

Avon Village Board Meeting
Monday, December 5, 2011

VILLAGE BOARD MEETING MINUTES: 2
VOUCHERS AND MANUAL CHECKS: 2
USDA RURAL DEVELOPMENT APPLICATION: 4
RANDY PETERSON: 6
POLICE UPDATE: 6
RICHARD MARTIN: 7
EXECUTIVE SESSION: 7
TRUSTEE’S UPDATE: 7

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, December 5, 2011.

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

Staff: Chief James Carney
Tony Cappello

Visitors: Randy Peterson
Matt Bartles
Bev Bartles
Richard Martin

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 McKeown the minutes from November 21, 2011 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 made by Trustee Zhe the following vouchers were approved for payment:

General Fund	\$ 11,005.07
Water Fund	\$ 2,170.59

Avon Village Board Meeting
Monday, December 5, 2011

Schedule C	\$ 4,921.37
Sewer Fund	\$ 6,006.28
Fund #10	\$
Fund #11	\$
Fund #17	\$ 901.18
Fund #47	\$
Fund #48	\$
Fund #49	\$
Fund #50	\$
Fund #51	\$
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	\$
Fund #81	\$
Fund #82	\$
Fund #83	\$
Fund #84	\$
Fund #85	\$

Fund #86	\$
Fund #87	\$
Fund #88	\$
Fund #91	\$
Fund #92	\$
Fund #93	\$ 255.41
Fund #94	\$
Fund #95	\$
Fund #96	\$
Fund #97	\$
Fund #98	\$
Fund #99	\$
TOTAL	\$ 25,259.90

Manual Check # 20716	NYS DEC-Petroleum Bulk Storage	\$ 300.00
#3634	NYS Child Support – Child Support	\$ 256.00
#3633	Nationwide Retire.-Deferred Comp.	\$1,053.44
	TOTAL:	\$1,609.44

Trustee Batzel 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

USDA RURAL DEVELOPMENT APPLICATION:

At the last Village Board meeting the Board resolved to have MRB prepare the RD Environmental Report required by USDA for our USDA Rural Development Project. As part of the process, MRB submitted the SEQR determination in the Environmental Report. The Village will need to pass a resolution declaring itself Lead Agency and then (with the Short Form SEQR) a negative declaration resolution based on the determination.

Trustee Zhe offered the following **RESOLUTION** and moved for its adoption:

RESOLUTION

WHEREAS, THE Village of Avon Board of Trustees (hereinafter referred to as Village Board) has reviewed and accepted the State Environmental Quality Review (SEQR) Short Environmental Assessment Form (EAF) Parts I, II & III on the above referenced Village of Avon Wastewater Treatment Plant Improvements Project (hereinafter referred to as Action); and

WHEREAS, the Village Board has determined the Action to be Unlisted and is subject to a single agency review pursuant to Part 617 of the SEQR Regulations; and

WHEREAS, the Village Board has given consideration to the criteria for determining significance as set forth in Section 617.7©(1) of the SEQR Regulations and the information contained in EAF; and

WHEREAS, the Village Board has submitted this Action to New York State Office of Parks, Recreation and historic Preservation (OPRHP) for review and comment as it is located within a designated Archeological Sensitive Area; and

NOW THEREFORE BE IT RESOLVED, based on the review of the Short Environmental Assessment Form, the said Action WILL NOT create or result in any significant adverse environmental impacts and the Village Board hereby issues a Negative Declaration for the proposed action; and

BE IT FINALLY RESOLVED, the Mayor be and is hereby directed to sign and issues the Negative Declaration form as evidence of the Village Boards determination of environmental non-significance.

The motion was seconded by Trustee McKeown and 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

NEGATIVE DECLARATION:

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

RESOLUTION

WHEREAS, MRB Group prepared the SEQR documentation, and

WHEREAS, the determination by the Village Board of Trustees of Avon that there will not be any significant adverse environmental impact due to the proposed project, it is hereby

RESOLVED, that the Village issue a Negative Declaration for the Village of Avon Wastewater Treatment Plant Improvements Project.

Trustee McKeown 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

RANDY PETERSON:

Mr. Peterson attended the meeting to discuss the complaints the Village has received regarding the junk on his property at 414 Rochester Street.

Mr. Peterson was informed that a citation will be issued to him by the Code Enforcement Officer, and that he has 15 days to dispose of the clutter in his yard. As of now, Mr. Peterson is not complying with the property maintenance requirements.

POLICE UPDATE:

- November was a slow month for the Department
- Has been in touch with Kraft regarding changing their shipping and receiving address to 395 Wadsworth Avenue. Waiting to hear back.

Chief Carney was asked to take pictures at 414 Rochester Street and send them to the Village Attorney Reid Whiting and was advised of the citation that will be issued.

RICHARD MARTIN:

Mr. Martin informed the Board that he was unhappy with the Village's current procedure or lack of for fire inspections. Further information is needed when an inspection is done informing the property owner what they need to do in order to be in compliance. He felt that there are inconsistencies.

EXECUTIVE SESSION:

Upon a motion made by Trustee Hayes the Board went into executive session to discuss personnel matters at 7:00 p.m. Trustee Batzel seconded the motion and it was carried by a unanimous vote. The Board exited executive session at 7:30 p.m.

TRUSTEE'S UPDATE:

REQUEST FOR CONFERENCE APPROVAL:

Kenny Farrell submitted a request to attend a NYWEA conference in Canandaigua to be held on December 9, 2011.

Upon a motion by Trustee Hayes and seconded by Trustee Zhe approval was given to Kenny Farrell to attend. The motion 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

Christine Quinlan and Patricia Baker submitted a request to attend a NYS Archives Workshop on Records Management on December 14, 2011 to be held at the Town Hall.

Upon a motion by Trustee Batzel and seconded by Trustee Hayes approval was given to Christine Quinlan and Patricia Baker to attend. The motion was carried by the following vote:

Mayor Thomas Freeman	Voting	Yes
Trustee Mark McKeown	Voting	Yes

Avon Village Board Meeting
Monday, December 5, 2011

Trustee William Zhe	Voting	Yes
Trustee Robert Hayes	Voting	Yes
Trustee Timmy Batzel	Voting	Yes

FIRE MARSHAL CORRESPONDENCE:

A letter was submitted and acknowledged from the Fire Marshall stating that as of today's date, all required fire inspections (total of 160 properties of which many have multiple units) have been completed, except for the following which are waiting for the owners to satisfy certain items:

- **Echoes Boutique at 243 East Main Street - lacking fire extinguisher and egress compliance**
- **Thrift Store & Estate Sale at 275 East Main Street - property maintenance code issues and rear egress compliance**
- **Floyd's at 293 East Main Street – fire extinguisher compliance**

It appears that many new Village businesses do not apply for an operating permit; therefore, we aren't aware whether the proposed use is compliant as well as if the business property/operation conforms to the fire code. Also, the Clerk needs this information for E911 reporting purposes so that responding emergency vehicles can find the designated address.

Upon a unanimous motion, the meeting was closed at 8:15 pm.

Respectfully submitted,



Thomas W. Freeman
Mayor