

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 March 1, 2021.

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

Staff: Ken Farrell, DPW Supt.
Joseph Geer, Police Chief
Tony Cappello, Code Enforcement
Andy Anderson, Fire Marshal
Chris Quinlan, Treasurer (phone)

Visitors: Bill Davis, MRB
Rebecca Budinger, Avon Library (phone)
Maureen Wheeler, Avon Library (phone)

Absent: Tim Batzel

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.

AVON PUBLIC LIBRARY, Maureen Wheeler and Rebecca Budinger:

Ms. Wheeler and Ms. Budinger attended by phone to discuss the last year, the annual contribution request and ideas going forward. The library did close but was able to continue serving the public. Staff was able to still work in the building minimally and remotely, and there were no layoffs. Ms. Wheeler discussed the past year financially, the donations and grants used and the request from the Board for \$50,000. This is an annual contribution that the Board provides, which the Library did not ask to be increased this year. Ms. Budinger stated that her report for NYS is almost complete and will share that report with the Board once it is. Mayor Freeman expressed how lucky we are as a village to have such a resource and stated that we would continue to support them in the annual contribution. However, he felt it important to make note that some funding will be coming to an end soon and to be certain that they are aware of that. Ms. Budinger responded that they are aware of that and are having conversations to that regard already. They also briefly discussed ideas for the outside of the library, including landscaping and ideas for creating an outdoor study space and community area to encourage residents to engage in programs or hold events there. These discussions as they move forward will include the Village and Town Boards along with community members for input.

VOUCHERS and MANUAL CHECKS:

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

#1-GENERAL FUND	\$13259.22
#4-SCHEDULE C	\$4790.93
#5-WATER	\$3312.57
#6-SEWER	\$12074.95
#TA00	\$3688.01
TOTAL	\$37125.68

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

Thomas Freeman, Mayor	Voting	Yes
Tim Batzel, Trustee	Voting	Absent
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:

- Plowing and cleaned up snow around the Village.
- Servicing equipment to prepare for spring.
- Trimmed trees on River Street. A lot of positive feedback from those who live there.
- Stripped and waxes office hallway floors.
- Several crew members have received their second vaccine.
- Working with John Barrett on the budget.
- Provided the Board with information on DreamValley Blvd Extension-cost estimates for pipe, gravel, curbing, blacktop, concrete, pressure treated guard rail for their information in order to discuss ideas as to how to proceed and what it may cost.
- Provided a list of possible projects for 21-22 year. Supt. Farrell asked the Board to review and offer suggestions as well.
- Zoladz- sent a letter to the vendor expressing that when the contract was over, we would not be renewing. Zoladz countered with an offer to extend the contract for two more years beginning April of 2022 and completing in December of 2024 at ZERO cost.

Upon a motion made by Trustee Zhe and seconded by Trustee McKeown, the Board authorized Supt. Farrell to accept the contract and sign the Agreement. The motion was carried by the following vote:

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

MRB UPDATE:

Bill Davis provided the following update to the Board:

- Working on the sizing for the culvert at Tom Wahls.
- Set up meeting to go over Pebble Beach.
- Draft memo being created in response to the Town letter about sewer capacity increase to accommodate development in Royal Springs. Mayor Freeman expressed that the conversation needs to be had with the Livingston County Water and Sewer Authority. Trustee McKeown suggested waiting until the new Executive Director has been chosen. Mayor Freeman asked what the cost would be for the extra capacity. Mr. Davis stated that regardless of the conversation with LCWSA, this is a good practice to do every few years to stay ahead of any surprises. Improvements would be driven by the required standards.
- Water Tank- developing concept design. Base drawings complete. Next step is site surveys.
- Disinfection-no response from DEC regarding the extension request
- SEQR- Pebble Beach Pump Station

VILLAGE OF AVON

PEBBLE BEACH ROAD PUMP STATION

**SEQR RESOLUTION
 DECLARING THE INTENT TO BE LEAD AGENCY**

WHEREAS, the Village of Avon Village Board of Trustees (hereinafter referred to as Village Board of Trustees) has reviewed the SEQR Short Environmental Assessment Form (EAF) Part 1, prepared by the MRB Group (hereinafter referred to as Village Engineer) on the above referenced Pebble Beach Road Pump Station (hereinafter referred to as Action); and

WHEREAS, the Village Board of Trustees determines that said Action is classified as an Unlisted Action under the State Environmental Quality Review (SEQR) Regulations; and

WHEREAS, the Village Board of Trustees determines that said Action is also subject to a coordinated review and approval by other involved agencies under SEQR Regulations; and

WHEREAS, the Village Board of Trustees determines that it is the most appropriate agency to insure the coordination of this Action and will provide written notifications to interested and involved agencies, for the purposes of conducting a coordinated review and making the determination of significance thereon under the SEQR Regulations.

