

Avon Village Board – NEIGHBORHOOD MEETING
Monday, September 12, 2011

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Avon Village Board – NEIGHBORHOOD MEETING
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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 12, 2011.

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

Staff: Tony Cappello
Chief James Carney
Chief Jay Batzel
John Barrett
Christine Quinlan

Visitors: Bill Cook, Wildlife Capture
Kurt Rappazzo, MRB
Mark Costich
Carole Gray
William Gray
Chris & Richard Martin
Richard Holland
Peter Prine
Barbara Janas
Ken Schafer
Nancy & Jim Fusco
Sandy & Dan Driscoll
Pat & Doug Colt
June & John McAllister
Norm & Marcia Barrett
Dick & Elaine Neth
Jim VanMaaren
Charles Stamp
Maureen Kingston
Jim Dolgos
Brenda Forsythe
Art Pearson
Jean Schoenthal
Andy & Julie Goin
Deb Gage
James Root
Leslie Huffman
Chris Voros
Joe Riccotta

Bill Christiano
Kathy Barsz

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

GRAY METAL:

Kurt Rappazzo of MRB Group updated the Board as to the status of the proposal for the Gray Metal expansion. He met with Costich Engineering two weeks ago to review the comments from August and sent out a revised letter dated September 9, 2011. MRB had some remaining concerns as described below.

- 1) The Village Board should be aware that NYS OPRHP has requested additional information regarding the previous development of the site. The design engineer has prepared that information and forwarded to OPRHP for their review. An impact determination from OPRHP is not required for the Board to make a SEQR determination. We have prepared a SEQR resolution for your consideration which states that Gray Metal Products will comply with any requirements of OPRHP resulting from their determination.
- 2) Building elevations updated to reflect the discussion between the applicant and the Planning Board should be submitted for review.
- 3) The Village Board should determine if they are satisfied with the proposed landscaping and building elevations.
- 4) The watermain crossing detail references notes 4 and 5 which were removed. Please update the plans accordingly.

The Village Board should note that the following comments 5 thru 8 regarding the Stormwater Pollution Prevention Plan (SWPPP) are due to the design engineer's change from dry swales to an infiltration practice to mitigate the water quality volume and meet the requirements of the SPDES General Permit.

- 5) The note on the demolition plan regarding the sediment basin should be revised to reference Appendix D of the NYS Stormwater Management Design Manual (SMDM) as to how and where the infiltration testing shall be conducted. The results of the infiltration testing shall be forward to the Village for approval and included in the SWPPP.
- 6) The SWPPP should clarify that the design engineer anticipates a 4" per hour infiltration rate based upon the Soil Survey, and that the infiltration testing has been requested to verify that anticipated rate. We agree to the testing being conducted during construction activities once the basin has been cleared and excavated, so long as the SWPPP details a contingency plan if the test results

indicate infiltration rates slower than the 0.5” per hour minimum rate required by the SMDM.

- 7) The plans and SWPPP should be revised to detail the proposed infiltration practice as a Infiltration Basin (I-2) as described in Chapter 6 of the SMDM. Required features which should be added are a stilling basin with level spreader outlet for the pipe flow and a backup underdrain in the infiltration area.
- 8) The stilling basin is acceptable for use as a sediment basin until the upland areas are stabilized. In order to eliminate sediment from “clogging” the insitu soil and negatively affecting the infiltration rate, the infiltration basin may not be used as a sediment basin. The plans and SWPPP should be updated accordingly and should also include a requirement to keep construction vehicles and equipment out of the infiltration area to minimize compaction of the soils.
- 9) The Village Board should decide if it wishes to accept the Stormwater Maintenance Agreement (SMA) proposed by the applicant. The last line of the first paragraph references the Town and should be revised accordingly. If it has not been done so already, a copy of the SMA should be forwarded to the Village Attorney.
- 10) The storm sewer sizing calculations model the offsite areas east of East River Road as a 8.0 cfs peak flow rate, while the Pond Pack computer model uses a 7.0 cfs base flow rate. This discrepancy should be clarified.
- 11) The Notice of Intent should be completed and submitted for review.

