

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, on August 2, 2021.

Present: Thomas Freeman, Mayor (phone)  
 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: Ann Younger, Park Theater, owner/operator

Mayor Freeman was away for this meeting but called in by phone. In his absence, Deputy Mayor McKeown called the meeting to order at 6:05pm and began with the Pledge of Allegiance.

In-person meetings are able to resume fully. The Board welcomes all to attend in person and notes that if vaccinated, masks are not required. However, if unvaccinated, the Board asks to please wear a mask and continue to practice social distancing. If residents are ill, or experiencing any symptoms, the Board respectfully request that they remain home.

**VOUCHERS and MANUAL CHECKS:**

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

#1-GENERAL FUND	\$76313.66
#4-SCHEDULE C	\$9175.84
#5-WATER	\$3221.32
#6-SEWER	\$10389.95
#TA00-TRUST & AGENCY	\$3561.85
TOTAL	\$102662.62

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

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 Board with the following update:

- Brush pick-up continues.
- Tree trimming continues.
- Installed benches at Case Park (BOCES and Lions Club).

- Poured concrete for sidewalks on Genesee Street and bench pad in Burke Park. Topsoiled and seeded the areas to complete those projects.
- Installed a water tap on Route 256 for Colton Herring (request on West Lake Road).
- Started striping cross walks and stop lines.
- Elmer Davis will be out this week to inspect the roof over the Village office and Fire Department.
- Met with Parks Commission chairperson Ashley Comeau in the Circle Park to establish locations of concrete pads for the picnic tables.
- Received an email from the DEC about the disinfection amendment. DEC has reviewed the submission and has approved the submission, allowing us to move forward with UV for our disinfection project at the Wastewater Treatment Plant.
- Received letter and drawing from engineers representing Jeff Mulligan for review.
- Supt. Farrell reminded the Board that crew member Tim Holtz will be gone for the month of August for knee surgery and recovery.
- MRB received DOH approval for the Pebble Beach Pump House Improvement Project and emailed a tentative construction schedule for the project to review. Mayor Freeman stated that the planning board in Livonia has approved the project and a building permit application is being prepared. Mr. Boorsma of MRB will be providing Clerk Randall with the notices to publish in the paper as required.

**TREASURER UPDATE:**

Treasurer Quinlan provided the following update:

- Bill Boyd working on COVID supplies’ quotes for 2<sup>nd</sup> FEMA grant.
- PO #3634 with three quotes for AFD ice machine submitted for Board approval.

Upon a motion made by Trustee Zhe and seconded by Trustee McCormick, the Board accepted the quote from Main Ford General Supply for the ice maker, Manitowac model # IYT0300W (\$2719.44) and ice bin, D400-30”W x 34”D x 38”H (\$959.14) for the Fire Department in the amount totaling \$3678.58 to be funded by the Barilla donation. The motion was carried by the following vote:

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

- AFD awarded \$1500 from NYS DEC Volunteer Fire Assistance for two portable radios. Grant application by Bill Boyd. PO #3635 with three quotes provided for your approval.

Upon a motion made by Trustee Zhe and seconded by Trustee McCormick the Board accepted the quote from RadioMax for the two portable radios, VP5230-VHF, Model 2 (\$3494.00) and 2 KCM-70M Speaker Mics (\$212.00) for the Fire Department in the amount totaling \$3706.00. \$1500 provided by VFA grant award and the rest from the fire budget. The motion was carried by the following vote:

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

- John Barrett and Supt. Farrell are finalizing GVBA quotes for 2017 grant.
- Reached out to Real Term Energy (RTE) to provide pricing per cobrahead and per decorative and provide smart node info. RTE provided info. on 7/23. Mayor Freeman has notified National Grid and will reach out to Mr. Gister to start the process to acquire the light inventory. He will also reach out to Lumalon reps to have them look at our lights with their contractor.
- Tree priority list submitted to NYS DEC with approval on 7/29. Vendor quotes for tree removal, pruning and stump removal e-mailed on 7/29. Bids due by 8/6. Quotes will be reviewed to see if it would be better to have the crew grind the stumps. Supt. Farrell and crew will work on the debris work.
- The Landmark Society is finalizing the nominations. The Landmark rep. has been in touch with Holly Watson, Liv. County, and Maureen Kingston & Clara Watson, Town of Avon Historians, on locating some Sanborn Maps. Otherwise, the fieldwork and research has been completed. The Preservation League gave an extension on projects due to COVID restrictions and delays over the past year. After discussing the nomination with SHPO, the Landmark Society is aiming to have the draft out to everyone by the end of next week. At that same time, the Landmark Society will coordinate with the Village and SHPO on a date/time for the final public meeting. This meeting will be a combination presentation by the Landmark Society and our SHPO National Register reviewer about the final boundary of the district, the NR process moving forward, the letters each property owner will receive regarding the final State Review Board meeting, and on the tax credit program.
- Mural to be completed by 8/7. LaBella provided initial mural park design.
- Treasurer Quinlan, along with Trustee Zhe and Trustee McCormick had a meeting with Doug McCord of LaBella, who provided initial pocket park design for 97 Genesee St. The Board was asked to review and provide comments to them in order to update and provide a color-rendered site plan and a perspective view. Trustee McKeown wondered if there could be something done with the roof, perhaps change the color of it or make it metal? What about the gutters on the building? Supt. Farrell said he can get quotes to repair/replace them for the Board’s review. Trustee McKeown asked if the owners of Pizza Land have been made aware of the proposed one way out from the alley way? Mayor Freeman stated he has spoken with Todd Mancuso, who has been very supportive and amendable to the change. The mayor also stated that they will be allowed to have their delivery trucks come into the one-way road to accommodate the deliveries only. It is understood that will happen once or twice a week for minimal amounts of time and will not block the alley for any extended periods of time. Trustee McCormick asked about the trash can set up behind the restaurant. Would they be willing to do something to spruce it up? Mayor Freeman said they are absolutely willing to make a covering or a fence/ gate to close it up. It was discussed that possible reaching out to Community Bank in order to see if an agreement can be made where a gate can be made that could allow access for the garbage company can access the trash by using the bank’s parking lot. The

mayor has a contact to start a discussion with. The Pocket Park was then discussed. Trustee McKeown asked if the owner of the property next to the park has had any discussion about the driveway? The mayor will be reaching out. There was much discussion about the location of the driveway as it appeared the driveway on the drawing was not what had been discussed in the past- that will be brought up. Lighting was also discussed, particularly along the driveway into the park and in the proposed pavilion. Trustee McKeown then asked about the parking lot behind the businesses on Genesee Street and where we stand with that. Treasurer Quinlan stated that Kevin O'Donoghue is working on topo map and is including the parking lot. She isn't sure, but she is investigating whether or not any TAP funding that is available for our UPWP CAP project would be able to be used for the parking lot project.

- 98% of Village taxes have been collected to date. Delinquent tax reminders mailed on 8/2.
- Continue to work on Jen Talbot's recommendations.
- Coronavirus Local Fiscal Recovery funds first payment received on 7/22. Board needs to determine use(s).
- Attended Liv. Co. WALLS mural meeting on 7/22. Worked on creative brief which Louise will organize brainstorming ideas & share. Need to work on site location.
- Received reimbursement in the amount of \$4470 on 7/29 from Liv. Co. First Impressions Program for 50% picnic tables and benches.
- Annual Update Document and Notes to the Financial Statements electronically submitted to NYS OSC on 7/30.
- Lunch meeting with Bonnie Davis & Bob Williams, Genesee Transportation Council, on 7/29 to review & discuss possible TEP funding for our UPWP CAP project.
- Attending NYCOM's ARPA funding webinar on 8/3.
- Attending Genesee/Fingerlakes RPC & MRB's ARPA Roundtable webinar on 8/4.

**MINUTES:**

Upon a motion made by Trustee Zhe and seconded by Trustee McCormick, the minutes from the July 19, 2021 meeting were approved as submitted. The motion was carried by the following vote:

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 update to the Board:

- Attended the Chiefs Conference. It went very well. There was an enormous amount of information at the conference. Some of the highlights were the new marijuana legislation, encompassing many changes, leaderships discussions, a legal update, with much of the discussion pertaining to BRADY'S law. Many vendors in attendance and the Chief was able to get contact information for Northeast, which sells speed signs. He will be reaching out to them. Chief Geer said there was a small group discussion about hiring and why it has become so difficult. He discussed the idea of abolishing or amending "the rule of

three” and mandating psychological testing for candidates in person. We would have no changes there. When asked about any changes in bail reform, Chief Geer stated that there is no belief that there will be changes to bail reform any time soon.

**CLERK UPDATE:**

Clerk Randall provided the following update to the Board:

- Hazard Mitigation Plan Letter of Intent: Livingston County Planning Department and Office of Emergency Management is updating the Livingston County Hazard Mitigation Plan. Municipalities may formally participate in this process and continue to be eligible for federal pre-disaster mitigation funding and other benefits of this program. A letter of Intent to participate has been provided for approval. Updated worksheets will be provided to the County from department heads to help the updating process. Information and the letter of intent are due back to the county by August 6<sup>th</sup>, 2021.

