

Avon Village Board Meeting
Monday, March 1, 2010 – NEIGHBORHOOD MEETING

VILLAGE BOARD MEETING MINUTES:.....	3
SERGEANT PETE HENRY:	3
VOUCHERS AND MANUAL CHECKS:.....	4
CLOSED PROJECTS:.....	7
COMMERCIAL SEWER UNITS:	7
7:00 P.M. – NEIGHBORHOOD MEETING:	8
TRUSTEES UPDATE:	13
FIRE DEPARTMENT APPLICATION:.....	14
WATER/SEWER RESOLUTION:.....	14
CIRCLE NURSERY SCHOOL:.....	15
PART TIME POLICE OFFICER:	15
DPW UPDATE:	16

Avon Village Board Meeting
Monday, March 1, 2010 – NEIGHBORHOOD MEETING

The meeting of the Board of Trustees of the Village of Avon was held at the Avon Village Hall, 74 Genesee Street, Avon, New York on Monday, March 1, 2010.

Present: Thomas Freeman, Mayor
Mark McKeown, Trustee
William Zhe, Trustee
Timmy Batzel, Trustee
Robert Hayes, Trustee

Staff: John Barrett
Sergeant Pete Henry
Fire Chief Batzel
Tony Cappello
Reid Whiting, Attorney

Visitors: Mark Bovard
Lena Marchase
Sally Campo
Guy & Mary Ann Margiotta
John Norton
Mary Anne Huggins
Daniel Campbell
Klaas De Waard
Mark & Amy Peri
Robert L. Walker
Kay Conlon
Adrian Prince
Mary Lou & John Marks

Avon Village Board Meeting
Monday, March 1, 2010 – NEIGHBORHOOD MEETING

Bonnie Taylor-Davis
Tom Cole
Bob Carlin
Russ Ruter
Joe Montesano
Bernie & Darlene Kiel
Dan Warwick
Kathleen Merrell
Jim & Liz Welch
Bev Dziekonski

Mayor Freeman opened the meeting at 6:00 p.m. with the Pledge of Allegiance.

VILLAGE BOARD MEETING MINUTES:

Upon a motion made by Trustee Zhe the minutes from February 15, 2010 meeting are hereby approved as submitted. Trustee McKeown seconded the motion and it was carried by the following vote:

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

SERGEANT PETE HENRY:

Sergeant Henry reported:

- The activity for the Department has been moderate
- The Charger was out of service for a week and a half
- Unable to get parking ticket proposal done, but will present it at the next Village Board meeting

Chief Carney asked Sergeant Henry to submit a request to the Board for an Officer to attend a Maglocen Conference. Hotel and airfare are paid through the company. The conference runs March 29 – April 1st. Officer Geer will be at another conference at that time; therefore, one of the other Officers would attend.

Avon Village Board Meeting
Monday, March 1, 2010 – NEIGHBORHOOD MEETING

Since Officer Geer will already be gone to school, the Board felt that this wasn't a good time for anyone to attend, therefore, the request was denied.

Sergeant Henry informed the Board that he had submitted a letter to Sheriff John York requesting that the money for the STOP DWI Fund Sharing be forwarded to the Avon Police Department where \$2064 will be used to pay for the next 12 months service of the Verizon Air Cards in the patrol cars. The remaining \$945.90 will be put towards the purchase and replacement of 2 (two) portable radios for the officers.

Sergeant Henry reported the budget items would be the same with the exception of the Officer's pay.

There will be three capital project items proposed.

- 1) Patrol car
- 2) Two portable radios (funds would come from the DWI fund)
- 3) New digital camera

If the proposed renovation should be approved, we would also need a reception desk, lockers and some file cabinets.

Sergeant Henry reported that the speed trailer been ordered. It should be here shortly. The grant was given to both Caledonia and Avon.

VOUCHERS AND MANUAL CHECKS:

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

Fund #1 General Fund	\$11,842.51
Fund #4 Schedule C	\$ 1,175.10
Fund #5 Water	\$ 2,503.54
Fund #6 Sewer	\$ 7,050.67
Fund #9	\$
Fund #10	\$
Fund #11	\$

Avon Village Board Meeting
Monday, March 1, 2010 – NEIGHBORHOOD MEETING

Fund #17	\$ 4,271.04
Fund #44	\$
Fund #45	\$
Fund #47	\$
Fund #48	\$
Fund #49	\$
Fund #50	\$
Fund #53	\$
Fund #54	\$
Fund #55	\$
Fund #56	\$
Fund #57	\$
Fund #58	\$
Fund #59	\$
Fund #60	\$
Fund #61	\$
Fund #62	\$
Fund #63	\$
Fund #64	\$
Fund #65	\$
Fund #66	\$
Fund #67	\$
Fund #68	\$
Fund #69	\$
Fund #70	\$
Fund #71	\$
Fund #72	\$
Fund #73	\$
Fund #74	\$
Fund #75	\$
Fund #76	\$

