

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 February 3, 2020.

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

Staff: Chief Joseph Geer, Police Chief  
John Barrett, Superintendent of Public Works  
Tony Cappello, Code/Zone Officer  
Pat McCormick, Planning Board

Visitors: Vicki Rose  
Edward Forsythe

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

### **VICKI ROSE: LITTLE FREE LIBRARY**

Mrs. Rose presented the Board with a proposal for a Little Free Library she would like to create for her neighborhood. Little Free Library is a way to bring books and neighbors together. The “library” is an area created with a box/container that houses a small quantity of books. Those who live in the neighborhood can borrow a book or bring a book to keep the collection fresh. The container itself can be made from anything and can be any form. It would be registered with the Little Free Library Organization, which is a nationwide organization. Mrs. Rose asked for permission to put it across the street from her home. She is able to see it from her house and is willing to maintain it. She has already received permission from the Avon Commons office, who stated they thought it was a wonderful idea. She would like to have everything set for Memorial Day. The Board agreed that they thought it was a wonderful idea for the neighborhood and is happy to encourage Mrs. Rose to move forward with the project. Supt. Barrett said he would be willing to help dig the hole for the post. He just needs a lead time of 10 days in order to call in a stakeout.

### **DPW UPDATE:**

Supt. Barrett provided the following update:

- Tree trimming through the Village
- Worked on the remediation report for the Army Engineering Corp. He is waiting for comments back.
- Met with MRB to discuss the Pump House. If the footprint is made smaller, a precast building could be used, which could save approximately \$150k. MRB would like to get an engineering proposal to the Board. The schedule as of right now looks to be engineering in spring/summer 2020, bidding in the fall 2020 with construction in 2021. The old building will be kept in service until the new building is complete, and then transfer service over. This is more efficient due to the layout, the efficient pumps and

motors. Everything will be constructed for what is needed rather than making add-ons and adjusting to fix the need.

- Next two weeks-working on the “high priority “take down of the trees based on the management plan and Dr. Luley. Then they will work on the “high priority” trims continuing as Dr. Luley suggested with the “moderate priority” trees. Two large trees have come down, one by the Avon Inn and one by St. Agnes. The Bur Oak it the Downs will be looked at on Wednesday.
- Took a tour with Trustee Zhe and Parks Chairman John Marks of restrooms in local parks as part of the GVBA Grant to install restrooms at the Downs. The restrooms at the Geneseo Village Park was best suited to what the Village is looking for. Supt. Barrett thinks that there should be provisions made for heating in the restroom, keep the hardware simple, make sure there are changing tables. Looking at about a 20 x 24 size building.
- Supt. Barrett reviewed the conference call held with National Grid re: our purchase of the light inventory in order to move forward with our Lighting Project with NYPA. National Grid has found an “anomaly” in the Net Book Value (NBV). The calculation is being reviewed and will be sent to the public service commission when corrected. It appears that this will take some time. Supt. Barrett, at the Board’s request will reach out to see if NYPA can start the project with the lights that the Village already owns. However, Supt. Barrett said that NYPA initially didn’t want to piece meal the project together. They were hoping to take care of all the lights in 2 days. He will ask if the possibility is there.

**VOUCHERS and MANUAL CHECKS:**

Upon a motion by Trustee McKeown, the following vouchers were approved for payment.

#1-GENERAL FUND	\$17996.72
#4-SCHEDULE C	\$6227.49
#5-WATER	\$3127.21
#6-SEWER	\$13347.60
TA00	\$4805.84
#93-CAPITAL	\$1891.80
TOTAL	\$47396.66

Manual Checks: no manual checks

The motion was seconded by Trustee Zhe and 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

**POLICE UPDATE:**

Chief Geer provided the following update:

- Bail Reform- Chief Geer stated that the paperwork is very time consuming. He gave an example of what was required during a case he was working on.
- Chief met with the new Superintendent of Avon Central School- Dr. Ryan Pacatte. They will continue to meet on a regular basis in order to update Dr. Pacatte on the practice of the SRO and the relationship between the school and police department. Dr. Pacatte also accompanied Chief Geer to the PREVENT Meeting and will continue to go with him.
- Officer Moran-completed one month of FTO
- Deer Harvest- month one- no calls or complaints to the police department.
- Officer Greco- has completed his probationary period with the department. Chief Geer asked the Board to vote to accept Officer Greco’s permanent civil service appointment to the department.

Upon a motion made by Trustee Zhe and seconded by Trustee Batzel, the Board accepted Officer Greco’s permanent appointment after the probationary period required. 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	Yes

**CODE ENFORCEMENT UPDATE:**

Code Officer Cappello gave the following update:

- Tony will be issuing a letter to Mr. Driscoll re: house on the hill.
- Tony will reach out to the resident on Wadsworth Ave re: the roof permit that has not been turned in yet. He will tell him it needs to be turned in or he will be issued a citation.
- Tony has noticed a lot of debris and garbage piling up by the curbs. He will be going around to collect the addresses and issue letters to have the debris cleaned up within 7 day.

