

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 July 15, 2019.

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

Staff: John Barrett, DPW Superintendent  
Joe Geer, Police Chief  
Christine Quinlan, Treasurer  
Tony Cappello, Code Enforcement Officer  
Andy Anderson, Fire Marshal

Absent: Rob Hayes, Trustee

Visitors: Bob Westfall- Historical Society  
Clara Mulligan-Historical Society  
Maureen Kingston- Historical Society  
Casey Mastro- NYPA  
Bill Davis- MRB  
Jen Talbot- Ray Wager’s Office  
Stephanie Dempsey- Senior Bash  
Patrick Kostraba- Senior Bash

Mayor Freeman called the meeting to order at 6:08pm and began with the Pledge of Allegiance.

**EXECUTIVE SESSION:**

Upon a motion made by Trustee Zhe and seconded by Trustee Batzel, the Board entered into executive session at 6:15pm and exited at 6:27 pm to discuss contractual matters. The Mayor asked the public to step out briefly, and invited the public back in at the conclusion of executive session. The Motion was 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	Absent

**SENIOR BASH- BRIDGE PAINTING**

Stephanie Dempsey and Patrick Kostraba expressed to the Board their frustration that the bridge on Spring Street that was used for the Senior Bash was painted over so quickly this year. They stated that some of the parents and student were disappointed because they never got a chance to make it down to the bridge to see it painted with the names 2019 Senior Class. Supt. Barrett explained that there was a miscommunication and the wall was painted over sooner than

anticipated. The Board was apologetic and expressed that they have every intention of having better communication in order to prevent the same occurrence in the future.

**DPW UPDATE:**

Superintendent Barrett gave a brief update on the following:

- Brush pick up continues throughout the Village.
- Installing sidewalks in the Upper Downs Park. Will finish up in the next two weeks.
- Fence is complete at the Downs.
- Excavate and install base for the new building at the Downs.
- Starting sidewalks on North Ave.
- Sewer Callouts- Rochester Street-DPW crew assisted in diagnosing the problem which the resident fixed.
- Supt. Barrett provided the Board with a quote for a new Gator (state bid). He plans on taking the oldest Gator to auction. The following is the quote provided to the Board:  
Landpro- John Deere HPX 615E Gator in the amount of \$17,081.86. The capital project was established in the amount of \$20,000 from the equipment reserve.

Upon a motion made by Trustee Zhe and seconded by Trustee McKeown, the Board accepted the Landpro quote for a John Deere HPX 615E Gator in the amount of \$17,081.86, from the general, water, and sewer equipment reserves. The motion was 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	Absent

- Activated Carbon Replacement at the Water Treatment Plant- should be replaced every five to six years. Will be funded from Schedule C fund balance Quote provided from Calgon Carbon in the amount of \$38,322. The budgeted amount was \$40,000.

Upon a motion made by Trustee Batzel and seconded by Trustee Zhe, the Board accepted the quote from Calgon Carbon in the amount of \$38,322, to be funded from Schedule C Fund Balance. The motion was 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	Absent

**MRB UPDATE:**

Bill Davis was in attendance and gave the following update:

- Water Tank Study-will be scheduling the hydroflow test.
- Still have not been able to get a contact for Kraft.
- Pebble Beach- waiting for the manufacturers to come back with some pricing on pumps.

- Disinfection update- UV is looking to be a viable option for the Village. The application for the WQIP grant is due July 26<sup>th</sup>. The Board must sign off on the SEQR Type II resolution, and the consolidated funding application to continue to move forward.

*RESOLUTION*

VILLAGE OF AVON  
 SEQR Type II Action  
 Water Quality improvement Project (WQIP)  
 Ultra Violet (UV) Disinfection System

**WHEREAS**, the Village of Avon Village Board of Trustees (hereinafter referred to as Village Board) is considering improvements to the existing Wastewater Treatment Plant (WWTP) located at 11 Farmers Road, Avon, N.Y. with the installation of a new Ultra Violet (UV) Disinfection System and associated improvements greatly improving the functionality as well as efficiency of the overall WWTP; and

**NOW, THEREFORE, BE IT RESOLVED THAT**, the Village Board does hereby classify the above referenced Action to be a Type II Action under Section 617.5 (c) of the State Environmental Quality Review (SEQR) Regulations; and

**BE IT FURTHER RESOLVED THAT**, Type II Actions are not subject to further review under Part 617 of the SEQR Regulations; and

**BE IT FINALLY RESOLVED THAT**, the Village Board in making this classification has satisfied the procedural requirements under SEQR and directs this Resolution to be placed in the file on this Action.

Motion made by Member Mark McKeown: Seconded by Member Bill Zhe

Dated: 7-15-19

The above Resolution was duly adopted on July 15, 2019 by the Village of Avon Board of Trustees.

