

Avon Village Board Meeting
Monday, July 7, 2008

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, July 7, 2008.

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

Absent: Philip Swanson

Staff: James Carney
Jeremy Batzel

Visitors: Howard Appell
Tim Batzel
Carmine Simone
Chris & Melissa Best
Marg Brooks
Bob & Fran Brooks
Doug & Donna Hogle
Leo & Fran Frew
Art Pearson
Karen See
Barbara & Ken Schafer
Marnie & Scott Baker
Mark & Judy Hennekey
Tony Cappello
Jean Rapone
Mick & Rhonda LaFever
Anna Baez

Mayor Freeman opened the meeting at 6:30 p.m. with the Pledge of Allegiance.

VILLAGE BOARD MEETING MINUTES:

Upon a motion made by Trustee Zhe the minutes from June 16th, 2008 are hereby approved as submitted. Trustee Hayes seconded the motion and it was carried by the following vote:

Thomas Freeman Mayor	Voting	Yes
William Zhe, Trustee	Voting	Yes

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Mark McKeown, Trustee	Voting	Yes
Robert Hayes, Trustee	Voting	Yes

OPEN PROJECT:

Treasurer Quinlan requested the following projects be established:

The Board discussed the grant that has been awarded to the Avon Fire Department for \$10,000 Member Line Item Grant to help purchase uniforms with Chief Batzel and the \$15,000 grant for an All Terrain Vehicle for off road rescues and fire suppression.

Upon a motion made by Trustee McKeown the following projects are hereby established and to be fully funded through NYS grant monies and to execute the paperwork for each grant contract with NYS Department of State.

- Legislative grant for an All terrain Vehicle in the amount of \$15,000
- Legislative grant for fire Department uniforms in the amount of \$10,000

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

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

Upon a motion made by Trustee Hayes the following project is hereby established and will be funded through the:

- NYS DEC Forestry Grant in the amount of \$1,000 with a \$1,000 match to purchase submersible pumps and brush packs for the Avon Fire Department funded by the NYS DEC

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

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

JEREMY BATZEL – FIRE CHIEF:

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The Board and Chief Batzel discussed the Fire Department turning over excess funds of the Fire Department made through chicken barbecues, raffles, donations, etc. to the Village Treasurer to oversee. Some Fire Department members expressed concern that once the money is turned over to the Village, the Fire Department will loose control over it. The Board reassured Chief Batzel that would not be the case and it would go into a general fund and when a purchase is made and a check is required they would make that request through Treasurer Quinlan.

Tim Batzel – When the Pumper Company purchases anything, we pay tax. Currently the Pumper Company is working on getting a Tax ID #.

Trustee McKeown suggested that the Treasurer set down some guidelines of what is to be followed and formulate a written agreement which will be voted on at the next Board meeting.

Chief Batzel requested that monies be released and the project be funded for Turnout Gear. The gear needs to be replaced.

Mayor Freeman informed Chief Batzel that the Board would like to see a breakdown of what he intends to purchase.

Chief Batzel reminded the Board that the Officer's meeting is scheduled for the following evening.

VOUCHERS AND MANUAL CHECKS:

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

Fund #1 General Fund	\$15,828.11
Fund #4 Schedule C	\$ 12,794.31
Fund #5 Water	\$ 3,383.05
Fund #6 Sewer	\$ 8,141.31
Fund #9	\$
Fund #10	
Fund #11	\$ 526.96
Fund #17	\$ 685.58
Fund #44	\$
Fund #45	\$
Fund #47	\$ 3,800.00
Fund #48	\$

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Fund #50	\$
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	\$ 1,030.00
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	\$

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Fund #83	\$
Fund #84	\$
Fund #85	\$
Fund #86	\$
Fund #87	\$
Fund #88	\$
Fund #89	\$
Fund #90	\$
Fund #91	\$
Fund #92	\$
Fund #93	\$ 855.84
Fund #94	\$
Fund #95	\$
Fund #96	\$
Fund #97	\$
Fund #98	\$
Fund #99	\$
TOTAL	\$ 47,045.16

