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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, August 6, 2012.

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

Staff: John Barrett
Tony Cappello
Bryan Scott
Chief Jim Noble

Visitors: Tim Stanton, Livingston Insurance Agency, Inc.
(See Attached List)

Mayor Freeman opened the meeting at 5:30 p.m. with the Pledge of Allegiance.

TIM STANTON – LIVINGSTON INSURANCE AGENCY, INC.

Mr. Stanton introduced himself to the Board and gave them some background of his past experience.

Years ago he was in the insurance business and has been a lifelong resident of the Village. Over recent months, Mr. Stanton has become involved with the insurance business. Months ago before becoming employed by Livingston Insurance Agency, Inc. Mayor Freeman approached Mr. Stanton about possibly reviewing the Village's current insurance coverage as a consultant.

Mr. Stanton stated that he would like to become the Broker of Record for the Village of Avon. He feels he could do a good job and would like an opportunity to earn the Village's faith and trust and he would bring back results. After reviewing the current policy, he felt there were areas that could be improved upon in order to protect the Village.

Trustee McKeown – Would you also act as our consultant as well as our Insurance agent?

Tim Stanton – That’s correct, that’s what I would do. It was a tough market back when you hired Brian Baty as insurance consultant, but the markets have softened and I understand why there wasn’t a need for him over the past few years. We need to get it back to base line and bring the premiums down and increase the coverage. I want to keep reviewing and am a firm believer it should be delivered to the Board each year for review. I would come in as often as you want.

Trustee McKeown – When is our insurance up for renewal?

Tim Stanton – September 1st, therefore I need to obtain a quote as soon as possible. You will stay with Selective and the only change would be your agent.

VILLAGE BOARD MEETING MINUTES:

Upon a motion made by Trustee Hayes the minutes from July 23, 2012 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
Robert Hayes, Trustee	Voting	Yes
TimmyBatzel, Trustee	Voting	Yes

VOUCHERS AND MANUAL CHECKS:

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

Fund # 1 General Fund	\$11,343.07
Fund # 4 Schedule C	\$ 6,829.55
Fund # 5 Water	\$ 2,761.83
Fund # 6 Sewer	\$ 5,767.98

Fund # 9	\$
Fund #10	\$
Fund #11	\$
Fund #17	\$ 3,048.16
Fund #43	\$
Fund #44	
Fund #45	\$
Fund #46	\$
Fund #47	\$
Fund #48	\$
Fund #49	\$
Fund #50	\$
Fund #56	\$
Fund #57	\$
Fund #58	\$
Fund #59	\$
Fund #60	\$
Fund #61	\$
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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	\$	30,049.09

St. John Fisher College	Seminar (Noble & McFadden)	\$ 50.00
Avon PTA	2011 Replacement Check	\$ 100.00
Postmaster	W/S billing postage	\$ 188.32
Postmaster	W/S billing postage	\$ 188.32
TOTAL:		\$ 526.64

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

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

CODE ENFORCEMENT UPDATE:

Walk through scheduled for the 20th of August with Reid Whiting for 184 East Main Street. There was question on whether in case of fire if it were safe for Fire Fighters to enter the dwelling. Attorney Whiting will discuss with Kevin Niedermaier, Director of Emergency Management Services. Trustee Batzel questioned if the Village would be liable for allowing him

the owner to stay in the home since it is condemned. It's important for Attorney Whiting to see the resident and that he is not doing anything to fix the problems. He was given originally given 90 days, it's been 45 days, after that time, it is tear down condemnable.

Trustee McKeown suggested at the 2nd meeting in September the Board should discuss tearing it down and going in and cleaning it out.

Trustee Hayes – So the judge has to provide that order of injunction and final determination?

Tony Cappello - All they did now was to give him more time.

- Tony Cappello will contact Mrs. Belinda Wilson in regard to her concerns at 184 East Main Street
- The Town Square Plaza may be sold. A call was received asking for a Certificate of Occupancy.
- I will be sending out a letter to 141 Rochester to clean up the property.

Trustee Hayes - Pursuant to recent updates at Pizza Land in which they sat through the Downtown Façade meeting and seemed very interested they put up steel siding.

Code Officer Cappello – There's nothing that can be done to prevent them from putting steel on the building. There are also a lot of metal roofs going on.

Trustee McKeown reported that the weeds were tall at 127 Prospect Street.

