

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 15, 2021.

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

Staff: Ken Farrell, DPW Supt.
Joseph Geer, Police Chief

Visitors: Bill Davis, MRB
Ann Younger, Park Theater (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.

COMMERCIAL SEWER PUBLIC HEARING:

Upon a motion made by Trustee McKeown and seconded by Trustee Zhe, the Board opened the public hearing for the commercial sewer rents at 6:00pm by reading the following notice:

NOTICE OF PUBLIC HEARING

VILLAGE OF AVON, N.Y.

Notice is hereby given, that a public hearing will be held on Monday, March 15, 2021 at 6:00 p.m. at the Village Hall, 74 Genesee Street, Avon, New York, to hear any and all complaints in relation to the number of COMMERCIAL sewer rents assigned for the Village's year commencing August 1, 2021. There will be no change in the number of RESIDENTIAL units during that period unless there has been or will be a change in the number of living units within a building. Written notice of any proposed change, either residential or commercial, will be given prior to the public hearing.

*By Order of the Board of Trustees
Village of Avon, New York*

Thomas Freeman, Mayor

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

There was no public comment.

The Board reviewed the proposed commercial sewer unit changes. These accounts include multi-structures, i.e., a business with apartments above, as well as strictly commercial businesses is as follows:

<u>ACCT.</u> <u>NO.</u>	<u>OWNER</u>	<u>PRESENT</u> <u>UNITS</u>	<u>PROPOSED</u> <u>UNITS</u>
005093-000	PEMM, LLC	26	24
005721-000	AVON CENTRAL SCHOOL	8	4
005722-000	AVON CENTRAL SCHOOL	22	11
005723-000	AVON NURSING HOME	19	18
005885-000	TOM WAHL'S INC.	16	17
005895-000	MCDONALD'S	6	5
005897-000	AVON KID'S CLUB	3	2
005901-000	PEPPERMINTS' RESTAURANT	7	4
005975-002	TG-COTOPS AVON NY LLC	12	18
005977-000	TOPS MARKETS LLC (#431)	6	14
006924-000	STAR HEADLIGHT	6	11
006929-000	GRAY METAL PRODUCTS	9	8
006930-000	ALDON	9	10
006936-002	A&B EQT. CO.	4	3
007143-000	AVON INN, LLC	6	5
007148-000	RIVOLI DENTAL PC	2	3
		161	157
		161	157

After review, the Board decided to follow the proposed analysis change as provided by Treasurer Quinlan.

Upon a motion made by Trustee McKeown and seconded by Trustee McCormick, the Board accepted the proposed analysis change as presented and moved to close the public hearing at 8:35pm. The motions were 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

RESTORE NY GRANT DISBURSEMENT AGREEMENT- PARK THEATER:

Ms. Ann Younger, owner of the Park Theater, called into the meeting to hear the Board discuss and authorize the disbursement agreement. Review of the project and a goal for July as a grand opening date was discussed. Attorney Whiting provided an opinion letter to include to Empire State Development Corporation as requested.

Upon a motion made by Trustee Batzel and seconded by Trustee Zhe, the Board authorized Mayor Freeman to execute all paperwork for the Restore NY Grant Disbursement agreement for the Park Theater project. 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

The Mayor congratulated Ms. Younger on behalf of the Board and expressed that they are looking forward to having the Park Theater as part of the downtown district again.

VOUCHERS and MANUAL CHECKS:

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

#1-GENERAL FUND	\$28489.50
#4-SCHEDULE C	\$23528.10
#5-WATER	\$7646.32
#6-SEWER	\$14862.79
#TA00-TRUST & AGENCY	\$625.44
#V000-DEBT SERVICE	\$23942.17
TOTAL	\$99094.32

The motion was seconded by Trustee McCormick 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:

- Trimming trees in the Circle Park and along streets.
- Servicing vehicles
- Cleaned, stripped, and waxed floors in fire department ready room.
- Flushed sewers on Rochester Street.
- Ran the street sweeper through the Village.
- Repaired lights at the monument in the Circle Park.
- Repaired a leak at the Driving Park- rand drain tile to the drain that empties the gazebo.
- Repaired a broken sewer main between Rochester and Prospect Streets. Ran a camera and found a manhole that takes in sewer lines behind the houses on the west side of Prospect Street.
- Motor for the primary clarifier at the WWTP stopped working. Found burned up wire outside of the electric box. Repaired.
- Water break over the weekend at Aldon Corp. Estimated water loss 1.2 million gallons. Residents experienced low pressure. Repairs have been made; however, it will take some time for the pressure to rebuild.
- Supt. Farrell provided the Board with a proposed project list and reviewed. Some things the Board recommended to Supt Farrell was the possibility of the removal of trees in the Downtown District and revisiting Fox Run. Trustee McKeown updated the Board that He was able to locate with Supt Farrell the original drawings from Phase I and II of D'Angelo Parkway and has asked MRB to digitize them in order to combine them and make them smaller.
- Colton Herring- resident on West Lake Road would like to hook up to the Village water line. We have a Water Tap Agreement; however Supt. Farrell and Mayor Freeman would like to add inspections and disconnections of wells to the agreement. Our attorney will review. Approval was tabled.
- Tom Wahls' Easement/ Dream Valley Blvd. Agreement- Supt Farrells' estimate for the work needed was under \$10,000. If includes granite curbing, the estimate would jump to \$17,000. The Mayor asked the Board if they were ready to move forward with the easement as prepared by Attorney Whiting. As there is no time frame stipulated, it will be at Supt. Farrell's discretion.

Upon a motion made by Trustee McCormick and seconded by Trustee Zhe the Board agreed to move forward with the easement in the timeframe that works best for Supt. Farrell's schedule. 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

- DPW Backhoe- Supt. Farrell presented the Board with quotes for a backhoe to replace ours as follows:
 1. 2021 Case 580SN Loader and Accessories: \$88146.74. 4 annual payments each of \$23907.00, municipal rate 3.34% or 5 annual payments of \$19435.00
 2. 2021 Cat 420XE- \$91,577. 5 annual payments of 19494.78, municipal rate 2.99% or 6 annual payments of 16480.19.

At the end of the term, each offers the Village the opportunity to purchase the machine for \$1.00 assuming all terms of the agreement have been met. Supt. Farrell re4commends the Case as all of the attachments we have are Case.

Upon a motion made by Trustee McKeown and seconded by Trustee McCormick the Board accepted the Case quote at the 4-year plan @ \$23,907 annually, with the right to purchase for \$1.00 at the end of the term. 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

MRB UPDATE:

Bill Davis provided the following update to the Board:

- Disinfection is on hold at this time.
- WWTP Capacity-correspondence and meeting requests will be forthcoming. Discussion was had as to how the Village may want to move forward. It was discussed that there needs to be a conversation with LCSWA.

TREASURER UPDATE:

Treasurer Quinlan provided the following update electronically:

- Restore NY grant disbursement agreement to be approved by the Board.
- UPWP Circulation, Accessibility, and Parking Plan report dated January 2021, to be approved by the Board.
- Bill Boyd working on COVID supplies’ quotes for 2nd FEMA grant awarded. Will be asking for budget amendment as we purchased 2nd grant items with remainder of 1st grant balance.
- Completed Teams training with Shawn Petti, Hurricane Technologies on 3/4. Ordered two laptops (conference room and 4th PD car) and desktop (PD officer’s desk).
- Attended Genesee Transportation Council’s certification roundtable and review on 3/12. This stakeholder review with FHA and FTA ensures that GTC is meeting federal standards in their planning process.
- Received notification of NY Main Street technical assistance grant in the amount of \$80,000.
- Attend tomorrow’s Federal Funding Update with Senator Schumer.
- Attend Governor Traffic Safety’s grant webinar on 3/24.
- Working with John & Ken on 2017 GVBA project quotes.
- Working on budgets, tax cap, constitutional tax limit, and relievis.
- Shawn Dunwoody will be back in March or April weather permitting to complete the mural.
- American Tower- at the previous meeting, the Board voted to move forward with the American Tower Lease Agreement. Paperwork received after that vote had additional verbiage that Attorney Whiting, along with Trustee Zhe and Trustee McKeown believe

should be removed from the agreement. The request will be sent to American Tower and if accepted, will be finalized.

MINUTES:

Upon a motion made by Trustee Batzel and seconded by Trustee McCormick, the minutes from the March 1, 2021 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
William Zhe, Trustee	Voting	Yes

POLICE UPDATE:

Chief Geer provided the following report to the Board:

- Power DMS- Chief Geer met with the representative for this policy/procedure/accreditation program. He likes this program immensely as it will not only help achieve accreditation but maintain it as well. He did not have a price as of the meeting but hopes to bring it to the Board’s next meeting.
- 2015 Tahoe- Chief Geer discussed with the Board the car that has been giving them issues for several months. It has become a safety issue at this point as the car has shut down while on its way to a call more than once. There have been multiple repairs done on this vehicle and the solution has not been found. Chief Geer is under budget in personnel costs because of Covid and would like to request that a second car be replaced. This would make it two cars to be replaced in the fleet-one this budget year and one next. According to Chief Geer, he has sat with Treasurer Quinlan to review the numbers and she agrees this would be suitable.

