

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 October 5, 2020.

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

Staff: Joe Geer, Chief of Police  
Ken Farrell, DPW Supt.  
Tony Cappello, Zone/Code Officer  
Bill Davis, MRB- video  
Chris Quinlan, Treasurer- phone

Mayor Freeman called the meeting to order at 6pm 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.

## **ANNUAL ORGANIZATIONAL MEETING 2020:**

### **APPOINTMENTS:**

Mayor Freeman began by appointing Mark McKeown as Deputy Mayor for a term of one year, and asked for a motion to approve the following appointments:

Upon a motion made by Trustee Zhe, the following appointments were made:

#### **AVON POLICE DEPARTMENT:**

Police Chief	Joeseph Geer
Police Officer	Timothy Ferrara, Jr.
Police Officer	Matthew McFadden
Police Officer	Travis McFadden
Police Officer	Nicholas Greco
Police Officer - Part time	Kenneth Ippolito
Police Officer – Part time	Tamara Bingham
Police Officer – Part time	Richard Gage
Police Officer- Part time	Kevin Geer
Police Officer- Part time	Brandon Moran

**PERSONNEL:**

Village Clerk	Heather Randall	2 yr.
Deputy Clerk	Gary Margiotta	2 yr.
Treasurer	Christine Quinlan	2 yr.

**DEPARTMENT OF PUBLIC WORKS:**

Superintendent of Public Works	Ken Farrell	1 yr.
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**ANNUAL:**

Zoning Officer/Code Enf. Officer	Anthony Cappello	1 yr.
Fire Marshal	Andy Anderson	1 yr.
Court Clerk	Jeanette Cullinan	1 yr.
Deputy Court Clerk		1 yr.
Acting Village Justice		1 yr.

**PARK COMMISSION:**

Park Commission Chairperson	Bill Zhe- tentatively	
Park Commission Member	Steve Brown	5 yr.
Park Commission Member	Ashley Comeau	5 yr.

**ZONING BOARD:**

Zoning Board Chairperson	Dan Freeman	1 yr.
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**PLANNING BOARD:**

Planning Board Chairperson	Paul Drozdziel	1 yr.
Planning Board Member	Rob Hayes	1 yr. (complete
the term of former member Patrick McCormick)		

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

Thomas Freeman, Mayor	Voting	Yes
Tim Batzel, Trustee	Voting	Yes
Patrick McCormick, Trustee	Voting	Yes
Mark McKeown, Trustee	Voting	Yes
William Zhe, Trustee	Voting	Yes

**BOARD LIAISONS:**

- Planning Board – Trustee McCormick & Trustee Batzel
- Fire Board – Trustee McKeown
- Park Commission – Trustee Zhe
- Water Board – Mayor Freeman & Trustee Batzel
- Library Board- Trustee Batzel
- Town Board - Will continue to have joint meetings throughout the year

Upon a motion made by Trustee Zhe and seconded by Trustee McCormick, the following are hereby approved:

**BANKS:**

The Bank of Castile  
Community Bank  
Five Star  
J P Morgan  
Canandaigua National Bank & Trust

**OFFICIAL PAPER:**

The Livingston County News  
Batavia Daily News

Upon a motion made by Trustee McCormick, the following are hereby approved

**MEETING NIGHTS AND TIMES:**

The Village Board meetings will be held the first and third Monday of each month at 6:00pm unless otherwise noted ahead of time. The Board Meeting dates for the remainder of the year are as follows:

- October 5<sup>th</sup>, 2020
- October 19<sup>th</sup>, 2020
- November 2, 2020
- November 16<sup>th</sup>, 2020
- December 7<sup>th</sup>, 2020
- December 21, 2020

In an effort to conduct an efficient and time conscious Board meeting, Mayor Freeman asked that all parties having items for discussion with the Village Board present them to Clerk Randall by noon the Thursday before the meeting for insertion on the agenda. Only topics listed on the agenda will be discussed at the Board meetings. Mayor Freeman asked that all Trustees and employees come to the meetings prepared to discuss the items on the agenda.