DEPARTMENT OF PUBLIC WORKS:

- Working on railroad crossing on Spring Street and will try to do Linden Street
- At the Driving Park working on the gazebo roof, it's very labor intensive.
- Working on detention pond up at Masi's. It is 80% done then will finish grading and seeding
- DOT will grind route 39 from 5&20 to Five Arch and repave. They will give us all the grindings if we sweep it. It will go down for the base for the Erie Attica Trail.
- Working on curbs and sidewalks on Clinton Street
- Working with Kraft on the sewer use agreement. It is a five year contract.

- Working on the SPDES permit. The renewal is due in September
- Probably will do stripping next week to get ready for school
- Will be advertising for another full time person

Trustee Hayes reminded Superintendent Barrett about the yield to pedestrian signs, finishing up North Avenue sidewalks and questioned if there was a time line for taking trees down.

Superintendent Barrett replied that it will be closer to winter because of the cost. At that time we will remove Peggy Tirrell's tree.

Trustee McKeown went over the items on the "TO DO" list such as the door access system which requires two more quotes, the replacement of the nutrition door, stripping on Prospect Street and correct the drainage problem at McAllister and Voros residence on West Main Street.

Trustee Zhe announced that he had received a thank you from the American Legion for the work that had been done in the Circle Park.

Mayor Freeman reported that the Village will keep Brittany Smyder on as water person while she is doing her internship with the police if it's ok with Chief Noble.

POLICE UPDATE:

- Potential buyer for charger of \$6800
- Joe Geer would like to go to Atlantic City for a Child Passenger Safety conference. Possible expenses that the Village would incur would be gas, food and tolls. We would reimburse him after his class and receipts are presented to us. I would like to recommend that we allow Sergeant Geer to go.
- Went to a few Corn Festival meetings, 11 officers will be working 6:00 a.m. to 7:00 a.m. the following morning.

Sergeant Geer has been doing a good job. The last seminar we attended on Leadership and Integrity was very worthwhile. He will be attending Robert's Wesleyan College working on his bachelor degree. There is one class per week which is on Mondays for 15 months. He is willing to adjust his time and work 11 p.m. to 11 a.m. He wrote up a proposal explaining why he wants to further his education. Professional Development is important and he would incur the cost himself.

There is a Photography Technician School coming up and we need to add an additional officer as a technician. Sergeant Geer and Chief Noble talked about it and if allowed would like to send Officer McFadden to this training. He has a good head and does what he's asked to do. The conference starts September 24-28 down at Finger Lakes.

Chief Noble mentioned another upcoming conference that will be coming up on October 14-17 and he felt it would serve an advantage to go. It is through the New York State Traffic Safety Board and the cost is approximately \$300.

NEIGHBORHOOD MEETING:

Jeff Yunker – Does traffic have to stop at every sidewalk?

Chief Noble – People shouldn't enter the roadway until traffic has stopped. If a person is standing in sidewalk you should stop but you should be aware about traffic around you.

Jeff Yunker – Some sidewalks are lined.

Chief Noble – If someone is ready to cross you have to stop. Same for the zebra stripes in front of the library. If someone is in a crosswalk you have to yield the pedestrian. It's equal responsibility for both motorist and walker.

Randy Peterson – Will they put more asphalt down on Rochester Street?

Mayor Freeman – He has been promised by the Village Board a safe access. Randy's sidewalk is 400-500 yards away from the cluster. We talked about a finer stone within the next couple weeks.

Leon Hale – What is the linear footage contemplated and is there a master plan for sidewalks and curbing?

Mayor Freeman - Currently there is approximately 15 miles of sidewalks in the Village of Avon, to connect High Street there is about 900' left. Not all streets have curbs with sidewalks.

Leon Hale - It is a lot of money and we are in a recession, where is the money coming from?

Mayor Freeman – The Village Board prepares a budget each year and sets aside \$10,000 for sidewalks, it's not saying we can do them all at once but would like to hear from residents on their priorities. There are monies set aside for all different areas, tree trimming, street maintenance, etc. When we have our public hearing for budget approval, we never have anyone come in and ask questions as to where the money goes. We face cost all the time. We have a \$1.5 million dollar budget. Everyday we're faced with challenges of cost, and safety is our top priority.

Leon Hale – Is it a safety issue? There haven't been sidewalks on High Street forever. Is there any records showing that someone has been hurt by not having a sidewalk? How many trees will be lost?