Upon a motion made by Trustee Zhe and seconded by Trustee McKeown, the Board authorized Chief Geer to pursue a second vehicle in light of the current safety issues he is having with the 2015 Tahoe. 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

FIRE MARSHAL UPDATE:

Fire Marshal Anderson provided the following update:

- New occupancy guidelines effective March 22, 2021. Private resident gatherings indoors will remain at 10 and increases to 25 outdoors.
- Social gatherings indoors increase to 100 people indoors and 200 people outdoors.
- Restaurants will be 75% capacity of their maximum capacity for indoors.
- Mask requirements, social distancing, and sanitizing has not changed.
- **These guidelines are available the NY Forward website.
- New Permits- 2 permits issued (gas station remodel, fence)

- Reviewing site plan for a new house on Lake Road
- Building inspections continue. Grey Metal, Star Headlight, Pizza Land, Livingston County Pizza, and Barilla are coming up.

CLERK UPDATE:

Clerk Randall provided the following update to the Board:

- Kim McDowell emailed about the Joint Meeting stating that Supervisor LeFeber would like to schedule it for their first meeting in May. (May 13th, 2021)
- Water Works Committee: according to Kim McDowell, the Town Board voted in Jeff Schweitzer to replace Ted Coyne on the Water Works Committee at their last Town Board Meeting. As a reminder, Ronald Jennings has put in his notice for the end of April for his spot as well.
- Letchworth Gateway Villages- Member Contribution request. Clerk Randall stated that the Town Board would like to discuss this at the joint meeting in May. Treasurer Quinlan has budgeted for half of the contribution. Nicole Manopol has said that she is willing to present to the Boards at the joint meeting.
- Deer Committee Stats Week 11: 1 deer was harvested, 1 shot taken. (100% success rate). To Date: 30 deer have been harvested, 42 shots taken,) with 8 misses, 3 non-lethal hits, 1 loss of blood trail (71% success rate). Email report provided.

TRUSTEE UPDATE:

- DPW Contract- Trustee McKeown stated that the contract has been completed. At this point, Kirk Vanderbilt will get the main contract to the union for final review and back for the Mayors signature.

Upon a motion made by Trustee Batzel and seconded by Trustee Zhe, the Board accepted the DPW Contract Draft. 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

- Phone System- Avaya Cloud/ Integrated Systems- Mayor Freeman discussed the proposed phone system from Avaya/ Integrated Systems. The phone system offers physical phones for the office and an application available for the staff to communicate internally. The option is a lease, 3-year term and the total monthly cost would be \$553.83. Integrated services provide installation and maintenance at a fee of \$736.67 annually. Trustee Batzel says that he will have a contact reach out to the Village for another quote as required by our purchasing policy, as will Treasurer Quinlan.
- Pandemic Action Plan- Trustee McKeown discussed the Pandemic Action Plan created. This plan was put into place as required by NYS. It explains what will be put into motion and how the Village will react should there be a pandemic declared in the future. The plan was presented to the police and DPW crews for review and comment.

Upon a motion made by Trustee Zhe and seconded by Trustee Batzel the Board approved the Pandemic Action Plan. 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

- ✚ UPWP Circulation Accessibility & Parking Plan Report- after much discussion and review, the Board was presented with a final report.

Upon a motion made by Trustee McKeown and seconded by Trustee McCormick, the Board approved the UPWP Circulation Accessibility & Parking Plan Report as presented. 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

- ✚ Trustee McKeown and Trustee Batzel discussed the new member application for the Fire Department. Mr. Brian Burmeister has applied as an active member to the Pumper Co. After discussion, the Board approved the application.

Upon a motion made by Trustee McCormick and seconded by Trustee Zhe, the Board accepted Brian Burmeister;s application to the Pumper Co. 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

- ✚ Trustee Zhe stated that the Tree Board will be holding their first meeting on 3/22/2021.
- ✚ Trustee Batzel discussed the website and stated that the forms are outdated. We need to review and update them.

Upon a motion made by Trustee Batzel, the Board adjourned at 9:15pm.

Respectfully submitted,

Heather Randall
Village Clerk