Avon Village Board Meeting
Monday, March 1, 2010 – NEIGHBORHOOD MEETING

Fund #77	\$
Fund #78	\$
Fund #79	\$
Fund #80	\$
Fund #81	\$
Fund #82	\$
Fund #83	\$
Fund #84	\$
Fund #85	\$
Fund #86	\$
Fund #87	\$
Fund #88	\$
Fund #89	\$
Fund #90	\$
Fund #91	\$
Fund #92	\$
Fund #93	\$ 108.26
Fund #94	\$
Fund #95	\$
Fund #96	\$
Fund #97	\$
Fund #98	\$
Fund #99	\$
TOTAL	\$ 26,951.12

Manual Checks:

ESDC/REDS Partnership	\$ 526.31
NYS Child Support Proc. Unit	\$ 230.00
NYS Income Tax proc. Unit	\$1,778.21
Nationwide Retirement-Deferred Comp.	\$1,492.41

Avon Village Board Meeting
 Monday, March 1, 2010 – NEIGHBORHOOD MEETING

Grizzly Industrial	\$ 270.10
TOTAL:	\$4,297.03

Trustee Zhe seconded the motion and it was carried by the following vote:

Mayor Thomas Freeman	Voting	Yes
Trustee Mark McKeown	Voting	Yes
Trustee William Zhe	Voting	Yes
Trustee Robert Hayes	Voting	Yes
Trustee Timmy Batzel	Voting	Yes

CLOSED PROJECTS:

Upon a motion made by Trustee McKeown the following project is hereby closed and the remaining monies returned to its original source:

<u>Project Name</u>	<u>Balance Remaining</u>	<u>Original Source</u>
H55-Water Tank Inspection	\$6501.94	HR33 Water Filtr. Plant

Trustee Zhe seconded the motion and it was carried by the following vote:

Thomas Freeman, Trustee	Voting	Yes
Mark McKeown, Trustee	Voting	Yes
William Zhe, Trustee	Voting	Yes
Timmy Batzel, Trustee	Voting	Yes
Robert Hayes, Trustee	Voting	Yes

COMMERCIAL SEWER UNITS:

Mayor Freeman opened the public hearing by reading the duly published notice.

The Board reviewed the proposed commercial sewer unit changes as follows:

Avon Village Board Meeting
 Monday, March 1, 2010 – NEIGHBORHOOD MEETING

<u>Acct.</u>	<u>Name</u>	<u>Present</u>	<u>Proposed</u>
100100	Wayne Schultz	19	16
500600	J.O. Cook, Inc.	21	22
4001000	ACS High	45	27
5002050	McDonalds	7	8
5002065	Avon Kids Club	1	2
5002100	Peppermints	6	7
6006800	Community Integrated Svc.	1	2
11002600	B & B Precision	9	2
12004300	Star Headlight	11	9
12004800	Aldon	8	6
12005500	A.B. Equipment (Fat Sam's)	<u>3</u>	<u>2</u>
		131	103

Upon a motion made by Trustee Hayes the above-referred to changes to the sewer units are adopted:

Trustee McKeown seconded the motion and it was passed by the following vote:

Mayor Thomas Freeman	Voting	Yes
Trustee Mark McKeown	Voting	Yes
Trustee William Zhe	Voting	Yes
Trustee Robert Hayes	Voting	Yes
Trustee Timmy Batzel	Voting	Yes

7:00 P.M. – NEIGHBORHOOD MEETING:

Mayor Freeman welcomed the neighborhood and introduced the visitors to the Village Board and employees. He asked that when anyone speaks to please state their name and address.

Mayor Freeman reminded everyone that minutes can be viewed on the Village's website.

It was also mentioned that the Fire Department and Ambulance are always in need of volunteers if anyone were interested.

The Mayor reported that this past Christmas the luminaries were started up again and that he is looking for block captains. The Boy Scouts are also looking for projects they can do to help senior citizens. If anyone knows of jobs that could be done, they were asked to call the Village Office.

Avon Village Board Meeting
Monday, March 1, 2010 – NEIGHBORHOOD MEETING

Mayor Freeman informed the residents that everyone will be receiving a short questionnaire for the 2010 Census that needs to be completed and returned. The importance of the census is to determine funding that could be awarded to the Village and will show state population counts and determine representation in the U.S. House of Representatives.

