

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 17, 2020.

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

Absent: Mark McKeown, Trustee

Staff: John Barrett, Superintendent of Public Works
Joseph Geer, Chief of Police
Tony Cappello, Zoning Officer

Visitors: Judy Hobbs
Patrick McCormick

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

293 ROCHESTER ST.:

A watermain broke in front of 293 Rochester St. on January 20, 2020. The Avon Fire Department and the Village DPW staff was called by the Avon Police Dept. Per the Fire Department's call sheet, approximately eight (8) inches of water was pumped out of the basement, and the DPW staff repaired the broken line with a sleeve. Superintendent Barrett said that the pipe had a clean stress fracture. The owner of the property, Judy Hobbs, contacted the Village Office, and completed an incident report detailing basement damage, which Clerk Randall forwarded to the Village's insurance company.

Selective Insurance was notified of the claim by Livingston Insurance Agency, and an adjuster spoke with the property owner and Kirk Vanderbilt, Lead Water Operator, who oversaw the repair that evening. Selective Insurance denied the claim on January 30, 2020.

Judy Hobbs would like more information as to when the waterline for Barilla and Ross Lane was tied into the Rochester St. waterline. Ms. Hobbs was before the board in 2018 to complain about the water coming down from Ross Lane. She stated that she has replaced the liner in her pool, fill in sink holes, remove trees in her front yard, fence damage, and have her sidewalk replaced, due to the excessive water. Ms. Hobbs asked if the Ross Lane water could have caused the watermain leak. Superintendent Barrett said no as the Ross Lane water is surface water. Superintendent Barrett's crew installed drainage on Ross Lane that ties directly into a catch basin on Rochester St. that adequately collects the water from Ross Lane.

Ms. Hobbs had AP Plumbing to her house to check the sewer line. AP Plumbing stated to Ms. Hobbs that when the Village dug up the waterline, AP believes the sewer line pipe was nicked. Ms. Hobbs will provide AP Plumbing's sewer line camera footage to Superintendent Barrett for review.

Ms. Hobbs asked if the Village DPW has performed any other work in the vicinity of her home. Superintendent Barrett replied no.

Mayor Freeman asked Superintendent Barrett to provide water, sewer and storm system mapping to Ms. Hobbs. As Rochester St. is County Road 26, Superintendent Barrett will also provide the County's Highway Department contact information to Ms. Hobbs. Mayor Freeman asked Ms. Hobbs to notify the Village as to when a County representative meets with her so the Village may also be present.

Ms. Hobbs stated that the Selective adjustor told her to come back to the Village Board to see how the Village will help her. Mayor Freeman will contact the adjustor as he feels this advice was inappropriate. Trustee Batzel asked Ms. Hobbs if she had contacted her insurance company to file a claim. Ms. Hobbs said that she has reviewed her policy and she believes this claim will not be covered. Trustee Zhe again asked Ms. Hobbs if she had filed a claim with her insurance, and Ms. Hobbs said no. Mayor Freeman stressed that he told Ms. Hobbs to contact her insurance as well.

Ms. Hobbs stated that the "no-thru traffic" sign isn't on Ross Lane and would like one installed. Superintendent Barrett stated there has been a sign installed there but must have been stolen or taken down. Mayor Freeman has spoken with Chief Geer regarding traffic on Ross Lane, and the police will notify the delivery carriers to enter Ross Lane from Rochester St.

Ms. Hobbs asked about the times of the noise ordinance and expressed her displeasure with the noise coming from Barilla. Treasurer Quinlan will provide a copy of the noise ordinance to Ms. Hobbs. Mayor Freeman spoke with the Plant Manager regarding the noise issues, and the Planning Board is going to take a tour of the plant. Barilla has planted 30-40 trees to act as a noise barrier. The Village will continue to work with Barilla for noise solutions.

Ms. Hobbs asked who from the Village spoke with the adjustor. Superintendent Barrett stated that Kirk Vanderbilt spoke to the adjustor as he oversaw the callout for the waterline repair that evening.

DPW UPDATE:

Superintendent Barrett gave a brief update on the following:

- DPW crew working with Terry Tree on removals per tree management plan recommendations, two more days with the tree trimmers. Trustee Zhe mentioned that the Library has two trees in front that they would like looked at. Mayor Freeman asked how many replacement trees will be planted. Superintendent Barrett can provide replacement tree planting information including varieties at the next Board meeting. Trustee Zhe stated that the tree board has been formed and will begin work on the tree ordinance.
- J Galiley Arbor Consulting LLC provided a tree risk assessment on the bur oak in the Driving Park. Based on the assessment recommendations, Terry Tree trimmed the bur oak.