**ADVANCED APPROVAL OF CLAIMS:**

Utility bills, postage, payroll and payroll related items, debt service, and freight shall be paid in advance and approved at the next regular Village Board meeting. An audit committee, which will consist of two board members, are authorized to approve any other advanced claims.

**MILEAGE ALLOWANCE:**

IRS 2020  
Privately owned vehicle – 57.5 cents per mile

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

Thomas Freeman, Mayor	Voting	Yes
Tim Batzel, Trustee	Voting	Yes
Patrick McCormick, Trustee	Voting	Yes
Mark McKeown, Trustee	Voting	Yes
William Zhe, Trustee	Voting	Yes

**POLICIES:**

Upon a motion made by Trustee Zhe and seconded by Trustee Batzel, the following policies are hereby approved as previously submitted, with no updates:

1. Code of Ethics (adopted 12/5/16)
2. Conference/Travel Expense Reimbursement (adopted 12/5/16)
3. Meals/Refreshments Reimbursement (adopted 12/5/2016)
4. Credit Card Policy (adopted 12/5/2016)
5. Fixed Asset Policy (adopted 12/5/2016)
6. Investment Policy (adopted 12/5/2016)
7. Borrowing Policy (adopted 12/5/2016)
8. Sexual Harassment Policy (adopted 10/08/2018)
9. Whistleblower Policy (adopted 12/5/2016)
10. Workplace Violence (adopted 12/19/2016)
11. Procurement Policy (updated 2/2/15)
12. Government Safety Plan Re-Opening (adopted 8/3/2020)

The motion is carried by the following vote:

Thomas Freeman, Mayor	Voting	Yes
Tim Batzel, Trustee	Voting	Yes
Patrick McCormick, Trustee	Voting	Yes
Mark McKeown, Trustee	Voting	Yes
William Zhe, Trustee	Voting	Yes

**CHECK SIGNING AUTHORITY:**

Upon a motion made by Trustee McCormick and seconded by Trustee Batzel, the following check signing authority is hereby adopted for the Mayor, Deputy Mayor and/or Treasurer:

- Checks in the amount of \$0 - \$10,000 – one signature required
- Checks in the amount of \$10,000 or more – two signatures required
- Withdrawal slips, wire transfers – one signature required.

The motion and it was carried by the following vote:

Thomas Freeman, Mayor	Voting	Yes
Tim Batzel, Trustee	Voting	Yes
Patrick McCormick, Trustee	Voting	Yes

Mark McKeown, Trustee	Voting	Yes
William Zhe, Trustee	Voting	Yes

**M/WBE-EEO MINORITY BUSINESS OFFICER:**

Upon a motion made by Trustee Batzel and seconded by Trustee Zhe, the following is adopted with, no changes to the previous resolution for the M/WBE goals:

**MINORITY AND WOMEN’S BUSINESS-EQUAL EMPLOYMENT  
OPPORTUNITY PROGRAM WORK PLAN  
NEW YORK CLEAN WATER STATE REVOLVING FUND  
MUNICIPAL OTHER THAN LAND ACQUISITION**

**Policy Statement:**

The Village of Avon commits to carrying out the intent of the New York State Executive Law, Article 15-A which assures the meaningful participation of minority and women’s business enterprises in contracting and services, and the meaningful participation of minorities and women in the workforce on activities financed by the CWSRF program.

**Minority Business Officer:**

Heather Randall is designated as the local Government Official or Minority Business Officer responsible for administering Minority and Women’s Business-Equal Employment Opportunity (M/WBE-EEO) program for the Village of Avon.

