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Avon Village Board
Monday, February 7, 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, February 7, 2011.

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

Staff: Christine Quinlan
John Barrett
Tony Cappello
Chief James Carney
Chief Jeremy Batzel
Reid Whiting, Attorney

Visitors: Howard Appell, LCN
Josh Williams, Genesee Sun

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Peter Burke
Brenda Muir
Carol Whitney
Mary Lou Marks
Ilonka Tumelaire

Mayor Freeman called the meeting to order at 6:00 p.m. with the pledge of allegiance.

PUBLIC HEARING: LOCAL LAW #1-2011 - A LOCAL LAW ADDING A NEW ZONE, R-1A:

Mayor Freeman opened the public hearing and read the official notice that was published in the Livingston County News.

Stonewall Homes of Geneseo applied for a building permit July 19, 2010, seeking to remodel the former Collins-Hayes medical office at 190 Clinton Street for use as a child daycare. Building Inspector Anthony Cappello denied the application because the property was in an R-1One Family Residential zoning district and had been vacant for more than a year thus losing its prior non-conforming use status. Previously a use variance application was denied by the Zoning Board of Appeals. The Board suggested the applicant pursue rezoning.

A Local Law is proposed to add a new zone, Zoning District R-1A, to the zoning provisions of the Village of Avon, covering tax parcels 34.11-1-24, 25, 41 and 42 on the north side of Clinton Street between Lacy Street and Hal-Bar Road.

A motion was made by Trustee Hayes and seconded by Trustee Zhe to approve the zoning change 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

CHUCK BASTIAN:

Chuck Bastian of Bernard P. Donegan, Inc. distributed to the Board their outstanding bonds for Water, Sewer and General and reviewed where we stand on current debt loans. He also presented a timeline for the Erie-Attica Trail and Bridge project.

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A discussion was held regarding the possible renovation of the Village building and the possibility of not receiving timely payments on the Erie Attica Project, thereby taking out another loan.

For the water fund the existing bonds which are outstanding are for the water filtration plant and the Routes 5&20 Project.

For the sewer fund there are three outstanding bonds. They are State Revolving Funds. The interceptor collector sewer of which part is paid back from Livingston County, Bronson Avenue to River Street Project and the 5 & 20 Project.

Mayor Freeman questioned when we receive our money back from the State for the 5&20 Project can we pay down on our loan.

Mr. Bastian informed Mayor Freeman that he would check into that.

A proposal for financial consulting services in connection with the Village's proposed \$1,367,000 Erie Attica Trail Capital Project was submitted for approval.

LIVINGSTON COUNTY HABITAT FOR HUMANITY:

Mary Lou Marks informed the Board that Livingston County Habitat for Humanity has requested permission to hold a walk-a-thon in the Village of Avon starting at 10 a.m. on Saturday, May 21st. She has already spoken with Chief Carney and obtained permission from him for the 3 mile walking route.

Ilonka Tumelaire who is a volunteer for Habitat reviewed the route with the Board. It will start at St. Agnes Church to West Main Street, to Horseshoe Blvd. to Rochester Street to Reed Street to High Street to East Main Street and finish at St. Agnes Church.

They currently are working on a house in Mt. Morris and a family will move into it in April. Currently they are interviewing families for the house in Avon. At this time they are not sure when construction will start on High Street. They are hoping to get the Avon School involved and do some of the fund raising in Avon. We go out and get sponsors throughout Avon.

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Mayor Freeman assured them that the Village Board is behind this project and it is important that Chief Carney is involved in this.

We would like you to come back periodically and give us updates because it will be in the minutes and the minutes are on the web site. We will be starting our neighborhood meetings again and will arrange to have Dan Dibble attend.

VILLAGE BOARD MEETING MINUTES:

Upon a motion made by Trustee McKeown the minutes from January 24, 2011 meeting 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	Voting	Yes
William Zhe, Trustee	Voting	Yes
Timmy Batzel, Trustee	Voting	Yes
Robert Hayes, Trustee	Voting	Yes

VOUCHERS AND MANUAL CHECKS:

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

Fund #1 General Fund	\$19,114.53
Fund #4 Schedule C	\$ 6,036.27
Fund #5 Water	\$ 2,404.31
Fund #6 Sewer	\$ 5,743.22
Fund #9	\$
Fund #10	\$
Fund #11	\$
Fund #17	\$ 4,079.73
Fund #44	\$
Fund #45	\$
Fund #47	\$
Fund #48	\$

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Fund #49	\$
Fund #50	\$
Fund #52	\$
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	\$
Fund #77	\$
Fund #78	\$
Fund #79	\$
Fund #80	\$

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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	\$ 566.88
Fund #94	\$
Fund #95	\$
Fund #96	\$
Fund #97	\$
Fund #98	\$
Fund #99	\$
TOTAL	\$ 37,944.94

Manual Checks:

Postmaster	Ck.# 3199	\$ 163.80
Postmaster	Ck.# 3857	\$ 163.80
	TOTAL:	\$ 327.60

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Trustee Mc Keown 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

INTERFUND TRANSFER:

Treasurer Quinlan - We opened up three projects for the Fire Department on November 1, 2010, but there is not enough money in the reserve to fund them so I need the Board to transfer money earlier than the end of the year.