The Mayor listed potential projects that were planned for this summer:

- Repaving and grinding of Valley Lane
- Sidewalks on High Street
- Tree trimming
- Correct drainage on High Street

Dan Campbell, 110 High Street – I thought we were going to vote if people wanted sidewalks or not. How far into the property do you plan on going and will you cut down trees?

Amy Peri, 128 High Street – I could care less if we have them. If you put a sidewalk on my side I'll have no front yard.

John Barrett – The sidewalks would be behind tree line.

Dan Campbell - I think reconstruction of the road should be done also. I think there should be a survey taken on whether people want sidewalks or not.

Liz Welch, 300 E. Main Street – My husband and I would be willing to donate some land behind Case Farm which would connect to Case Park. It would be a natural walkway and could take you right up to Avon Commons and Tops Plaza. It would be cost effective to the Town.

John Marks – That would be a nice way of connecting the park.

Mayor Freeman - Can we get a survey out to the residents on High Street regarding the sidewalks?

Mayor Freeman reported that there was a gutter issue from Dziekonskis' down to Jim Neubeck's home and there's a dead tree at 50 High St.

Mark Bovard, 151 D'Angelo Parkway – There are several bumps in the road from the sewer laterals, and when will we get sidewalks?

Mayor Freeman stated that there is an agreement that sidewalks will not be installed until 85% of the land (22 building lots) have been sold for development. Currently there are 16 completed lots and two pending.

Avon Village Board Meeting
Monday, March 1, 2010 – NEIGHBORHOOD MEETING

Superintendent Barrett – The pavement will be fixed this summer, we will grind them and fix them all.

Bonnie Davis, 410 North Avenue – Since the water line was relocated on Joe Montesano's property the pavement has sunk, therefore, the water pools in the spring by my mailbox and ices up in the winter. What about sidewalks on North Avenue, is it going to happen.

Mayor Freeman reported that there was a lot of research done a number of years ago and people were opposed to the idea.

Cathy Merrell, 320 North Avenue – Cars fly by and sidewalks are a safety issue and I would like to see them.

The Police Department informed the residents that they had gotten a grant for a speed trailer which everyone will see setup from time to time within the Village.

Sergeant Henry – We try to sit up on North Avenue as much as we can. Many speeders come from employees at the factories on Rochester Street. We'll try to set up more cars on North Avenue.

Klaas DeWaard, 13 Valley Lane – I took pictures of pot holes and I hope when you do the streets the gutters could be checked.

Darlene Kiehl – Is the line we see being installed fiber optic?

Superintendent Barrett – Yes, and it has nothing to do with the Village. They have a right-a-way.

Kay Conlon, 171 Reed Street - Does Time Warner have an agreement with the Village and does the Village have any control over what they offer. Time Warner is not exclusive?

Mayor Freeman – We do have a contract with them and receive a franchise fee, but we have no control over what they offer.

Kay Conlon – Is the garbage pickup going forward or have you dropped it?

Mayor Freeman – It has not been dropped. We're going to invite neighboring politicians who already have this in place and see how successful it's been and pick their brains.

Kay Conlon – I understood you were going to force everyone to go with the one hauler, why not do it like you do with the cable company. If you're going to give a hauler an exclusive franchise you should be paid for it. Thank you for the sidewalk in Case Park.

Avon Village Board Meeting
Monday, March 1, 2010 – NEIGHBORHOOD MEETING

Dan Campbell – Would each garbage company put a bid in?

Mayor Freeman – Yes, and there's a lot of variables.

Dan Campbell – Would it be cheaper in the long run for each household?

Mayor Freeman – Yes, that's what we believe.

Dan Campbell – Is the main issue to cut down on the number of trucks that go through the Village?

Mayor Freeman – Yes and cost.

A resident of Avon Commons stated that they all negotiated for one hauler and it works out very well. They come on one certain day only.

Trustee Zhe reviewed trash hauler's prices and options with the visitors. Currently the Village of Caledonia and Village of Livonia have contracts.

Darlene Kiehl – When you put it up to bids for vendors, try to put up the option for senior citizens who would only have one bag.

Amy Peri – What about the businesses and apartments?

Superintendent Barrett mentioned at one time the Board talked about enacting a local law that would only allow garbage trucks to enter the Village one or two days a week.

There were some complaints on the areas that have been dug up since the reconstruction of 5 & 20 Project.

Superintendent Barrett assured the residents that the State will come back and fix any areas that need to be repaired. The project is not closed out yet.

Mayor Freeman reported that currently Trustee Zhe and Trustee Hayes were working with the D.O.T. on crosswalks and signage.

