

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 October 18, 2021.

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

Staff: Ken Farrell, Supt. of Public Works  
 Joseph Geer, Chief of Police  
 Andy Anderson, Fire Marshal

Visitors: Edward Forsythe, Resident  
 J. Richard Driscoll, Resident  
 Jim Harrington, Councilman- Town of Avon

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

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

**VOUCHERS and MANUAL CHECKS:**

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

#1-GENERAL FUND	\$34066.49
#4-SCHEDULE C	\$11411.11
#5-WATER	\$26.00
#6-SEWER	\$9139.78
#TA00-TRUST & AGENCY	\$983.12
TOTAL	\$55626.50

Manual Check:

The motion was seconded by Trustee McKeown 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 was provided the following update to the Board electronically:

The crew worked on the following:

- Brush pickup
- Grinded Valley Lane- will be paving Tuesday 10/19/21.
- Repaired catch basin on Valley Lane (south end)
- Prepped Valley Lane for paving
- Leaf box & leaf machine were serviced
- Finished topsoiling on Genesee St sidewalk
- Picnic tables set on pads in Circle Park
- Ground stumps in Park & topsoiled in the Circle Park.
- Fixed light above door at office (straightened & replaced bulbs)
- Fixed bench that got damaged, will be sending bill to responsible party for damage
- Fire Hydrant was hit on East Main Street on 10/13.
- Elmer Davis fixed the roof over the fire department hallway. Supt. Farrell believes he is able to fix the leak over the radio room where the drain is.
- Checked for shorts in electrical with the Christmas lights and found nothing wrong.

The crew will be working on the following in the upcoming weeks:

- Leaf pickup to start this week
- Replace fire hydrant on E. Main
- Plant trees in the Circle Park.
- Fix fence on North Ave & Service Equipment

**WWTP**

- Sam Rugg has started.
- Nick Kubinski & Treasure Quinlan have gotten Sam Rugg signed up for WWTP classes.
- Nick Kubinski noticed that one of the lift pumps wasn't pumping to capacity last week. They took #1 pump apart and found a hole in the back of casing (body of pump). They called Siewert Equipment about fixing, they looked at it and the casing couldn't be fixed. Siewert sending a quote to replace, when I receive the quote, I will email everyone. This pump was new in 1992. This will probably be an emergency repair and must be done by Siewert.

**TREASURER UPDATE:**

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

- GVBA approved 2017 Dept. of Agriculture grant project items at their 9/29 meeting...John is obtaining quotes...working on paperwork to be sent to NYS.
- GVBA approved 2018 & 2021 Dept. of Agriculture grant at their 9/29 meeting...John is obtaining quotes.
- No update from Paul Gister...NG legal team is working on the required streetlight amendment.

- The Landmark Society submitted the final National Register draft to SHPO on 10/14. Awaiting comments/edits back from SHPO and will then schedule a final public meeting.
- Preparing open air structure RFP for NYMS-TA grant.
- Shawn Dunwoody is completing the mural.
- 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 was on 9/28 at the Avon Chamber meeting. Mural location will be 79 Genesee St. Festival planning for 7/9/22 is underway.
- GVCA Community Arts grant deadline is 11/4. Attached is a grant resolution for Avon Mural Festival artistic performances for your review and approval. There is no match for this grant.
- Park bench plaques ordered. Recognition events to be planned.
- Awaiting date/time from Olie Olson for BOCES benches’ recognition event.
- Arbor Day event in Circle Park is scheduled for 10/23 at 10 a.m.
- Submitted NYS DOT CHIPS, EWR, PAVE payment requests.
- Submitted GTSC payment request and progress report on 10/13/21.
- Treasurer Quinlan provided a list of current grants that she has been working on.

## AVON MURAL FESTIVAL GRANT RESOLUTION

### *RESOLUTION*

After review and discussion of the 2022 Livingston County Walls Project, Trustee Zhe offered the following support resolution that was adopted:

**Whereas**, as part of the Inspiration Trails public art initiative, Livingston County Economic Development is organizing a county-wide mural festival for the summer of 2022,

**Whereas**, the Village Board desires to make an application on behalf of the Village of Avon for performance artists at the Avon Mural Festival on July 9<sup>th</sup> 2022; and,

**Whereas**, the Village of Avon deems the proposed performances to be an opportunity to provide artistic expressions promoting inclusion and accessibility, open to the public and serving unrepresented and underserved populations including the disabled.

**Now therefore be it resolved** that the Village of Avon Board of Trustees hereby endorses the grant application in the amount of \$5000.00 to the Genesee Valley Council on the Arts for the proposed performance artists.

This motion was seconded by Trustee McCormick and 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 McCormick and seconded by Trustee McKeown, the minutes from the October 18, 2021, were reviewed, adjusted, and approved with the changes. 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

**CLERK UPDATE:**

Clerk Randall provided the following update to the Board:

- Toshiba Lease Renewal- Met with Jackie Benedetto- extend our lease by 24 months. Our monthly lease payment will change from \$212 to 121.65. Mono pool- .00918 color pool-.06522. Jackie sees no need for us to get a new machine at this time. We can look into it when the 24-month contract is up (usually recommend new machines after 5 to 7 years due to the difficulty in finding parts for repairing). Before accepting the lease, the Board asked for the buyout. Clerk Randall will email the rep.
- Fire Department- new applicant- Cody Zone. The Board reviewed the application and discussed.

