

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 September 20, 2021.

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

Staff: Ken Farrell, DPW Supt.  
Joe Geer, Chief of Police  
Brian Strozewski, Fire Chief  
Tony Cappello, Zone/Code Enforcement

Absent: Mark McKeown, Trustee

Visitors: Dave Hoffmann, Village Justice  
Jeanette Cullinan, Court Clerk  
Jan Rogers, Livingston Insurance

Per new legislation signed into effect by Governor Hochul, the meeting was made available to the public by video/teleconference. The Board is currently meeting in person and invites the public to do so if comfortable. The Board requests that if you are unvaccinated, wear a mask in the Village Hall and if you have symptoms or feel sick, to please stay home.

The Mayor called the meeting to order at 6:03pm and began with the Pledge of Allegiance.

### **JCAP GRANT DISCUSSION AND RESOLUTION:**

Village Associate Justice David Hoffmann, along with Court Clerk Jeanette Cullinan attended the meeting to request approval to move forward with the 2021-2022 JCAP Grant for up to \$30,000. Clerk Cullinan provided the following information for understanding:

“The 2021-2022 JCAP Grant proposal for the Town and Village of Avon Courts encompasses upgrades to our existing operations, technology and security. On the second floor, we will be turning the existing 2 rooms (conference room and holding area) into 3 rooms.

- 1- to be a conference room for attorneys and their clients
- 2- to be a satellite court clerk’s office to provide a secure area for check in of defendants as well as fine/surcharge payments during court. (With secure access)
- 3- to be the Judge’s Chambers (with secure access) for robing and attorney conferences during court.

The holding area for use by the Sheriff’s deputies will be relocated just across from the elevator. The non-public areas will be accessible by a secure entrance that includes a stairway for the Judges reach the courtroom without passing through the crowd.

In addition to the above changes, the court will be adding audio (microphones and speakers) and visual (a monitor for viewing evidence videos/pictures) and a document camera for the same. Also, 2 portable panic buttons will be added. These changes will occur alongside the Historical renovation of the 3<sup>rd</sup> Floor Opera Block also funded by a grant and the town.”

After a brief discussion, following resolution was presented:

*RESOLUTION*

**Whereas** the Village Court is requesting authorization from the Village Board to apply for funding from the Justice Court Assistance Program during the upcoming cycle and;

**Whereas** the Village Court will be upgrading their existing operations, including technology and security and;

**Whereas** the Village Court desires to defray renovation costs associated with the Village Court in the Opera Block now;

**Be it resolved** that The Board of the Village of Avon authorizes the Avon Village Court to apply for a JCAP grant in the 2021-2022 grant cycle up to \$30,000.00.

The motion for authorization was provided by Trustee Batzel, 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	Absent
William Zhe, Trustee	Voting	Yes

**JAN ROGERS-LIVINGSTON INSURANCE:**

Jan Rogers attended to review the policy that is being renewed through Selective Insurance at a cost of \$72712.22, an approximate increase of 4%.. Mr. Rogers went through all items. Discussion continued with the Board, Supt. Farrell and Chief Geer as a review of the buildings, equipment and automobiles covered. Supt Farrell added a new building at the Filtration plant (\$12,000) and a generator (\$10,000) and will verify the info for Mr. Rogers. Trustee McCormick inquired about a cyber liability policy which Mr. Rogers explained briefly. He will get an application to us and will provide us with a quote once the application is complete. Mayor Freeman suggested that once we have that information, we will have Mr. Rogers and a representative from Hurricane Technologies for discussion. Mayor Freeman also asked for a quote to up the umbrella coverage.

In discussing the projects coming up, Mr. Rogers suggested having the certificates of insurance from the contractors be forwarded to him for review. He also reminded the Board that the deductible for our coverage is \$5000.00.

The Board thanked Mr. Rogers for their continued service. Mr. Rogers responded in kind and stated he will provide an update for any questions electronically.

**VOUCHERS and MANUAL CHECKS:**

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

#1-GENERAL FUND	\$91671.23
#4-SCHEDULE C	\$92426.11
#5-WATER	\$11204.66
#6-SEWER	\$69880.19
#TA00-TRUST & AGENCY	\$978.72
TOTAL	\$266160.91

Manual Check:

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	Absent
William Zhe, Trustee	Voting	Yes

**DPW UPDATE:**

Supt. Farrell provided the following update to the Board:

- Brush pickup continues.
- Tree trimming continues.
- Excavated and formed concrete pads for Circle Park for the benches. Will pour next Tuesday (9/27).
- Lowered catch basin at 55 Lacy Street due to puddling.
- Installed drain and excavated for sidewalk at the Wesleyan Church on Genesee Street. Will be raising the sidewalk due to mud in the summer and ice in the winter building up at that location.
- Ran sewer on Oak Street.
- Prepped for black top patching.
- Attended the 9/11 ceremony at the Circle Park.
- Running the sludge trailer at the WWTP in preparation for the winter months.
- Went to Alexander to look at the prefab building by Dakota submitted for the Pebble Beach Pump Station Project.
- Ordered 2 trees for the Circle Park in conjunction with the Urban Forestry Grant. Supt. Farrell met with the Parks Commission about planting and the Arbor Day Ceremony. The trees will be planted beforehand.
- The gazebo at the Downs needs repair work. Supt. Farrell provided pictures for reference.
- Waiting on quotes for repair work of the concession stand at the Downs.
- Waiting on Elmer Davis for roof repair work.
- Provided to the Board photos as to the size of brush that has been put out at the road as of late. Due to some unusual storms, there has been an abundance of logs and trees that have been set out for pick up. The crew has been working hard to take care of it but

unfortunately cannot continue this type of clean up. Supt. Farrell will check what the code says and work with Clerk Randall to create a notice for the website and water bills for notification.

