

Avon Village Board Meeting
Monday, January 5, 2009

A handwritten signature in black ink, appearing to read "Patricia E. Baker". The signature is written in a cursive style with a large initial "P" and "B".

Patricia E. Baker
Village Clerk

Avon Village Board Meeting
Monday, January 5, 2009

Mayor Freeman – The good news is that you're going to have an opportunity to come back in a year and follow-up with your concerns and see if they have been addressed.

Dan Freeman – Would there be an issue if the Village were to run a plow through Hickory Hill? We have the Village do leaf pickup. We wouldn't expect them to do maintenance.

John Barrett – I was told not to do it because it's a private drive.

Trustee McKeown – We would have to do the same for all private drives. We would have to check from a legal standpoint.

Don Lucas – Questioned why there was a dead end sign put up on High Acres?

John Barrett explained it was at the direction of 911, for emergency purposes.

Dwight Brown – We have a deer problem.

Trustee Hayes – I've called the DEC regarding that and they haven't returned my call.

Peter Burke – Do we have any control over the shade trees in the right a way that are pruned by National Grid? The extreme cropping of the crown is horrible.

John Barrett – Very little, they have a right away on all those power lines and can do whatever they want. They prune hard and want the limbs away from the lines.

Mayor Freeman – Jerry Rowe has been hired by the Village to make sure trees get pruned properly. Maybe it would be a good idea if Jerry were to ride with National Grid and oversee the pruning.

The neighborhood meeting was adjourned and the Board returned to the Board Room to finish their meeting.

EXECUTIVE SESSION:

Upon a motion by Trustee Zhe, the Board entered into executive session at 8:30 p.m. to discuss personnel matters. Trustee McKeown seconded the motion and the Board exited executive session at 8:50 p.m. The motion was carried by a unanimous vote.

Upon a motion, the meeting was adjourned at 8:50 p.m.

Respectfully submitted,

Avon Village Board Meeting
Monday, January 5, 2009

Dan Welch – I live two houses away and I welcome you to the neighborhood. I have heard of no problems.

Joan Brown – I've lived on Pine View 20 years. We need a street light on that corner. It's hard to find the street. They told us they would turn the existing street light but the tree cuts out the light.

Klaas DeWaard – The crew does a beautiful job plowing, and with leaf pick up. For the last two years Valley Lane has been really falling apart. The whole street is breaking up. It needs a new top coat.

John Barret – Next time we do it, it would be a regrind. It's probably about two years out.

Dan Freeman – I've been on Hickory Hill nine years and since I've built up there the increasing flow of water is out of control. I've tiled my whole yard. As construction started to increase up on Commerce Drive it has become a major issue and the retention pond is not working. It's not being channeled away.

Chuck Faisst – Jim Davis has lost a couple of pine trees because of root rot. It's ripping up our road also.

Don Lucas – When I moved in 10 years ago my sump pump never ran. I've also lost trees from roots rotting out. The water has increased since the development.

Chuck Faisst – First year I've had water in my basement and I don't have a sump pump.

Mayor Freeman – The reality is that the new development is going to help some of these problems with their ponds.

John – We have no agreement or right a way to go in there and change it as a Village. We've forced Frank to do some things to try to correct it.

Chuck Faisst – The French drain was not put in right and there's a lot of water coming from the developed and undeveloped area.

Mayor Freeman – If we could run a collection pipe up there would that be a help?

John Barrett – I think it would be better to go up to Csapo's and try to obtain easements and fix the problem. If the water doesn't get to the runoff ponds then it defeats the purpose. I can't go into people's backyard and start digging.

Mayor Freeman – How about if we have John Barrett and our Village Engineer go up there and come back to us with some preliminary engineering plans. We'll pursue the easement part and see how we can get rid of the problem.

Avon Village Board Meeting
Monday, January 5, 2009

Mayor Freeman introduced the Board and employees to the public. He also informed them that the minutes can be viewed on the website once they are approved. The Mayor asked the residents on what they thought about receiving their water/sewer bill three times a year rather than quarterly? He explained it would be a slight cost savings by doing it three times a year as far as postage and labor goes.

The Mayor also reminded the public that the trees between the sidewalk and road belong to the Village, therefore, if there is a problem with them to please notify the Village.

Drivers for the ambulance and Fire Department are always needed.

Mayor Freeman polled the visitors on garbage pickup, is that something you would like to see us pursue? Are there any strong opinions?