**TREASURER UPDATE:**

Treasurer Quinlan provided the following update electronically:

- Genesee Transportation Council (GTC) UPWP grant for CAP (Circulation, Access and Parking) project-Village and TYLIN are gathering traffic data.
- GVBA 2<sup>nd</sup> grant paperwork being worked on by John and Chris...awaiting call back from Ag rep. to discuss proposed project.
- Postler & Jaeckle- AFD units installation planned for the week of March 23<sup>rd</sup>.
- NYPA streetlight project...agreement has been executed. delay from National Grid in NBV calculation...then on to Public Service Commission review.
- Bero Architecture has a new owner...meeting on 2/6/20 re: Five Arch Bridge Phase 1 project...
- Applied for Liv. Co. First Impressions grant

- Preparing Preserve NY grant application for historic district nomination
- Reviewing NYS Horse Breeding Development fund grant application
- Awaiting Bridge NY grant debrief
- Ongoing NYS OSC and Genesee Valley REDI webinars
- Budget worksheets distributed...to be back to Treasurer by 3/1/20
- Budget development ongoing

**CLERK UPDATE:**

Clerk Randall provided the Board with the following update:

- Sewer Use Law- Attorney Whiting reviewed the draft and had no further changes. Next step is to set a public hearing.

*RESOLUTION*

**WHEREAS**, the Village of Avon (the “Village”) has a municipal sewer system to provide for its constituents; and

**WHEREAS**, the Village has extensively reviewed its current Sewer Use Law; and

**WHEREAS**, the Village pursued amending the Sewer Use Law to better serve its constituents; and

**WHEREAS**, the Village, in conjunction with its Department of Public Works, its engineer, and attorney, developed a revised Sewer Use Law to replace the existing law; and

**WHEREAS**, the law was written following years of studies, discussions, and analyzing the needs of the Village’s constituents; and

**WHEREAS**, the Village desires to enact the Sewer Use Law as a Local Law.

**NOW, THEREFORE**, be it resolved as follows:

The Village Board of Trustees voted to proceed in enacting the Sewer Use Law, subject to holding a public hearing; and be it further resolved

The Village Board shall hold a public hearing on March 9 at 6:30 PM; and be it further resolved

That copies of the Sewer Use Law shall be made available to the public at the Village office.

Upon a motion made by Trustee McKeown and seconded by Trustee Zhe the Board adopted the resolution and set the public hearing date for March 9<sup>th</sup>, 2020 at 6:30pm. 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	Yes

- Civil Service Discussion- The Board discussed the pending retirement of Supt. Barrett and the next move for finding a new Superintendent of Public Works. Clark Randall has been in touch with the personnel department of Livingston County in order to comply with civil service requirements. The civil service description is currently being reviewed by the county, other municipalities, and DEC to ensure that the required certificates and qualifications are up to date. Once complete, Clerk Randall will receive the updated description. In the meantime, an advertisement will be prepared and reviewed by the Board and will move forward with the advertisement of the position to start the process.
- Letters of Intent from Fire Department- The Village Board received three letters of intent for the upcoming Fire Election:
  1. Fire Chief- Brian Strozewski
  2. First Assistant Chief- Daniel Snyder
  3. Second Assistant Chief- William F. Boyd

Upon a motion made by Trustee McKeown and seconded by Trustee Zhe, the Board accepted the three letters of intent presented for the 2020 Fire Election. 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	Yes

- The Board received a letter from Louise Wadsworth re: memorandum of understanding – Downtown Partnership Program (\$4000 commitment from the Village for the 2020-2021 fiscal year) This agreement has been a standard commitment by the Village of Avon for several years, which helps with the revitalization of our downtown districts throughout the county, including the Village of Avon.

Upon a motion made by Trustee Zhe and seconded by Trustee Hayes, the Board authorized Mayor Freeman to sign the Memorandum of Understanding with Livingston County Economic Development, committing for the 2020-2021 fiscal year. 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	Yes

- The Board received a letter from Louise Wadsworth re; Ann Younger, final reimbursement for Park Theater project (NY Main Street Grant).

**ATTORNEY REID WHITING:**

The Village Board received a letter of resignation from Attorney Whiting dated February 2, 2020, stating that he will be delegating more responsibilities to his sons, and stepping away as the legal representative of the Village. In that letter, he also stated his hope that the Board will continue using Whiting Law Firm for their legal representation, with Attorney Jake Whiting as the primary contact and Attorney John Whiting as the contact when Jake is unavailable.

Upon a motion made by Trustee Hayes and seconded by Trustee Batzel, the Board accepted Attorney Reid Whiting’s resignation. The Board also designated the Whiting Law Firm as the Village of Avon’s legal representation. 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	Yes

Trustee McKeown asked of the Board if there was any interest in pursuing RFPs (request for proposals) for new representation. As these services are considered professional services, we can request RFPs to adhere to our action plan provided to NYS during our audit several years ago. Mayor Freeman was not in agreement, stating that the Whiting Law Firm has represented the Village for several years and is familiar with our municipality. It could be difficult to have a new firm be as well versed in our needs as they are. The rest of the Board felt it would be a good idea to at least see what was out there. Trustee Batzel stated he will send a template for an RFP for us to use should we move forward with the requests.

**MINUTES:**

Upon a motion made by Trustee Batzel and seconded by Trustee Hayes, the minutes from the January 21st ,2020 meeting minutes were 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	Yes

Upon a motion made by Trustee McKeown and seconded by Trustee Hayes, the meeting was adjourned at 8:05pm.

Respectfully submitted,

Heather Randall  
 Village Clerk