John Barrett – Zero trees.

Bob Carlin – Where would sidewalks be placed on Valley Lane?

Mayor Freeman – Pineview Heights and Valley Lane aren't a priority.

Darlene Kiehl – The stretch by Case Park is a safety concern for anyone

Amy Peri – Just because you put a sidewalk in doesn't mean people will use it and by not having sidewalks, it forces traffic to slow down. Do they have to go in the yard and why can't they go on the other side. We don't want sidewalks.

Ann Younger – There is a lot of speeding on High Street, the speed trailer seems to help. I would like to see the sidewalk extended by 172 High Street.

Sally Sakshaug – Sidewalks right next to road makes me uncomfortable, they are not safe.

Leon Hale – What is the linear footage on River Street?

Mayor Freeman – 3600'

Leon Hale – The average cost with screen is \$450 a square, on 900 feet on High Street that's \$20,000. It doesn't seem reasonable in this day and age to spend that kind of money.

Dick Martin – I agree when the sidewalks are next to the road is a serious problem. All you have to do is trip once. I would like to see a plan of some type. Float a bond and do all the sidewalks at one time.

Jeff Younger - Are you going to put this out for contract?

Mayor Freeman – It's a service we're doing.

Barb Sadden – Do you have a master plan?

Mayor Freeman – The Comprehensive Plan was adopted last year and it talks about sidewalks.

Barb Sadden – Have you pursued grant writing?

Mayor Freeman – Yes.

Barb Sadden – It is a hazard going around that curve. The hazards have increased considerably.

Chris Coyne – We can feel the cars going at a high rate of speed. People are flying by and nothing identifies where people should walk.

Joe Ricotta – I saw the paint and don't like it. I lost a lot of frontage. I would like to see a map. Why not on the other side? River Street has a lot of speeding cars. Will a map be available?

Mayor – Yes.

Darlene Kiehl – During the day there is a lot of lunchtime traffic. Is there something we can do to help for example write down their license?

Chief Noble – I can direct the patrol officers to move the speed trailer and do more traffic enforcement. I can check with the companies and let them know we will be giving targeted areas of enforcement.

Jim Biondolillo – Are sidewalks in the Village in the right away or private property?

Mayor Freeman – Village right away.

Arvilla Staples – We've lived on River Street 56 years and my granddaughter will be buying our house and I hope to God River Street will get sidewalks.

Leon Hale - What about speed bumps?

Chief Noble – Speed bumps cause difficulties for plowing and maintenance and you have to put warning signs out. It's up to Village residents. I can instruct my Officers to start enforcing tonight.

Bill Wall – People want a walk able community. River Street is a speed street and a busy street. If any one were to push a baby stroller down River Street you wouldn't be concerned about the cost of a sidewalk.

Mayor Freeman – The curve and the gully is the biggest challenge. We thought we'd start in the middle first. There will be a conversation on placing the sidewalks.

Dwight Brown – The reputation of Caledonia is you better slow down upon entering, also are there some kind of high barriers that could be placed between the road and sidewalks?

Heather Stoddard – Near Zobels driveway (40 Spring Street) the sidewalk is bad and I would never walk on River Street.

Dan Snyder – If and when the sidewalks go in would the Village do the road? It's never been finished?

Heather Stoddard – There is a section of sidewalk by the railroad bridge on Spring Street that is giving way and stones are dropping off the edge.

Joe Ricotta – What will you do with the culvert?

Mayor Freeman– We're going to add fill to it.

Dwight Brown –For River Street you have the greenway bringing a path across the old railroad bridge, to get from pathway to River Street is a natural flow.

Mayor Freeman– Generally what we have is concern with cost and speed, sidewalks are a priority for the coming years.

Art Pearson – We have fine sidewalks.

Trustee Hayes – One thing the priority of walk ability is strength in our Village. We need to connect our beautiful parks. The overall picture is something we need to weigh.

Trustee Zhe – We do have a plan and we will continue to work on the plan.

Trustee McKeown - We spend \$10,000 a year on sidewalks. Not always new sidewalks, some is repairing old sidewalks and grinding sidewalks.

Trustee Batzel – A lot of sidewalks are a safety issue.

John Barrett – The Village Board asked Superintendent to take a quick look at the placement for the proposed sidewalks and show where a sidewalk might go. It's not set in stone.