Peter Burke – The Town pursued this a number of years ago and I would prefer to see the private company continue.

Don Lucas - I think it's worth pursuing. They charge me extra because we have a gravel roadway and they can't get the big trucks up there.

Bob Carlin – How would it be billed, if one guy puts one bucket out and another family puts out six?

Mayor Freeman - These are things that we haven't pursued at this time so we don't know how it would work. It was brought up at a neighborhood meeting.

Mayor Freeman introduced the two ladies from ARC to the visitors.

The Residential Director of ARC Debbie Tuckermen spoke and informed the group that there are two group homes, one on Reed St. and one on Pine View Height which have six people who live there. It's our mission to get them out in their community and be part of their community.

Sherry Englert who has been on the Board for over 25 years informed the visitors that she has a son in a Dansville home. We want to be good neighbors.

Dwight Brown – When you first proposed your house, parking and traffic was a concern, and we were told if it was a problem you would take care of it. You said you would expand the concrete you haven't done that. You have parked on the lawn and we don't do that on Pine View Heights. I see now that you park at the Wesleyan Church which is fine. We also were told 2 -3 cars, but on some days maybe because of a staff meeting there are numerous cars that line the street.

Debbie Tuckermen – I have cards I will hand out, if you have any comments or concerns, please don't hesitate to call.

Avon Village Board Meeting
Monday, January 5, 2009

Check #3135 NYS Child Support Proc. Center	\$ 483.50
Check #18359 Henrietta Fire District	<u>\$ 312.60</u>
TOTAL	\$7,743.05

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

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

NEIGHBORHOOD MEETING: (VALLEY LANE, PINE VIEW HEIGHTS, HIGH ACRES & HICKORY HILL):

Mayor Freeman began the public meeting at 7:00 p.m. by reading a section from the New York State Conference of Mayors and Municipal Officials.

WHAT IS A VILLAGE?

In New York State, a village is a general purpose municipal corporation formed by the residents of an area in one or more towns to provide municipal services. The earliest villages in New York were created by clusters of people in otherwise sparsely settled towns who wanted to secure water and sewer services, fire or police protection or other public services. Village government provides an enhanced level of government service to these concentrated populations that would not otherwise receive the necessary level of government services from the town.

Village government is the government closest to the people, where residents know and directly communicate with their elected representatives. Village government is the only form of government that New York residents can incorporate (Village Law, Article 2) and dissolve (Village Law, Article 19) directly, by vote of the people. Residents have the power to collect signatures on a petition and cause a referendum to be held on a village incorporation or village dissolution.

Avon Village Board Meeting
Monday, January 5, 2009

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	\$58,350.63
Fund #94	\$
Fund #95	\$
Fund #96	
Fund #97	\$
Fund #98	\$
Fund #99	\$
TOTAL	\$58,350.63

Manual Checks: Check #18358 National Grid \$ 223.78
 Check #3342 National Grid \$3,221.35
 Check #3133 NYS Income Tax \$1,724.84
 Check #3134 Nationwide Retirement Solution \$1,776.98

Avon Village Board Meeting
Monday, January 5, 2009

Fund #46	\$
Fund #47	\$
Fund #48	\$
Fund #50	\$
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	\$

Avon Village Board Meeting
Monday, January 5, 2009

community and be part of our community. Every so often we do have some concerns from neighbors and we want to address those concerns.

Trustee McKeown - Since 2004 we haven't had any complaints and you've been good neighbors.

REID WHITING'S REQUEST:

A letter dated December 30th, 2008 was acknowledged by the Village Board. Attorney Whiting requested a 14% increase in pay. He stated he had attended four seminars devoted exclusively to municipal law at no expense to the Village.

After carefully consideration, the Board was in unanimous agreement not to grant Mr. Whiting's request at this time. Because of hard economic times and being in the middle of a budget year, it wouldn't be prudent to do so at this time.

The Board agreed to take another look at the request as we get closer to the 2009 – 2010 budget year.