Trustee Hayes – I have been working with the State D.O.T. and the school is working with them on trying to encourage the walking community. We still need to improve signage and crosswalks so people know it is illegal not to yield to pedestrians. It's a work in progress. Yield to Pedestrians signs will be strategically placed throughout the Village and by summer we should have them in place.

Dan Campbell – Why aren't there signs at Hal Bar Road?

Trustee Zhe – According to the D.O.T. too many signs don't work.

Avon Village Board Meeting
Monday, March 1, 2010 – NEIGHBORHOOD MEETING

Trustee Hayes – The key to success is signage, enforcement and common sense.

Sergeant Henry – We don't sit at crosswalks, but we follow school buses. I write the tickets but common sense plays a big part in it. We do have one crossing guard.

Trustee Hayes – In terms of survey, one of the feedbacks we received was that sidewalks are a very important factor and amenity; it's been made a priority by residents.

Darlene Kiehl – Are you talking about signs off to the side of the road or in the middle of the road?

Trustee Hayes – A little of both.

Trustee Zhe – Because of turning lanes we can't do them at every spot.

Tom Cole – An example of signage in the middle of road at the foot of the hill by the railroad crossing road, how is that working out?

Mayor Freeman – That railroad is now deemed a high speed crossing. That was enforced by the Federal Railroad and the design came from Albany. We pleaded to have that removed.

Mr. Campbell – On the median by the Catholic School, there are small markers on them now. They need something bigger and brighter or you're going to keep replacing them.

Tom Cole – What happening with Habitat for Humanity?

Mayor Freeman – At this time we have no application. I believe they are taking applications for residence.

Kay Conlon – What about properties that are almost abandoned like the old florist shop on East Main Street and a house at the end of Prospect Street across from St. Agnes Church?

Tony Cappello – HSBC now owns the property on Prospect Street and the one on East Main Street has appeared in court. I will follow-up on that.

Dan Campbell – Aren't there laws where you can't have clutter in yards?

Tony Cappello – Cars and tires yes, but flower pots and benches are not considered junk.

Jim Welch – Can you give an update on the Comprehensive Plan process. Will there be another public hearing on that?

Avon Village Board Meeting
Monday, March 1, 2010 – NEIGHBORHOOD MEETING

Trustee Hayes – Yes, there should be another public hearing when the draft of the Comprehensive Plan comes out. Subsequent to that the draft will be submitted to the Planning Board and Village Board.

Mayor Freeman asked the residents what they thought about communicating through an insert in the Penny Saver rather than sending individual letters to each resident.

The majority of the people said that they like the personalized letter. Some do not read the Penny Saver.

Bob Walker – I'm here because I like the flyer you sent out. The idea of a community calendar is terrific. If you can come up with a system to make it work would be appreciated. The crew needs to be congratulated and not criticized for jobs well done.

TRUSTEES UPDATE:

Trustee Zhe met with representatives from Unison who is interested in leasing our cell tower. They would like to make a proposal to the Village of a lump sum for a longer period of time and they would collect the rents. There was no indication of how long of a period of time, but at this point, they have not gotten back to the Village with any form of proposal.

Mayor Freeman announced that the Annual Meeting for the Village Board will be held on Monday, April 12, 2010 because of several absences.

A motion was made by Trustee Zhe to have the annual meeting moved from April 5, 2010 to April 12, 2010. The motion was seconded by Trustee McKeown and carried by a unanimous vote.

Attorney Whiting amended the agreement with Parks consistent with the discussion with the Village Board as February 15th's Village Board meeting. The following changes were made:

- 1) p. 3, deletion of paragraph g, and relettered h. to g. and i. to h.
- 2) p. 3, added clause defining minor repair to paragraph h, formerly i.
- 3) p. 5, paragraph on Phase II, line 5, added this language: monthly invoice within 30 days of the submission of the invoice by the Village.
- 4) P. 6, deleted paragraphs c and d as they place the Village in a difficult legal position.

Avon Village Board Meeting
Monday, March 1, 2010 – NEIGHBORHOOD MEETING

Attorney Whiting stated through correspondence dated February 26, 2010 that in view of the extreme financial distress of New York State and drastic park closures, it may behoove the Board to revisit this whole arrangement. It is certainly foreseeable in view of the austerity budget of Parks that it will not necessarily be a reliable or prompt source of reimbursement for the Village.

Treasurer Quinlan sent the contract on for comments from the Parks and the Board and Attorney Whiting will react to them when they come in. Mayor Freeman agreed with Attorney Whiting's comments on being cautious.

Attorney Whiting suggested that he would get a hold of Peter Skivington to see what the Town of Caledonia has done regarding the railroad.

