

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 April 4, 2022.

Present: Thomas Freeman, Mayor
Tim Batzel, Trustee
Amanda Hoffmann, Trustee
Patrick McCormick, Trustee
Bill Zhe, Trustee

Staff: Ken Farrell, Supt. of Public Works
Joseph Geer, Chief of Police

Visitors: Ian Hall and Family
Edward Forsythe, resident

Per legislation signed into effect by Governor Hochul, the meeting was made available to the public by video/teleconference for convenience. Although is not required as the Board is currently meeting in person and invites the public to do so as well. The Board requests that if you have symptoms of Covid-19 or feel sick, to please stay home.

Mayor Freeman called the meeting to order at 6:00pm and began with the Pledge of Allegiance.

2022/2023 BUDGET PUBLIC HEARING:

Upon a motion made by Trustee Zhe and seconded by Trustee McCormick, the Board opened the public hearing at 6:00pm by having Clerk Randall read the following notice published in the official paper, The LCN, as required:

**NOTICE:
NOTICE OF PUBLIC HEARING REGARDING ANNUAL BUDGET
VILLAGE OF AVON**

Pursuant to Section 5-508 of the Village Law, the tentative budget for the Village of Avon has been prepared and filed with the Village Clerk, where it may be inspected by any interested parties between the hours of 8am and 4pm. Proposed compensation for the Board of Trustees is as follows:

Mayor: \$15417.00
Trustees: \$30171.00

Notice is hereby given that a public hearing in relation to adoption of the annual budget will be held on April 4, 2022 at 6:00p.m. in Conference Room A/B at the Avon Village Hall, 74 Genesee Street, Avon New York.

By Order of the Board of Trustees
Thomas Freeman, Mayor

Dated:
March 7th, 2022

The motion was carried by the following vote:

Thomas Freeman, Mayor	Voting	Yes
Tim Batzel, Trustee	Voting	Yes
Amanda Hoffmann, Trustee	Voting	Yes
Patrick McCormick, Trustee	Voting	Yes
William Zhe, Trustee	Voting	Yes

The Public Hearing remained open for the entire meeting in order to allow for public comment. There was none.

Upon a motion made by Trustee McCormick and seconded by Trustee Hoffmann, the Public Hearing was brought to a close at 7:43pm. The motion was carried by the following vote:

Thomas Freeman, Mayor	Voting	Yes
Tim Batzel, Trustee	Voting	Yes
Amanda Hoffmann, Trustee	Voting	Yes
Patrick McCormick, Trustee	Voting	Yes
William Zhe, Trustee	Voting	Yes

Before Mayor Freeman started with the annual appointments, he took a moment to congratulate Trustee Batzel for his re-election to the Board and welcomed new Trustee Amanda Hoffmann to her first term. Both Trustee Batzel and Trustee Hoffmann took a moment to sign the Oath of Office Book before proceeding with the meeting.

ANNUAL ORGANIZATIONAL MEETING 2022:

APPOINTMENTS:

Mayor Freeman began by appointing William Zhe as Deputy Mayor for a term of one year, and asked for a motion to approve the following appointments:

Upon a motion made by Trustee Hoffmann, the following appointments were made:

AVON POLICE DEPARTMENT:

Police Chief	Joseph Geer
Police Officer	Timothy Ferrara, Jr.
Police Officer	Matthew McFadden
Police Officer	Travis McFadden
Police Officer	Nicholas Greco
Police Officer - Part time	Kenneth Ippolito
Police Officer – Part time	Tamara Bingham
Police Officer- Part time	Kevin Geer
Police Officer- Part time	Brandon Moran

PERSONNEL:

Village Clerk	Heather Randall	2 yr.
Deputy Clerk	Gary Margiotta	2 yr.
Treasurer	Christine Quinlan	2 yr.

DEPARTMENT OF PUBLIC WORKS:

Superintendent of Public Works	Ken Farrell	1 yr.
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ANNUAL:

*Zoning/Code Enforcement	Andy Anderson	6mo.
*Fire Marshal	Andy Anderson	6mo.
Court Clerk	Jeanette Cullinan	1 yr.
Acting Village Justice	David Hoffmann	1 yr.

*Zoning/Code Enforcement and Fire Marshal will be an interim appointment for 6 months in order for the Board to review the position(s) requirements and decide if they will continue to be separate or combine the positions into one. Discussion is anticipated to continue in the coming meetings.

PARK COMMISSION:

Park Commission Chairperson	Ashley Comeau	1 yr.
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ZONING BOARD:

Zoning Board Chairperson	Dan Freeman	1 yr.
Zoning Board Member	Ernie Wiard	5 yr.

PLANNING BOARD:

Planning Board Chairperson	Paul Drozdziel	1 yr.
Planning Board Member	Bill Wall	5 yr.

