

Village Board Meeting
Monday, July 6, 2009 – NEIGHBORHOOD MEETING

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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, July 6, 2009.

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

Staff: John Barrett
Christine Quinlan
Chief Carney
Chief Batzel
Reid Whiting

Visitors: James Fusco
Bryan Scott
John Kellen
Jerry Sutfin
Charles & Carol Nadeau
Beverly Pratt
Jeff Yunker
Cindy Mosher
James Rogers
Greta May
Lou Klatt
Nancy & George Sullivan
Robert Hayes
Dwight & Joan Brown

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Terry & Diane Cotton
Dave Sharman
Dana Collins
Marie & Dick Greer
Tom Bartolini
Ernie Wiard
Deirdre Phillips
Norm & Marcia Barrett
Richard Martin
Art Pearson
Chris Doolin
Wes Aldon (NYSDOT)
Laurel Barber (NYSDOT)
Cari Durbin (NYSDOT)

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

VILLAGE BOARD MEETING MINUTES:

Upon a motion made by Trustee Zhe the minutes from June 15, 2009 are hereby approved as submitted. Trustee Hayes seconded the motion and it was carried by the following vote:

Thomas Freeman, Mayor	Voting	Absent
William Zhe, Trustee	Voting	Yes
Mark McKeown, Trustee	Voting	Yes
Robert Hayes, Trustee	Voting	Yes
Timothy Batzel, Trustee	Voting	Abstained

DEPARTMENT OF PUBLIC WORKS:

- Took grinder back – Board would like to see Superintendent Barrett get it back and finish the rest of the sidewalks
- Pump house exterior all done
- Ordering check valves for park and then will start Case Park. John questioned where they want the sidewalks to go. Trustee Zhe will check with Park Commission
- Going to start working on Genesee Street

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- Last island in Milex parking lot bricks are coming out this week

The County has a project on West River Road, and Mayor Freeman and Superintendent Barrett went out there to look at it. They have a machine that helps with drainage problems that takes care of the tiling and gets water away from the edge of the road.

Mayor Freeman and Trustee Zhe met with the Brinkerhoff's whose basement flooded. They offered to let them see the letter that was sent by Superintendent Barrett to the insurance company and ask that they try to submit it again.

CHIEF BATZEL:

Chief Batzel submitted a budget showing the 1st quarter for 2009/2010. Most of the items under A3410.4 are things that have to be done each year, inspections, schools, OSHA classes that are mandated each year and physicals.

A3410.2 is equipment. Stripping for bobcat trailer, a bench

Chief Batzel presented to the Board an Accountability System. It's a software program and ID system. Water rescue equipment was also discussed.

Attorney Whiting presented to the Board comments that he had made to the Fire Department Rules and Regulations. After the Board and Fire Department review the comments and are agreeable with the changes a public hearing will be held sometime in August

EXECUTIVE SESSION:

Upon a motion made by Trustee Zhe, the Board went into executive session at 6:30 p.m. to discuss personnel matters and contractual matters. Trustee Hayes seconded the motion and the Board exited executive session at 7:50 p.m. The motion was carried by a unanimous vote.

D.O.T.:

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Representative Wes Aldon from the D.O.T. entered the meeting and discussed the changing of the islands and area around them.

VOUCHERS AND MANUAL CHECKS:

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

Fund #1 General Fund	\$16,249.01
Fund #4 Schedule C	\$ 7,224.84
Fund #5 Water	\$ 4,467.19
Fund #6 Sewer	\$11,861.40
Fund #9	\$
Fund #10	\$
Fund #11	\$
Fund #17	\$ 3,022.98
Fund #44	\$
Fund #45	\$
Fund #46	\$
Fund #47	\$
Fund #48	\$
Fund #50	\$
Fund #53	\$
Fund #54	
Fund #55	\$
Fund #56	\$
Fund #57	
Fund #58	\$
Fund #59	\$
Fund #60	\$
Fund #61	\$
Fund #62	\$

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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 #89	\$
Fund #90	\$
Fund #91	\$
Fund #92	\$
Fund #93	\$ 1,221.01
Fund #94	\$

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Fund #95	\$
Fund #96	
Fund #97	\$
Fund #98	\$
Fund #99	\$
TOTAL	\$44,046.43

Manual Checks: Check #	18770 Morsch Pipeline	\$ 225.00
	652 Liv. Co. Depart. Watershed Inspec.	
		\$27,098.00
	2340 ESDC/REDS Partnership	\$ 523.02
	2340 ESDC/REDS Partnership	\$ 3.94
	3852 Morsch Pipeline	\$ 5,800.00
	3222 Law Enforcement Union	\$ 355.28
	3223 NYS Child Support	\$ 230.00
	3220 NYS Income Tax	\$ 1,819.81
	3221 SEIU Union	\$ 307.53
	3219 Nationwide Retirement	<u>\$ 1,540.94</u>
		\$37,903.52

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

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

Treasurer Quinlan announced that the Village's fiscal year has ended and she is currently preparing the annual report for the State Comptroller's Office. Worksheets were distributed for the Board's review. Treasurer Quinlan informed the Board that after she and Superintendent Barrett have a chance to sit down and review the year end adjustments she will present a better breakdown for the Board.