\_\_\_\_\_  
 Thomas Freeman, Mayor  
 Village of Avon

The motion was 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	Absent

*RESOLUTION***VILLAGE OF AVON  
Consolidated Funding Application****Resolution of Support from the VILLAGE OF AVON for the  
2019 New York State Consolidated Funding Application, Water Quality Improvement  
Project  
Wastewater Treatment Disinfection Improvements**

**WHEREAS**, the Village of Avon Board of Livingston County supports the submission of a 2019 Consolidated Funding Application (CFA), on behalf of the Village, for the Water Quality Improvement Project (WQIP) program to add an effluent disinfection process at the wastewater treatment plant; and

**WHEREAS**, the New York State Department of Environmental Conservation (DEC) provides a competitive statewide reimbursement grant program for local governments, administered to directly address documented water quality impairments; and

**WHEREAS**, the Village has been notified by the DEC of upcoming modifications to their State Pollutant Discharge Elimination System (SPDES) permit, requiring them to provide effluent disinfection at the wastewater treatment plant; and

**WHEREAS**, findings in the preliminary engineering study recommended improvements to the wastewater treatment plant, including installation of an ultraviolet disinfection system, greatly improving the quality of effluent discharged into the receiving stream;

**NOW THEREFORE BE IT RESOLVED**, it is anticipated that the Village Board, on behalf of the Village, will complete the necessary actions to authorize expenditures for the proposed project, as well as authorizes Mayor Thomas Freeman to execute necessary documents relative to and as required for the application; and

**BE IT FURTHER RESOLVED**, the Village Board does hereby accept that they shall provide at least 25% match of the total of any grant funding awarded as a local match in the form of in-kind services or cash contributions hereby appropriated and obligated from sewer fund balance and/or appropriate sewer financing; and

**BE IT FURTHER RESOLVED that** the Village of Avon Board of Livingston County recognizes and fully supports the submission of the 2019 CFA for WQIP on behalf of the Village for improvements to the wastewater treatment plant.

Motion by: Trustee Batzel

Seconded by: Trustee Zhe

Passed by the following vote of all Village Board Members voting in favor thereof:

Affirmative Village Board Members: Mayor Freeman, Trustee McKeown, Trustee Batzel, and Trustee Zhe. Trustee Hayes was absent.

Affirmative: 4  
 Negative: 0  
 Abstain: 0  
 Absent: 1

I, Heather Randall, do hereby certify that the resolution was passed at a meeting of the Village of Avon Village Board held on July 15<sup>th</sup>, 2019, and is incorporated in the original minutes of said meeting *OR* on file and of record, and that said resolution has not been altered, amended, or revoked and is in full force and effect.

*Heather Randall*  
 Village Clerk

**VOUCHERS and MANUAL CHECKS:**

Upon a motion by Trustee McKeown and seconded by Trustee Zhe, the following vouchers and manual checks were approved for payment.

#1-GENERAL FUND	\$49462.10
#4-SCHEDULE C	\$13413.82
#5-WATER	\$142.99
#6-SEWER	\$15587.25
#44-CAPITAL	\$2095.07
#50-CAPITAL	\$481.30
#55-CAPITAL	\$2524.99
#17-TA	\$255.20
V000-DEBT SERV	\$13412.28
TOTAL	\$97375.00

**Manual Checks:**

Law Enforcement Off. Union	Police Dues July 2019	\$366.96
SEIU 200 United	DPW Dues July 2019	\$372.82
	<b>TOTAL:</b>	<b>\$739.78</b>

The motion was 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	Absent

**CODE ENFORCEMENT UPDATE:**

Code Enforcement Officer Cappello offered the following update to the Board:

- No contact with Mrs. D’Angelo in regards to the sidewalk project in D’Angelo Parkway. Supt. Barrett is ready to start work on the sidewalks on North Ave and would like to be in touch with her as soon as possible.
- Working on a C of O for the Morgan Properties (Avon Commons).
- The Board asked Mr. Cappello to contact Mr. Burkhart, Mr. Csapo, and Mr. Martin in regards to maintenance property.

**FIRE MARSHAL UPDATE:**

Fire Marshal Anderson gave the following update:

- No complaints or issues over the Fourth of July Holiday.
- Continuing training. He will complete training for the BSI portion on Friday.

**MINUTES:**

Upon a motion made by Trustee Zhe and seconded by Trustee McKeown, the minutes from the June 3rd, 2019 meeting are hereby approved as submitted. The motion was 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	Absent

**POLICE UPDATE:**

Chief Geer provided the following update:

- Along with Clerk Randall, Chief Geer discussed the Sexual Harassment Training required by New York State. Clerk Randall discussed the plan; there will be three sessions in which Chief Geer will lead the sessions by showing two videos on the prevention of sexual harassment. These videos (provided by the NYS Department of Labor) contain scenarios, with questions and answer about them. The training, which is mandatory and interactive, will be provided annually. All employees and volunteers of the Village of Avon will be required to adhere to the state mandate.
- Police Dept. received \$2560.00 in grant funding to participate in the statewide Police Traffic Services.