Trustee McCormick seconded the motion, and it was carried by the following vote:

Thomas Freeman, Mayor	Voting	Yes
Tim Batzel, Trustee	Voting	Yes
Amanda Hoffmann, Trustee	Voting	Yes
Patrick McCormick, Trustee	Voting	Yes
William Zhe, Trustee	Voting	Yes

BOARD LIAISONS:

- Planning Board – Trustee McCormick & Trustee Batzel
- Fire Board – Trustee Hoffmann
- Park Commission – Trustee Zhe
- Water Board – Trustee McCormick & Trustee Batzel
- Library Board- Trustee Batzel
- Deer Committee-**

** Mayor Freeman stated that if the Board agreed, he would ask Former Deputy Mayor Mark McKeown to continue to sit on the Deer Committee to ensure continuity for the harvesting program.

- Town Board - Will continue to have joint meetings throughout the year.

Mayor Freeman took a moment to discuss with the Board the use of Conference room A/Kitchen. There have been complaints in the past that the cleanliness of the room is not up to standards for use during the day by the Senior Nutrition Program. Representatives of the program, run by the Livingston County Office of the Aging, has brought the complaint to the clerk on several occasions, who has in turn alerted Mayor Freeman. In the past, Mayor Freeman has spoken to the organizations independently to try to rectify the situation. However, there are still complaints. In discussion with the Board, Mayor Freeman suggested that perhaps one way to make a point would be to start to charge organizations a deposit for use of the room to be returned if the room passes an inspection. The mayor also suggested that the annual disbursement to the fire departments (Pumper and VanZandt organizations) be paid in quarterly payments rather than one large sum in order to encourage the maintenance of the room. The Mayor also addressed the use of the facility forms in order to reserve the rooms. Mayor Freeman explained that it is extremely important that all organizations fill out these forms in order for the office staff and police department to know that there is supposed to be people in the building. These forms also help prevent conflicts with the use of the rooms by community residents. The process has not changed, and the request needs to be presented to the Board for approval. Before drastic measures are taken, Trustee Batzel and Trustee McCormick said they would reach out to organizations to review the procedures and expectations. Also suggested was a meeting to be held with representatives from all organizations who use the room on a regular basis in order to discuss the expectations, so everyone is on the same page. Mayor Freeman stated that this is in no way a punishment to any one organization, it is just a reminder to all that the Hall is a community used facility that needs to be taken care of by everyone.

The Mayor and Board also requests that a representative from the Fire Department come to the Board meeting once a month to provide an update. It has been difficult in the past as the Fire Department holds their department meetings and drill night at the same time as the Board meetings. Mayor Freeman stated that he would make a point to have the representative from the Fire Department start the meeting off in order to get them to their meeting in time.

Upon a motion made by Trustee Zhe and seconded by Trustee McCormick, the following are hereby approved:

BANKS:

The Bank of Castile
Community Bank
Five Star
J P Morgan
Canandaigua National Bank & Trust

OFFICIAL PAPER:

The Livingston County News
Batavia Daily News

Upon a motion made by Trustee Zhe, the following are hereby approved

MEETING NIGHTS AND TIMES:

The Village Board meetings will be held the first and third Monday of each month at 6:00pm unless otherwise noted ahead of time. The Board Meeting dates for the remainder of the year are as follows:

- April 18, 2022
- May 2, 2022
- May 16, 2022
- June 6, 2022
- June 20, 2022
- July 5, 2022 * (Tuesday after a holiday)
- July 18, 2022
- August 1, 2022
- August 15, 2022
- September 6, 2022 *(Tuesday after a holiday)
- September 19, 2022
- October 3, 2022
- October 17, 2022
- November 7, 2022
- November 21, 2022
- December 5, 2022
- December 19, 2022

In an effort to conduct an efficient and time conscious Board meeting, Mayor Freeman asked that all parties having items for discussion with the Village Board present them to Clerk Randall by noon the Thursday before the meeting for insertion on the agenda. Only topics listed on the agenda will be discussed at the Board meetings. Mayor Freeman asked that all Trustees and employees come to the meetings prepared to discuss the items on the agenda.

ADVANCED APPROVAL OF CLAIMS:

Utility bills, postage, payroll and payroll related items, debt service, and freight shall be paid in advance and approved at the next regular Village Board meeting. An audit committee, which will consist of two board members, are authorized to approve any other advanced claims.

MILEAGE ALLOWANCE:

- IRS 2022
- Privately owned vehicle – 58.5 cents per mile

Trustee Hoffmann seconded the motion, and it was carried by the following vote:

Thomas Freeman, Mayor	Voting	Yes
Tim Batzel, Trustee	Voting	Yes
Amanda Hoffmann, Trustee	Voting	Yes
Patrick McCormick, Trustee	Voting	Yes
William Zhe, Trustee	Voting	Yes

POLICIES:

Upon a motion made by Trustee Batzel and seconded by Trustee Hoffmann, the following policies are hereby approved as previously submitted, with no updates:

1. Code of Ethics (adopted 12/5/16)
2. Conference/Travel Expense Reimbursement (adopted 12/5/16)
3. Meals/Refreshments Reimbursement (adopted 12/5/2016)
4. Credit Card Policy (adopted 12/5/2016)
5. Fixed Asset Policy (adopted 12/5/2016)
6. Investment Policy (adopted 12/5/2016)
7. Borrowing Policy (adopted 12/5/2016)
8. Sexual Harassment Policy (adopted 10/08/2018)
9. Whistleblower Policy (adopted 12/5/2016)
10. Workplace Violence (adopted 12/19/2016)
11. Procurement Policy (updated 2/2/15)
12. Government Safety Plan Re-Opening (adopted 8/3/2020)
13. Police Reform Plan (adopted 3/1/21)
14. Pandemic Action Plan (adopted 3/15/21)

