

Avon Village Board Meeting
Monday, September 20, 2010

EXECUTIVE SESSION:..... 2
RONALD & CAROL LYTTLE: 2
SUPERINTENDENT BRUCE AMEY: 4
EXECUTIVE SESSION:..... 5
VILLAGE BOARD MEETING MINUTES:..... 5
VOUCHERS AND MANUAL CHECKS:..... 5
CLOSED PROJECTS:..... 8
TAX RELEVY RESOLUTION: 9
REQUEST FOR CONFERENCE ATTENDANCE:..... 9
EXECUTIVE SESSION:..... 10

Avon Village Board Meeting
Monday, September 20, 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, September 20, 2010.

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

Staff: Tony Cappello
Chief Jim Carney
John Barrett
Reid Whiting, Attorney

Visitors: Tom Moran
Jim Fusco
Jim Gerace
Carol & Ronald Lyttle
Bruce Amey

Mayor Freeman opened the meeting at 5:00 p.m. with the Pledge of Allegiance.

EXECUTIVE SESSION:

Upon a motion by Trustee Zhe, the Board entered into executive session at 5:05 p.m. to discuss personnel matters. The motion was seconded by Trustee Hayes and the Board exited executive session at 6:30 p.m.

RONALD & CAROL LYTTLE:

A letter was sent to the Village Board from Ronald & Carol Lyttle requesting a variance be issued to allow for the discharge of a firearm within the Village limits for the purpose of removing deer from their agricultural property located at 435 Wadsworth Avenue. The property is zoned agricultural in nature; however, due to the damage done by the deer each growing season, they are unable to rent the land for agricultural purposes.

Chief Carney spoke with Brian Wade of DEC and he had the following comments:

- As a resident and experienced DEC Officer, he would not support the shooting of deer in the proposed area, as it provides very limited safe shooting scenarios.
- The 500' from a residence rule would apply to any shots fired.
- Even if a nuisance permit were to be issued, it would expire at the end of September.
- A permit would still be required to follow Village Ordinances.
- The only thing preventing legal harvesting of deer now is the Village Ordinances that the Board has the power change.
- Bow hunting in the Village is an option the Board could allow with restrictions.

Chief Carney - It's a limited area where shots could be taken. 500' would take in the Kraft factory. A bow would be a safer alternative, but it's not as easy. The Village would still have to give a variance for bow hunting. But using a bow, the deer could run quite a distance before the deer would drop. You would have to go on other properties to track the deer and get property owner's permission.

Mr. Lyttle was also told by Mr. Kirsch from the DEC another possibility was to have a tree stand so you would be shooting down.

Trustee McKeown – During hunting season do you get calls from people saying they hear shooting in their backyard?

Chief Carney – All the time, it certainly would generate calls.

Mayor Freeman – What about air cannons?

Chief Carney – After 3-4 weeks they become accustomed to them and they ignore them.

Trustee McKeown – I think what we're trying to say is that we're not in favor of this. There's not many ways around it.

Trustee Hayes – I think eventually, the DEC will have to do something about it.

Chief Carney reported that the Town of Irondequoit had a controlled deer hunt with sharp shooters and DEC entering a park and it was a very expensive endeavor.

SUPERINTENDENT BRUCE AMEY:

Last year the School Board realized we weren't following our transportation policy. A committee was put together studying the transportation policy. Parents of students that live east of Lacy Street and walking on the south side of 5&20 heading for school and Clinton Street extension have raised concerns on street crossings.

Mr. Amey stated that the school would like to request one hour a day, ½ hour in the a.m. and ½ hr. in the p.m. (8:50 a.m. – 9:20 a.m. & 3:00 p.m. – 3:30 p.m.). I could use our School Resource Officer at Hal Bar during the a.m.

Bruce Amey - We can't hire a crossing guard if it's not our property.

Trustee Batzel – Would you have a staff member that would be interested?

Bruce Amey – Perhaps, maybe the playground monitor.

Trustee Hayes – What are we missing at a 4 way stop that prevents people from being able to navigate? We need to rely on people's common sense.

Bruce Amey – Maybe they get there and there is a little confusion.

Bruce Amey - The School Board encourages parents to walk with their children or walk in groups. I think we have a safe Village.

Mayor – How about a sidewalk in front of Hunter Hall to get them down to the Crossing Guard? We're talking about paying someone around \$1,400 a year as oppose to putting in about 500' of sidewalk for around \$4,000.

Trustee Batzel – Crossing the Hunter Hall driveway would be a concern to me the way they go in and out.

Trustee McKeown – We have a School Resource Officer up there now and we have a Police Officer on duty so we have two Police Officers on duty that could potentially watch the intersection.

Chief Carney - A viable option is that when we have someone available one of them will be at that intersection whenever possible. We couldn't guarantee it every day. SRO's primary function cannot be guaranteed that he would be there every day. I think if there's a police car there on a fairly regular basis it can help build that comfort level with the parents and have the kids interact with the Police Officers. Chief Carney suggested doing the heavy presence now and get people use to it.

Avon Village Board Meeting
Monday, September 20, 2010

Trustee McKeown – I think that would be reinforcement to drivers that there could be a Police Officer there so hopefully traffic would slow down and people wouldn't roll through the stop signs.

