

Village Board Meeting  
Monday, July 20, 2009

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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 20, 2009.

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

Absent: Timmy Batzel, Trustee  
Robert Hayes, Trustee

Staff: James Carney  
Tony Cappello  
Ryan Colvin  
Reid Whiting

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

## **VILLAGE BOARD MEETING MINUTES:**

Upon a motion made by Trustee McKeown the minutes from July 6, 2009 are hereby approved as submitted. Trustee Zhe seconded the motion and it was carried by the following vote:

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

## VOUCHERS AND MANUAL CHECKS:

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

Fund #1 General Fund	\$30,278.41
Fund #4 Schedule C	\$ 4,537.38
Fund #5 Water	\$ 1,163.91
Fund #6 Sewer	\$ 4,601.20
Fund #9	\$
Fund #10	\$
Fund #11	\$ 526.96
Fund #17	\$ 576.51
Fund #44	\$ 181.25
Fund #45	\$
Fund #46	\$11,995.00
Fund #47	\$
Fund #48	\$
Fund #50	\$ 796.30
Fund #53	\$ 10,930.60
Fund #54	
Fund #55	\$
Fund #56	\$
Fund #57	
Fund #58	\$
Fund #59	\$
Fund #60	\$
Fund #61	\$
Fund #62	\$
Fund #63	\$
Fund #64	\$

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Fund #65	\$
Fund #66	\$
Fund #67	\$
Fund #68	\$
Fund #69	\$
Fund #70	\$
Fund #71	\$
Fund #72	\$
Fund #73	\$
Fund #74	\$
Fund #75	\$ 2,668.33
Fund #76	\$
Fund #77	\$
Fund #78	\$
Fund #79	\$
Fund #80	
Fund #81	\$
Fund #82	\$
Fund #83	\$ 3,451.06
Fund #84	\$
Fund #85	\$
Fund #86	
Fund #87	
Fund #88	\$
Fund #89	\$ 9,203.42
Fund #90	\$
Fund #91	\$ 5,178.00
Fund #92	\$
Fund #93	\$ 1,115.90
Fund #94	\$ 35.03
Fund #95	\$
Fund #96	

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Fund #97	\$
Fund #98	\$
Fund #99	\$
TOTAL	\$ 87,239.26

Manual Checks:	Check #3853, Joe Matusak – Bal. on roof	\$9,400.00
	Check #3229, NYS Child Support Proc. Center	\$ 230.00
	Check #3231, NYS Income Tax Processing Unit	\$1,776.11
	Check #3230, Nationwide Retirement Solution	<u>\$1,559.78</u>
		\$12,965.89

**OPEN PROJECT:**

Treasurer Quinlan requested the following project be established:

Upon a motion made by Trustee McKeown the following project is hereby established

AFD Uniforms for \$4000 funded from General Fund Balance.

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

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

**REID WHITING:**

## EXECUTIVE SESSION:

Upon a motion made by Trustee Zhe the Board entered into executive session at 5:45 p.m. to discuss real estate matters. Trustee McKeown seconded the motion and the Board exited executive session at 6:20 p.m. The motion was carried by a unanimous vote.

A motion was made by Trustee McKeown to make a purchase offer to the Zamiara Estate for Tax Parcel #34.10-1-21 for a 74.5' x 144' parcel at 79 Genesee Street. The motion was seconded by Trustee Zhe and carried by the following vote:

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

## TRUSTEES UPDATE:

A letter from Kathleen Saunders regarding traffic problems near her residence at 142 East Main Street was acknowledged.

Trustee McKeown said that it's always been a problem and people should try to cross by High Street and North Avenue.

The Board agreed to send a letter to Ms. Saunders informing her there will be signs at the crosswalks and the main idea of the current construction and the narrowing of the road is to decrease speed.

Mayor Freeman admitted he had made an error in judgment regarding the rezoning of Wayne Schultz's property on West Main Street. Neither B-1 or B-2 would work for what Mr. Schultz would like to do.

Attorney Whiting suggested creating a whole new type of district. One that encompasses the side hill down to Wadsworth Avenue.

Mayor Freeman – Could we go ahead and issue a special use permit for now and down the road take a look at rezoning the entire hillside.

Attorney Whiting informed the Board that a Special Use permit is a Zoning Board of Appeals issue. He will provide the Board with a list of steps involved. A special use permit gives the Village a lot of control.

A motion was made by Trustee McKeown and seconded by Trustee Zhe to have Mr. Schultz apply for a special use permit. The motion was carried by the following vote:

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

Ryan Colvin informed the Board that John Barrett, Chris Quinlan and he are working on applying for water quality grant. The DEC opened the amount to an 85% grant meaning that the Village would only have to contribute 15% as oppose to 50%. The report is done for infrastructure, and the grant is due in October.

