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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, June 4, 2012.

- Present: Thomas Freeman, Mayor  
Mark McKeown, Trustee  
William Zhe, Trustee  
Robert Hayes, Trustee
- Absent: Timmy Batzel, Trustee
- Staff: Tony Cappello  
Fire Chief Bryan Scott  
Christine Quinlan  
Chief James Noble  
Joseph Geer  
Tim Ferrara  
John Jordan, Jr.  
Matthew J. McFadden  
Ken Ippolito  
Tamara Bingham  
Mike Bihrie  
Rich Cole
- Visitors: Jeff Witherow, Genesee Sun  
Sally Santora, Livingston County News  
Jeff Yunker  
Guy & MaryAnn Margiotta  
Jim Taylor  
John & Mary Lou Marks  
Richard Martin  
Mike Manning  
Jim Rogers  
Art Pearson  
Richard Frew  
Darlene & Bernie Kiel  
Dan Snyder  
Marty Graham  
Dwight Brown  
Heather Arnold  
Elizabeth Welch  
Sharon & Charlie Knight  
Lois Shumanski

Al Beach  
 Bruce McFadden  
 Peggy Tirrell  
 Dave & Rebecca Sharman

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

## VILLAGE BOARD MEETING MINUTES:

Upon a motion made by Trustee Zhe the minutes from May 21, 2012 meeting are hereby approved as submitted. Trustee Hayes seconded the motion and it was carried by the following vote:

Thomas Freeman, Mayor	Not Present	
Mark McKeown, Trustee	Voting	Yes
William Zhe, Trustee	Voting	Yes
Timmy Batzel, Trustee	Absent	
Robert Hayes, Trustee	Voting	Yes

## VOUCHERS AND MANUAL CHECKS:

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

Fund #1 General Fund	\$72,861.53
Fund #4 Schedule C	\$25,558.39
Fund #5 Water	\$ 7,395.88
Fund #6 Sewer	\$11,689.96
Fund #9	\$
Fund #10	\$
Fund #11	\$ 940.89
Fund #17	\$ 1,152.72

Fund #44	\$
Fund #45	\$
Fund #47	\$
Fund #48	\$
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	\$ 500.00
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 #89	\$	
Fund #90	\$	
Fund #91	\$	
Fund #92	\$	
Fund #93	\$	298.50
Fund #94	\$	
Fund #95	\$	
Fund #96	\$	
Fund #97	\$	
Fund #98	\$	
Fund #99	\$	
TOTAL	\$120,397.87	

## Manual Checks:

Nationwide Retirement Solution – Deferred Comp.	\$1,053.44
NYS Child Support Proc. Ctr. – Child Support	\$ 256.00

U.S. Postal Service -- Postage Machine Refill	<u>\$1,200.00</u>
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<b>TOTAL:</b>	<b>\$2,509.44</b>
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Trustee Zhe 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	Absent	

## POLICE UPDATE:

- Quotes from Rhodes and Pioneer were received on the worth of the Charger - \$4,750 to \$5,000. The Board agreed that the Chief should go ahead and do what it takes to get rid of the car.
- Issue with the new fuel system. There is no gas. Mayor Freeman will contact Bruce Amey.
- June 11<sup>th</sup> and 18<sup>th</sup> Chief Noble will be interviewing five people for the positions of part-time officers.
- Staff meeting well received by the Department. The Department has come up with a new time sheet.
- Since the Board is going through a whole series of explorations, the Chief asked the Board if they would apply for the waiver for him. They would have to explain their reasons and needs for this.

**CODE ENFORCEMENT OFFICER UPDATE:**

- The homeowner of 55 Richmond Lane put in an application for a permit for the sale of firearms and ammunition at his home. The Board was not in agreement with this since it is a residential area. He still has the right to go through the variance process.
- Homeowner at 184 East Main Street is to return to court on July 24<sup>th</sup> for an update
- Apartment #3 at Driscolls on Park Place had a leak that went into another apartment which was the result of the bathtub and toilet.
- The homeowner of the sign at 191 Genesee Street has a couple more days to remove it from the Village property. That will make 30 days of having the sign on Village property.

**TRUSTEE’S UPDATE:**

**WATER METER CHARGE** – Currently the Village charges \$101.85 for a water meter and a minimum water usage. The Village Clerk proposed increasing the current charge to \$225.00 to cover the cost of a radio read meter and water usage.

