

Avon Village Board Meeting  
Monday, July 19, 2010

PINE VIEW HEIGHT EASEMENTS:..... 2  
LOCAL LAW #1 OF 2010 – UNIFORM CODE ENFORCEMENT: ..... 3  
LOCAL LAW #3 OF 2010 – STOP SIGNS ON PARK PLACE:..... 3  
VILLAGE BOARD MEETING MINUTES:..... 4  
VOUCHERS AND MANUAL CHECKS:..... 4  
OPEN PROJECTS: ..... 7  
CLOSED PROJECTS: ..... 8  
ATTORNEY UPDATE: ..... 8  
CODE ENFORCEMENT OFFICER UPDATE: ..... 9  
TRUSTEE’S UPDATE:..... 9  
EXECUTIVE SESSION:..... 11

Avon Village Board Meeting  
Monday, July 19, 2010

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, July 19th, 2010.

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

Absent: Timmy Batzel

Staff: Reid Whiting  
Christine Quinlan  
Tony Cappello

Visitors: Dwight Brown  
Joan Brown  
Thomas Murray  
Rock Vinci  
Howard Appell

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

## **PINE VIEW HEIGHT EASEMENTS:**

Trustee Zhe explained the reason for the visitors from Pine View Height at the Board meeting and the possibility of obtaining easements from the Browns' and the Murrays' who live on Pine View Heights so that these properties connect to the "park" (Frank Csapo's property & Avon Central School). Right now people walk from the end of Pine View Heights which is private property across one of the developer's lots to get to the park to ACS.

Mr. Brown stated that he would like everything left the way it is for now.

Mr. Murray – Why can't we allow people to walk across the property ourselves? I like the comfort level of having the right to do whatever I want and for future property owners. I have the same opinion as the Brown's.

Attorney Whiting –An easement would be recorded in your chain of title, it's a permanent thing. It would run with the land. It could be as broad or narrow as you agree to. It should be a specific footage.

The Board along with the Browns and Mr. Murray discussed the pros and cons of an easement and granting a right-a-way.

The residents chose to leave it as is.

## **LOCAL LAW #1 OF 2010 – UNIFORM CODE ENFORCEMENT:**

Mayor Freeman opened the public hearing for Local Law #1-2010 entitled “A Local Law Providing for the Administration and Enforcement of the New York State Uniform Fire Prevention and Building Code”.

This local law provides for the administration and enforcement of the New York State Uniform Fire Prevention and Building Code and the State Energy Conservation Construction Code in the Village of Avon. This local law would be adopted pursuant to Section 10 of the Municipal Home Rule Law.

Trustee Zhe made a motion to approve Local Law #1 of 2010 “Administration and Enforcement of the New York State Uniform Fire Prevention and Building Code” 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
Robert Hayes, Trustee	Voting	Yes
Timmy Batzel, Trustee	Absent	

## **LOCAL LAW #3 OF 2010 – STOP SIGNS ON PARK PLACE:**

Mayor Freeman opened the public hearing for the proposal of **STOP SIGNS** for vehicles entering Routes 5 & 20 from the municipal parking lot and from Genesee Street, and the existing layouts of those streets present hazards to pedestrians and motorists in that area.

The Chief of Police and Village Board have recommended that stop signs be installed to replace the present yield signs at the northeast corner of the exit from the municipal parking lot between Pizza Land and the Fire Department building, and at the northeast corner of the intersection of Genesee Street and Park Place for vehicles traveling north on Genesee Street, in order to

diminish the speed of vehicles traveling in that area and to promote the health, safety and welfare of residents of that neighborhood and motorists and pedestrians using those streets.

Trustee Zhe made a motion to approve Local Law #3 of 2010 "Stop Signs on Park Place". 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
Robert Hayes, Trustee	Voting	Yes
Timmy Batzel, Trustee	Absent	

## **VILLAGE BOARD MEETING MINUTES:**

Upon a motion made by Trustee Hayes the minutes from July 8, 2010 are hereby approved as submitted. Trustee Zhe seconded the motion and it was carried by the following vote:

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

Upon a motion made by Trustee Zhe the minutes from July 12, 2010 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	Yea
William Zhe, Trustee	Voting	Yes
Robert Hayes, Trustee	Voting	Yes
Timmy Batzel, Trustee	Absent	

