

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 May 3rd, 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  
 Chris Quinlan, Treasurer  
 Andy Anderson, Fire Marshal

Visitors: Mike Ford, Avon Rotary  
 Kirk Vanderbilt, Avon Rotary

Mayor Freeman called the meeting to order at 6:00pm 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.

**VOUCHERS and MANUAL CHECKS:**

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

#1-GENERAL FUND	\$26096.34
#4-SCHEDULE C	\$8843.42
#5-WATER	\$3264.71
#6-SEWER	\$10793.62
#TA00-TRUST & AGENCY	\$3678.01
TOTAL	\$52676.10

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:

- Crew has been picking up brush.
- Ground pavement on Clinton and Linden Streets and preparing for paving.
- Working on topsoil screener.
- Caledonia DPW assisted with two broken tree branches (1 on Reed Street and 1 at the office).
- Water meters read.
- Assisted Town of Avon salting roads on 4/21.
- Assisted Town of Avon with floor drain in their shop.
- Installed street signs on Richmond Lane.
- Ran sewer on Isham Avenue.
- Installed new catch basin on Linden Street.
- Servicing equipment.
- Ran the street sweeper through the Village.
- Zoladz Construction- Ground the brush dump and will be hauling out.

Upcoming weeks:

- Putting up banners for Memorial Day. Bringing out benches into the downtown district.
- Clean up downtown, Circle Park for Livingston County Tourism.
- Paving will start on Clinton and Linden Streets.
- Viola Storage to drop off storage unit to the Village.
- Meeting with Kraft on 5/5/21 regarding WWT.
- Meeting with Bill Davis (MRB) regarding High Street drainage.
- Discussed Pump Station, 2-million-gallon tank on Reservoir Rd., and UV at the WWTP.
- Met with Gary Keenan (223 Temple Street). He is purchasing 227 Temple Street and would like to discuss an easement/ access right of way for the driveway that is in place now. (The Village currently owns past the house to the gully. The property line is 6-8 feet from the garage). Will work on it.
- Water Tap Agreement- Supt. Farrell reviewed that agreement and stated he will add to the agreement that all costs must be paid up front and in full, including deposit. He will send the updated agreement to Attorney Whiting once complete. The Board agreed that Mr. Colton Herring may have the water hookup according to the agreement established.
- Mayor Freeman discussed the lot lines at the end of Wadsworth Avenue. The property lines are being reviewed with the help of Kevin O'Donahue.

**TREASURER UPDATE:**

Treasurer Quinlan provided the following update electronically and discussed:

- Bill Boyd working on COVID supplies' quotes for 2<sup>nd</sup> FEMA grant awarded. Will be asking for budget amendment as we purchased 2<sup>nd</sup> grant items with remainder of 1<sup>st</sup> grant balance.
- Tim Batzel and Brian Strozewski working on AFD items to purchase with Barilla donation. They will be looking at new tables, chairs, and an ice machine.

- Attended the Genesee Valley Rural Innovation Institute re: Building Rural Innovation Ecosystems on 4/21.
- Received notification of no findings on 4/22, for our 2022 tax levy limit as well as our proposed tax levy from the NYS Office of the State Comptroller.
- Submitted tax collection forms including water/sewer relevies and prorated taxes to Livingston County on 4/23.
- NY Main Street technical assistance grant conference call re: grant administration on 4/23.
- BRIDGE NY draft application comments returned by NYS DOT on 4/29. Treasurer Quinlan will update the application with corrections and will review at the Joint Meeting on the 17<sup>th</sup> with both the Village and Town Boards. The final application is due on May 19<sup>th</sup>, 2021.
- 2019 NYS DEC tree management grant awarded on 4/30 in the amount of \$50,000. There will be a lot of work to do for this grant. Trustee Zhe stated that a new arborist, and review will be needed as we move forward.
- Real Term Energy provided Tax Exempt Lease Purchase for LED streetlights on 4/30.
- Attended Syracuse University Environmental Finance Center “Paying for Water and Wastewater projects” seminar on 5/3. Presenters included representatives from USDA Rural Development, NYS Environmental Facilities Corporation, NYS Department of Environmental Conservation, NYS Department of Health, NYS Department of Homes and Community Renewal, and NYS Department of State.
- Attending NYCOM Grants Train at the Station seminar on 5/6.
- PO#3628 in the amount of \$16,551.00 for five (5) park benches and two (2) picnic tables/benches, for Board review and approval. Treasurer Quinlan explained that three benches will be reimbursed by the Lions Club and Parks Commission and 2 will be purchased by the Village. Treasurer Quinlan requests approval as prices are expected to increase as of June 1<sup>st</sup>, 2021.