Mayor Freeman felt that the Village should not charge new residents for a water meter. Other Board members disagreed with that.

A motion was made by Trustee Zhe and seconded by Trustee McKeown to raise the price of water meters and usage for new builds to \$225.00. The motion was carried by the following vote:

Mayor Thomas Freeman	Voting	No
Trustee Mark McKeown	Voting	Yes
Trustee William Zhe	Voting	Yes
Trustee Robert Hayes	Voting	No
Trustee Timmy Batzel	Absent	

The subject was tabled until the next Village Board meeting to be held on June 18, 2012.

**CLEANING SERVICES** – A quote was requested from three different vendors for services to clean floors at the Village Hall and also the Fire Department. This would also include cleaning of the tiles and grout in the two main bathrooms, the Police Department and the Fire Department. Also included is the carpet in the main office.

The quotes received are listed below:

Coverall Health-Based Cleaning System – Pittsford, NY - \$1,745.00  
 Pinnacle Cleaning – Rochester, NY - \$2,565.00  
 Lima Carpet Corp. & Flooring – Avon NY - \$2,845.00

The Village also received two letters of recommendations from Coverall Health-Based Cleaning System.

A motion was made to approve Coverall Health by Trustee Zhe and seconded by Trustee Hayes 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	Absent	

***PLANNING BOARD REQUEST*** – The Planning Board submitted a letter to the Village Board requesting assistance in developing design standards for the west side of Rochester Street and properties of non-conforming use, such as the former macaroni factory, on the east side of Rochester Street. This request is made as part of the Board's ongoing efforts to reform the Village's zoning code.

The Board believes a consultant would be necessary to develop the standards mentioned. Once the Village has the standards in hand, the Board would like to see them incorporated into the comprehensive plan.

Treasurer Quinlan suggested having Angela Ellis who is the Director of Planning with the County meet with the Planning Board and find out exactly what they want. She would be able to direct them in different areas.

***FIRE DEPARTMENT APPLICATION:***

Upon a motion made by Trustee Zhe, the application of Brian Shannon for membership for active membership in the Avon Fire Department is hereby accepted. Trustee McKeown seconded the motion and it was carried by the following vote:

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

***APPOINTMENT OF REGISTRAR AND DEPUTY REGISTRAR OF VITAL STATISTICS:***

Upon a motion made by Trustee Zhe, Patricia Baker is hereby appointed as Vital Statistics Registrar for the Village of Avon for a four year term expiring June, 2016. Gary Margiotta is hereby appointed as Deputy Vital Statistics Registrar for the Village of Avon for a four year term expiring June, 2016. Trustee Hayes seconded the motion and it was carried by the following vote:

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

***BANKS*** – Upon a motion made by Trustee Hayes and seconded by Trustee Zhe the following designation is hereby approved as follows:

Community Savings Bank

***SEQRA RESOLUTION – ERIE ATTICA TRAIL PROJECT:***

SEQRA RESOLUTION OF THE VILLAGE OF AVON, NEW YORK ADOPTED ON JUNE 4, 2012 RELATING TO A PROJECT CONSISTING OF CONSTRUCTING A MULTI-USE TRAIL AND PARKING LOT, CONVERSION OF A FORMER RAILROAD TRUSS BRIDGE TO A PEDESTRIAN BRIDGE, AND CONSTRUCTION OF A BRIDGE TO CROSS FARMERS ROAD ALONG ABANDONED SECTION OF THE ERIE-ATTICA.

**WHEREAS**, The Village of Avon, New York is a local agency pursuant to the New York State Environmental Quality Review Act (SEQRA) and implementing regulations 6 NYCRR Part 617; and

**WHEREAS**, The Village classified the Project as an “Unlisted action” as defined under the Regulations and prepared a short form Environmental Assessment Form and attached hereto, to facilitate a review of the potential environmental impacts of the Project; and

**WHEREAS**, The Village intends to serve as the lead agency to conduct an uncoordinated review of the Project; and

**WHEREAS**, The Village has carefully considered the nature and scope of the proposed Project, as set forth in the EAF, and makes the following determinations.