Bruce Amey – I think that's a good thing to try. I will let those parents know that we are working with our Police Department and talk with our SRO.

EXECUTIVE SESSION:

Upon a motion by Trustee Zhe, the Board entered executive session at 7:45 p.m. to discuss personnel matters. The motion was seconded by Trustee McKeown and the Board exited executive session at 8:00 p.m.

VILLAGE BOARD MEETING MINUTES:

Upon a motion made by Trustee Zhe the minutes from September 13, 2010 are hereby approved as submitted. 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 | Voting | Yes |

VOUCHERS AND MANUAL CHECKS:

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

| | |
|----------------------|--------------|
| Fund #1 General Fund | \$ 24,414.73 |
| Fund #4 Schedule C | \$ 78,245.99 |
| Fund #5 Water | \$ 576.38 |
| Fund #6 Sewer | \$ 3,034.06 |
| Fund #9 | \$ |

Avon Village Board Meeting
Monday, September 20, 2010

| | |
|----------|--------------|
| Fund #10 | \$ |
| Fund #11 | \$ 1,904.79 |
| Fund #17 | \$ 4,430.12 |
| Fund #43 | \$30,895.48 |
| Fund #44 | \$ |
| Fund #45 | \$ |
| Fund #46 | \$ 969.97 |
| Fund #47 | \$ |
| Fund #48 | \$ |
| Fund #49 | \$ 1,780.32 |
| Fund #50 | \$ 1,562.50 |
| Fund #53 | \$ |
| Fund #54 | |
| Fund #55 | \$ 447.70 |
| Fund #56 | \$ |
| Fund #57 | \$ 4,802.61 |
| Fund #58 | \$ |
| Fund #59 | \$ 615.00 |
| Fund #60 | \$ |
| Fund #61 | \$ |
| Fund #62 | \$ 200.96 |
| Fund #63 | \$ |
| Fund #64 | \$35,539.14 |
| Fund #65 | \$26,063.95 |
| Fund #66 | \$ 89,482.00 |
| Fund #67 | \$ |
| Fund #68 | \$ |
| Fund #69 | \$ |
| Fund #70 | \$ |
| Fund #71 | \$ |

Avon Village Board Meeting
Monday, September 20, 2010

| | |
|----------|--------------|
| Fund #72 | \$ |
| Fund #73 | \$ |
| Fund #74 | \$ |
| Fund #75 | \$ |
| Fund #76 | \$ |
| 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 | \$ 3,864.76 |
| Fund #92 | \$ |
| Fund #93 | \$ |
| Fund #94 | \$ 174.96 |
| Fund #95 | \$ |
| Fund #96 | |
| Fund #97 | \$ |
| Fund #98 | \$ |
| Fund #99 | \$ |
| | |
| TOTAL | \$309,005.42 |

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 |
| Robert Hayes, Trustee | Voting | Yes |
| Timmy Batzel, Trustee | Voting | Yes |

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CLOSED PROJECTS:

Upon a motion made by Trustee Batzel the following projects are hereby closed and the remaining monies returned to their original sources:

| <u>Project Name</u> | <u>Balance Remaining</u> | <u>Original Source</u> |
|---------------------------|--------------------------|------------------------|
| H43-Skidsteer | \$77.22 | HR22-General Eq. |
| H53-Community Manor | \$0 | |
| H55-Driving Park Drainage | \$0 | |

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

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

TAX RELEVY RESOLUTION:

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

RESOLUTION

WHEREAS, the Village of Avon hereby requests that the County of Livingston collect certain delinquent Village taxes for the tax levy of June 2010, and

WHEREAS, the Village of Avon will take no action to recover said unpaid taxes pursuant to Section 1440 of the Real Property Tax Law of the State of New York and no sale on account of said unpaid taxes will be held pursuant to law,

NOW THEREFORE BE IT RESOLVED that the Village of Avon officially requests that the County of Livingston collect certain delinquent Village taxes for the tax levy of June 2010 pursuant to Section 1442 of the New York State Real Property Law.

AND IT IS FURTHER RESOLVED that a copy of this resolution, duly certified by the Village Clerk of the Village of Avon shall be transmitted forthwith to the Livingston County Treasurer and the Clerk of the Livingston County Board of Supervisors.

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

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

REQUEST FOR CONFERENCE ATTENDANCE:

Lee Rodamaker submitted a request to attend a mandatory NYS Training course. There is -0- cost for this course.

Upon a motion made by Trustee Hayes and seconded by Trustee Zhe approval was given to Mr. Rodamaker to attend. The motion was carried by the following vote:

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

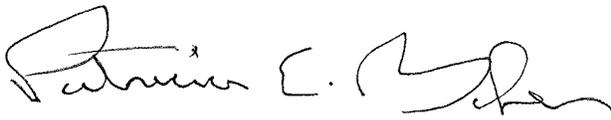
Avon Village Board Meeting
Monday, September 20, 2010

EXECUTIVE SESSION:

Upon a motion by Trustee Zhe, the Board entered executive session at 8:05 p.m. to discuss personnel matters. The motion was seconded by Trustee Hayes and the Board exited executive session at 9:15 p.m.

Upon a motion the meeting was adjourned at 9:15 p.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Patricia E. Baker". The signature is written in a cursive style with a small 'x' above the 'a' in "Patricia".

Patricia E. Baker
Village Clerk