FIRE DEPARTMENT APPLICATION:

Upon a motion made by Trustee Batzel, the application of Lisa Anderson and Thomas Cook for membership in the Avon Fire Department is hereby accepted. Trustee Hayes seconded the motion and it was carried by the following vote:

Mayor Thomas Freeman	Voting	Yes
Trustee Robert Hayes	Voting	Yes
Trustee Mark McKeown	Voting	Yes
Trustee Timmy Batzel	Voting	Yes
Trustee William Zhe	Voting	Yes

WATER/SEWER RESOLUTION:

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

RESOLUTION

WHEREAS, the Village of Avon residents are billed quarterly for the use of water and sewer within the Village, and

WHEREAS the February 1st billing is the last billing prior to the year end fiscal closing, and

WHEREAS, there are delinquent water and sewer accounts, it is therefore

Avon Village Board Meeting
Monday, March 1, 2010 – NEIGHBORHOOD MEETING

RESOLVED, that all delinquent water and sewer amounts not paid prior to April 1, 2010 are, and they shall be, added to the Village of Avon tax roll for each specific delinquent account.

Trustee Zhe seconded the motion and it was carried by the following vote:

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

CIRCLE NURSERY SCHOOL:

Circle Nursery School submitted an agreement establishing the Avon Village Hall as an alternate place of shelter in the event of an emergency that requires evacuation. The purpose of this shelter is to allow time for parents and/or caregivers to pick up their children, or if the conditions allow and the reason for evacuation has been resolved, return back to the Circle Nursery School classroom.

Circle Nursery School agrees to supply a copy of their related policies and procedures.

The Board questioned the insurance issue and suggested that we check into this before making a decision.

PART TIME POLICE OFFICER:

Mayor Freeman asked for a motion to appoint Matt McFadden to the position of part-time Police Officer to become effective on March 6, 2010 at a starting rate of \$19.45 hourly.

Upon a motion made by Trustee Zhe, the Village Board appointed Matt McFadden to the position of part time Police Officer. Trustee Hayes seconded the motion and it was carried by the following vote:

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

Avon Village Board Meeting
Monday, March 1, 2010 – NEIGHBORHOOD MEETING

Attorney Whiting reviewed the contract for Schedule C with the Board and Superintendent Barrett. The only reference to Kraft is its payments would be put into the Schedule C account and special allocation of 2 million gallons.

The Board had a discussion on different options with Schedule C and explored different configurations to reduce the debt that now exists for under usage of water for the past three years by Kraft.

Mayor Freeman – How should the committee resolve a \$26,000 shortfall?

Trustee Hayes – I think by raising rates, and I like John Barrett's solution going forward, but it needs to be evenly spread out because that's how it was calculated originally.

DPW UPDATE:

An Energy Audit was conducted on February 3, 2010. The biggest savings to the Waste Water Treatment Plant and Highway Garage would be to replace incandescent lamps with compact fluorescent lamps, replace mercury vapor with T-8 fluorescent fixtures, and install T-8 lamps and electronic ballasts. Also installing a more efficient boiler should be considered. Savings for the Village Office could be obtained by installing T-8 lamps and electronic ballasts, replace fluorescent exit signs with L.E.D. exit signs and install a more efficient boiler.

Superintendent Barrett updated the Board on the following items:

- Tree surgeon coming next week.
- Livingston County sewer rate should be looked at, it's never been addressed
- Tree trimming in the circle park will be done, some trees might have to come down

Trustee Zhe – Instead of putting money into the Christmas decorations as previously discussed, John Marks would like to see the extra money put into more extensive tree trimming.

Mayor Freeman instructed John Barrett to talk with Fiber Optic guys and if they are trimming trees they need to chip them away.

Trustee Zhe reminded Superintendent Barrett that they need to get together again for crosswalk signs.

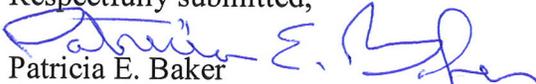
Mayor Freeman – It's all undeveloped land and we don't know what the final contours will be. If that is developed and the contours change, then the work would be for nothing.

Avon Village Board Meeting
Monday, March 1, 2010 – NEIGHBORHOOD MEETING

Trustee Hayes – Treasurer Quinlan, Paul Drozdiel and I met with Bernie Thoma to discuss the downtown grant, and we found out that it is too late for the grant this year. We need to gauge the level of interest from business owners. Renovation, street scape and possibly the side hill for a Community Development Block Grant.

Upon a motion, the meeting was adjourned at 9:30 p.m.

Respectfully submitted,


Patricia E. Baker
Village Clerk