Weather permitting, the DPW will begin stump grinding after Terry Tree is complete. Superintendent Barrett will be working on budgets.

Superintendent Barrett with the assistance of MRB, submitted a draft corrective measure plan to the Army Corps of Engineers for the stream relocation project in Little Conesus Creek, in the Avon Driving Park. Superintendent Barrett will reach out to Bob Stryker, Livingston County Water and Soil, to request assistance for tree purchases.

Superintendent Barrett reviewed 2020-2021 proposed projects:

- Pave Temple St. from East Main St. to the end of Temple St.
- Pave Prospect St.
- Spring St. sidewalk from River St. to the existing sidewalk on the sledding hill
- North Ave. sidewalk from D'Angelo Parkway to D'Angelo Parkway
- Five Arch Bridge roof removal
- Engineering study on the 2MG tank and PRV work
- Reline sewers based on the INI recommendations
- UV light disinfection project

Mayor Freeman asked Superintendent Barrett to contact NYS DOT weekly regarding the catch basins on Routes 5&20.

POLICE UPDATE:

Chief Geer introduced Officer Brandon Moran to the Board. Officer Moran is ½ way through FTO and should be on his own in the beginning of April. The Board welcomed Officer Moran.

Chief Geer stated that Criminal Justice Reform paperwork took ten hours to complete last week.

Chief Geer reported that the 2015 Tahoe has died twice in the last few days. Repair work being performed by Mike Countryman.

Officer Kevin Geer will start back on Sun., Feb. 23rd.

ZONING OFFICER UPDATE:

Mayor Freeman directed Zoning Officer (ZO) Cappello to reach back out to Mrs. D'Angelo regarding the sidewalk installation on D'Angelo Parkway.

ZO Cappello will be checking on the progress at the Park Theater. Treasurer Quinlan stated that Maureen Wheeler, Livingston County Economic Development, received information from Soo Kang, Senior Director, Planning & Environmental Review, Empire State Development, that SEQRA review isn't required as the Park Theater would fall under a Type II action since it only involves renovation of existing space and no substantive change in use. Ms. Wheeler submitted the necessary information to NYS SHPO and is awaiting a no adverse impact letter. Then, construction within the theater space can begin.

TRUSTEE’S UPDATE:

- Mayor Freeman and the Board discussed the upcoming Livingston County auction on February 25th of the four King Cole Bean properties. Livingston County will be offering the following tax foreclosed properties:
 - 99 W. Main St. (34.6-1-26), office/warehouse and storage building, 65’ x 290” lot
 - Wadsworth Ave. (34.9-1-61), large grain/feed storage building, 1.70 acres, offered with parcel 34.6-1-20
 - Wadsworth Ave. (34.6-1-20), grain/feed storage bins, 67’ x 110’ landlocked lot, offered with parcel 34.9-1-61
 - Rochester St. (34.6-1-77), 220’ x 31’ vacant lot next to railroad tracks, across from 50 Rochester St.

- Mayor Freeman stated that Barilla is contesting their assessment.
- The Board would like the Superintendent notice placed in the LCN and the Penny Saver for two weeks, with the application deadline of March 13th. The Board doesn’t want the notice placed in the D&C due to the cost.
- Trustee Zhe commented that the Playground program will be at the Avon Driving Park this summer as Avon Central School has construction projects.
- Trustee Batzel stated that an Avon child was hurt on the playground while sledding. Broken glass was on the hill. Treasurer Quinlan suggested having the child’s parent complete an incident report to be turned in to the Village insurance company.

