

Village Board Meeting  
Monday, June 15, 2009

VILLAGE BOARD MEETING MINUTES:..... 2  
BUDGET ADJUSTMENTS:..... 2  
VOUCHERS AND MANUAL CHECKS: ..... 3  
TRUSTEE’S UPDATE:..... 5  
CODE ENFORCEMENT OFFICER:..... 6  
FIRE DEPARTMENT: ..... 6  
EXECUTIVE SESSION:..... 7  
RICHARD MARTIN:..... 8

Village Board Meeting  
Monday, June 15, 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, June 15, 2009.

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

Absent: Robert Hayes, Trustee

Staff: Tony Cappello  
Chief Jeremy Batzel

Visitors: Richard Martin  
James Fusco

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

## **VILLAGE BOARD MEETING MINUTES:**

Upon a motion made by Trustee McKeown the minutes from June 1st, 2009 are hereby approved as submitted. Trustee Zhe 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 |

## **BUDGET ADJUSTMENTS:**

Treasurer Quinlan presented to the Board fiscal year end budget adjustments. The Board discussed the adjustments that were presented and would like to see an explanation on how it all works and more of a breakdown showing total dollar amounts. The Board agreed to discuss it with Treasurer Quinlan at the next Board Meeting.

## VOUCHERS AND MANUAL CHECKS:

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

|                      |             |
|----------------------|-------------|
| Fund #1 General Fund | \$18,919.21 |
| Fund #4 Schedule C   | \$ 7,388.33 |
| Fund #5 Water        | \$ 275.04   |
| Fund #6 Sewer        | \$ 1,336.21 |
| Fund #9              | \$          |
| Fund #10             |             |
| Fund #11             | \$ 3,637.49 |
| Fund #17             | \$ 3,842.54 |
| Fund #44             | \$12,500.00 |
| Fund #45             | \$          |
| Fund #47             | \$ 27.30    |
| Fund #48             | \$          |
| Fund #50             | \$          |
| Fund #53             | \$ 3,203.05 |
| Fund #54             | \$          |
| Fund #55             | \$          |
| Fund #56             | \$          |
| Fund #57             | \$ 27.30    |
| Fund #58             | \$          |
| Fund #59             | \$          |
| Fund #60             | \$          |
| Fund #61             | \$          |
| Fund #62             | \$ 27.30    |
| Fund #63             | \$          |
| Fund #64             | \$          |
| Fund #65             | \$          |
| Fund #66             | \$          |
| Fund #67             | \$ 27.30    |

Village Board Meeting  
Monday, June 15, 2009

|          |             |
|----------|-------------|
| Fund #68 | \$          |
| Fund #69 | \$          |
| Fund #70 | \$          |
| Fund #71 | \$          |
| Fund #72 | \$          |
| Fund #73 | \$          |
| Fund #74 | \$ 27.30    |
| Fund #75 | \$          |
| Fund #76 | \$          |
| Fund #77 | \$          |
| Fund #78 | \$          |
| Fund #79 | \$          |
| Fund #80 | \$ 1,752.00 |
| Fund #81 | \$          |
| Fund #82 | \$          |
| Fund #83 | \$ 1,111.30 |
| Fund #84 | \$          |
| Fund #85 | \$          |
| Fund #86 | \$          |
| Fund #87 | \$          |
| Fund #88 | \$          |
| Fund #89 | \$ 406.98   |
| Fund #90 | \$          |
| Fund #91 | \$ 321.30   |
| Fund #92 | \$          |
| Fund #93 | \$ 7.74     |
| Fund #94 | \$          |
| Fund #95 | \$          |
| Fund #96 | \$          |
| Fund #97 | \$          |
| Fund #98 | \$          |
| Fund #99 | \$          |

|       |             |
|-------|-------------|
| TOTAL | \$54,837.69 |
|-------|-------------|

|   |                  |
|---|------------------|
| Manual Checks: Check #18701 Village of Avon HSA Cont. | \$1,487.50       |
| Check #18700 Fratelli's (Rowe)                        | \$ 80.00         |
| Check #3211 Nationwide Retirement – Def. Comp.        | \$1,544.43       |
| Check #3210 Livingston Co. Child Support              | \$ 483.50        |
| Check #3209 New York State                            | \$1,623.48       |
| Check #3208 Service Employment                        | \$ 307.53        |
| Check #3207 Law Enforcement Union                     | <u>\$ 355.28</u> |
|   | \$5,881.72       |

Trustee McKeown 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 |

## TRUSTEE'S UPDATE:

The Board discussed Mark Alexander's property and the status of the shared driveway.

A letter received from Community Manor of Genesee Valley was acknowledged. The Board agreed it should be passed on to John Barrett and Tony Cappello. They would like the ditch that runs through the property cleaned out. It hasn't been done in over three years. Also, the apartment complex next to Community Manor (The Glenn) has a great deal of garbage behind and next to their dumpster.

A letter from Crown Castle dated May 29, 2009 was also discussed. Crown Castle asked that the Village sign an agreement hereby granting consent to Crown Castle for future co-locations to prevent unnecessary delays. The Board discussed and agreed to have Attorney Whiting send a letter back to Crown Castle indicating that they were not comfortable with that and are willing to work on a quick turn around for co-location proposals but they are not comfortable signing a blanket agreement.

Mayor Freeman briefly discussed a solution for the gate at the DPW and gas cards.