MBEO Officer Phone No. 585-226-8118

**M/WBE Projected Goals:**

10% Minority Business Enterprise Participation

10% Women’s Business Enterprise Participation

**EEO Projected Goals:**

5.3% Minority Labor Force Participation

6.9% Female Labor Force Participation

The motion was carried by the following vote:

Thomas Freeman, Mayor	Voting	Yes
Tim Batzel, Trustee	Voting	Yes
Patrick McCormick, Trustee	Voting	Yes

Mark McKeown, Trustee	Voting	Yes
William Zhe, Trustee	Voting	Yes

**STANDARD WORKDAY ESTABLISHMENT FOR RETIREMENT:**

The following are the positions and the hours to be reported to the NYS Retirement System as the standard workday established by the Village Board for retirement credit:

<u>POSITION</u>	<u>HOURS</u>
• Board Member (Plan,Zone,Water)	6 hours
• Code Enf. Officer/Fire Marshal	6 hours
• Court Clerk	6 hours
• Crossing Guard	6 hours
• Deputy Clerk	7 hours
• Deputy Court Clerk	7 hours
• F/T Patrolman	8 hours
• Fire Dept. Sec.	6 hours
• Laborer	8 hours
• Mayor	6 hours
• P/T Laborer	6 hours
• P/T Patrolman	6 hours
• Police Chief	8 hours
• Sergeant	8 hours
• Superintendent of Pub. Works	8 hours
• Treasurer	7 hours
• Trustee	6 hours
• Village Clerk	7 hours
• WWTP Lead Operator	8 hours
• Zoning Officer	6 hours

Upon a motion made by Trustee McCormick and seconded by Trustee Zhe, the Standard Workday hours were approved. The motion was carried by the following vote:

Thomas Freeman, Mayor	Voting	Yes
Tim Batzel, Trustee	Voting	Yes
Patrick McCormick, Trustee	Voting	Yes
Mark McKeown, Trustee	Voting	Yes
William Zhe, Trustee	Voting	Yes

**CONFLICT OF INTEREST:**

In order to maintain the integrity of their positions and prevent a conflict of interest, members of the Board noted the following:

- Trustee McKeown’s wife is part of the Avon Library Board.
- Trustee Zhe’s wife is part of the Library Board.
- Trustee McKeown is a member of the Livingston County Water and Sewer Authority Board.

**VOUCHERS and MANUAL CHECKS:**

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

#1-GENERAL FUND	\$17100.53
#4-SCHEDULE C	\$6215.27
#5-WATER	\$3194.70
#6-SEWER	\$12707.38
#TA00	\$5164.09
TOTAL	\$44381.97

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

Thomas Freeman, Mayor	Voting	Yes
Tim Batzel, Trustee	Voting	Yes
Patrick McCormick, Trustee	Voting	Yes
Mark McKeown, Trustee	Voting	Yes
William Zhe, Trustee	Voting	Yes

**DPW UPDATE:**

Supt. Farrell provided the following update to the Board:

- Brush pick up continues until week of 10/12
- Trimming branches for sidewalks continues
- North Ave Sidewalks- last concrete pour scheduled for 10/7. Top soiling behind to finish up.
- Looking into a horizontal sidewalk cutter- reaching out to a company in Georgia for information on local reps.
- Installed a Historical Society marker for the railroad in Avon on Rochester Street.
- Leaf vacuum serviced along with leaf box. Leaf equipment ready to go for the season. Leaf pick up to begin 10/14/20.
- DOH did annual walk through at the Filtration Plant on 9/22. Report to follow.
- WWTP- pump control panel (the drive) malfunctioned and needed to be replaced. Up and running.
- WWTP Screener- W2O rep found the stainless-steel shaft that the brushes connect to were scored and the collars are plastic. Contacting manufacturer to see why.
- Removed a tree on Lacy Street due to damage. Called in Terry Tree to cut down and the crew hauled away. Can be replaced at a later date if the Board wishes.
- Replaced lights in Circle Park on the flag and repairing 2 lights at around the monument.
- Supt. Farrell and Mayor Freeman met with Steve Muhs (Elmer Davis) and Lindsay Yoder (Bero Architecture). Started to remove stone off of the Five Arch Bridge on 10/2/20.
- Installing and repairing “No Parking” signs around the Village.
- Truck at auction- final bid was \$1125.00
- Black topping 10/6

- Crew member Bob Barrett will be going out for knee replacement surgery on 10/20/20 for 6 weeks.