NOW, THEREFORE BE IT RESOLVED that the Village Board of Trustees does hereby declare its intent to be designated as the lead agency for the Action.

BE IT FURTHER RESOLVED, that the Village Engineer is directed to provide notice hereof to the involved and interested agencies, seeking their agreement (or objection thereto) in writing on or before noon on **Monday, April 5, 2021**.

Motion made by Trustee McCormick: Seconded by Trustee Zhe

Dated: March 1, 2021

The above Resolution was duly adopted on March 1, 2021 by the Village of Avon Village Board of Trustees.

Thomas Freeman, Mayor
Village of Avon

Upon a motion by Trustee McCormick and seconded by Trustee Zhe, the Board resolves to declare the intent to be Lead Agent for the Pebble Beach Road Pump Station. The motion was carried by the following vote:

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

TREASURER UPDATE:

Treasurer Quinlan provided the following update electronically:

- Attended the Landmark Society webinar on 2/9/21 re: upcoming Genesee Valley Rural Revitalization (GVRR) grant opportunity for historic buildings. Application deadline is 3/31. Village to provide a support letter to any interested eligible grant applicant.
- Attended the BridgeNY grant application webinar on 2/16.
- Attended the County First Impressions grant webinar on 2/22. Application deadline is 3/29. Awards up to \$5,000 for façade & lighting, signage, digital first impressions, and public art & streetscape.
- Bill Boyd working on COVID supplies' quotes for 2nd FEMA grant awarded.
- UPWP Circulation, Accessibility, and Parking Plan report dated January 2021, to be approved by the Board at our 3/15 meeting.
- The first public meeting for the National Register project with the Landmark Society was held virtually on 2/24/21 at 7 p.m. Good attendance and participant questions. Detailed info. can be found at <https://www.landmarksociety.org/avon/>
- Teams training with Shawn Petti, Hurricane Technologies on 3/4.
- Working with John & Ken on 2017 GVBA project quotes.
- Restore NY Park Theater project final grant disbursement agreement (GDA) is in review at ESD, and we should have it for execution within the next few weeks.
- Awaiting budget worksheets. **Due by 2/28.**
- Bank reconciliations are up-to-date as of 1/31/21.

- Shawn Dunwoody will be back in March or April weather permitting to complete the mural.

MINUTES:

Upon a motion made by Trustee McCormick and seconded by Trustee McKeown, the minutes from the February 15, 2021 meeting were approved as submitted. The motion was carried by the following vote:

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

POLICE UPDATE:

Chief Geer provided the following report to the Board:

- The Police Reform plan was presented to the Board for review. The plan was posted on the Village website, along with the results from the survey as previously stated, to allow the public the opportunity to comment as required by Executive Order 203. There was no public comment.

POLICE REFORM PLAN RESOLUTION/ADOPTION:

The following resolution was presented for consideration and adoption by Village of Avon Chief of Police Joseph Geer

RESOLUTION

Whereas the Village of Avon wishes to comply with New York State Executive Order No.203, New York State Police Reform and Reinvention Collaboration, signed by Governor Andrew Cuomo on June 12, 2020:

Whereas, Executive Order No. 203 states that immediate action is needed to eliminate racial inequities in policing, to modify and modernize policing strategies, policies, procedures, and practices and to develop practices to better address the particular needs of communities of color to promote public safety, improve community engagement and foster trust;

Whereas, the government has a responsibility to ensure that all citizens are treated equally, fairly, and justly before the law;

Whereas, the Village of Avon has an operating police agency with police officers as defined under 1.20 of the criminal procedure law;