A quote was received from Bill Wall for electrical services at the horse barn for \$1,216. Trustee Swanson made the motion to approve the quote and Trustee Zhe seconded the motion to pay for the repairs out of General Fund and the motion 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 |

## **CODE ENFORCEMENT OFFICER:**

Update on Haubner's property on Prospect Street, and Moore's property on Rochester Street, both properties have been abandoned. Code Officer Cappello contacted the assessor and she will contact the County regarding the status of those properties.

Handicap parking at Zamaira's Plaza will be done. The pavers will return and put in the handicap spots.

Richard Martin – If you have an existing sign can you put two signs up?

Tony Cappello – There was a sign there, the wind blew it down and he put it back up.

Mayor Freeman stated that we have asked Attorney Whiting to review the sign ordinance.

## **FIRE DEPARTMENT:**

Chief Batzel informed the Board that a grant came out for updates to an existing Fire House or to build a new Fire House. It's a Go Green concept. Some items we would be considering are the heating and cooling system, lighting system, and windows. It is part of the stimulus package. It's not a matching grant; it comes out of stimulus dollars. They are limiting it to more small based fire departments. Modifications can be made to the building. We just have to make improvement that will enhance safety and response. I would like permission to go ahead and pursue this.

Trustee McKeown – Do they do gear?

Chief Batzel – This is only for building improvements. We could go together for a joint grant with other Municipalities. We're considering that.

Items that are coming up and we would like to get started on will be for 10 more pagers. Accountability system, tags, so when there's a fire we know where everyone is. Truck maintenance will be coming through, and we have been looking at water rescues gear. Hose testing in August, new gas meters (the sniffer). I'm getting quotes on it this weekend. Materials for the bobcat trailer. We would like shelving and lighting. We need stripping for the trailer. It has to have the Chevron stripping.

Mayor Freeman – Where's the list and where is the dollar amount needed? We need a printout to refresh our minds. We want an itemized list. We need something to physically look at.

Trustee McKeown – In July you need to have truck inspections done. Just make a copy and circle it and the Board will know what's coming up.

Chief Batzel – Regarding the road construction, at your weekly construction meeting could you ask that the Fire Department be notified when they're closing a street if they could let the Fire Department know when it will be closed and when it's reopening.

## **EXECUTIVE SESSION:**

Upon a motion made by Trustee McKeown the Board went into executive session at 7:00 p.m. to discuss personnel matters. Trustee Zhe seconded the motion and the Board exited the executive session at 7:30 p.m. The motion was carried by a unanimous vote.

With a motion made by Trustee McKeown the Board agreed to increase James Fusco's rate of pay \$1.00 per hour more while filling the temporary vacancy at the Sewer Treatment Plant in the absence of Ken Farrell. Trustee Zhe seconded the motion and it was carried by the following vote:

|                        |            |
|------------------------|------------|
| Mayor Thomas Freeman   | Voting Yes |
| Trustee Mark McKeown   | Voting Yes |
| Trustee Philip Swanson | Voting Yes |
| Trustee William Zhe    | Voting Yes |

The Board discussed a temporary backup for James Fusco during the 6-8 week period of Ken Farrell's absence. The Board unanimously agreed to hire Chuck Nadeau at an

Village Board Meeting  
Monday, June 15, 2009

hourly rate of \$25.00. Trustee Swanson made the motion and Trustee Zhe seconded the motion and it was carried by a unanimous vote:

|                        |            |
|------------------------|------------|
| Mayor Thomas Freeman   | Voting Yes |
| Trustee Mark McKeown   | Voting Yes |
| Trustee Philip Swanson | Voting Yes |
| Trustee William Zhe    | Voting Yes |

## **RICHARD MARTIN:**

The Board discussed with Dick Martin the private road up at Five Lot Lane that is currently closed off.

Richard Martin - Nobody wants a road going through there. I was thinking that maybe I could put some stone at the end of it and get some millings for a hammerhead and sell the land at a very reasonable cost. Village would have their hammerhead because the Village owns 60' right a way and let the homeowners have the rest of the property.

Mayor Freeman – Some concerns would be vehicles not being able to back up and emergency vehicles not able to go there. Garbage trucks and Fire trucks are my concern.

Mr. Martin assured people that were building houses in that area that they would never have to worry about a road going in there.

Mayor Freeman - I'd like to start sharing this with the Village Planning Board and invite you to talk with them.

Dick Martin – I think you better get a couple neighbors on our side first. I think we need to come up with some options. Let me talk with some of the homeowners.

Mayor Freeman – Some ideas need to be kicked around.

Richard Martin (Linden Street) – There will be no changes to the land or buffer, I just plan on doing building repairs. I don't know how many units there will be. I may have to adjust the parking.

Mayor Freeman – We would be changing 4.315 acres. How many other buildings would you want to put on it?

Dick Martin – You regulate what you want me to put on it. Am I supported or not? I am concerned with neighborhood opinion, but sometimes you have to look beyond that. If

Village Board Meeting  
Monday, June 15, 2009

this property was on West Main Street we would have done something about it by now.  
How can the traffic from that building be any worse then a church?

Mayor Freeman – The building can never be a single family home. It's an albatross. Our zoning book allows for special use permits.

Trustee McKeown – Why did the Zoning Board turn it down?

Richard Martin – I didn't meet certain criteria.

Trustee McKeown – Are you hearing anything about the property?

Tony Cappello – No.

Trustee Zhe – I like the idea.

Trustee McKeown – I like the layout of what you distributed. I would support it.  
There's plenty of room and it has set there a long time.

Mayor Freeman – You need to submit a letter requesting the change to the Village Board.

Upon a motion the meeting adjourned at 8:45 p.m.

Respectfully submitted,



Patricia E. Baker  
Village Clerk