Mr. Costich gave the Board a brief update on the proposal. Gray Metal Products has proposed adding an 89,700 square foot, single story, and metal construction warehouse and distribution center on the south end of their 495 Rochester Street building.

The addition would be 55’6” from the road at the north end and 88’6” at the south end. The Village Code requires a 100’ setback. The addition would also be within 100’ of an agricultural district. The Village Code requires manufacturing to be setback 100’ from any other district. Gray Metal is scheduled for a variance hearing on September 22nd at 7:00 p.m. 21.4% of the land will be covered by building and the building height is 34 ½’. There will be 196 parking spaces.

Currently the loading is all over the place. There will be 14 loading docks. The existing storm line will be relocated so it’s not under the building. The roof leaders and downspouts would be tied into a shallow swale. The small water main will be relocated, and the color on the building will be uniformed.

The addition would cost about \$2.3 million dollars and the expansion would create 50 new jobs over three years’ time.

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They would be putting in a storm water management area which would be a vast improvement. They will be using green technology rather than putting curbs everywhere or running gutters into pipes.

The grade of the addition would be 8' lower than the road.

Trustee Hayes – How many other plants do you have?

William Gray – Five

Trustee McKeown – You will be eliminating one entrance?

William Gray – Yes, we will be going from four to three.

Trustee McKeown – Has the Fire Department seen the plans?

Code Officer Cappello – No, I don't believe so. The new building will be sprinkled as is the existing building. This will just be a continuance.

Trustee McKeown – Do you have an anticipated ground breaking date?

William Gray – Springtime, there will be 4 weeks of excavation and prep work, erection of building 60-75 days (pre-fab bldg.) from start to finish 5-6 months.

Mayor Freeman – The drawings have been shared with the County Planning Board. Engineer Costich attended the meeting.

Kurt Rappazzo – The County mentioned that they were concerned with environmental impacts. After reviewing, none of the features encroach upon the Gray Metal property or the project area. He does not believe the project will impact the flood plain or wetlands. The project is located outside of the Agricultural District, is on industrially zoned property, and is the expansion of an existing industrial use. MRB does not believe the project will have an impact upon "functioning farm operations".

Mark Costich had questions and concerns on new signage. Code Officer Cappello referred it to the Planning Board. If a variance is required for the signage, it could be obtained at a later time.

Mayor Freeman informed Mr. Costich and the Grays' that our Village Attorney recommends waiting until after the variances are approved by the Zoning Board of Appeals before a public hearing is held for final site plan approval.

An Agricultural Data Statement dated September 12, 2011 was signed and submitted by Gray Metal.

VILLAGE BOARD MEETING MINUTES:

Upon a motion made by Trustee Zhe the minutes from August 15, 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 McKeown the following vouchers and manual checks were approved for payment:

General Fund	\$ 14,706.95
Water Fund	\$ 2,621.12
Schedule C	\$ 6,416.13
Sewer Fund	\$ 5,621.53
Fund #10	\$
Fund #11	\$
Fund #17	\$ 5,285.58
Fund #47	\$
Fund #48	\$
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	\$

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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	\$ 34,906.72

Manual Checks:	NYS Child Support Proc. Ctr. – Child Support	\$ 256.00
	Nationwide Retire.-Deferred Comp.	<u>\$1,228.44</u>
	TOTAL:	\$1,484.44

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

QUOTATION FOR AGREED – UPON PROCEDURES (NEW YORK STATE DEFERRED COMPENSATION:

The Board reviewed and approved a quote not to exceed \$1,450 to perform procedures enumerated in order to comply with the requirements contained within the Rules and Regulations of the New York State Deferred Compensation Board Section 9005.1 Financial Statements, Auditing and Agreed-Upon Procedures Report for the period July 1, 2011 through May 31, 2012.