Upon a motion made by Trustee Zhe and seconded by Trustee McCormick, the Board accepted the quote for the benches and tables in the amount of \$16551.00. 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

- Working on bulletproof vest grant application.
- GVBA and Village letters e-mailed to Commissioner Ball on 5/3/21 re: 2017 GVBA grant agreement paperwork.
- Bank reconciliations completed through April 30, 2021.
- Springbrook National User Group conference virtually May 11<sup>th</sup> through May 13<sup>th</sup>.
- Landmark Society reps. to be in touch soon re: fieldwork so we can notify the public as much as possible before they come out.
- Shawn Dunwoody will be back to complete mural by end of May.

**TAX WARRANT 2021:**

Mayor Freeman presented the following to the Village Board:

**LEGAL NOTICE  
TAX WARRANT  
VILLAGE OF AVON**

To: Christine Quinlan  
Village Treasurer

You are hereby commanded to receive and collect from the several persons named in the assessment roll, hereto annexed, the several sums named in the last column thereof opposite their respective names, for the following purposes:

For the General Fund-	\$1,132,218.00
For Water Liens-	\$47,086.98
For Sewer Liens-	\$ 25,009.88
For Prorated Tax Exemptions-	\$1483.87

Being for all purposes a total amount of- \$ 1,205,798.73

Upon receipt of the roll and warrant by you, and on or before the first day of June, you shall cause to be published in the official papers of the Village, once a week for two consecutive weeks, a notice that such tax roll and warrant have been left with you for the collection of taxes therein levied, and shall designate one or more convenient places in the Village where you will receive taxes from June first to and including July first from eight o'clock in the morning until four o'clock in the afternoon, except Saturday, Sundays and holidays.

For said period of time you will receive all taxes paid to you without additional charge.

On all such taxes remaining unpaid after July 1<sup>st</sup>, interest of five per centum shall be added for the month of July and an additional one per centum for each month or part thereof until payment or tax sale; all pursuant to Section 924(a) of the Real Property Tax law.

You shall attend at the time and place specified in said notice for the purpose of receiving said taxes.

After the first day of July you shall proceed to collect the taxes remaining unpaid, with interest as herein provided, but without any other fee or charge, and for the purpose you are possessed of all the powers of a Town Tax collector. All interest collected shall belong to the Village.

You are to make a return of this warrant on the first day of October after the delivery thereof to you, showing the total amount of taxes paid and each tax unpaid with the receipt of the Village Treasurer for all taxes paid to her, and shall file the roll and warrant in the Office of the Village

Clerk. All unpaid taxes shall be sent to the County Treasurer, per Village Board resolution. And for so doing, this shall be your sufficient warrant.

IN WITNESS WHEREOF: The Board of Trustees of said Village of Avon has caused these presents to be signed by its Mayor and the seal of the Village is hereunto affixed this 3rd day of May, 2021.

\_\_\_\_\_  
Thomas W. Freeman, Mayor

Upon a motion made by Trustee Zhe and seconded by Trustee Batzel, the Board authorized the Tax Warrant to executed. 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

**MINUTES:**

Upon a motion made by Trustee McKeown and seconded by Trustee McCormick, the minutes from the April 19, 2021 meeting were approved as submitted. 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

**CLERK UPDATE:**

- Fire Dept Officer’s meeting minutes from March 16<sup>th</sup> provided for review.
- Letter from MRB to Livingston County DOH re: Pebble Beach project provided.
- DPW contract mailed to the union for signatures.
- Kick off call for implementation of phone system to be held 5/5 at 10am
- Avon Chamber update provided.
- Letter from Lion’s club discussing the club’s clean up and maintenance at the Downs, along with Little League parents. The letter also stressed they are always available to help with maintenance and park projects. Also provided by the club were celebration pins and a “Thank you” note for the Villages support of the centennial clock.
- Letter forwarded from Kim McDowell Re: Piranha Office, Tec Drive (LandTech Project #19063-2). Submitted request to Town Planning Board for Phase 2 Plans for 2 additional buildings to provide 20 lease spaces. Looking to the Village for wwtp capacity.
- Livingston County Environmental Management Council provided their annual report for your convenience.
- Complaint from a resident re: 22 Lake Road. Yard is overgrown. Emailed Code Officer Cappello and Fire Marshal Anderson. Both reported that the yard was taken care of by the time the meeting took place.

- Tax Warrant to run in the paper for 2 weeks as required.
- Joint Meeting with the Town scheduled for May 17<sup>th</sup>, 2021 during the Village Board’s regularly scheduled meeting.

