to work on closing year entries
- Annual Update Document electronically filed on 7/31/19...financial report and notes provided to Board and copy available in Village office for review.
- National Grid Lighting Agreement will be updated at a future meeting once new agreement is received by the Village.

Upon a motion made by Trustee Zhe and seconded by Trustee Batzel, the Board authorized the Mayor to sign the Engagement Letter for Accounting Services for yearend May 31, 2020 in the amount not to exceed \$8750.00, as per the Corrective Action Plan provided to the NYS Comptroller's Office in which it was recommended to annually audit or contract for an audit of the Treasurer's books and records, and the Justice records and dockets. The Implementation Plan of Action was stated as the Board will annually contract for an audit for fiscal year ending 5/31/2020 and every four years thereafter (coinciding with the Mayor's elected office term). 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 Haves, Trustee	Voting	Yes

This will be funded from general, water and sewer fund balance.

CLERK UPDATE:

Clerk Randall provided the Board with the following update:

- Insurance renewal approaching. Jan Rogers of Livingston Insurance will be here on September 9th to review.
- Sexual Harassment Training is scheduled for August 21, 2019 and September 4th 2019. A third session will be scheduled if necessary.
- Provided is a quote from Industrial Appraisal to redo the inventory of the Village. This will include updates to the WWTP, digital access of the reports, and can give access to our insurance company in order to properly insure the Village. Maintenance will remain the same. The total fee for the proposed inventory is \$6985.00 and is inclusive of all expenses. This will be funded out of all three funds.

Upon a motion made by Trustee McKeown and seconded by Trustee Zhe, the Board approved the Industrial Appraisal quote for \$6985.00. 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

- Letter from NYSDEC- Fire Dept. received a \$1500 grant intended to assist with the purchase of equipment.
- Budget Status Report provided electronically.

MINUTES:

Upon a motion made by Trustee Batzel and seconded by Trustee Zhe the June 17, 2019 meeting minutes were approved as submitted and the July_1, 2019 meeting minutes were approved as amended. 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 Haves, Trustee	Voting	Yes

TRUSTEE'S UPDATE:

Trustee McKeown updated the Board on the "Landowner Cooperation Agreement" for the upcoming deer harvest. The new forms are very straight forward and have been reviewed by the DEC. The committee would like to have them sent out in the November water bills and are requesting the forms to be returned to the office when the water bills are paid.

EXECUTIVE SESSION:

Upon a motion made by Trustee Hayes and seconded by Trustee Batzel, the Board entered into executive session at 8:35pm to discuss personnel and contractual issues. Upon a motion made by

Trustee Zhe and seconded by Trustee Batzel, the Board exited executive session at 9:17pm. 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 was adjourned at 9:20pm.

Respectfully submitted,

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Heather Randall

Village Clerk