- Will be renting a lift to take down trees in the Circle Park.
- Will be digging out and installing a concrete bench for the placement of a bench at the Five Arch Bridge.
- Will be finishing the striping and painting of catch basins.
- Will be removing the stumps on Genesee Street in front of the Village Restaurant.

## **TREASURER UPDATE:**

Treasurer Quinlan was not in attendance, but provided the Board with the following update electronically:

- 2017 Dept. of Agriculture grant to GVBA...package containing quotes sent to GVBA for approval at their 9/29 meeting...paperwork needs to be completed for grant agreement.
- Investigating portable restroom trailer for 2018 Dept. of Ag grant to GVBA.
- Paul Gister's e-mail dated 9/8 states that the NG streetlight team met the week of 9/1 to discuss a couple of items relative to the Village. NG legal team is working on the required amendment.
- The Landmark Society e-mailed the final draft to the Village and the steering committee for review on 9/8. The Landmark Society is working on finalizing the building descriptions (approximately 400) which will be added into the nomination document, and final review before it heads to SHPO on the week of 9/13. The final public meeting will be held in Oct.
- The open-air structure needs to be finalized to proceed with the NYMS-TA grant.
- Shawn Dunwoody to have mural completed this week.
- 99% of Village taxes have been collected to date. Taxes will be turned over to Livingston County on 10/1.
- Continue to work on Jen Talbot's recommendations.
- The Board needs to determine use(s) of the Coronavirus Local Fiscal Recovery funds.
- Third Liv. Co. WALLS mural meeting w/the County's consultant will be at the Avon Chamber meeting on 9/28. The Village needs to determine mural location.
- Final TAP/CMAQ application is due on 9/29.
- Ordered park bench plaques.
- Awaiting date/time from Olie Olson for BOCES benches' recognition event.
- Submitted '21 NYS Urban Forestry Council Quick Start grant on 9/9.
- Working on NYS DEC grant progress report due on 9/30.
- Preparing NYS DOT CHIPS, EWR, PAVE payment submissions.
- S&P call on 9/22 re: routine surveillance for our credit rating.

Treasurer Quinlan also provided the Board the following information provided by Donegan's Office in regard to options for the financing portion of the Pebble Beach project:

Donegan's is currently planning to issue a \$950,000 Serial Bond this Fall for the initial financing for this project. The remaining approximately \$550,000 authorization could be bonded in Spring

2022 if needed, depending on cash flow needs and possible future cash contributions to the project, if any.

Keeping the borrowings under \$1M is a key consideration for a few reasons.

- 1) Cost of Issuance – COI would be significantly higher with a bond over \$1M. BPD (Donegan’s) and Bond Counsel fees are higher when a full Official Statement is required for any bonds over \$1M. A credit rating would also be required for a bond over \$1M, whereas no rating is required if under \$1M.
- 2) Continuing Disclosure Requirements – The Village currently has no outstanding debt with full continuing disclosure requirements required by SEC / MSRB rules. If the Village were to issue a General Obligation bond over \$1M, those requirements would go in to affect for the life of the bond. Donegan’s office can assist with those filings but there would be an ongoing annual cost for that assistance (~\$3,000/yr +/-)

Beyond the above considerations, issuing only a portion of the debt now also maintains flexibility for the Village to have a few more months for consideration of if you would like to contribute any cash and if so, how much.

As far as the term of the upcoming Serial Bond, Donegan’s has provided two options for your consideration, one for a 15-year bond and one for a 20-year bond. As you will note, issuing a shorter bond will result in projected costs savings on interest expense overall, but will require higher annual debt service payments as compared to the longer option. The Village can bond for up to 40 years based on the bond resolution so if you would like to see any other options, we can have Donegan’s office assist.

The Board will review and continue the discussion at the next meeting.

**MINUTES:**

Upon a motion made by Trustee McCormick and seconded by Trustee Zhe, the minutes from the September 7, 2021 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	Absent
William Zhe, Trustee	Voting	Yes

**CLERK UPDATE:**

Clerk Randall provided the following update to the Board:

- Two training requests were provided for approval:
  1. Supt. Ken Farrell- Tree Stewardship Training (virtual) 9/22, 9/23, 9/28, 9/30, 10/7, 10/17. \$125.00- training program on all aspects of tree care and pest management.