Upon a motion made by Trustee Zhe and seconded by Trustee McCormick, the Board accepted the application of Cody Zone. 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

- Copies of letters to agencies required for EMS# provided to the Board by the Fire Department.
- Quarterly reports of calls provided by Fire Department (first three quarters).
- For Approval- 3 training requests: 2 DPW, 1 Fire Dept.
  1. Nick Kubinski- Grade 3 School and Lodging 2/27-3/4/2022 totaling \$375.00.

Upon a motion made by Trustee McCormick and seconded by Trustee Zhe the Board approved the training request for Nick Kubinski. 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

2. Sam Rugg- Basic Operations of WWTP 1/24-1/28, 1/31-2/4/2022  
Basic Lab Procedures 7/11-7/15/2022 and lodging totaling \$2150.00.

Upon a motion made by Trustee Zhe and seconded by Trustee McCormick the Board approved the training request for Sam Rugg. 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

3. Bob Gruenfelder- EMT Refresher for FD 11/05-12-05 (weekends) and lodging totaling \$703.00.

Upon a motion made by Trustee McKeown and seconded by Trustee Batzel, the Board approved the training request for Bob Gruenfelder. 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

- Xmas Tree Bids- Timeline- Christmas tree bid request will be going into the Pennysaver and due back to the office by November 12<sup>th</sup>, 2021, in time for the awarding at the second meeting in November. They trees will be delivered to the DPW shop on November 29<sup>th</sup>, 2021. Clerk Randall will also reach out to previous years bidders.
- Leaf Pick Up ad went into the Pennysaver and is also on the website. The notice has been shared on Facebook in key locations.
- Per Treasurer Quinlan, RGE Settlement Agreement- Has been sent to attorney for review. We will need to accept the agreement in order to receive disbursement. Disbursements will not be sent out to municipalities until they receive all settlement agreements. (Agreement included for your review). Will put onto agenda for Nov. 1 meeting.
- Circle Nursery School Trick or Treat on Oct. 29<sup>th</sup> at 10:30am
- Tree Ordinance – LL#3 of 2021- Public Hearing date set for Nov. 1<sup>st</sup>, 2021, at 7pm (information provided for your review) to replace Chapter 44 article III {44.31}

Upon a motion made by Trustee Zhe and seconded by Trustee McKeown, the Board agreed to schedule the public hearing for November 1, 2021, at 7pm. 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

- Sexual Harassment Training has been scheduled for October 25<sup>th</sup>, 2021, at noon. Will review after the training as to when a second training will be scheduled.
- Have received five applications in response to the advertisement for fire marshal.

**FIRE MARSHAL UPDATE:**

Fire Marshal Anderson provided the following update:

- 61 permits for the year.
- No updates for Covid- nothing has changed for the county at this time.
- Trustee McCormick received a complaint about the bottle/can return at the bottom of the hill. Fire Marshal Anderson said he would reach out to see about that getting cleaned up. He has also been in contact with Mrs. Miron, who is a boy scout troop leader about the Boy Scout bin. They are working on another arrangement.

**TRUSTEE UPDATE:**

**Mr. J.Richard Driscoll-** Mr. Driscoll was in attendance to discuss with the Board the condemned house on the hill. (52 West Main Street). He would like to know from the entirety of the Board, what needs to be done to get the house out of condemnation. Trustee McKeown discussed the meeting held in April of 2021 with Village reps, Mr. Driscoll, and his contractor. At that meeting, it was said that the entire building needed to be brought up to code and inspected before any rehabilitation could be done. At this meeting, the Board said that he would need to have an architect or engineer provide a plan on how to move forward.

Mr. Driscoll feels that it isn't right that he is being charged a minimum water bill because he doesn't have water hooked up in that building at this time. He would like to have the water turned back on. Previously, he requested that the outstanding water bill be waived. However, the Board requested a letter from him, and the property owner, explaining why the Board should consider this request, and that has not happened yet.

Mr. Driscoll believes that there are several other properties that deserve more scrutiny than this building and thinks the Board should pay attention to those. He feels his building is safe and structurally sound. Several Board members expressed that they would like to see this house be rehabilitated.

**EXECUTIVE SESSION:**

Upon a motion made by Trustee McKeown and seconded by Trustee Batzel, the Board entered executive session at 7:30pm for the purpose of discussing a contractual matter and possible hiring of a specific person. Chief Geer was invited to stay. 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

Upon a motion made by Trustee Zhe and seconded by Trustee McCormick, The Board exited executive session at 8:20pm. No action was taken. The motion was carried by the following vote:

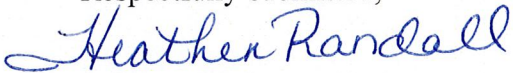
Thomas Freeman, Mayor	Voting	Yes
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Tim Batzel, Trustee	Voting	Yes
Patrick McCormick, Trustee	Voting	Yes
Mark McKeown, Trustee	Voting	Yes
William Zhe, Trustee	Voting	Yes

Upon a motion made by Trustee Batzel and seconded by Trustee Zhe the Board adjourned at 8:21pm. The motion was carried by a unanimous vote.

Executive session notes were submitted by Trustee McKeown.

Respectfully submitted,



Heather Randall  
Village Clerk