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The regular 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, July 01, 2013.

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

Staff: John Barrett  
Chief Gary Benedict, Jr.  
Tony Cappello

Visitors: Leah Shea, Genesee Sun

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

**EXECUTIVE SESSION:**

Upon a motion by Trustee Hayes the Board entered executive session at 6:00 p.m. to discuss personnel and contractual matters. The motion was seconded by Trustee Batzel to exit executive session at 6:15 p.m.

**VILLAGE BOARD MEETING MINUTES:**

Upon a motion made by Trustee Hayes the minutes from June 17, 2013 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
Timmy Batzel, Trustee	Voting	Yes

**TREASURER'S UPDATE:**

**VOUCHERS AND MANUAL CHECKS:**

Upon a motion made by Trustee McKeown the following vouchers were approved for payment:

General Fund	\$ 11,236.58
Water Fund	\$ 2,837.55
Schedule C	\$ 4,515.20
Sewer Fund	\$ 8,663.30
Fund #10	\$
Fund #11	\$
Fund #17	\$ 1,126.23
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	\$ 332.07
Fund #94	\$
Fund #95	\$
Fund #96	\$
Fund #97	\$

Fund #98	\$
Fund #99	\$
<b>TOTAL</b>	<b>\$ 28,710.93</b>

**Manual Checks:**

Nationwide Retirement	Deferred Comp.	\$1,008.44
NYS Child Support Proc. Center	Child Support (Holtz)	\$ 256.00
NYS Child Support Proc. Center	Child Support (Ferrarra)	\$ 767.00
Nationwide Retirement Solution	Deferred Comp.	<u>\$ 981.00</u>

**TOTAL: \$3,012.44**

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	Voting	Yes

**DPW UPDATE:**

- Finished installing the final pavement course on Genesee Street. The existing aprons were raked in as we went.
- Almost to the top of Oak Street with the water main. One fire hydrant to be put in and testing of the chlorination and then we can start tying in the existing water service.
- The silt fence was erected today for the Erie Attica Project
- Robert House will be notified that he needs to remove his shed
- Sidewalks for grinding and repair have been marked out

A letter and bill was received from Leclair Korona Giordano Cole Attorneys for Frontier Communications. They claim the Village was involved in damages that occurred on Genesee Street and Oak Street on July 24, 2012. They claim there was no stakeout request made.

Superintendent Barrett disputes the claim and said their line was only 3” deep and that the Village didn’t dig with power equipment. It was hit with a sidewalk stake.

Mike Shoemaker, Insurance Adjustor for the Village will contact Frontier’s Attorneys.

Mayor Freeman reported that he had met with Jimmy and Eddie Kime regarding proposed sidewalks for Spring Street. The survey map that had been done by Kevin O’Donoghue noted some discrepancies between deeds and maps of Spring Street and properties adjoining Spring Street. We walked the area in question with the Kimes and they agreed to move the fence back five more feet and a boundary line agreement will be drawn up.

Mayor Freeman stated that the goal is to move the fence back and regrade and to install the sidewalk next year. Superintendent Barrett was asked to get pricing on fence. The sidewalks on Spring Street are a go, but River Street sidewalks are still in discussion. Mayor Freeman suggested that Mr. Barrett get pricing on removing the hill from River Street.

Trustee Zhe mentioned that the stop sign on the corner of North Avenue and Reed Street is being blocked by trees.

Trustee Hayes reported that the hedges on the corner of East Main Street and North Avenue need trimming. He also questioned the “Yield to Pedestrian” sign on East Main. In the barbeque pit someone has dumped paint cans, brush and other junk. He also added that the basketball court is pretty cracked up.

Mayor Freeman suggested to Superintendent Barrett that he obtain labor costs for repairs made for when the tractor trailer went down the hill and jumped the curb and went into a lawn and kept going. Signs were taken down also. We will bill the driver for reimbursement.

## **POLICE UPDATE:**

Chief Benedict reported that he had looked at the parking situation on Clinton Street. A resident of Richmond Lane commented that getting out of Richmond Lane is difficult at times with the number of vehicles that park along Clinton Street. It was suggested that the Village post a “No Parking Here to Corner” sign on Clinton Street so motorists could see around the corner when they were pulling out.

Parking is allowed on the north side of Clinton Street but not on the south side of the street. On the south side of the street the signs are ample, but on the north side of the street there is only one sign.

Trustee McKeown – That area has been a problem for a while.

Mayor Freeman asked Trustee McKeown to work with Chief Benedict on making a change to improve the situation.

Mayor Freeman advised the Board that Chief Benedict and he will be meeting with Bruce Amey in the near future to discuss the lockdown. We will revisit our plan and have a policy in place.

Chief Benedict informed the Board that he had met with Dr. Supnick and thinks it is a good plan to have in place. We should be striving to get the best individual.

The Board reviewed General Order #200 regarding Recruitment. Trustee Batzel asked once again about the Village Board being part of the interview process with the applicant before making a conditional offer of employment.

Chief Benedict indicated that he did not have an issue with that and Mayor Freeman asked Trustee Batzel to work with the Chief on rewording the General Order. It will be placed on the July 15<sup>th</sup> agenda for final approval.

## **TRUSTEE'S UPDATE:**

### **TOBACCO FREE PARK & PLAYGROUND:**

Trustee Zhe presented a resolution for Tobacco Free Park & Playground and read it aloud.

A motion was made by Trustee Zhe that the Village of Avon agrees to the adoption of the following resolution to create tobacco-free zones at local parks.

WHEREAS, smoking is responsible for premature deaths of over 440,000 Americans each year from lung, cancer, heart disease, respiratory illness and other diseases; and

WHEREAS, secondhand smoke is responsible for over 50,000 deaths among nonsmokers each year; and

WHEREAS, tobacco kills more Americans each year than alcohol, cocaine, heroin, homicide, suicide, accidents, fires, and AIDS combined; and

WHEREAS, 90% of smokers started smoking before the age of 18, and the average initiation age is 12 years old; and

WHEREAS, everyday an estimated 3,900 young people under the age of 18 try their first cigarette and one-third of these children will die prematurely from tobacco related illnesses; and

WHEREAS, to help role model non-smoking behavior to children, providing youth and their families with a safe, smoke free environment;

THEREFORE; the Village of Avon, County of Livingston, and State of New York resolve as follows:

All agree that all Village parks will be designated as **TOBACCO FREE ZONES**. Appropriate signage will be posted designating tobacco free areas. The Village Clerk shall certify to the adoption of the resolution. This resolution will become effective on July 2, 2013.

The motion was seconded by Trustee Hayes and carried by the following vote:

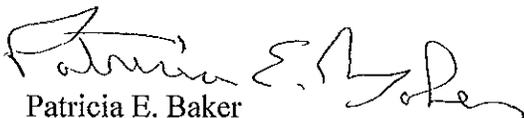
Mayor Thomas Freeman	Voting	Yes
Trustee Mark McKeown	Voting	Yes
Trustee William Zhe	Voting	Yes
Trustee Robert Hayes	Voting	Yes
Trustee Timmy Batzel	Voting	Yes

**EXECUTIVE SESSION:**

Upon a motion by Trustee Batzel the Board entered executive session at 7:00 p.m. to discuss contractual matters. The motion was seconded by Trustee Zhe to exit executive session at 8:00 p.m.

Upon a motion the meeting was adjourned at 8:00 p.m.

Respectfully submitted,

  
 Patricia E. Baker  
 Village Clerk