

A meeting of the Board of Trustees of the Village of Avon was held in Conference Room B of Village Hall, 74 Genesee Street, Avon, New York, as well as via Microsoft Teams tele/video conference on Monday August 3rd, 2020.

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

Staff: Joe Geer, Chief of Police
 Christine Quinlan, Treasurer- phone
 Tony Cappello, Zone/Code Officer
 Jake Whiting, Attorney-phone

Visitors: Patrick McCormick-phone
 Autumn Welch
 Edward Forsythe

EXECUTIVE SESSION

Upon a motion made by Trustee Zhe and seconded by Trustee Hayes the Board entered executive session at 5:00pm to discuss personnel issues. Upon a motion made by Trustee Hayes and seconded by Trustee Zhe, the Board exited executive session at 6:06pm. 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

No actions or votes were taken.

Mayor Freeman called the meeting to order at 6:07pm and began with the Pledge of Allegiance.

In response to the Covid-19 emergency, attendance for this meeting was limited. Several members of the staff conferenced in with video and phone. The Board is following the safety protocol set forth by the Governor of NYS and being vigilant in social distancing while trying to continue serving the community the best way possible.

AUTUMN WELCH

Ms. Welch attended the meeting to update the Board on their experience with the outdoor dining. The umbrellas have been drawing a crowd and the staff has been diligently monitoring the

outside. Everything is plastic outside except for silverware. They have had a great response. The 45-day trial run has ended, and the Board discussed extending the use to the first of the year.

Upon a motion made by Trustee Hayes and seconded by Trustee Batzel, the Board approved extending the outdoor dining use of municipal sidewalks through the first of the 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

VOUCHERS and MANUAL CHECKS:

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

#1-GENERAL FUND	\$18578.76
#4-SCHEDULE C	\$6254.32
#5-WATER	\$2987.73
#6-SEWER	\$12939.40
#TA00	\$3474.84
TOTAL	\$44235.05

Manual Checks: no manual checks

The motion was seconded by Trustee Batzel 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

DPW UPDATE:

Supt. Barrett provided the following update to the Board:

- Working on drainage at the Downs.
- Tree fell at the Downs. Cleaned up and repaired fence that was damaged.
- Continued concrete repair work.
- Continue picking up brush, there has been a lot through the Village.
- Will be striping the next two weeks along with continuing to pick up brush, concrete repairs, and drainage.
- Discussed crosswalks at Clinton Street and Genesee Street-possibly eliminating one of them.
- Graffiti on the railroad bridge on Spring Street will be removed. Supt. Barrett has the remover to clean it up.

- Supt. Barrett will be on a conference call Thursday with Bero to discuss the 5 Arch Bridge project and proposal.
- Discussed the Supt position and the candidates from the interviews. The Board, after a lengthy discussion, informed Supt. Barrett of their decision.

Upon a motion made by Trustee Batzel and seconded by Trustee Zhe, the Board decided to offer the DPW Superintendent Position to Ken Farrell. 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

Mayor Freeman will make the calls to all of the interviewed candidates tomorrow morning.

POLICE UPDATE:

Chief Geer provided the following update:

- Incident on July 26th- suspect intentionally hit Officer Ferrara in one of the police cars. The suspect was taken into custody and officer Ferrara was not hurt.
- Firearms training in Caledonia went well and the entire department participated.
- There have been no reports of any more vehicle break ins in the Village.
- Discussed the reopening safety plan with the Chief. He stated that he believes that some of the health checks outlined are too restrictive for the department and has had policies in place since March that have worked well for them. He intends to continue with those policies.
- Chief Geer and Clerk Randall will be preparing a way to complete the sexual harassment training for 2020.

TREASURER UPDATE:

Treasurer Quinlan provided the following update for the Board:

- Annual report has been electronically filed and Clerk Randall has prepared the notice for the paper as required.

MINUTES:

Upon a motion made by Trustee Batzel and seconded by Trustee Zhe, the minutes from the July 20th, 2020 meeting and the July 29th, 2020 Executive Session meeting 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

CODE ENFORCEMENT UPDATE:

Code Officer Cappello gave the following update:

- Resident on Rochester Street has been placing furniture on the side of the road that does not get picked up by the refuse company. Tony alerted the Board that he will start having it disposed of and sending the residents the bill. Should they not pay the bill, he will request to have the bill be added to their taxes. The Board recommended to add an additional \$100 fee as a service charge.
- Discussed lawn maintenance. The residents he sent notices to have all complied with the reminder except for one. Tony contacted the owner of the property, who stated that he does not need to cut the lawn as his property is zoned agricultural, and said he was going to contact his attorney. Tony said he will have the lawn taken care of and will bill the property owner.
- The Board made mention of the Driscoll property located on the Circle and said the building was painted and it looks nice.
- Tony stated that the house on Oak Street that has been empty will be maintained until it comes under contract.
- Tony also said that Mr. Rothrock, who is a property owner on Rochester Street has purchased another lot and is planning to build a building connecting the two properties.