REID WHITING:

- Easements presented to Mayor Freeman for his signature for Alexander Crossing.
- Reibson claim settled for a much discounted settlement.
- Some changes made to the Fire By-Laws.

TRUSTEE'S UPDATE:

KRAFT FOODS:

Trustee Zhe offered the following resolution and moved for its adoption:

RESOLUTION FOR AUTHORIZATION FOR LIVINGSTON COUNTY TO SUBMIT A GRANT APPLICATION TO THE OFFICE OF COMMUNITY RENEWAL ON BEHALF OF THE VILLAGE OF AVON.

WHEREAS, Kraft Foods, plans to expand their manufacturing operation in the Village of Avon, New York, and

WHEREAS, Kraft foods has requested that the Village of Avon apply for grant funding on its behalf from the Office of Community renewal to provide financing for a portion of the project cost, and

WHEREAS, the County has the capacity to make such application on behalf of the Village of Avon, and

WHEREAS, by submitting such application, the county shall assume all legal and administrative responsibilities associated with the implementation of such grant funding.

Now, therefore, be it

RESOLVED, that the Village of Avon hereby authorizes Livingston County to submit a grant application in the amount of \$125,000 to the Office of Community Renewal to support the Kraft Foods project in the Village of Avon.

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

Mayor Thomas Freeman	Voting	Yes
Trustee William Zhe	Voting	Yes

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Trustee Mark McKeown	Voting	Yes
Trustee Robert Hayes	Voting	Yes
Trustee Timothy Batzel	Voting	Yes

2009 JUSTICE COURT ASSISTANCE PROGRAM:

Treasurer Quinlan explained the court grant to the Board.

Trustee McKeown offered the following resolution and moved for its adoption:

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.

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

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

**NEIGHBORHOOD MEETING: (EAST MAIN STREET, HAL
BAR ROAD, LACY STREET, & TEMPLE STREET):**

Mayor Freeman opened the public meeting at 7:00 p.m.

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 mentioned that luminary volunteers are needed.

The Mayor also reviewed information on the Riley vs. Broome County law, and that any snowplow or sidewalk tractor claims will most likely be denied so stay clear of them when you see one.

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

Greta May – I am very much against the garbage pickup. How would we be charged?

Mayor Freeman – Everything would be divided equally. Everyone would pay the same.

Deirdre Phillips – I would be very much for it so we don't have several different companies on different days. It would be a large cost savings. It's also a health hazard.

Tom Bartolini – How would you handle multiple pickups?

Trustee Zhe – I understand this is just for residential pickup. We would have to look into this further for multi family and/or commercial.

Dave Sharman – With different people bidding that would help reduce the cost.

Lou Klatt – Without competition whoever gets it can do what they want.

Ernie Wiard – Why can't the Village pass a local law saying that only on certain days garbage will be picked up.

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Dwight Brown – In 1960 we went through 3 different companies and they sold out to bigger ones. I predict in the next 15 years Waste Management will take it all over.

Jerry Sutfin - 303 Avon on the Green – Is there going to be a median strip down the street.

Laurel Barber – No raised median, it's going to be tree lined.

Dr. Hayes – I'm most upset about the way the lawns have been left. It's all weeds, rocks and I can't mow.

Laurel – I have written a letter and told them it was unacceptable.

Lou Klatt - 56 East Main Street – I have had no driveway for months, we get no notification when things are going to be done. Not forthcoming with communication. Mine is the only driveway not done or paved yet.

Chris Doolin - 89 East Main St. – My concern is with the landscaping, I can't cut my grass because my yard is higher than the sidewalk. I repaired my own front lawn this spring. My driveway slants down toward the house now.

Jerry Sutfin - I can't get out of the passenger side of the car now at 65 East Main Street.

Diane Cotton - 204 East Main Street – How long will it be before we have a full bottom to our driveway?

Laurel Barber – We have a milling process, probably late August.

Terry Cotton - The steam roller that had been used caused such vibration that it created cracks in the drywall in our home.

Lou Knapp – 56 East Main Street - Who will pick up the debris?

Wes Aldon – At the end of the project we will do a walk through along with the Village and we will make sure everything is taken care of.

Ernie Wiard – On the corner of Hal Bar Road and East Main Street, the sidewalk curves toward the west, and the Village plows that sidewalk straight and takes out Mr. Autin's lawn each time.