**NOW, THEREFORE BE IT RESOLVED ON JUNE 4, 2012 BY THE VILLAGE OF AVON, NEW YORK, AS FOLLOWS:**

1. The Project is classified under SEQRA as an Unlisted Action within the meaning of the Regulations.
2. The Village declares itself lead agency with respect to the environmental review of the Project.
3. The Village finds and concludes that the Project will not result in any significant adverse impacts to the environment.
4. The Village hereby issues a Negative Declaration with respect to the Project.

A motion was made by Trustee Zhe and seconded by Trustee Hayes to approve the SEQRA Resolution. It was carried by the following vote:

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

***NATIONAL GRID APPLICATION FOR ERIE ATTICA TRAIL PROJECT:***

A motion was made by Trustee Zhe to approve the Erie Attica Trail National Grid Application and to authorize approval of the \$500.00 application fee for 3<sup>rd</sup> party occupation agreement. The motion was seconded by Trustee Hayes and carried by the following vote:

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

For the July meetings Trustee Zhe suggested we meet on the 9<sup>th</sup> and 23<sup>rd</sup> because of the 4<sup>th</sup> of July. A motion was made to reorganize July's calendar by Trustee Zhe and seconded by Trustee

McKeown to change the dates of the July Board meetings. The motion was carried by the following vote:

Thomas Freeman, Mayor	Voting	Yes
William Zhe, Trustee	Voting	Yes
Robert Hayes, Trustee	Voting	Yes
Mark McKeown, Trustee	Voting	No
Timmy Batzel, Trustee	Absent	

***NEW YORK MAIN STREET PROGRAM 2012:***

BE IT RESOLVED, that a motion was made by Trustee Zhe and seconded by Trustee McKeown that Thomas Freeman, as Mayor of the Village of Avon is hereby authorized and directed to file an application for funds from the New York State Office of Community Renewal through its New York Main Street Program 2012, and upon approval of said request to enter into and execute a project agreement with the State of such financial assistance to the Village of Avon for the Avon Downtown Revitalization Program.

The resolution was adopted by the following vote:

Thomas Freeman, Mayor	Voting	Yes
William Zhe, Trustee	Voting	Yes
Robert Hayes, Trustee	Voting	Yes
Mark McKeown, Trustee	Voting	No
Timmy Batzel, Trustee	Absent	

**NEIGHBORHOOD MEETING:**

Chief Noble introduced himself and his Department and gave a little bit of history of his background.

Chief Noble opened the meeting to the public for comments and concerns.

Tim Delaney – In the evening there is loud noise along West Main Street and fast traffic on Lake Road.

Chief Noble – We can bring our speed trailer down and set it up on Lake Road. We share it with Caledonia. If you need someone and have issues regarding noise, call 911. It doesn't have to be an emergency to call 911. Leave your name and number and an Officer will be in touch with you.

Peggy Tirrell – My concern is a quality of life issue. We live a few doors down from the school and they have the volume up from the public address system that on a weekend, that's all we can hear when our windows are open.

Chief Noble - I believe we need to sit down with Mr. Amey and discuss the situation with him.

Richard Martin – You're the forth Chief within the last ten years. I don't know who anyone is anymore.

Chief Noble – I understand your concern. Many of our officers have gone to Greece and other agencies.

Mayor Freeman – Services are expensive. We have four full time officers today. We need to blend our young guys with our older guys. We are looking at different angles and we want to work with you and we welcome your comments either by phone, in person or by e-mail.

Liz Welch - Some people do not do e-mail and don't know how to communicate. I feel my civil rights have been challenged. I have not been treated very well since I've returned to Avon.

Chief Noble – Make an appointment if it's a personnel matter this is not the forum for that type of thing.

Dwight Brown – Why do we need such a large Police Department?

Chief Noble – Avon is a 24 hour agency now. We also have an SRO that's at school each day. That's by a contract between the School, the Town and the Village. We need people to cover time off. We're trying to control the cost of the Village.

Dwight Brown – But why do we need the extra manpower? Is it because the area is growing?

Chief Noble – Crime seems to have followed 390.

Gary Cottone – What justifies that coverage? What's the big issue if someone goes on vacation for a week can't the Sheriff's Department take over?

Chief Noble – We're here within 3 minutes, the County maybe 20 minutes. Overnight there are drug arrests, domestics, barking dog complaints, and property checks.