Upon a motion made by Trustee Zhe and seconded by Trustee McCormick, the board authorized Trustee McKeown to execute the Letter of Intent in Mayor Freeman’s absence. The motion was carried by the following vote:

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

- Provided- copy of the annual financial statement notice to be printed in the LCN
- Letter from GLOW Region Solid Waste Committee re: 2021 Household Hazardous waste and Electronics Collection.  
Household Collection to be held 9/18  
Electronic Collection to be held 9/25. Both events will be held in Rock Glen. Appointments are required and can be made by visiting GLOW’s website at [www.glowsolidwaste.org](http://www.glowsolidwaste.org).
- Copies of letters from Livingston County Economic Development for funding for projects through the First Impressions Program were received as follows:
  1. Richard Doubt- All Seasons Wine and Spirits, LLC- \$5000 for improvements to 255 East Main Street
  2. James Ingerick- Avon Gun & Hunting Supply, - \$2070 for improvements to 259 East Main Street
  3. Kim Rengert- Patchwork Saddlery- \$5000 for improvements to 259 East Main Street and \$5000 for reimbursement of signage at the same location.
  4. Village of Avon- \$4470 for reimbursement of furniture for the Circle Park.
- Received a thank you note from the Avon Preservation and Historical Society re: donation.
- Reached out to Jake Whiting on Friday to ask for an update on his list of to do items. No update at this time.
- Provided- copy of Letter for D’Angelo Parkway residents notifying them of the agenda item (sidewalks) on September 7<sup>th</sup> 2021 at 7 pm as we have done in the past.

**GV TRAIL TOWN PROGRAM- Matching Funds Support**

Nicole Manapol provided the following letter for consideration and approval by the Village Board. The Board, in cooperation with the Town of Avon, has talked about splitting the \$3500 commitment. The Village has budgeted for \$1750.00- half of the funds. The letter will be part of the USDA RISE Grant application.

In 2021 so far, LGV has provided over \$24,000 in technical assistance and marketing support to the Village/Town of Avon as part of the Genesee Valley Trail Town initiative, according to Ms. Manapol.

Upon a motion made by Trustee Zhe and seconded by Trustee McCormick, the Board authorized the letter to be sent. The motion was carried by the following vote:

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

***A COMMITMENT TO PROVIDE A PORTION OF THE ANNUAL FUNDS NEEDED TO PARTICIPATE IN THE GENESSEE VALLEY TRAIL TOWN INITIATIVE***

The Letchworth Gateway Villages (LGV) initiative is a municipal consortium formed in 2017 by the Villages of Perry (Wyoming County), Mount Morris and Geneseo (Livingston County) to catalyze economic growth and new tourism-related opportunities for rural communities adjacent to Letchworth State Park, the Genesee Valley Greenway State Park, and other natural assets in the Genesee Valley Region. LGV is formalized under an MoU agreement established in 2019 and legally operates as a 501c3 through a fiscal sponsorship arrangement with Social and Environmental Entrepreneurs (SEE), a professional fiscal sponsorship organization that supports projects like LGV in the U.S. and around the world.

Since 2019 the coalition of partners has expanded to include additional municipalities in **Southern Monroe, Wyoming, Livingston, and Allegany** counties along the Genesee River Valley engaged in the **Genesee Valley Trail Town initiative**, a program aimed at **revitalizing rural communities by growing outdoor tourism and small businesses**. As neighbors and gateways to Letchworth, these communities have a special opportunity to promote their proximity to the park and the Genesee Valley’s agricultural and nature assets as the market for food tourism, outdoor recreation and off-the-beaten track experiences continues to grow.

As a participating municipality in the Genesee Valley Trail Town initiative, the VILLAGE OF AVON hereby commits to providing a portion of the annual funds needed to sustain the strategic services and technical assistance provided to members as part of this program. These include data and insights, grant writing, network-building, business coaching, regional destination planning and marketing. Funds collected from member municipalities are also used as matching

funds to leverage additional federal grants and other private funding to support members' collective economic and community development priorities.

The VILLAGE OF AVON commits to providing \$1750.00 as its share of the annual membership fee for the fiscal year 2021-2022.

**Village Of Avon  
Heather Randall  
Village Clerk**

### **FIRE MARSHAL UPDATE:**

Fire Marshal Anderson provided the following update:

1) New permits

- 11 five lot lane shed permit
- 222 East Main Street deck permit
- 3 62 Genesee Street porch permit
- 490 Wadsworth Ave pool permit
- 39 Hal Bar shed permit

4) Building inspections

-As of 8/2/21 All annual Fire inspections are done or complete!