Mayor Freeman asked the Board if anyone had any objections to opening up the idea at the Neighborhood Meeting of the Village leasing the Park Theater to provide movies to the community.

The Board had no objections.

## **FIRE DEPARTMENT APPLICATION:**

Upon a motion made by Trustee Zhe, the applications of Joshua Titus and Christopher Smith for membership in the Avon Fire Department are hereby accepted. Trustee McKeown seconded the motion and it was carried by the following vote:

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

## **CODE OFFICER UPDATE:**

- 127 Prospect Street – Talked to the lady in the house, she's getting ready to move. She said the house belongs to House Hold Finance, and Beneficial who was purchased by HSBC. HSBC will look into it further. Tony had the grass cut.

Attorney Whiting suggested doing a stub search and ascertain who the owner is.

- Mark Alexander gave Tony the ok to get his property mowed and he will pay for the work.
- Checked out the complaint from Community Manor regarding the garbage issue at The Glenn – The garbage is enclosed, it doesn't appear to be an eyesore, scrap iron is picked up every 2 weeks and garbage is picked up two times a week. I've checked a few times and I don't see a problem.
- John and Tony went to check on water issues on North Avenue coming from D'Angelo's subdivision.

Mayor Freeman - The runoff was always a concern for the North Avenue residents. There should be a collection swale on the final drawings which I think they were going to wait until the last house was done before installing it, but it needs to be done now.

Attorney Whiting – We should be able to enact something to protect the neighbors. It is a health issue.

- Rusty Korth's bushes on Genesee Street and Spring Street have gotten several complaints. Tony talked to Rusty and he will take care of it.
- Zamiara Plaza – Tony talked with the Hardware Store and he guarantees the Handicap Parking Places will be done very soon according to Bill Zamiara.

## **EXECUTIVE SESSION:**

Upon a motion made by Trustee Zhe the Board entered into executive session at 6:45 p.m. to discuss contractual matters. Trustee McKeown seconded the motion and the Board exited executive session at 7:10 p.m. The motion was carried by a unanimous vote.

## **POLICE UPDATE:**

Chief Carney informed the Board that Ken Bowser has been hired by Greece Police and will be leaving the Village on July 31<sup>st</sup>. He will present the Board with an official Letter of Resignation.

## **EXECUTIVE SESSION:**

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

Chief Carney asked the Board to release monies for the APD DOOR KEYPAD. In the budget we put in \$2500 FOR THE KEYPAD.

The Board questioned the \$2500 Door Keypad the Police Department had requested.

Chief Carney explained the value of the keypad door, and primarily it would be a safety issue.

Chief Carney also informed the Board that the State has mandated that by January 1<sup>st</sup> no manual fingerprint cards will be allowed. They will have to be either electronically done or scanned in. A card scan unit runs \$30,000 and a live scan runs \$15,000. We're hoping the State will give funding for two more units for the County and we could make a small processing room so that the Sheriffs could come here and use the keypad to run fingerprints. We would change the code every six months.

Mayor Freeman – I have a problem with the locking of the gate at the DPW. The Police are the worse culprits for not locking the gate. For now I would rather work on the lock at the DPW and later down the road work on obtaining a grant for the keypad. I think we should pursue building maintenance through a grant.

Chief Carney - Homeland Security Grants is what we should be looking into for the sewage plant and the filtration plant.

Mayor Freeman – Could you work with Treasurer Quinlan to see what you can find out.

Mayor Freeman brought to the attention a towing bill that was paid by the Village and that needs to be reimbursed by Chief Carney for the towing of a vehicle from Swain.

Mayor Freeman informed Chief Carney that the Auditor is finishing up with his audit for the Village Office and that the Village will be hiring Raymond F. Wager's firm to do a time management study which will involve the Police Department.

Mayor Freeman - Corn Fest all set?

Chief – Yes

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Mayor Freeman questioned Chief Carney to see if he were going to ask the Town to promote the Police Department during The Corn Festival. We are meeting with the Town on August 27<sup>th</sup>, I'll check with Dave to see if you can also attend.

## **PARKS COMMISSION:**

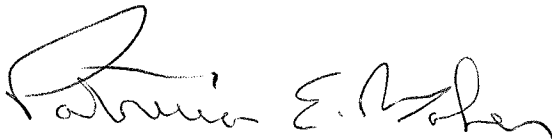
The Parks Commission also submitted a request for the Village Board to accept Elizabeth Thompson to fill the vacancy on the Parks Commission. Ms. Thompson was chosen because of her naturalist background.

Upon a motion made by Trustee Zhe the Village Board unanimously agreed to appoint Elizabeth Thompson to the Parks Commission. The motion was seconded by Trustee McKeown and carried by the following vote:

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

Upon a motion the meeting was adjourned at 8:30 p.m.

Respectfully submitted by



Patricia E. Baker  
Village Clerk