## **VOUCHERS AND MANUAL CHECKS:**

Upon a motion by Trustee Hayes, the following vouchers are approved for payment:

Fund #1 General Fund	\$ 24,888.20
----------------------	--------------

Avon Village Board Meeting  
Monday, July 19, 2010

Fund #4 Schedule C	\$ 3,424.93
Fund #5 Water	\$ 5,323.13
Fund #6 Sewer	\$ 6,105.02
Fund #9	\$
Fund #10	\$
Fund #11	\$
Fund #17	\$ 674.31
Fund #44	\$
Fund #45	\$
Fund #46	\$ 30.03
Fund #47	\$
Fund #48	\$ 1,630.00
Fund #50	\$
Fund #53	\$ 5,383.16
Fund #54	
Fund #55	\$ 552.30
Fund #56	\$
Fund #57	
Fund #58	\$ 27.30
Fund #59	\$ 27.30
Fund #60	\$
Fund #61	\$
Fund #62	\$
Fund #63	\$
Fund #64	\$ 8,275.91
Fund #65	\$ 552.97
Fund #66	\$ 27.30
Fund #67	\$
Fund #68	\$
Fund #69	\$

Avon Village Board Meeting  
Monday, July 19, 2010

Fund #70	\$
Fund #71	\$
Fund #72	\$
Fund #73	\$
Fund #74	\$
Fund #75	\$
Fund #76	\$
Fund #77	\$
Fund #78	\$
Fund #79	\$
Fund #80	\$ 1,188.00
Fund #81	\$
Fund #82	\$
Fund #83	\$
Fund #84	\$
Fund #85	\$
Fund #86	
Fund #87	\$
Fund #88	\$
Fund #89	\$
Fund #90	
Fund #91	\$ 10,677.00
Fund #92	\$
Fund #93	\$
Fund #94	\$ 68.06
Fund #95	\$
Fund #96	
Fund #97	\$
Fund #98	\$
Fund #99	\$

TOTAL	\$ 68,882.22
-------	--------------

Manual Checks: Check # 3412 Law Enforcement officers Union \$368.28

Check #3413 NYS Child Support	\$230.00
Check #3415 NYS Income Tax Processing Unit	\$1,589.64
Check #3411 SEIU 200 United	\$319.79
Check #3414 Nationwide Retire. Solution	<u>\$1,742.19</u>
<b>TOTAL:</b>	<b>\$4,249.90</b>



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
Robert Hayes, Trustee	Voting	Yes
Timmy Batzel, Trustee	Absent	

**OPEN PROJECTS:**

Upon a motion made by Trustee Zhe the following projects were opened:

- Digital camera for the APD in the amount of \$1,000 to be funded by HR22-General Equipment Reserve
- Portable pumps for the AFD in the amount of \$2,000 to be funded by NYS DEC Forestry grant in the amount of \$1,000 and \$1,000 match from General Fund balance

The motion was seconded by Trustee Hayes and carried by the following vote:

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

Timmy Batzel, Trustee

Absent

## CLOSED PROJECTS:

Upon a motion made by Trustee McKeown the following projects were closed:

<u>Project Name</u>	<u>Balance Remaining</u>	<u>Original Source</u>
H89-Rts. 5&20 Water	\$51,647.23	Debt Service
H90-BUNY	\$0	

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

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

## ATTORNEY UPDATE:

- Comments from Steve Beauvais regarding Erie Attica should be done this week.
- There are a few stipulations to work out regarding National Grid and then they'll recirculate it back. Some of the language needed to be changed according to Peter Baynes. He's thinking the time frame will be September.

Attorney Whiting reiterated that the Erie Attica project makes him uneasy with all the budget slashing; it's a tough year waiting for reimbursements. I fear you may be waiting for an excessive amount of time.

Mayor Freeman - If we can get a comfort level from our representatives would that help the situation, and are you ok with the contract responsibilities?

Attorney Whiting – You'll be administering a lot of bids.

Avon Village Board Meeting  
Monday, July 19, 2010

Mayor Freeman asked Treasurer Quinlan if she sees it to be a problem handling that.

Treasurer Quinlan – No.

Trustee McKeown – Should we be administrating \$1,000,000 in the Village? It's going to be a lot of work. Should we consider a Project Manager on this?