Whereas, the chief executive of the Village of Avon has met with stakeholders in the community including membership and the leadership of the local police force: members of the community: interested non-profits and faith-based community groups: the local office of the district attorney; the public defender; and local elected officials;

Whereas, the Village of Avon has performed a review of current police force policies, procedures, and practices, and has made modifications to improve such policies, procedures, practices, accountability and transparency for the purpose of addressing the [articular needs of the Village of Avon community and to promote community engagement to foster greater trust, fairness and legitimacy, and to address any racial bias and disproportionate policing of communities of color;

Whereas, the community stakeholders in order to engage the community for input on police reform created and sent out an extensive public survey to the community. This survey offered community input relative to this police reform process and the information from that public survey was used for this reform plan;

Whereas, the Village of Avon has created a plan to adopt and implement the recommendations resulting from its review and consultation with he stakeholders and the community, tailored to the specific needs of the Village of Avon community and general promotion of improved police and community relationships based on trust, fairness, accountability, and transparency, and which seek to reduce any racial disparities in policing;

Whereas, said plan was offered for public comment to all citizens in the Village of Avon on March 1, 2021, and after consideration of such comments was presented to the Village of Avon Board of Trustees;

Whereas the Village of Avon will have a policy explicitly prohibiting racial profiling by its police officers;

Whereas, the Village of Avon will have an evidence-based police policy to address use of force by its police officers and that use of force incidents shall be documented. The police chief or his designee will inform the Village of Avon Board of Trustees of any use of force incidents within 24 hours of occurrence;

Whereas, the Village of Avon will provide annual training to its police officers, specifically consisting of anti-bias police training, de-escalation training, and use of force trainings;

Whereas, the Village of Avon will use evidence-based police policies, strategies, and guidelines promulgated by the New York Municipal Police Training Council;

Whereas, the Village of Avon will annually review its police force policies, procedures, and practices to make adjustments as needed;

Whereas, the Village of Avon will continue to meet with members of the community to address policing concerns to foster greater trust, fairness, accountability, and transparency through a commitment to making police policies readily accessible to the community;

Whereas, through our community stakeholder meetings and input gleaned from the community survey, it is evident that there is a tremendous need to have mental health counselors immediately available to respond with our local law enforcement when individuals are having a mental health crisis. This non-legal burden is currently being placed on our local law

enforcement officers. Due to our limited financial resources, the Village of Avon cannot hire full-time counselors ourselves and seeks assistance from New York State to help accomplish this goal. The Village of Geneseo is also looking at opportunities to work with other municipalities in Livingston County to provide this service to our wider community;

Now, Therefore, Be It Resolved the Village of Avon Board of Trustees has adopted this police reform plan by Board resolution.

Upon a motion made by Trustee, and seconded by Trustee, the Board accepted and adopted the Police Reform Plan. The motion was carried by the following vote:

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

The Plan and survey results are available on the website. Chief Geer thanked the committee members and stated that they will continue to meet on an annual basis to review and update the plan as needed.

- SRO- this was briefly discussed. The Board decided to table the discussion to allow all members to be present. Chief Geer stated that Dr. Pacatte has never had an SRO before coming to Avon, so he will be reviewing the program with him.
- Car- Chief Geer said that there is a new bidding process, and he has signed up for it.

CODE ENFORCEMENT/FIRE MARSHAL UPDATE:

Fire Marshal Anderson updated the Board on the Covid-19 regulations for occupancies and gatherings. He stated that things are starting to slowly open up more but that occupancy for our building has not changed. At this point, we are still only allowed 25 people max for a gathering. Trustee McCormick stated that the VanZandts were interested in having their dinner meetings again. The Board discussed the risk they take by allowing events to be held in the hall. Currently, when the hall is being used, Clerk Randall provides the requester with the reopening plan and policies for cleaning and contact tracing. The requester must provide the Village with a list of people who were at the event and contact information. This will continue, however having a dinner meeting may be changing rules as it was discussed whether or not you would have to follow restaurant guidelines. The Board wants to make sure everyone remains safe and aware as we start to loosen up restrictions and noted that we are held to a higher standard in our community. Trustee McCormick stated that they would continue to monitor the situation and look toward holding their first meeting back in April.

