

The meeting of the Board of Trustees of the Village of Avon was held in The Whitney Room of Village Hall, 74 Genesee Street, Avon, New York on Monday August 12th, 2019.

Present: Thomas Freeman, Mayor  
Mark McKeown, Trustee  
Tim Batzel, Trustee  
Bill Zhe, Trustee  
Robert Hayes, Trustee

Staff: John Barrett, Superintendent of Public Works  
Tony Cappello, Code Enforcement Officer  
Chief Joseph Geer, Police Chief  
Andy Anderson, Fire Marshal

Visitors: Tom Cole  
Brian Cole  
Bill Davis, MRB  
Molly Gaudioso- Barton & Loguidice D.P.C.  
John Steinmetz- Barton & Loguidice D.P.C.

Mayor Freeman called the meeting to order at 6:00pm and began with the Pledge of Allegiance.

### **BRIAN COLE- NOISE COMPLAINT:**

Mr. Cole wanted to make a public complaint stating that the dog kennel on Rochester Street (Christopher Robins) is not adhering to noise ordinances. The noise coming from the kennel is very early in the morning and later in the evening times. Complaints have been made to the police for three years according to Mr. Cole and he has spoken to the owner directly, to no avail. Mr. Cole has a rental property in close proximity to the kennel and the residents in the rental have complained numerous times to him. Chief Geer has stated that the owner of the business has been given a citation, but that is all they are able to do. Chief Geer told Mr. Cole to tell his tenant to continue calling 911 and the police will continue to write the citation.

### **DPW UPDATE:**

Superintendent Barrett gave a brief update on the following:

- Finished topsoil on the sidewalk project at the Downs.
- Excavated for and installed the base for the dog park at the Downs.
- Prepping for Corn Festival.
- Installed the slide gate between the trickling filter and the secondary clarifier to be able to flood the trickling filter.
- Installation of the sidewalks on North Ave. continues.
- Picking up brush around the Village.
- Repairing blacktop throughout the Village.
- Carbon change out at the water filtration plant.



**NOTICE OF PUBLIC HEARING**

*PLEASE TAKE NOTICE that a public hearing will be held before the Board of Trustees of the Village of Avon on Monday, August 12, 2019, at 6:30 p.m. in the Whitney Room at the Village Hall, 74 Genesee Street, Avon, New York on the following matters:*

*A local law with various changes to the zoning code; and*

*A local law authorizing the Planning Board to issue special user permits and revoking that authority from the Zoning Board.*

*Proposed Local Laws Nos. 1 and 2 of 2019 are available for review at the Village Hall located at 74 Genesee Street, Avon, NY, from 8:00 a.m. to 4:00 p.m. Monday through Friday.*

*The Board of Trustees will, at the aforesaid time and place hear all persons in support of this local law or objection thereto. Persons may appear in person or by agent or attorney.*

*Dated: July 10, 2019*

*By Order of the Board of Trustees  
Of the Village of Avon  
Heather Randall, Village Clerk*

Discussion consisted briefly of the zoning changings, how it would clean up the boundaries and the revoking of the Zoning Board’s authority to issue special use permits, granting that to the Planning Board. The County Planning Board approved the amendments and included advisory comments. One of the comments was to notify the Towns of Avon and Caledonia of the public hearing per NYS Village Law 7-706 (as referenced by the County) This was not done. That being said, the Board opted to set a new public hearing date for September 9<sup>th</sup> 2019 at 6:00pm to give the appropriate notice to the Towns of Avon and Caledonia, and advertise accordingly. Edits will be clarified.

There was no public comment.

Upon a motion made by Trustee Batzel and seconded by Trustee McKeown, the Board closed the public hearing at 7:40pm. A new public hearing will be held Monday September 9<sup>th</sup> 2019 at 6:00pm. The motion was carried by the following vote:

Thomas Freeman, Mayor	Voting	Yes
Tim Batzel, Trustee	Voting	Yes
Mark McKeown, Trustee	Voting	Yes





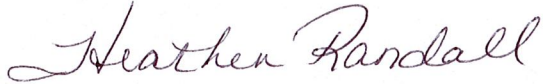


Trustee Zhe and seconded by Trustee Batzel, the Board exited executive session at 9:17pm. The motions were carried by the following vote:

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

Upon a motion made by Trustee Hayes and seconded by Trustee Zhe, the meeting was adjourned at 9:20pm.

Respectfully submitted,



Heather Randall  
Village Clerk