Manual Checks: Check #17895 Lee Rodamaker \$ 100.00
Check #3677 Nexstep, Inc. \$2,504.82
Check #3678 MRB, Group, P.C. \$13,241.60
Check #17955 U.S. Postal Service \$1,500.00
Check #3035 Law Enforcement Officers Union
\$ 347.34
Check #3034 NYS Child Support Proc. Center
\$ 483.50
Check #3032 NYS Income Tax Processing Unit
\$1,636.78
Check #3036 SEIU 200 United \$ 295.19

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Check #3033 Nationwide Retirement Solution

\$1,646.28

\$21,755.51

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

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

**NEIGHBORHOOD MEETING: (MAPLE STREET,
BRONSON AVENUE, RAILROAD STREET &
ROCHESTER STREET)**

Mayor Freeman opened up the neighborhood meeting by introducing Carmine Simone, Plant Manager of Barilla to the visitors. He showed a film clip of the history and the Barilla Plant itself.

Mayor Freeman informed the visitors why the neighborhood meetings and stated that the Village government is the government closest to the people, where residents know and can directly communicate with their elected officials. A Village is a corporation formed by the residents of an area. Village government provides an enhanced level of government service which provides water and sewer services, fire and police protection. At this time Mayor Freeman introduced the Board to the public and opened up the meeting for comments and discussion.

Jean Rapone – How many will Barilla employ when it's at full capacity?

Carmine Simone – We currently have 79 employees and once all lines are up and running we will employ an additional 55 people.

Bob Brooks – How many trucks go in and out of your facility a day.

Carmine Simone – Approximately 55 trucks per day, it will go up a little when they are in full operation.

Leo Frew – Are there any plans for expanding?

Carmine Simone - We have 49 acres, for now we have no plans.

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Mayor Freeman – Generally, there are other concerns besides the construction?

Jean Rapone - The trains backing in make a squealing noise. It use to be we would have a train come through two or three times a week. Now we have about three trains a day.

Scott Baker – When you switch out the railroad cars is it during the day?

Carmine Simone - Right now it's during the day. When they were working on the railroad tracks they were being switched at night.

Anna Baez expressed displeasure of the utility poles that are on the railroad cars across from her home and the odor that permeates from them.

Mayor Freeman said they would talk with the railroad.

Mayor Freeman asked about the junk yard. Ken Schaffer said they are cleaning it up and is very satisfied with the results.

Jean Rapone – Barilla Drive, there's no sign to let people know it's a dead end no stop sign to say the road ends. There's a stop sign on one end and not on the other end.

Mayor Freeman informed the residents that the Village is considering generating water/sewer bills 3 times a year as oppose to the current quarterly billing. We could save some money if they were done three times a year. Would that be a huge impact on you? We'd would like you to think about it and open it up for discussion.

Leo Frew –There are odors in the evening from the sewer plant and I would like to see a dead-end sign on Maple Street. We have multiple vehicles especially large trucks unfamiliar with the area come down the street only to have to try to turn around. There is also a large hole across from Bob Brooks that fills up with water.

Bob Brooks – I would like to see Railroad Street and Bronson Avenue a one way street. It's very tight. There's not room for two vehicles when vehicles park along the street.

Chief Carney – The only problem I see is that you'll have all of Duffy's traffic coming down your street.

Ken Schaffer – I would hate to see it made one way. I prefer to go down Railroad because there are fewer kids.

Bob Brooks – What is the posted speed limit?

Chief Carney - Going into the park is 15 miles an hour the same for the school zone. On Lacy Street it is 25 miles per hour. Basically the Village posted limit is 30 miles per hour.

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Mayor Freeman - Would you suggest a letter be sent to the neighborhood or put signs up saying "No Parking"?

Mrs. Frew – How about a sign that says "Children at Play".

Ken Schaffer – I like the idea of writing a letter saying it's a dangerous situation and before you enforce one way street signs see if people will comply.

Howard Appell – There are rumors of a new entity. When Barilla was in the early stages, there seemed to be a real lack of information and Village input. Is there a real possibility of development and could there be more Village input?

The Board informed Mr. Appell that there's always a chance for new development and that is the intent when the property was rezoned.

Jean Rapone – When did Barilla first become interested in the Industrial Park?

Trustee McKeown – The work started in June of 2006, and I think it was Fall of 2005 the Village was approached.

