

Avon Village Board Meeting
Monday, October 20, 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, October 20, 2008.

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

Staff: Reid Whiting
Ryan Colvin
Jeremy Batzel

Visitors: David Peck
Stephanie Williams

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

DAVID PECK (SKATEBOARDING):

Mr. Peck informed the Board that he had been invited to be here this evening by Mayor Freeman. We work with the school and we do trips throughout the winter. We allow skateboarding at our home for kids who have nothing to do and who don't participate in other sports. If we can get it through the school, we can put some incentives on it. We're here to talk about the program which is not a team sport, and is noncompetitive. How do we move forward with it? How can we eliminate the kids downtown skateboarding, we need to provide an alternative. What options do we have going forward; we need to put together a place that we can do it safely.

Trustee Zhe – The Downs is the place that we're telling kids to go.

Stephanie Williams - The injuries statistics is far below other sports, even playground injuries.

David Peck - Skate Board Parks are classified as a Class II, same as Ice Skating Rinks.

Trustee Zhe - A playground inspector went down to the Driving Park and told us that the skateboarding equipment had to be removed, and changes had to be made to the playground equipment.

Avon Village Board Meeting
Monday, October 20, 2008

Stephanie Williams – All the changes have not been made to the playground equipment as of today correct?

Trustee Zhe – There are still some outstanding items.

Stephanie Wells – Everyone is riding these kids, the Police, the Board.

David Peck – Skateboarders are the only ones that are singled out, not bicyclists or rollerbladers.

Trustee McKeown – What is your suggestion or request on moving forward?

Two options: 1) Leave the skateboarders alone OR 2) Move forward to provide a safe place for kids to go.

Stephanie Williams - We as adults have a responsibility to provide children something to do.

Trustee Zhe – There was a good faith effort in allowing those ramps, until the insurance company came in and had us remove them.

Trustee Hayes – The Police steps in when the skateboarders skate down Clinton Street in the middle of the road, then the Police confiscates the Boards. There are concerns from the neighborhood that skateboarders are coming down the road when the buses are coming down the street. The concern is that someone is going to get hurt.

Stephanie Williams – The Police have no right to take the boards away.

Trustee McKeown – Let me talk with the Chief of Police on whether the skateboards can be confiscated.

David Peck – You can't take personal property.

Attorney Whiting – I don't know if there is any authorization to impound or confiscate.

David Peck – People making the law don't have any understanding what it is and what is appropriate. Everyone says no don't do it, but don't provide an alternative.

Trustee McKeown – Is the Downs the right place?

David Peck – The surface is good, it works and provides a place in a community park. It deters other things. It needs to be a community thing. This year has been far worse then other years as far as skateboards being taken away.

Avon Village Board Meeting
Monday, October 20, 2008

Stephanie Williams – Currently we work through the recreation program and next year it becomes a school club.

Trustee McKeown - Currently you use the ice skating rink for rollerblading and skateboarding? What are the hours?

Stephanie Williams - Tuesday & Thursday from 6 p.m. – 7 p.m. now. We have 19 kids registered.

Mayor Freeman – The reason for confiscating the boards was to get the parents attention, and as far as the ramps being removed it was a misunderstanding.

David Peck – This sport is only going to get bigger. If something isn't done there will be more problems. We need to put something out there on a permanent basis.

Trustee Zhe – Insurance is the big problem.

Trustee Hayes – We received a long term plan from the Parks Commission. Should we have them work with the Parks Committee?

Mayor Freeman – They should be working with the Recreation Program.

David Peck – Signage is important, it should state that it's an unsupervised park. We can work with the Recreation Program or Park Commission but it needs to move forward and we need to take that next step.

VILLAGE BOARD MEETING MINUTES:

Upon a motion made by Trustee Zhe the minutes from October 6, 2008 are hereby approved as submitted. Trustee Swanson seconded the motion and it was carried by the following vote:

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

VOUCHERS AND MANUAL CHECKS:

Avon Village Board Meeting
Monday, October 20, 2008

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

Fund #1 General Fund	\$30,389.57
Fund #4 Schedule C	\$ 4,684.36
Fund #5 Water	\$ 5,231.83
Fund #6 Sewer	\$ 6,771.99
Fund #9	\$
Fund #10	\$
Fund #11	\$ 2,240.22
Fund #17	\$ 4,888.49
Fund #44	\$
Fund #45	\$
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	\$
Fund #63	\$
Fund #64	\$
Fund #65	\$
Fund #66	\$
Fund #67	\$
Fund #68	\$