MUTUAL RELEASE W/ D'ANGELO PARTIES:

The following resolution was presented to the Village Board at the August 3rd, 2020 meeting:

RESOLUTION APPROVING MUTUAL RELEASE WITH D'ANGELO PARTIES

WHEREAS, the Village Board, at a duly convened meeting on August 3, 2020, reviewed the terms and conditions of the Mutual Release (document "Mutual Release w D'Angelo v3 7-31-2020.pdf) between the Village of Avon and The Estate of Samuel J. D'Angelo, Mary Julia D'Angelo as an Executor of the Estate of Samuel J. D'Angelo, and Mary Julia D'Angelo, individually (hereinafter, collectively referred to as "the D'Angelo Parties"); and

WHEREAS, the Village Board, after discussion and review, determined it appropriate to execute the Mutual Release; and

WHEREAS a motion to approve the Mutual Release being presented, seconded, and carried via vote of the Trustee of the Village Board; NOW THEREFORE BE IT

RESOLVED, that the Village Board approves the terms and conditions contained in the Mutual Release; and be it further

RESOLVED, that the Mayor is hereby authorized to execute the Mutual Release.

August 3, 2020



Heather Randall
Village Clerk

Village of Avon

Upon a motion made by Trustee Zhe and seconded by Trustee Hayes, the Board accepted the Resolution approving the mutual release with the D’Angelo parties. 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 release will be signed by the D’Angelo parties and monies will be sent to Attorney Whiting. The Mayor can then sign the release on behalf of the Village.

A public hearing will be held on August 18th at 7pm on the relocation of the sidewalks in D’Angelo Parkway. The application is being presented to the Planning Board by the Village Board. Notification has been sent to the Livingston County News for publication as required. The Board has also requested that the residents of D’Angelo Parkway be notified of the public hearing. The Planning Board is hoping to see the original plan versus the modified plan of where the sidewalks will be going. There are really only a few modifications. Supt. Barrett will be getting together with MRB to shoot the points and plot them on a map for reference.

TRUSTEE UPDATE:

- ✚ Safety Plan Review and adoption- the Board reviewed the safety plan and policies outlined for the reopening Safety Plan. After discussion, it was decided that first responders would be exempt from attesting they have not knowingly been in close proximate contact in the past 14 days with anyone who tested positive for COVID-19 or who has had COVID-19 symptoms and the daily chart as they have other measures in place.

Upon a motion made by Trustee Batzel and seconded by Trustee Zhe, the Board approved the reopening Safety Plan and policies presented, with the changes to exclude first responders from attesting they have not knowingly been in close proximate contact in the past 14 days with anyone who tested positive for COVID-19 or who has had COVID-19 symptoms and the daily chart outlined in the plan at this time. 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

Attorney Whiting stated that the policies were appropriate and covered things well. The state regs are a moving target and always changing. Policies and plan are available in the Village office.

- ✚ Preservation League of NYS Cultural Resource Survey- The total project budget is \$16,800 for the Landmark Society’s services to list the eligible district in the National

Register. The award is \$13,440 with a match of 20% (\$3,360) by the Village funded from general fund balance.

Upon a motion made by Trustee Zhe and seconded by Trustee McKeown, the Board accepted the grant and the Village match outlined above. 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 Zhe and seconded by Trustee Batzel, the Board approved Mayor Freeman to execute the agreement to proceed with the Landmark Society with the District nomination. 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 Hayes discussed the Wayfinding Walk. The group gathered to discuss the needs for the Village. It was very well attended and will look for the report to update.
- ✚ Trustee Batzel discussed the lighting project and feels another conversation should be had with National Grid. The Board has not been happy with the numbers coming from NYPA. Mayor Freeman also suggested taking it upon ourselves and borrowing from a local bank to make the project happen.
- ✚ Trustee Batzel spoke to Attorney Whiting regarding the intermunicipal agreement between the Village and County for emergency medical services. Trustee Batzel stated that Attorney Whiting will reach out to the county attorney and get back to him.
- ✚ Mayor Freeman discussed a conversation with Jerry Rowe about the trees throughout the Village. Mr. Rowe stated that he noticed some of the new trees that have been planted have been losing their leaves. Mayor Freeman reiterated to him that we were told there was a possibility that we would notice that the trees could lose some leaves, however the trees are healthy.

Upon a motion made by Trustee Batzel and seconded by Trustee Zhe, the Board adjourned at 8:18pm.

Respectfully submitted,



Heather Randall
Village Clerk