A motion was made by Trustee Hayes and seconded by Trustee Zhe to include in the Village's budget of 2012-2013 an amount of \$1,450. The motion 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

USDA RURAL DEVELOPMENT APPLICATION:

The Village is required to fill out an application package which requires a SEQR determination, including a Board Resolution in order to be considered for RD funding. In order to do this, MRB will have to prepare the Environmental Report which will come with a cost not to exceed a value of \$3,000 for preparation and assistance. The Board needed to take into consideration the probability of actually receiving RD funding for this project against the cost of preparation by MRB.

The Board felt that they needed to stay in the loop and to stay on a list for funding possibilities. The Board was of the opinion to think more about this and discuss it further at their meeting of September 19, 2011.

Treasurer Quinlan reported that she met with Rick Houser regarding the Community Planning Grant and will see a final draft on the 22nd.

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Treasurer Quinlan went to a meeting on cultural resources. Fisher will do a survey this week and 3 core borings to show there's nothing down there. The payment request has been received. For archeological results we should know something within a month. Drawings can't be started until they know how full flown we need to get.

CLERK'S UPDATE:

Clerk Baker brought to the Board's attention the delinquent Town water account of Michael DeFisher. On August 17, 2011, Mr. DeFisher was sent a letter informing him that his water account was seriously delinquent and that payment needed to be received by the Village by September 1st. Up to this time, there has been no acknowledgement, therefore, the suggestion was made to follow the policy that had been put in place on April 19, 2004 that if payment was not made to the Village regarding an outstanding water bill for any out-of-district water customer, the Village would go to the residence and significantly reduce the water flow. The Board was in unanimous agreement to follow Village Policy immediately.

It was also brought to the Board's attention that on May 27, 2011, just prior to the due date for the May's water/sewer bills checks that were mailed out were not received in the Village Office. It came to our attention when the August bills were sent out and customers started questioning why they had a double bill and penalty added. After receiving approximately 20 inquiries from customers, it was determined that all the missing checks were mailed on the same day. Customers asked if the Village would waive the penalty charge since they had mailed the original check before the deadline.

A motion was made by Trustee Zhe, and seconded by Trustee Hayes to waive the penalty. 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

The Town asked the Village to adjust our reporting of reads for Spratt and Taylor starting with the last water billing. According to a letter dated July 29, 2003, according to the latest contract between the Village and Town, the Town agreed to pay the Village for ALL water running through the master meter for the Littleville District which includes these two residences. No exception was requested nor made, either by Village or Town, to exempt these properties from payment by the District.

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The Village Board agreed to turn it over to Attorney Whiting for clarification and discuss at a later time.

EXECUTIVE SESSION:

Upon a motion made by Trustee Hayes the Board went into executive session to discuss personnel matters at 6:55 p.m. Trustee Zhe seconded the motion and it was carried by a unanimous vote. The Board exited executive session at 7:00 p.m.

NEIGHBORHOOD MEETING:

Mayor Freeman introduced the Board and Village Staff to the neighborhood and informed them that they can view the minutes on the Village's website. At this point Mayor Freeman introduced the guest speaker, William Cook, "Wildlife Capture" to the visitors.

Mr. Cook reported that he got calls on skunk problems in Avon, and has caught several as of now. Mr. Cook reassured the visitors that they're not vicious, but they're main needs are food and shelter. They eat anything, 50% insects, fruit, and cat food which is left outside is a real issue. Skunks mate in February and March, and 45 days later have their young ones. They have four to eight young ones at a time. Bird feeders are a big draw. Lawns are dug up looking for grubs. Grub paste usually draws them in. They cycle every seven years and they're at the top of a seven year cycle.