VOUCHERS and MANUAL CHECKS:

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

#1-General Fund	\$17,224.20
#4–Schedule C Fund	\$ 6,248.52
#5-Water Fund	\$ 2,147.34
#6-Sewer Fund	\$ 7,876.68
#50-Capital Project Fund	\$ 2,557.21
#17-Trust & Agency Fund	\$ 723.94
TOTAL	\$36,777.89

Manual Checks/EFT:

Nationwide Ret. Sol.	Def. Comp P/R#20-04	\$ 1,745.00
NYS Tax	W/H taxes P/R#20-04	\$ 2,004.54
Federal Tax	W/H taxes P/R#20-04	\$11,167.10
	TOTAL:	\$14,916.64

The motion was seconded by Trustee Batzel and carried by the following vote:

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

CLERK UPDATE:

Treasurer Quinlan read Clerk Randall’s update as follows:

- Minutes for the February 3, 2020, meeting are ready for Village Board approval
- Two notices for the delinquent water/sewer accounts and budget public hearing submitted for your review, approval later
- Public hearing notice for the sewer use law was advertised in the February 13th LCN. Hearing will be on March 9th at 6:30 p.m.
- Supt. of Public Works ad included for your review. Final description from Civil Service hasn’t been received. Contacted D&C for advertising price.
- Received two letters from Liv. Co. Economic Development re: First Impressions Program grants for 118 Genesee St. in the amount of \$1,535, and 80 Park Place in the amount of \$5,000
- Bero kick-off meeting agenda and minutes provided
- Five Arch Bridge Phase 1 minutes provided

MINUTES:

Upon a motion made by Trustee Batzel and seconded by Trustee Hayes, the February 3, 2020 meeting minutes were approved. The motion was carried by the following vote:

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

CARPET QUOTES:

Treasurer Quinlan obtained carpet square quotes for approximately 1900 sq. ft. of Kraus 7273 Dimensions as follows:

- | | | |
|--------------------------------------|-----------|------------|
| • Lima Carpet & Flooring | Materials | \$5,999.43 |
| | Labor | \$3,153.16 |
| • Bill’s Carpet & Flooring | Materials | \$3,765.54 |
| | Labor | \$5,328.18 |
| • Pro Source Wholesale (verbal) | Materials | \$4,901.92 |
| • Anderson Construction Co. (verbal) | Labor | \$2,900.00 |

After the old carpet is removed, the area will be disinfected. John Polito will return for testing before the new carpet is installed.

After discussion, Trustee Batzel made a motion to accept the materials bid in the amount of \$3,765.54 from Bill’s Carpet & Flooring, and the labor bid in the amount of \$2,900.00 from Anderson Construction Co. The motion was seconded by Trustee Zhe and carried by the following vote:

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

COMMERCIAL SEWER:

Treasurer Quinlan presented the Commercial Sewer analysis to the Board for their review. Upon a motion made by Trustee Hayes, the Board scheduled the public hearing for the commercial sewer units assigned for the year commencing August 1, 2020, for March 23, 2020, at 6 p.m. Treasurer Quinlan will place the public hearing notice in the LCN. The motion was carried by the following vote:

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

GVCA GRANT:

Treasurer Quinlan received notification that the Village has been awarded additional monies for the Community Arts mural grant in the amount of \$2,073 from the Genesee Valley Council on the Arts (GVCA). Ten percent of the total regrant money is set aside in case of appeals. As no appeals were made this year, the Decentralization Panel and the Genesee Valley Council on the Arts were able to allocate this ten percent and select grantees to receive additional funds.

After review and discussion, Trustee Zhe made a motion to accept the additional monies for the GVCA grant in the amount of \$2,073 and authorize the Mayor to execute said agreement. The motion was seconded by Trustee Hayes and carried by the following vote:

Thomas Freeman, Mayor	Voting	Yes
William Zhe, Trustee	Voting	Yes
Tim Batzel, Trustee	Voting	No
Robert Hayes, Trustee	Voting	Yes

FIRST IMPRESSIONS GRANT:

Treasurer Quinlan received notification that the Village has been awarded \$5,000 for the mural project through Livingston County Development Corporation's 2020 First Impressions Program. The project must start no later than May 15, 2020 and be completed no later than August 30, 2020.

After review and discussion, Trustee Zhe made a motion to accept the additional monies for the GVCA grant in the amount of \$2,073 and authorize the Mayor to execute said agreement. The motion was seconded by Trustee Hayes and carried by the following vote:

Thomas Freeman, Mayor	Voting	Yes
William Zhe, Trustee	Voting	Yes
Tim Batzel, Trustee	Voting	No
Robert Hayes, Trustee	Voting	Yes

Upon a motion made by Trustee Hayes and seconded by Trustee Zhe, the meeting was adjourned at 8:10 p.m.

Respectfully submitted,

Christine Quinlan
Treasurer