**MRB UPDATE:**

Bill Davis provided the following update to the Board:

- Continue to sample WWTP affluent and evaluate if UV is the correct course of action. Kraft is still sending loads that are affecting the samples. Kraft still needs to come up with a plan for cleaning the clarifier. The Village will hire Ken Rowe to come back and help Kraft with a plan.
- Pump Station- preparing to present to Livonia Planning.
- Water Tank Study-MRB reviewing CPL county wide report. Cost presented does not take into consideration the pump house upgrade. Bill suggests that the Village respond and make it clear that the pump house is a project already being worked on and where the total project cost is coming from. MRB will continue to review the report and will get together comments.

**TREASURER UPDATE:**

Treasurer Quinlan provided the following update electronically:

- Park Theater project meeting on 9/29/20-key documents to ESD on 10/5/20
- Five Arch Bridge Phase 1 update-meeting minutes, pics
- Real Term Energy lighting update
- GTC CAP study 2<sup>nd</sup> public participation meeting held on 9/23/20
- GTC CAP study walk with Christine Bianchi, TYLIN, on 9/30/20
- GTC CAP study committee meeting on 10/7/20
- NYCOM’s Fall training school
- Police Traffic Services grant reimbursement and progress report submitted
- 2020 Taxes turned over to Liv. Co.-o/s \$26,132.76
- Budget status reports ending 9/30/20
- Meeting with broker for health insurance update for next year. Anticipate an increase of 5% for premiums.
- Treasurer Quinlan along with the Board discussed the clarification of the employee health screening policy. They will review and look into making a few changes to bring back to the Board for review. A call will be made to the County to find out how workers comp is handling COVID. The Board discussed payment using accruals versus the Village paying outright ,and how that is to be determined.

**MINUTES:**

Upon a motion made by Trustee Zhe and seconded by Trustee McCormick, the minutes from the September 21st, 2020 meeting were approved as submitted. The motion was carried by the following vote:

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





- Complaints from several residents in regard to flags being flown on Wadsworth Ave. The flags included profanity, however there is no law stating that it is illegal. However, the resident has since moved the flag.

**TRUSTEE UPDATE:**

- RealTerm Energy Light Proposal- Trustee Zhe, Treasurer Quinlan, Mayor Freeman, and Supt. Farrell reviewed the proposal provided. Mayor Freeman has invited another company to present at the next meeting.
- Trustee McKeown stated that DPW Negotiations will be forthcoming.

**EXECUTIVE SESSION:**

Upon a motion made by Trustee Batzel and seconded by Trustee Zhe, the Board entered into executive session in order to discuss laborer interviews and hiring at 7:35pm and exited at 8:10pm. The motion was carried by the following vote:

Thomas Freeman, Mayor	Voting	Yes
Tim Batzel, Trustee	Voting	Yes
Patrick McCormick, Trustee	Voting	Yes
Mark McKeown, Trustee	Voting	Yes
William Zhe, Trustee	Voting	Yes

Upon a motion made by Trustee Zhe and seconded by Trustee McCormick, the Board accepted the application of Luke McKeown as a DPW Laborer at the current new hire contract rate of pay. The motion was carried by the following vote:

Thomas Freeman, Mayor	Voting	Yes
Tim Batzel, Trustee	Voting	Yes
Patrick McCormick, Trustee	Voting	Yes
Mark McKeown, Trustee	Voting	Abstain
William Zhe, Trustee	Voting	Yes

The rate of pay established for Ken Rowe to work for the Village DPW and to consult for Kraft on site to organize and help get their WTP back in operating order. The rate of pay is established at \$30 per hour not to exceed a maximum total of \$5000.00 to be paid back to the Village by Kraft.

Upon a motion made by Trustee McCormick and seconded by Trustee Zhe, the meeting adjourned at 8:15pm.

Respectfully submitted,



Heather Randall  
Village Clerk