**POLICE UPDATE:**

Chief Geer provided the following report to the Board:

- At the request of Superintendent of Avon Central School Dr. Pacatte, Chief Geer and Officer McFadden, SRO for the district, attended a full day training session. (Threat Assessment).
- Officer Ippolito has returned from vacation and continues with the accreditation process. They are a little ahead of schedule at this time.
- The State Chiefs Conference will be held in Glen Falls in July. The conference was not available last year due to COVID, and Chief Geer requested the Board’s approval for him to attend. The Cost is \$960.00. the conference in the past has had incredibly useful information and Chief Geer believes this year will be no exception, especially in light of Police Reform and the new marijuana legislation.

Upon a motion made by Trustee Batzel and seconded by Trustee McCormick, the Board approved the request by Chief Geer to attend the State Chiefs Conference in Glen Falls. 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

- Chief Geer stated that his new hire, who was supposed to start his FTO today, decided he did not want to pursue the position. The Chief will start looking for a new hire (certified only).

**FIRE MARSHAL UPDATE:**

Fire Marshal Anderson provide the following update:

- Reviewed guidelines provided: 5/17 no curfew for outdoor dining. 5/31 no curfew for indoor dining. Capacity as of now is still 75%. 5/19 could see occupancy restraint lifted. Summer camps will be open with restrictions. All guidelines will continue to be monitored as they change regularly.
- Permits have been issued for several projects in the Village.
- Park Theater- Ann Younger has reached out to Fire Marshal Anderson for her C of O.
- Sign permit request from Geek Chic.
- Inspections: Star Headlight-a few things to correct. Will check back.
- Trustee Batzel discussed two specific locations where individuals are living with no running water and improper electrical. Trustee Batzel wants to make sure that all areas are addressed that need to be up to code and safe. He also asked what the Village’s responsibility is once we are aware of an issue. The fire marshal agreed and said he will look into it along with Code Officer Cappello.

**TRUSTEE UPDATE:**

- 52 West Main Street- Meeting with Mr. Driscoll and the Village representatives was held. Mr. Driscoll also included his contractor in order to have a clear understanding as to what needs to happen in order to move forward with rehabbing the property. The entire building needs to be brought up to code to be removed from condemnation and before anything can happen. No rehab work can start, or permits can be issued until then. Fire Marshal Anderson stated that both he and Code Officer Cappello have reached out to Mr. Driscoll but have not heard back from him as of the meeting. Mr. Driscoll requested Trustee McKeown to bring to the Board a request to waive the water/sewer bill for the property. Trustee McKeown stated that before the Board discusses it, he AND the property owner would have to email a letter stating why the Board should consider this waiver. As of the meeting, there has been no such request presented.
- Trustee Batzel reviewed LED Conversion proposal that was presented from RealTerm Energy. This revised proposal includes all the elements of an Energy Performance Contract however we are utilizing TELP financing as the interest rate is much better compared to the interest rate associated with an EPC. Trustee Batzel thought that this proposal is very interesting and would like to invite them to the first meeting in June to review.
- Trustee Batzel asked about the string lights on Genesee Street. Supt. Farrell said that the lights are going to be put on a switch. He will also check on the streetlights as one side of the street was off while the other side was on.
- Mayor Freeman briefly discussed the three way stop at Genesee Street and Clinton Street. He stated that he will be asking the Board for a go/no go stand in the next few weeks.
- Mayor Freeman talked about the McCarthy proposal to have a craft brewery on their property. Currently, that property is zoned AG, and that use is not allowed in an AG district according to code. The McCarthy's do not want to rezone their property to a business district. The Mayor has been discussing with the attorney about the possibility of adding craft brewery to the special use permits in an AG district along with the Planning Board. When asked by the Mayor if that would be something the Board would consider, two members stated they would vote to add that to the special use permits, while one said no and one was not sure. It was also noted that the special use permit for a bed and breakfast is supposed to be renewed every 2-3 years and there has been no renewal. This needs to be addressed.
- Mayor Freeman discussed the Hosmer Dedication held at the cemetery on May 1<sup>st</sup>. People were dressed in period costume and had a gun salute along with a Scottish bag pipe band. It was a very nice ceremony.
- Corn Fest Update- Mike Ford and Kirk Vanderbilt stopped into the meeting to advise the Board that they were still in agreement that the festival at this point will not be happening. There are too many factors that they cannot control right now especially in terms of capacity, and entry points. They will continue to keep the Board updated as they move forward.
- The second Board meeting in June (6/21/2021) will include discussion about D'Angelo Parkway sidewalks.

**EXECUTIVE SESSION:**

Upon a motion made by Trustee Zhe and seconded by Trustee Batzel, the Board entered executive session at 7:59pm and exited at 8:54pm to discuss contractual matters. 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

No action was taken.

Upon a motion made by Trustee McKeown the Board adjourned at 8:55pm.

Respectfully submitted,



Heather Randall  
Village Clerk