CLERK UPDATE:

Clerk Randall provided the following update to the Board:

- Delinquent Water Sewer Resolution: the following resolution was presented to the Board for acceptance:

RESOLUTION

WHEREAS, the Village of Avon residents are billed quarterly for the use of water and sewer within the Village, and

WHEREAS, the February 1st billing is the last billing prior to the yearend fiscal closing, and

WHEREAS, there are delinquent water and sewer accounts, it is therefore

RESOLVED, that all delinquent water and sewer amounts not paid prior to April 3rd,2021, are added to the Village of Avon tax roll for each specific delinquent account.

Heather Randall
Village Clerk

Upon a motion made by Trustee McKeown and seconded by Trustee McCormick, the Board adopted the resolution. The motion was carried by the following vote:

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

The notice will run in the LCN for 2 weeks.

- Public Hearing - 2021/2022 Budget

Upon a motion made by Trustee McCormick and seconded by Trustee McKeown, the Board voted to hold the public hearing for the 2021/2022 budget on April 5th, 2021. The motion was carried by the following vote:

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

The notice will run in the LCN for 2 weeks.

- Special Meeting- The Board will hold a special meeting on March 29th, 2021 in order to present the budget draft to the Village Board. The notice will run in the LCN for 1 week.
- The Board was provided with an email request from Chris Masten who would like to have the penalties from his water/sewer bill be waived due to extenuating circumstances. This request does not fall under the current law for forgiveness under NYS, however after discussion, the Board agreed to waive the fee as a courtesy once.

Upon a motion made by Trustee McCormick and seconded by Trustee Zhe, the Board agreed to waive the fees for Mr. Masten in the amount of \$359.61 as a courtesy. The motion was carried by the following vote:

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

- The Board received a letter from Livingston County Economic Development requesting the continued support of the Village with the annual contribution of \$4000 to the Downtown Partnership for fiscal year 2021/2022.

Upon a motion made by Trustee Zhe and seconded by Trustee McCormick, the Board agreed to the annual contribution of \$4000 to the Downtown Partnership. The motion was carried by the following vote:

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

- Deer Committee Stats to date: 27 deer have been harvested, 38 shots taken with 7 misses, 3 non-lethal hits, 1 loss of blood trail (71% success rate). An emailed report was provided.

TRUSTEE UPDATE:

- ✚ Mayor Freeman discussed the presentation by Patrick Cahill from Integrated Systems in regard to the phone system and app. There will be a discovery call on 3/2 and a demonstration call on 3/5 for those interested. A proposal will be forthcoming.
- ✚ American Tower Cell Lease Agreement (cell tower at the water plant)- the Board reviewed the options and the opinion of Attorney Jake Whiting.

Upon a motion made by Trustee Zhe and seconded by Trustee McKeown, the Board agreed to a 40 year lease with incremental increases yearly starting at \$1700.00 per month. The motion was carried by the following vote:

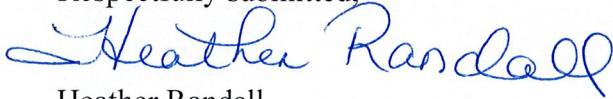
Thomas Freeman, Mayor	Voting	Yes
Tim Batzel, Trustee	Voting	Absent
Patrick McCormick, Trustee	Voting	Yes
Mark McKeown, Trustee	Voting	Yes
William Zhe, Trustee	Voting	Yes

- ✚ Mayor Freeman has a call in to the school superintendent, Dr. Pacatte, to discuss the recreational use of the property. The Village has had several requests for use of the fields at the Driving Park and we just don't have enough to go around. The Parks Chairperson, Ashley Comeau, has held off on authorization for park use until a conversation can be had with the school as to what their plan is for allowing activities on the school grounds.
- ✚ The Mayor received information from Attorney Whiting which included the easement for Tom Wahls' and the Dream Valley Agreement letter for review. He asked Clerk Randall to forward to the Board and would wait until all members were present to discuss.
- ✚ Trustee McKeown stated that the DPW negotiations are almost complete. Working on language.

- ✚ There is a water works meeting coming up in which there will be a possibility of an appointment.

Upon a motion made by Trustee McCormick, the Board adjourned at 8:23pm.

Respectfully submitted,



Heather Randall
Village Clerk