Mayor Freeman – Our goal here tonight is to try to help residents. You can hire Mr. Cook if you have a real skunk problem. Our goal is not to euthanize the animal but to relocate them.

What is the best bait for a wood chuck?

Bill Cook - Apples, musk melon rinds and banana peels.

Richard Holland – I have a trap and I would be more than willing to loan it out to anyone so they wouldn't have to purchase one.

Dick Martin – Eliminating the food source is the best way to get rid of them.

Don Root - Do we need to include Kraft and L.A. & L. in this discussion since I've seen several on their property?

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Mayor Freeman – That’s a good idea, and we will work on a loan closet for traps.

Code Officer Cappello informed the visitors that as of two years ago it became necessary for contractors to obtain a permit for reroofing, it falls under the NYS Energy Code. It was a maintenance item.

Ken Schaffer – Why change it?

Code Officer Cappello – Because it is part of the new energy code.

Bill Christiano – There is no street sign at the end of Doer Avenue and West Main Street and Doer Avenue and Isham has never had a street sign.

Art Pearson – The sign on Railroad Avenue was changed to Railroad Street and should read Railroad Avenue.

Superintendent Barrett will order all the needed signs.

Art Pearson – Problem with parking at Schillinger’s house on Railroad Avenue. It’s tough to get around with the number of cars at the residence.

Mayor Freeman asked Mr. Pearson if he would be willing to go along with the Mayor to speak with Mr. Schillinger about the issue. Mr. Pearson said he would.

Dick Martin commented on the large number of signs between Wadsworth Avenue and Tops.

June McAllister, 307 West Main – The road use to be pitched toward River Street and the State brought the pitch the other way and right in front of their driveway and the driveway at 307 West Main Street the water pools and the basements take on water. The McAllister’s have taken preventative measures to divert the water from going into their garage. The residence at 307 West Main Street has no curbing.

Mayor Freeman asked John Barrett to call DOT. We will look into it again.

Dick Neth reported that there are drainage issues in the Village. It is slowly getting better and the catch basin that was installed is working wonderfully. My problem is water is flowing from Closes’ to Kimes’. Where is the water coming from? The water is being pushed to the river. We need to keep it funneled where it needs to go. There are runoff issues. The gutters work great and the draining through the pipe is working. We would like someone to look at the drainage, the water never goes away.

Elaine Neth – The pavement on the road is not up tight to catch basin it needs to be patched it will erode, ground has settled and needs to be filled with top soil and I expect it to be put back in the same condition as it was before. There’s a crater by the mailbox that needs to be backfilled. When will they come back and do it? I would like a timeline when it will be done?

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Joe Ricotta, 218 River Street – When will River Street be finished? The road is still a mess, there's a ton of stone on the side and open cracks.

John Barrett – We chipped seal last Thursday and will be sweeping the gravel off.

Andy Goin, 221 West Main Street – We walk on River Street and people are going 50 mph or more.

Lesley Taylor, 295 Spring Street – No one does 15 mph in the park. There's no accessible sidewalk in the park. There's signs but no one enforces it.

Maureen Kingston – There's currently one speed sign, there were two and one was never replaced.

Mayor Freeman asked John Barrett to get some speed limit signs for the park.

Jim Fusco – It's impossible to do 15 mph in the park. Maybe it should be raised to 25 mph, that's a speed that's more reasonable.

Elaine Neth – It could go to 20-25 mph, but I don't want to see it go to 40 mph.

Jim Fusco – During eight weeks of Little League I have seen a good steady flow of traffic any other time there won't be a single car go by me.

Trustee Zhe – I think it's gotten better than in the past. If I see someone speeding I follow them into the park and talk to them.

Maureen Kingston – What is speed limit in other area parks?

Lesley Taylor – It's an issue that needs resolution.

Andy Goin - What is the timeline behind sidewalks? That could help the situation and the concerns?