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

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

- Supt. Ken Farrell, Nick Kubinski, Kirk Vanderbilt, Chad Bailey- NY Rural Water Conference (Ontario County) 10/27/21 \$25.00 each (\$100 total)- training GTS & energy efficiency for sustainable water and wastewater systems.

Upon a motion made by Trustee Zhe and seconded by Trustee McCormick, the Board approved the training request to the NY Rural Water conference for the crew. 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	Absent
William Zhe, Trustee	Voting	Yes

- Sat in on a webinar for Open Meetings Law: Spoke about the legislation signed re: virtual meetings. Ultimately, we do not need to have virtual/telephone meeting available at this point as we are still allowing the public to attend meetings in person. If we do offer, we do not need to record them. Once the Board decides to restrict the public from joining the meeting in person, then we need to provide the virtual/telephone meeting and recording, and transcription must take place.
- General Election will be held November 2, 2021, 6am to 9pm. The Village Hall will be a polling location.
- Public Hearings for Local Law #1 and #2 are scheduled for October 4<sup>th</sup>, 2021, at 7pm.
- There will be a joint meeting with the Town of Avon held on October 4<sup>th</sup>, 2021.

**POLICE UPDATE:**

Chief Geer presented the following update:

- The bids for the new cars are in. DeLacy Ford came in at \$67,555.82 for the 2 cars in total. Chief Geer has to verify the specs but is comfortable with them. They are unable to guarantee delivery by a specified date, but they can get the order in to lock the price. Outfitting will come later.
- School has started. Officer McFadden is back there, and the crossing guards have started back as well.
- Met with Marjorie Byrnes re: recycling event to be held at ACS on 10/2/2021.
- Trustee McCormick stated that he would like to commend Officer Brandon Moran for a job well done during an event which he responded to.

**FIRE DEPARTMENT UPDATE:**

Chief Strozewski gave the following update:

- The department has been losing power in areas when the generator comes on. Supt. Farrell made a note to check it out.
- The pumper has all new tires. There has been no bill as of yet.

- Gorman Enterprises has serviced the pumper. They pointed out to the Chief some things that were supposed to have been taken care of during previous servicing that were not. The Chief has made calls to the company used previously for servicing the pumper and they have been unresponsive. That being said, Chief Strozewski will no longer be using the former company and intends to move forward with Gorman Enterprises.
- Still quite a way from the purchase of a new truck.
- Took a tour of Kraft and discussed with their personnel possibly reinstating Kraft’s emergency response and hazmat team. They were very responsive and would like to do all they can to help minimize any chance of tragedy.
- DEC Grant- put in for two more portable radios in the amount of \$1700.00. The grant award was \$1500.00 and the difference will come from the fire department budget.

**EMS APPLICATION:**

Chief Strozewski and Trustee Batzel discussed the desire for the fire department to move forward with becoming an EMS Agency. Getting an EMS number and becoming a certified EMS Agency will allow members of the fire department to respond to priority 1 and 2 calls. This can be extremely helpful when an ambulance is not immediately available or coming from a distance where time is of the essence. Having the opportunity to respond to such calls can be the difference between life and death. Karen Dewer from the County is very excited to have the Village of Avon Fire Department interested and is incredibly supportive of it. There are start up costs and equipment costs but there is a possibility that we can use some funding from the coronavirus aid monies. Once the department receives an EMS number, training can be paid for by the state. To continue to move forward with this plan, Chief Strozewski requested a letter of intent be issued by the Board of Trustees.

Several members expressed what a good idea this would be, stating that anything that can be done to help the Village residents be safe, healthy, and secure is a wonderful idea. Trustee Batzel also stated that the paperwork and application is extensive and wanted to thank volunteer firefighter Bob Gruenfelder for the work he has put into it thus far.

Upon a motion made by Trustee McCormick and seconded by Trustee Zhe, the Board authorized Mayor Freeman to execute a letter of intent in order for the fire department to apply to become a certified EMS Agency. 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	Absent
William Zhe, Trustee	Voting	Yes

**TRUSTEE UPDATE:**

- MTG Discharge- 119 Genesee Street- Richard and Chris Martin has agreed to the mortgage discharge of 119 Genesee Street, which will be filed at the courthouse, and will work with the Village on a 5-foot easement that will allow to get around the National Grid poles.

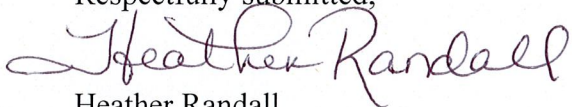
Upon a motion made by Trustee Batzel and seconded by Trustee McCormick, the Board will accept the mortgage discharge payment, and will have Attorney Jake Whiting and Kevin O'Donahue create the easement agreement. The motion was carried by the following vote:

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

- Trustee Zhe discussed that Avon Rotary President Elect Steve Csapo would like to meet with the Board in regard to ideas for a grant provided by the Rotary club. He will attend the next meeting.
- The Trustees decided to table the Pebble Beach Award and Valve Vault project until the next meeting.

Upon a motion made by Trustee McCormick and seconded by Trustee Batzel the Board adjourned at 10:10pm. The motion was carried by a unanimous vote.

Respectfully submitted,



Heather Randall  
 Village Clerk