5) Ongoing Projects

- Beside King Cole(ongoing) Spoke with Jim Jerris and discussed problem areas to provide guidance for cleanup. 36 Wadsworth Ave included.
- Concerns over at gas station project almost completed. Company repaired sidewalks
- Abandoned Vehicles- in process of contacting property owners to notify about Village code violations! (ongoing)
- Over occupancy issue at 171 Genesee Street apt#3 sent to Jake Whiting for legal guidance. (Fire Chief and Police Department are aware of the situation). (Ongoing)
- 229 Wadsworth Ave- dangerous situation to homeowner. Met with DOH trying to find solution to assist homeowner.
- ISO paperwork completed. Have a September 22nd meeting scheduled to go over our rating.
- Property maintenance issues being worked on by Tony.
- Will attend a meeting at the Town on Friday with Councilman Drozdziel and NKB Architect for the third-floor project at the Town Building. (Opera Block)

### **TRUSTEE UPDATE:**

- ✚ Professional Services agreement with Bernard P. Donegan- the Board was presented the following resolution for consideration and approval.

**VILLAGE OF AVON**

**RESOLUTION AUTHORIZING EXECUTION OF LETTER  
FOR  
MUNICIPAL ADVISOR SERVICES**

At a regular meeting of the Board of Trustees of the Village of Avon, Livingston County, New York, held on the 2<sup>nd</sup> day of August, 2021, the following were:

PRESENT:

- Thomas Freeman, Mayor (via phone)
- Patrick McCormick, Trustee
- Mark McKeown, Deputy Mayor
- William Zhe, Trustee

ABSENT:

- Tim Batzel, Trustee

The following resolution was offered by William Zhe, who moved its adoption, seconded by Patrick McCormick to wit:

BE IT RESOLVED BY THIS BOARD OF TRUSTEES AS FOLLOWS:

- (1) The firm of Bernard P. Donegan, Inc., is hereby designated Municipal Advisor to the Village of Avon.
- (2) Said firm shall be compensated for its services to be rendered in accordance with its letter of services dated July 20, 2021.
- (3) The Mayor is hereby authorized to execute and deliver said letter of services.
- (4) This resolution shall take effect immediately.

The motion having been duly offered and seconded, the following votes were cast:

<u>Patrick McCormick</u>	voting	<u>Yes</u>
<u>Mark McKeown</u>	voting	<u>Yes</u>
<u>William Zhe</u>	voting	<u>Yes</u>

Mayor Freeman was not in attendance in person; therefore, Trustee McKeown executed the agreement in his stead.

- ✚ Park Theater Grant Disbursement Approval- Ann Younger attended the meeting to request the Board to give approval to Treasurer Quinlan to disburse the funds for the grant for her project once received from the state.



Upon a motion made by Trustee McCormick and seconded by Trustee Zhe, the Board authorizes Treasurer Quinlan to disburse the funds accordingly once received from NYS. The motion was carried by the following vote:

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

Treasurer Quinlan will notify the Board once complete.

- ✚ Supt. Farrell and Crew member Chad Bailey requested permission to attend the NYS Rural Water Association water/wastewater training session for PFAS & Issues Impacting the Wastewater Community. This will be held August 4<sup>th</sup> in Mt. Morris. The training will be broken up into sessions on basic information of PFAS, exposure and health risks, Toxicity, Risk Assessment and Treatment Technologies, and the impact on the wastewater community. This will also fulfill training required toward recertification from NYS DOH and DEC. The cost is \$40.00 per person.

Upon a motion made by trustee McCormick and seconded by Trustee Zhe, the Board approved the training session for Supt. Farrell and Chad Bailey. The motion was carried by the following vote:

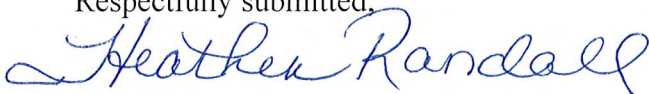
Tim Batzel, Trustee	Voting	Absent
Patrick McCormick, Trustee	Voting	Yes
Mark McKeown, Trustee	Voting	Yes
William Zhe, Trustee	Voting	Yes

- ✚ Trustee McKeown provided an update from Mr. Driscoll on several properties as follows:
  1. Nothing is being done with the condemned gray house at this time.
  2. The bar will be painted in preparation for a new business sign.
  3. Green house on the west side of the bar will probably be painted as well. Mr. Driscoll has indicated that he has been having trouble with the current tenants.

According to Trustee McKeown, Mr. Driscoll's intent is to work on cleaning and repairing the three buildings. The code department has been apprised of the conversation. Fire Marshal Anderson said he was contacting Attorney Whiting concerning the next legal steps for the condemned building.

Upon a motion made by Trustee McCormick and seconded by Trustee Zhe, the Board adjourned at 7:58pm.

Respectfully submitted,



Heather Randall  
Village Clerk