Mayor Freeman – This year we budgeted for sidewalk maintenance and didn't budget for new sidewalks. Our goal is to make Avon a walkable community. Comments and concerns of residence helps the Board make decisions as to prioritizing where sidewalks go.

Maureen Kingston – I think people need to take some responsibility for themselves as far as some of the safety issues.

Brenda Forsythe– There seems to be a tremendous amount of water coming through the culvert, it's taking away from the land. It comes from Pine View Heights.

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Richard Martin – The tendency is to blame water on developers. Never had water in 60's or 70's, why do we have water now in the Forsyeth's creek? Our water pattern in the whole community is changing.

Mayor Freeman – Don't you think it partly to do with roofs, pavement, driveways and houses that have been added. We'll continue to talk about water studies.

James Root, 274 River Street – I've had a lot of erosion; it goes from an inch to 4'. The sidewalk issue for River Street was brought up three years ago. I see contractor's coming through from Caledonia and Geneseo cutting through River Street, therefore, speed and traffic is a concern.

Jim Fusco – Where would you put sidewalks in the park or on **River Street**? Are you going to take trees down and put it right on the edge of the road? You would have to obtain easements.

June McAllister – You need to talk to Barilla, trucks and employees getting out of work don't stop at the stop sign and they cut down River Street really fast.

Ken Schaffer – Would you consider a law with no engine brakes?

Pat Colt – I have a concern as I'm going up the hill trucks heading west cross the double sided line.

Art Pearson along with Jean Schoenthal stated that since the 5&20 reconstruction, that area on the hill is not safer.

Jim Fusco – When cars are parking on the side of the road you have no place to go if a truck comes over the yellow line.

John Barrett – We've tried with D.O.T. to get them to move curb back.

Mayor Freeman – We could clearly send another letter or get a petition.

Art Pearson - Anything you can do with the bank on Railroad Avenue would be appreciated and can anything be done with the cars that are parked in front of houses on Bronson Avenue? You can't get down the street with cars parked everywhere.

Mayor Freeman – There's no parking or no driveways for those homes, what can we do? We'll continue to look at some kind of landscaping on the bank by the railroad track.

Andy Goin asked what the sulphur springs were?

Maureen Kingston explained that each spring has a different composition and that in the early 1800's big hotels and tracks started to develop the area because of the sulphur and they used it for medical purposes. There are springs throughout the area, and the water was piped uptown.

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Mayor Freeman announced that if anyone was interested in traps to give us a call.

Richard Martin – We need another crosswalk on 5&20 across from the liquor store and McDonalds.

TRUSTEE'S UPDATE:

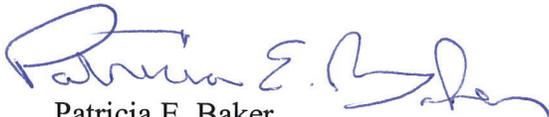
Mayor Freeman reported that there was an upcoming Leadership Program created by Livingston County Chamber of Commerce and will be held from September 2011 – June 2012. The program will be held on the second Thursday of the month from 8:30 a.m. – noon. Leadership Livingston challenges leaders to face the future through collaboration, action and reflection and will identify leaders in the community, present the issues facing our towns and villages, and challenge our stakeholders to work collaboratively to enhance the quality of life for our citizens.

Rob Hayes has indicated he is interested in enrolling and is hopeful the Village would be supportive of this and pay the \$495.00 cost. Mayor Freeman stated that he would open it up to any other Trustee if they would like to enroll. The Board was in unanimous agreement to fund the workshop for Trustee Hayes.

Trustee Zhe presented the chosen Christmas banners for the light poles from the Parks Commission. After discussing, the Board would like to see a variety of banners rather than the same one. The Board agreed that 15 banners can be ordered, but, Mayor Freeman will discuss the different banner at the Park's meeting on September 14th.

Upon a motion the meeting was adjourned at 10:00 p.m.

Respectfully submitted by,



Patricia E. Baker
Village Clerk