Tami Snyder – How will you handle the driveways? There are 23 mailboxes that would have to be moved across the road

John Barrett – We will not go across an existing blacktop driveway.

Dan Snyder – That's a safety issue crossing the road.

Tami Snyder – I have a child with a handicap and getting the mail is something she does. Why not put sidewalks in to the Downs?

Mayor Freeman – We don't want the sidewalks to butt up to the road and it is currently being looked at.

Orris Staples – What is the rule for bicycles? Should they ride with traffic or against traffic?

Chief Noble – I think bicycles have to go with the flow of traffic. That is not really my forte. We don't spend time doing bike enforcement.

Dwight Brown – The Village plows the sidewalks during the winter but do a lousy job. So people walk in the road in the winter. If citizens would take some responsibility and clean the sidewalks in front of their homes that would help.

Heather Ayers – 92 High Street – What would you do with an invisible fence?

John Barrett – We would move your invisible fence.

Shelia Greer – Two concerns I have that would interfere with the proposed sidewalk is that on the north side of my driveway there's a culvert and a large tree on the south side which I would like to have taken down.

John Barrett - Do you want to look at taking the sidewalks up to Shelia Greer's and remove her tree?

The Board agreed that would be a good place to start.

TRUSTEE'S UPDATE:

LICENSE AGREEMENT W/NATIONAL GRID (ERIE-ATTICA TRAIL):

After reviewing the National Grid draft Agreement Attorney Whiting had some concerns and contacted the Mark Agle, counsel for National Grid. The first concern addressed insurance requirement. The Village's Agent stated that current Village insurance coverage's meet or exceed the National Grid requirements. The second concern was the reimbursement of real property taxes.

Mr. Agle said he is willing to discuss changes of minor components of the agreement, but the likelihood of any change being incorporated in the agreement is very low.

The Board agreed to have Treasurer Quinlan further investigate.

GENERAL CODE - PROPOSAL FOR SCANNING SERVICES:

In early July, Clerk Baker met with representatives from General Code to discuss the possibility of having Village records uploaded onto the Village's Laser fiche database. An estimate of pricing was submitted based on the information supplied. Actual charges will be based on the actual number of images processed. The quote submitted for this job was \$28,962.67.

The Board will ask Treasurer Quinlan to look into obtaining a grant for the records.

REQUEST FOR CONFERENCE ATTENDANCE:

Chief Noble submitted a request to attend a Law Enforcement Summit seminar on August 7, 2012 at St. John Fisher. The conference is free of charge.

Upon a motion made by Trustee Hayes and seconded by Trustee Zhe approval was given for Chief Noble 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

JUSTICE COURT GRANT RESOLUTION:

A letter was submitted by Court Clerk Janis Cole. The resolution is needed to be adopted by the Board in order to apply for a Justice Court Grant. The application is due by October 1, 2012.

WHEREAS, the State of New York has enacted a law establishing the Justice Court Assistance Program that will enable communities to apply to the Chief Administrative Judge for a grant of State funds, to assist in the operation of the Justice Courts; and

WHEREAS, the availability of grant funding would enhance the ability of the Village Justice Court to provide suitable and sufficient services to the Avon Community; and

WHEREAS, this joint application with the Town of Avon Court would allow for joint sharing of equipment and materials thereby providing efficiencies to the Avon Community,

NOW THEREFORE IT BE RESOLVED that the Village Board of Trustees hereby authorizes the Mayor to file an application for a Justice Court Assistance Program grant in an amount not to exceed \$30,000.

A motion made by Trustee Zhe and seconded by Trustee Batzel to adopt the resolution for a Justice Court grant 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

Mayor Freeman asked for a motion to waive the water/sewer tap fee for Habitat House. A motion was made by Trustee Hayes and seconded by Trustee Zhe that water/sewer tap fee be waived.

Trustee McKeown felt that a representative for Habitat for Humanity should be here to ask themselves.

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

The Board all agreed that Mr. Stanton's proposal was interesting. We would have a combination of a Brian Baty and a local agent right here in the Village working for us.

A motion was made by Trustee Hayes and seconded by Trustee Zhe to approve the Agent/Broker of Record Change to Badger & Gunner, Inc. and agent Tim Stanton. 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
TimmyBatzel, Trustee	Voting	Yes

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

Respectfully submitted,

Patricia E. Baker
Village Clerk