Avon Village Board Meeting
Monday, October 20, 2008

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	\$ 4,273.51
Fund #84	\$
Fund #85	\$
Fund #86	
Fund #87	
Fund #88	\$
Fund #89	\$ 1,472.63
Fund #90	\$
Fund #91	\$ 1,472.62
Fund #92	\$
Fund #93	\$ 1,092.10
Fund #94	\$
Fund #95	\$
Fund #96	
Fund #97	\$
Fund #98	\$
Fund #99	\$

TOTAL	\$ 62,517.32
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Manual Checks: Check #18171, Avon Bicentennial Celebration \$400.00

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

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

JEREMY BATZEL (TRUCK COMMITTEE):

Jeremy Batzel - It has been discussed over the past year to get a plan to purchase a new fire truck. I personally would like to see 226 stay. Mayor Freeman asked me to look into starting a truck committee.

Trustee Zhe - What would the need be for keeping it?

Chief Batzel – We would need to find out if insurance and businesses would benefit from keeping it. You should replace a pumper every 15 years. There's an empty bay out there now for another truck. The Committee needs to research it all and see what the benefits would be to keep it, costs benefits, etc. and give their recommendation to the Village Board.

Mayor Freeman – Does it have to be new or could it be used?

Chief Batzel – It could be used.

Trustee McKeown – What is the life of 226?

Chief Batzel – Probably another five years.

Chief Batzel – I'm here to ask for permission on setting up a truck committee. It's a time consuming process. After the first of the year we're going to try for a grant.

Avon Village Board Meeting
Monday, October 20, 2008

Chief Batzel distributed copies of Streamline Technology coupling which combines the advantages of a single-coupling with those of a two-hose system. It retrofits to existing Hurst equipment.

Chief Batzel reported that businesses are hiring grant writers as long as you spend \$1,500. We would be eligible if we purchased air packs from Duval. The cost is approximately \$5,000 and with all the new upgrades on them we would shoot for 24 air packs in the grant. The Village would have to come up with 10%.

Mayor Freeman – You need to have Treasurer Quinlan discuss the details with this grant writer and Trustee Hayes could follow-up with Treasurer Quinlan and yourself.

FIRE DEPARTMENT PERMISSIVE REFERENDUMS:

Chief Batzel asked the Board to release monies for three projects.

A motion was made by Trustee Hayes to release monies for the following projects. The motion was seconded by Trustee Zhe and carried by the following vote:

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

RESERVE HR-21 FIRE EQUIPMENT:

MEMBERSHIP INCENTIVE:

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

RESOLUTION

A RESOLUTION authorizing the expenditures of \$5,000 from capital reserve funds HR21 – FIRE EQUIPMENT for the Village of Avon, Livingston County, New York.

Be it resolved, by the Board of Trustees of the Village of Avon as follows:

The specific object or purpose of the Village of Avon, Livingston County, New York for which the expenditures of monies from the capital reserve funds is for

monies needed for *MEMBERSHIP INCENTIVE*. The maximum estimated costs of the aforesaid specific object or purpose is \$5,000.

Upon this RESOLUTION taking effect, the same shall be published in full in THE LIVINGSTON COUNTY NEWS, the official newspapers together with a legal notice of the Village Clerk as provided by law.

This RESOLUTION is adopted subject to a permissive referendum.

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

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

CAPITAL PROJECT:

Trustee Swanson offered the following RESOLUTION and moved for its adoption:

RESOLUTION

Resolved, that a capital project be established in the amount of \$5,000.

Resolved, that said capital project shall be number H and entitled *MEMBERSHIP INCENTIVE*.

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

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

RESCUE JACK SYSTEM:

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

RESOLUTION

A RESOLUTION authorizing the expenditures of \$5,600 from capital reserve funds HR21 – FIRE EQUIPMENT for the Village of Avon, Livingston County, New York.

Be it resolved, by the Board of Trustees of the Village of Avon as follows:

The specific object or purpose of the Village of Avon, Livingston County, New York for which the expenditures of monies from the capital reserve funds is for monies needed for RESCUE JACK SYSTEM. The maximum estimated costs of the aforesaid specific object or purpose is \$5,600.

Upon this RESOLUTION taking effect, the same shall be published in full in THE LIVINGSTON COUNTY NEWS, the official newspapers together with a legal notice of the Village Clerk as provided by law.

This RESOLUTION is adopted subject to a permissive referendum.

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

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

CAPITAL PROJECT:

Trustee Swanson offered the following RESOLUTION and moved for its adoption:

RESOLUTION

Resolved, that a capital project be established in the amount of \$5,600.