Mark Hennekey of 315 Rochester St. – I applied for a remortgage on my home and was turned down and told the house could not be used as collateral. The sewage pipe in the basement does not meet current code and poses a safety hazard, plus suffers exterior obsolescence due to backing a railroad track and a Barilla factory. It is not FHA acceptable collateral. It tells me my property is not sellable.

Mayor Freeman - Could you please leave the paperwork with the Clerk and we will have our lawyer look into it.

Neighbors complained about large trucks running the roads day and night and using Rochester Street as a short cut. Rush Sand and Gravel trucks use it as a short cut constantly, and questioned what the weight limit was for their street?

Chief Carney will look into the weight limit. We can run some weight checks and ticket them and that will discourage them from using it as a short cut. We do these checks once a month with DOT.

Art Pearson suggested looking into speed bump mats; it's an illusion that looks like a speed bump.

Everyone agreed that it would be a temporary fix.

Jean Rapone complained about runoff, from the sidewalk. Mayor Freeman asked Officer Cappello to look at the situation.

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Bob Brooks – Who owns the property along the top part of the railroad from Duffy’s down?

Mayor Freeman – The Village has put stones and sprayed it. I believe the railroad owns it. No one wants to take ownership.

Karen See – As 5 & 20 traffic increases, getting out of Bronson Avenue becomes more difficult, would a traffic light ever be possible?

Mayor Freeman – The next light that will go in is probably at Horseshoe and River Street.

The neighbors questioned the construction on 5 & 20.

Chief Carney - Now we have a 10’ shoulder and center lane is 16’. You’ll have three lanes of traffic that will conform to standard size. The shoulders will be 8’ wide. The intent is to slow traffic down.

TRUSTEE’S UPDATE:

Mayor Freeman suggested to the Board that he would like to put a thank you in the Penny Saver for the Bicentennial Committee who coordinated the July 4th celebration.

Chief Carney informed the Board that Traffic Safety Grant money was received for the 5 & 20 Project. 15 – 20 hours are to be dedicated during the course of the project as needed.

Randy Peterson Sidewalk - The Board discussed the possibility of putting in a temporary gravel base sidewalk from Randy Peterson’s house to connect to the existing sidewalk on Rochester Street to help a visually impaired resident. The Board agreed to go with crush stone which would cost approximately \$1,200.

A motion was made by Trustee Zhe to install a temporary sidewalk on the east side of Rochester Street of Randy Peterson’s resident up to the current existing sidewalk at 400 Rochester Street at a cost not to exceed \$1,200. The motion was seconded by Trustee McKeown and carried by the following vote:

Thomas Freeman Mayor	Voting	Yes
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summer. We need to go back to the Town Board and Superintendent Amey and determine the billing.

The letter from the Avon Free Library dated July 7, 2008 was acknowledged regarding the July 26th Dady Brothers' Concert on the library's front lawn.

Trustee Zhe – **Loomis Update** – A quote was received from Loomis Electric to upgrade the existing service to the concession stand, bathrooms, and storage buildings at the Downs. The upgrade will be replacing the existing 60 amp service with a new 200 amp service. The project has to be coordinated with John Barrett and National Grid. The total cost of the project is \$4,680.

Mayor Freeman – To me this is a fall project.

Planning Board Member – Upon a motion made by Trustee Zhe the appointment of Paul Drozdziel to the Village Planning Board to fill the vacancy of Anthony Cappello for a term expiring April, 2009. The motion was seconded by Trustee McKeown and carried by the following vote:

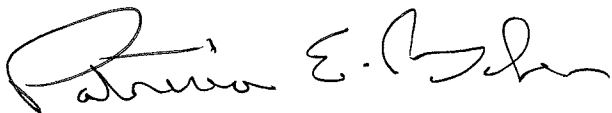
Thomas Freeman Mayor	Voting	Yes
William Zhe, Trustee	Voting	Yes
Mark McKeown, Trustee	Voting	Yes
Robert Hayes, Trustee	Voting	Yes

EXECUTIVE SESSION:

Upon a motion made by Trustee McKeown the Board entered into executive session at 9:30 p.m. to discuss personnel matters. Trustee Zhe seconded the motion and the Board exited executive session at 10:00 p.m. The motion was carried by a unanimous vote.

Upon a motion made by Trustee Hayes and seconded by Trustee McKeown, the meeting was adjourned at 10:00 p.m.

Respectfully submitted,



Patricia E. Baker
Village Clerk