Joe Geer – The Sheriff's Department has one car which covers a large area. If it's a noise issue, you probably won't see anyone until the next day.

Chief Noble - We are usually 5 – 10 minutes before any ambulance is there.

Ken Ippolitto – Problems that occur from midnight to 6-7 a.m. are fewer but more serious.

Tim Delaney – What are you doing on Genesee Street?

Mayor Freeman – The concrete has expanded and the DPW is cutting joints in the street and filling the joints. After all that is done, the street will be repaved.

Darlene Kiel - I see a police car go by everyday and it's nice. That's what makes Avon a nice community.

Bernie Kiel – Being on the ambulance crew, it's nice to have an Officer meet you at the scene of a call and help out. It is extremely valuable.

Joe Geer - Caledonia officers are done at midnight.

Tim Delaney – What's the cost for the Police Department?

Mayor Freeman - Taxes went up less than 1% this year and we are constantly looking for grants. The cost per year for the Police Department is \$600,000 a year.

Liz Welch – Did you use something that's evidence base as a skew to figure how many officers you need? If so, could you put that formula on the Village's website?

Chief Noble – There's so many formulas out there when it comes to staffing.

Dave Sharman – I appreciate you having this meeting tonight and what you are doing.

Dwight Brown – We don't know what you're doing.

Chief Noble - Police don't market themselves and you want to know what we're doing and that's a reasonable request.

Darlene Kiel suggested putting monthly statistics on the Village's website.

Chief Noble – That's possible, and I will look into that.

Jeff Yunker – Pole Bridge Road is a 40 mph speed limit and that is fast. Several meetings ago this was discussed and you were going to check into trying to get it down to 30 mph with the County. Does the Village have the authority to monitor that road?

Chief Noble – We can run a detail on those roads. Usually the ones that are guilty are the ones that live there. If you have a problem or concern please call or stop in.

Jeff Yunker – Do you feel it is safe and practical to park on the point with no lights going?

Tamara Bingham – It's a deterrent.

Rich Cole – If you see no lights then you should proceed as usual.

Liz Welch questioned the speed along 5 & 20 at Pole Bridge Road.

Mayor Freeman – The State will not reduce the speed on 5 & 20. A letter was sent to the Traffic Safety Council from Dave LeFeber and me and they would not approve it.

Chief Noble – I will reach out to the Sheriff’s Department I can’t promise anything.

Art Pearson – What I find dangerous is the bump out for trucks coming around the circle and down the hill and their front bumper comes over the yellow line as you’re coming up the hill.

The Mayor thanked everyone for participating in the evening’s discussion.

Mayor Freeman informed the Board that Costich Engineering called him to see if the Village would be interested in taking dedication of a 357 square foot parcel in the northwest corner of the Tops property. They would rather see the Village take it than the State.

Mayor Freeman notified Attorney Whiting and he saw no problem with it.

Trustee Zhe questioned if there would be any cost involved for the Village?

Mayor Freeman stated that was a good point and that he would check on that.

At this time a motion was made by Trustee McKeown and seconded by Trustee Zhe to have Costich Engineering start the process for the Village to take dedication. The motion was carried by the following vote:

Thomas Freeman, Mayor	Voting	Yes
William Zhe, Trustee	Voting	Yes
Robert Hayes, Trustee	Voting	Yes
Mark McKeown, Trustee	Voting	No
Timmy Batzel, Trustee	Absent	

Trustee Zhe questioned the work that needs to be done on the gazebo and what is the time frame?

Mayor Freeman agreed to have someone come out and take a look at it.

A letter was submitted by Heather Arnold in regard to several Village trees on the section of Clinton Street between 39 and 45. The tree in front of 39 Clinton Street is pulling on the wires running through it. The letter will be forwarded to Superintendent Barrett.

A concern about the curbs on Clinton Street was also addressed.

**EXECUTIVE SESSION:**

Upon a motion by Trustee Zhe, the Board entered executive session at 8:50 p.m. to discuss contractual matters. The motion was seconded by Trustee McKeown to exit executive session at 9:10 p.m.

Upon a motion, the meeting was adjourned at 9:10 p.m.

Respectfully submitted,

Patricia E. Baker  
Village Clerk