VOUCHERS AND MANUAL CHECKS:

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

Fund #1 General Fund	\$11,309.00
Fund #4 Schedule C	\$ 38,810.89
Fund #5 Water	\$ 1,634.28
Fund #6 Sewer	\$ 4,976.69
Fund #9	\$
Fund #10	\$
Fund #11	\$
Fund #17	\$ 623.83
Fund #44	\$
Fund #45	\$

Avon Village Board Meeting
Monday, January 5, 2009

- Water
Redundant connection to the County at Triphammer Rd.
Install one way check valve at Case Park
Pump house repairs
- Sewer Plant
Save for Digester Cover
Clean and Service Clarifiers
Repair crown stone on secondary digester
Remove and truck sludge from drying beds
Skid steer
- Equipment
Replace 580K backhoe
Sidewalk Grinder
Replace one Snow Plow for Dump Truck
- Buildings
Concrete Apron in front of Fire Hall
Replace last Brick Island w/stamped Concrete

CODE ENFORCEMENT UPDATE:

Mr. Cappello presented a report to the Board showing permits issued, variances issued and pending, code violations, and complaints.

Tony Cappello – I am currently working with the Health Department and Social Services on 60 West Main Street and 75 West Main Street. I need to start a paper trail and am being informed of the hazards by Social Service. Social Service contacts me when someone is moving into an apartment and we will inspect it before anyone moves in.

Mayor Freeman - Do you need to consult someone else on what your legal obligations are? If you need outside legal help, we can help you get someone to make sure we've done everything required by law. Reid Whiting has to abstain because he works with the Driscolls.

ARC REPRESENTATIVES:

Debbie Tuckermen, who is the Residential Director of the ARC, addressed the Board. She informed the Board that they are very committed having our folks live in the

DEPARTMENT OF PUBLIC WORKS:

The Board along with Superintendent Barrett discussed a phone call received from Bob Austen of Hal Bar Road. He questioned the Village making a swing by with the plow making a swoop into the curve in front of the dentist office. Superintendent Barrett agreed he is willing to do that, but stated that he could not pick up snow unless we had a snow emergency. The Board agreed to send Mr. Austen a letter informing him of this.

Mayor Freeman stated that on East Main Street every two weeks a big truck comes in and unloads, but with the new construction that impossible now.

Mayor Freeman – I was thinking that on the west side of Hal Bar Road by Dean Warren's property maybe we can install curbs. This would give the large trucks a place to pull off the road and unload. Mayor asked the Board to take a look at that and maybe that could become a summer project...

John Barrett – First thing we need to do is to check the right-a-way.

Mayor Freeman – What about the ice skating rink?

John Barrett – We haven't flooded it yet. We're going to get it cleaned off and get it ready for next week.

A list of winter projects for the Department of Public Works was presented to the Board. They are as follows:

- Repair the inside hopper on the street sweeper. Service entire unit.
- Clean up, paint and service lawn mowers.
- Clean up, paint and service backhoes.
- Rebrush the rear end of the 580L backhoe.
- Construct the ends to close in the Salt Shed.
- Service and clean all summer use equipment.
- Picnic tables.

Superintendent Barrett also distributed a list of preliminary projects for the 2009-10 budget year:

- Streets
 - North Ave. gutter Replacement
 - River St. Repair and Slurry Seal
- Sidewalks
 - Case Park
 - Pole Bridge Rd. from Lake to Five Lot
 - Repairs in the Village
 - Grinding in the Village

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Monday, January 5, 2009

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, January 5, 2009.

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

Staff: John Barrett
Jeremy Batzel
Tony Cappello

Visitors: Sherry Englert
Debbie Tuckermen
Klaas DeWaard
Linda Freeman
Lena Marchase
Dan Freeman
Chuck Faisst
Don Lucas
Bob Carlin
Dan Welch
Bill & Cynthia Towler
Dwight & Joan Brown
Peter Burke
Tom & Jackie Tickner

VILLAGE BOARD MEETING MINUTES:

Upon a motion made by Trustee McKeown the minutes from December 15, 2008 are hereby approved as submitted. 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
Philip Swanson, Trustee	Voting	Yes
Robert Hayes, Trustee	Voting	Yes

Avon Village Board Meeting
Monday, January 5, 2009

VILLAGE BOARD MEETING MINUTES: 2
DEPARTMENT OF PUBLIC WORKS:..... 3
CODE ENFORCEMENT UPDATE: 4
ARC REPRESENTATIVES:..... 4
REID WHITING’S REQUEST: 5
VOUCHERS AND MANUAL CHECKS:..... 5
NEIGHBORHOOD MEETING: (VALLEY LANE, PINE VIEW HEIGHTS, HIGH
ACRES & HICKORY HILL):..... 8
EXECUTIVE SESSION:..... 11