Laurel Barber – That was talked about at the last meeting and will be taken care of.

Dave Sharman – 15 East Main Street – At the corner of Richmond Lane and East Main Street the corner comes out at an angle but the way the plow comes up East Main the plow fills it in.

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Trustee McKeown – What are the things they keep cutting in the road every 30'.

Laurel Barber – It is pavement repair and will make the road smoother.

Dick Greer – At J.O. Cook and Bank of Castile the curbs don't line up.

Laurel Barber – I know it's off a couple of feet, hopefully it will work out when it's finished.

Tom Mairs – What about in the winter? What will happen when the stripes are covered with snow last winter everyone went back to 4 lane highway?

Tom Bartolini - I've had cars pass me on the right and cut in front of me.

Dwight Brown – Is the state going to put paint down or markers with reflectors?

Wes Aldon – Poxy stripping. It's very durable. We don't use markers any longer. The new stripping will be wider and thicker.

Tom Mairs – Going around the park and down the hill I've seen trucks go up and over the curbing.

Wes Aldon – We've checked it again and it is the tightest spot in the whole Village. We're proposing to move the curb back toward Avon on the Green. Two – three feet.

Mayor Freeman – They've actually shrunk the latitude on the islands.

Jerry Sutfin – I'm not representing management or owners of Avon on the Green but the existing policy states that residence park in the back and the aides and visitors park on Prospect Street. Are we losing parking on Prospect Street? We did have eight spots.

Laurel Barber – Yes, it looks like there's two now.

Jerry Sutfin – There should be a sign that shows Route 39 going down the hill.

Art Pearson – Are they going to enlarge the street signs? Larger name signs for streets. If they are enlarged it would be easier for truckers.

Laurel Barber – We've looked at it but the 4" lettering is huge.

Dick Greer – Currently hazardous material trucks must stop at the railroad tracks and then climb the hill that hasn't been treated in the winter months. Whose jurisdiction is it to get that waived?

Wes Aldon – We'll have to look into it.

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Art Pearson – How are we going to handle the railroad crossing?

Wes Aldon – There will be a short little island in the middle so a car can't go through the arms on the track.

John Barrett – There is no answer, your dealing with NYS Rail Unit and they won't budge.

Jeff Yunker – Will there be parking on East Main Street anymore?

Laurel Barber – There will be quite a bit of parking along there. Most toward the Avon Inn.

Dick Martin – The State doesn't seem to be allowing the future. You've got to think long term for truck traffic if we hope to develop some of that industrial land. You're not thinking long term.

Jeff Yunker – You should have two lanes coming up the hill.

Mayor Freeman – What do you have for a wide load?

Wes Aldon – We have it figured for tractor trailers not wide loads. Wide loads would have to look for an alternate route. When it's all done I think it will be very nice. It is a big change. It will be more walkable.

Jeff Yunker – Where will all the Firemen park?

Mayor Freeman – We have six spaces.

John Kellen – We will have to park out back.

Dana Collins – Does the Village or Town have an e-waste disposal (electronics) for the Town or Village?

No, but there is a place on Pole Bridge Road.

Dana Collins - Red bud trees are not allowed in the state of Washington because the roots get into pipes. Does anyone know anything about that?

No one was familiar with that fact.

Jeff Yunker – When will the project be done?

Laurel Barber – The end of the year.

Mayor Freeman – October 3rd there will be a party in the park.

Jerry Sutfin – I think Tom Keeler has done a good job.

Jeff Yunker – Did the state do any extra reinforcement of sink holes?

John Barrett – A huge section on the circle was dug out and repaired and will do that along East Main Street. In the next couple weeks they will be doing reconstruction.

Jeff Yunker – I think you people have done a terrible job and have made the situation worse then it was.

Ernie Wiard – What is going in between the sidewalk and curb by Pizza Land?

Laurel Barber – Brick.

POLICE DEPARTMENT:

EXECUTIVE SESSION:

Upon a motion made by Trustee McKeown, the Board went into executive session at 8:45 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.

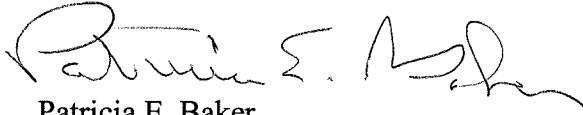
Upon a motion made by Trustee McKeown, the Village Board agreed to appoint Matthew J. McFadden to the position of “Part-time” patrolman contingent upon the successful completion of the academy, required training and background investigation. At that time, Mr. McFadden will become eligible for employment by the Village of Avon. Trustee Zhe seconded the motion and it was carried by the following vote:

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

Upon a motion, the meeting was adjourned at 10:05 p.m.

Respectfully submitted,

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

Patricia E. Baker
Village Clerk