Trustee McKeown said that the Board has asked for quotes and information from Chief Batzel and have yet to receive it. So at this time the request is on hold.

CODE ENFORCEMENT OFFICER UPDATE:

Code Officer Cappello gave an update on the following items:

- ESL lighting – No problem with lighting from neighbor. The Engineer says the lighting is exactly as proposed.
- Traffic is now cutting through ESL to go to the Medical Center

Chief Carney reported there is a sign saying no through traffic. There is also a section of law that states' going through private property is illegal.

ATTORNEY REID WHITING:

At the last Village Board meeting, Stephen Tuchrello of 40 Fisk Place appeared before the Board, asking to add a 10' x 10' room onto a 2-story accessory building on his property. The addition was described as a day room. Mr. Tuchrello hopes to be able to help out his elderly parents.

Attorney Whiting submitted a proposed amendment to the current zoning ordinance to:

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- 1) Expressly allow for elder care of one's parents, grandparents, siblings, aunts and uncles within a dwelling, dwelling unit, or dwelling, one-family.
- 2) Expressly allow for elder care of one's parents, grandparents, siblings, aunts and uncles within agricultural, R-1, R-2 and any other zone for the Board feels is appropriate.
- 3) Expressly allow for respite care of one's parents, grandparents, siblings, aunts and uncles within accessory buildings that are equipped with whatever trappings the Board finds appropriate (e.g., cooking, heat, bathroom facilities, bedroom, etc.) within whatever zones the Board finds appropriate.

Mayor Freeman and Tony Cappello said they will take it to the Planning Board and work on that with them.

Mayor Freeman had a brief discussion with Attorney Whiting regarding the Letter of Credit for Alexander Crossing. Currently Mr. Alexander owes the Village \$1,621.85 for outstanding engineering bills. The Village inquired through Genesee Regional Bank about pulling money from the Letter of Credit to pay the outstanding bills. They responded by stating that they will not be renewing the Letter of Credit in the amount of \$16,493.06.

Mayor Freeman asked Mr. Whiting to follow-up with Genesee Regional Bank on this matter to see what the Village needs to do.

DPW UPDATE:

Superintendent Barrett updated the Board on key fobs. He has talked with West Fire and will meet with the representative in a few days.

The Board was updated on the Sewer Plant walk through. The lifting mechanism on the bar screen has given out so we will be working on that. A lot of things on the list are housekeeping items and they will be taken care of.

Other items discussed:

- The light in park has been fixed
- Materials are in for the project at the Water Treatment Plant. It should start next week
- Looking at cost for changing out all the lights
- Ice skating rink has been getting a lot of use
- Truck has been ordered
- Currently working on budget. Next meeting projects will be discussed.

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Mayor Freeman suggested that Superintendent Barrett go through his five year plan and reprioritize.

Mayor Freeman - What's the biggest problem at the pump station?

Superintendent Barrett – The pumps are pretty old and are pretty inefficient. A variable speed control is needed.

POLICE UPDATE:

Chief Carney submitted a copy of his annual report to the Board. The Board agreed they would like to review it and discuss at a later time.

I am currently trying to anticipate some part-time employees. I would like to go through resumes we have and maybe have a Board member come in and sit through the process. Tamara's availability has been very limited. So night shifts are becoming a problem. Ryan's time is limited also.

Mayor Freeman – The interviewing process, what direction are you thinking of?

Chief Carney – I'm thinking of someone younger and willing to work the midnight shift.

The Board and Chief Carney talked about a new car in the upcoming budget. The Dodge/Chrysler Charger would be traded in.

CHIEF JAY BATZEL:

Chief Batzel informed the Board that he had been contacted by Fenton Fire to advertise the 1994 Salisbury Rescue Pumper/Tanker. They are located at the New York/Canadian border. If the truck sells for over \$100,000 they get 5%, under \$100,000, 7%. There would be no contract.

Mayor Freeman – We need to keep it active, let's get a couple guys to drive this thing.

Mayor Freeman - Where are we with the striping?

Chief Batzel – I'm waiting for a call back and the door is fixed

TRUSTEE'S UPDATE:

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A letter sent by Parks Commission Chairman Marks was acknowledged and a discussion was held regarding the request by the American Legion and VFW to rename the Circle Park.

Mayor Freeman offered to go to the Veteran's next meeting to discuss further with them.

EXECUTIVE SESSION:

Upon a motion by Trustee Zhe, the Board entered executive session at 8:30 p.m. to discuss contractual matters. The motion was seconded by Trustee Hayes to exit executive session at 8:50 p.m.

Trustee Zhe reported that John Marks set up a playground committee and met for the first time last Saturday. Treasurer Quinlan will continue to look for money for new playground equipment.

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

Respectfully submitted,

Patricia E. Baker
Village Clerk