Mayor Freeman stated that he and Treasurer Quinlan will work out the details as far as the money flow.

Attorney Whiting – I think I should just wait while you work on getting a guarantee on receiving the money.

Treasurer Quinlan announced that the Village had received Basic Financial Statements, Letter of Communication and the Management Letter from Raymond F. Wager, CPA, P.C. for the audit they performed.

## **CODE ENFORCEMENT OFFICER UPDATE:**

Code Officer Cappello had the following updates:

- Haubner property – foreclosure sale coming real soon
- Moore property on Rochester Street going up for auction
- Possible Day Care going in at 190 Clinton Street
- Proposed ESL going before Planning Board on the 21<sup>st</sup>
- Jim Davis asked for an extension for cleanup of his property on West Main Street
- Zion House had two open houses on Sunday, July 18<sup>th</sup>. People moving in on August 15<sup>th</sup>
- Dry Cleaners have requested that railings be put up from the street for the senior citizens

Code Officer Cappello – I will contact Rochester Railing to get some ideas on material and see what other businesses are interested in having a railing.

Treasurer Quinlan will ask the question to MRB since the question was asked during the downtown project.

## **TRUSTEE'S UPDATE:**

Trustee Hayes has been in contact with Bonnie Davis regarding the Welcome Wagon and would they need a budget from the Village so they have revenue available for their expenses.

Avon Village Board Meeting  
Monday, July 19, 2010

The Board agreed to \$400 and that it should be advertised in the “News You Can Use” section of the Penny Saver.

Mayor Freeman informed the Board that three candidates were interviewed for the Planning Board. Both Rusty Korth and Mayor Freeman agreed that Bill Wall should fill the position for Jean Schoenthal’s vacancy.

A motion was made by Trustee Zhe and seconded by Trustee Hayes to appoint William Wall to the Planning Board for a seven year term. The vote was carried by the following vote:

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

Mayor Freeman announced the next Neighborhood Meeting would be held on August 2, 2010. The area involved would be the bottom part of Clinton Street, Oak Street, Pine View Heights, Genesee Street, Fisk Place, South Avenue and Spring Street.

The Village received a request to use Circle Park for a Rosary Rally to be held on October 16, 2010. The Board had no objection but agreed they would need a Certificate of Insurance and to fill out the application form and fees would be waived. Police would have to be notified in case of a large crowd.

Mayor Freeman notified the Chairman of the Parks Commission and they agreed they would take over the barns completely. Trustee Zhe attended the recent meeting of the Parks Commission and informed the Board that they agreed that when there is a vacancy, residents of Avon should have 1<sup>st</sup> rights.

Rock Vinci who has submitted a lease to rent the empty stall informed the Board that he lives very close to Avon. Avon is closer to me than my property in Geneseo. This is where we spend our Halloweens, my bank is here and my dentist is here. I race horses. I came in almost three years ago and was put on a waiting list. I want to bring in a horse that races and train a horse on a track, since it is a driving park. I feel attached to Avon, as far as rent I’m willing to pay my rent on a yearly basis so you wouldn’t have a problem with me. It was designated as a driving park.

Mayor Freeman suggested that Mr. Vinci go to the next Parks Commission meeting and let it be their decision. They meet the 2<sup>nd</sup> Wednesday of each month.

Avon Village Board Meeting  
Monday, July 19, 2010

Trustee McKeown – My opinion is that if he was next on the list then he’s next on the list. Trustee Hayes felt the same way. Without an explicit policy then I think Mr. Vinci is entitled to the stall.

Trustee McKeown reported that at the last Chief’s meeting, they had a demonstration of new coats and pants.

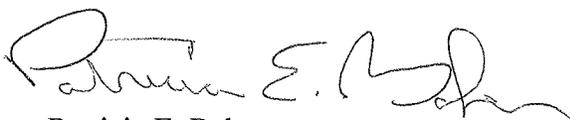
### **EXECUTIVE SESSION:**

Upon a motion made by Trustee Zhe, the Board went into executive session at 7:45 pm to discuss contractual and personnel issues. Trustee Hayes seconded the motion and the Board exited executive session at 8:50 pm. The motion was carried by a unanimous vote.

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

Upon a motion the meeting was adjourned at 9:00 p.m.

Respectfully submitted,



Patricia E. Baker  
Village Clerk