Resolved, that said capital project shall be number H and entitled RESCUE JACK SYSTEM.

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

Mayor Thomas Freeman	Voting	Yes
Trustee Robert Hayes	Voting	Yes
Trustee Mark McKeown	Voting	Yes

Trustee Philip Swanson	Voting	Yes
Trustee William Zhe	Voting	Yes

HURST TOOL QUICK CONNECTS:

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

RESOLUTION

A RESOLUTION authorizing the expenditures of \$4,000 from capital reserve funds HR21 – FIRE EQUIPMENT for the Village of Avon, Livingston County, New York.

Be it resolved, by the Board of Trustees of the Village of Avon as follows:

The specific object or purpose of the Village of Avon, Livingston County, New York for which the expenditures of monies from the capital reserve funds is for monies needed for *HURST TOOL QUICK CONNECTS*. The maximum estimated costs of the aforesaid specific object or purpose is \$4,000.

Upon this RESOLUTION taking effect, the same shall be published in full in THE LIVINGSTON COUNTY NEWS, the official newspapers together with a legal notice of the Village Clerk as provided by law.

This RESOLUTION is adopted subject to a permissive referendum.

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

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

CAPITAL PROJECT:

Trustee Swanson offered the following RESOLUTION and moved for its adoption:

RESOLUTION

Resolved, that a capital project be established in the amount of \$4,000.

Resolved, that said capital project shall be number H and entitled *HURST QUICK CONNECTS*.

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

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

FIRE DEPARTMENT APPLICATION:

Upon a motion made by Trustee Swanson, the application of Patrick McKeown for membership in the Avon Fire Department is hereby accepted. Trustee Hayes seconded the motion and it was carried by the following vote:

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

PARKS COMMISSION:

The Parks Commission submitted a Long Term Plan along with a vision statement for the Village's Park System. The Board agreed to review the Parks Plan and possibly invite the Park's Chairman to the second meeting in November to discuss.

REID WHITING:

Mayor Freeman questioned the status of the Letter of Credit for Alexander Crossing and the easements for Mark Alexander.

Avon Village Board Meeting
Monday, October 20, 2008

The Board discussed with Attorney Whiting the upcoming variances and requests for zoning changes. Mayor Freeman questioned the status of the rezoning procedure that Mr. Whiting is working on for Curt Schultz.

Attorney Whiting reported that he had prepared the Notice of Public Hearing for Local Law #1 for the two-way stop on South Avenue and Fisk Place. The hearing is scheduled for Monday, November 3rd at 6:30 p.m.

Attorney Whiting sent a memo to the Board regarding the SRO contract. He had a few questions on the proposed contract:

- Was the Town a party to the 2003 agreement?
- If so, the Town should be a party to this agreement?
- Does the Police Department or the Village of Avon want the SRO's duties to be specified? Or have custom and practice settled this issue?
- Does the Village or the Police Department want the contact person specified?
- Does the Village of Avon want to tie the annual increase cap to its collective bargaining agreement?

Mayor Freeman informed Mr. Whiting that the Village is working on a Vehicle use Policy. John Barrett has read it over and sees no problem with it. Mayor Freeman asked the Village Attorney to take a look at it.

Trustee Zhe added that the Village Board wants any and all accidents reported to the Board. Along with the vehicle procedure the Board asked Mr. Whiting to review a Dual Employment Approval Form.

TRUSTEES UPDATE:

Mayor Freeman informed the Board that he invited Bob Ayers to attend the Field Meetings with the DOT and Keeler Construction on Friday morning.

Trustee Zhe reported that the bridge on Mill Street will be repaired by Bob Ayers this fall.

On behalf of Court Clerk Cole Trustee Zhe reported to the Board that because of lack of work in the Village Court, she asked if the Village Board would look into perhaps abolishing the Village Justice Court.

Attorney Whiting suggested contacting the Village of Leroy who did just that. The Board agreed to look into it further.

Avon Village Board Meeting
Monday, October 20, 2008

EXECUTIVE SESSION:

Upon a motion made by Trustee Hayes, the Board went into executive session at 8:50 p.m. to discuss personnel matters. Trustee Zhe seconded the motion and the Board exited executive session at 9:00 p.m. the motion was carried by a unanimous vote.

Training sessions and workshops were discussed briefly among the Board members and Clerk Baker.

Upon a motion, the meeting was adjourned at 9:30 p.m.

Respectfully submitted,



Patricia E. Baker
Village Clerk