**TREASURER UPDATE:**

- NYPA PTAC Update- Supt. Barrett discussed the PTAC unit pricing. He stated that the bids for the units through the NYPA project were right in line with the quotes he received on his own. However, with the administration and overhead, the price is about \$100,000 more. Supt. Barrett does not feel that this price is out of line when doing all 15 PTAC units. You can do it cheaper if you only do 5 at a time. Several Board members felt that it is better idea to do everything at once in order to complete the project. The Board would like to know the difference in the cost if they buy the project down, remove some of the

things listed in the bid,( removing the louver and sleeves saves\$15,400.), or if we pay for everything up front (this would save \$6600 in interest and long term administration costs.) Trustee Batzel said he would, along with Treasurer Quinlan, work to get those answers. He asked for the Board to consider voting to allow the project to move forward if NYPA can get the numbers in our favor and not be more than \$155,000 (a savings of approximately \$55,000).

Upon a motion made by Trustee Zhe and seconded by Trustee McKeown, the Board agreed to move forward if the dollar amount for the project would be no more than \$155,000. It was also noted that the cost would be spread between the three funds. The motion was 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	Absent

**CLERK UPDATE:**

Clerk Randall provided the following update to the Board:

- Received confirmation of the Engineering Planning grant Program between NYS and VOA for the Disinfection Study. The initial disbursement will be used for completing the approved project. The balance will be made available after the final engineering report and cost documentation for the project has been submitted and accepted.
- A copy of a letter to the representative from Schichtel’s Nursery who met with Dr. Luley and Parks Commission Chairman John Marks in regards to the inspection of 130 trees supplied by them was provided to the Board. It appears that some of the trees planted at the Driving Park appear to be developing slowly, browning, and even dying. This letter was to reiterate the following:
  1. 6 trees need replacing
  2. 18 oak trees with browning leaves. These trees may turnaround by this time next year according to Mr. Kisker.
  3. There were some questions on the development of some other species. Mr. Kisher believes these will show successful improvement over the next year.

**TRUSTEE’S UPDATE:**

 The Board invited Casey Mastro back to continue the discussion of the NYPA Lighting Project, which also included the National Grid Lighting Agreement. The Board had several questions. Treasurer Quinlan discussed the most recent updated numbers. The timeline is still April/May of 2020. Mr. Mastro explained that signing the National Grid Lighting Agreement should not create a gap in coverage, which has been a concern for the Board. The Board doesn’t want there to be a problem with having the lights serviced once they sign off on the National Grid Agreement, if we are waiting for the installation which won’t be happening until the spring. Mr. Mastro explained that operations and maintenance will be handled by NYPA on behalf of the Village if there was a gap. Mr.

Mastro also stated that if the Board signs the National Grid Agreement, the following should happen: 1. 135 business days will pass and the Public Service Commission will turn the inventory over to the Village. Once the Village takes ownership, the utility bills will drop significantly. This is where we will see our most dramatic savings. Then as the lights get swapped out with LED lights through the NYPA Project, the bills will continue to show savings. Treasurer Quinlan also stated that there will be 2 week calls going forward to keep everyone updated.

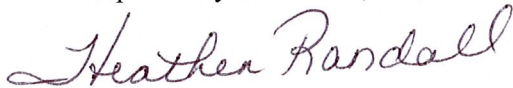
Upon a motion made by Trustee McKeown and seconded by Trustee Zhe, the Board authorized Mayor Freeman to execute the National Grid Agreement. The motion was carried by the following vote:

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

✚ Clara Mulligan, Maureen Kingston, and Bob Westfall attended the meeting to discuss the residence located at 97 Genesee Street. As representatives of the Historical Society, they wanted to know if the Village had plans for the structure on the property. (The Village has recently reached an agreement with the owners of that property to purchase it. The Village does not own the property until the closing date later in the month.) The Mayor discussed ideas that have been brought up, but also stated that nothing has been decided. He is interested in the idea of saving the structure. Ms. Kingston discussed some of the history of the structure, stating that it was originally owned by a family known as the Waldos. Mr. Waldo was a blacksmith. Earliest records show that the blacksmith shop had a date of 1817. Ms. Kinston provided some pictures and information of the Waldo family. Mr. Rueben Waldo died in 1865. After her brief presentation, she expressed hope that the structure could be saved as it is one of the oldest original structures in the Village.

Upon a motion made by Trustee Hayes and seconded by Trustee McKeown, the meeting was adjourned at 8pm.

Respectfully submitted,



Heather Randall  
Village Clerk