The motion was carried by the following vote:

Thomas Freeman, Mayor	Voting	Yes
Tim Batzel, Trustee	Voting	Yes
Amanda Hoffmann, Trustee	Voting	Yes
Patrick McCormick, Trustee	Voting	Yes
William Zhe, Trustee	Voting	Yes

Upon a motion made by Trustee Batzel and seconded by Trustee Hoffmann, the following policy is hereby adopted and will be added to the list of policies approved at the annual meeting:

15. Post-Closing Policies and Procedures for Tax Exempt Notes & Bonds (4/4/2022) (attached at the end of the minutes).

The motion was carried by the following vote:

Thomas Freeman, Mayor	Voting	Yes
Tim Batzel, Trustee	Voting	Yes
Amanda Hoffmann, Trustee	Voting	Yes
Patrick McCormick, Trustee	Voting	Yes
William Zhe, Trustee	Voting	Yes

CHECK SIGNING AUTHORITY:

Upon a motion made by Trustee Hoffmann and seconded by Trustee McCormick, the following check signing authority is hereby adopted for the Mayor, Deputy Mayor and/or Treasurer:

- Checks in the amount of \$0 - \$10,000 – one signature required
- Checks in the amount of \$10,000 or more – two signatures required
- Withdrawal slips, wire transfers – one signature required.

The motion was carried by the following vote:

Thomas Freeman, Mayor	Voting	Yes
Tim Batzel, Trustee	Voting	Yes
Amanda Hoffmann, Trustee	Voting	Yes
Patrick McCormick, Trustee	Voting	Yes
William Zhe, Trustee	Voting	Yes

M/WBE-EEO MINORITY BUSINESS OFFICER:

Upon a motion made by Trustee Zhe and seconded by Trustee McCormick, the following is adopted with, no changes to the previous resolution for the M/WBE goals:

**MINORITY AND WOMEN’S BUSINESS-EQUAL EMPLOYMENT
OPPORTUNITY PROGRAM WORK PLAN
NEW YORK CLEAN WATER STATE REVOLVING FUND
MUNICIPAL OTHER THAN LAND ACQUISITION**

Policy Statement:

The Village of Avon commits to carrying out the intent of the New York State Executive Law, Article 15-A which assures the meaningful participation of minority and women’s business enterprises in contracting and services, and the meaningful participation of minorities and women in the workforce on activities financed by the CWSRF program.

Minority Business Officer:

Heather Randall is designated as the local Government Official or Minority Business Officer responsible for administering Minority and Women’s Business-Equal Employment Opportunity (M/WBE-EEO) program for the Village of Avon.
MBEO Officer Phone No. 585-226-8118

M/WBE Projected Goals:

- 10% Minority Business Enterprise Participation
- 10% Women’s Business Enterprise Participation

EEO Projected Goals:

- 5.3% Minority Labor Force Participation
- 6.9% Female Labor Force Participation

The motion was carried by the following vote:

Thomas Freeman, Mayor	Voting	Yes
Tim Batzel, Trustee	Voting	Yes
Amanda Hoffmann, Trustee	Voting	Yes

Patrick McCormick, Trustee	Voting	Yes
William Zhe, Trustee	Voting	Yes

STANDARD WORKDAY ESTABLISHMENT FOR RETIREMENT:

The following are the positions and the hours to be reported to the NYS Retirement System as the standard workday established by the Village Board for retirement credit:

<u>POSITION</u>	<u>HOURS</u>
• Board Member (Plan,Zone,Water)	6 hours
• Code Enf. Officer/Fire Marshal	6 hours
• Court Clerk	6 hours
• Crossing Guard	6 hours
• Deputy Clerk	7 hours
• Deputy Court Clerk	7 hours
• F/T Patrolman	8 hours
• Fire Dept. Sec.	6 hours
• Laborer	8 hours
• Mayor	6 hours
• P/T Laborer	6 hours
• P/T Patrolman	6 hours
• Police Chief	8 hours
• Sergeant	8 hours
• Superintendent of Pub. Works	8 hours
• Treasurer	7 hours
• Trustee	6 hours
• Village Clerk	7 hours
• WWTP Lead Operator	8 hours
• Zoning Officer	6 hours

Upon a motion made by Trustee Batzel and seconded by Trustee Zhe, the Standard Workday hours were approved. The motion was carried by the following vote:

Thomas Freeman, Mayor	Voting	Yes
Tim Batzel, Trustee	Voting	Yes
Amanda Hoffmann, Trustee	Voting	Yes
Patrick McCormick, Trustee	Voting	Yes
William Zhe, Trustee	Voting	Yes

CONFLICT OF INTEREST:

In order to maintain the integrity of their positions and prevent a conflict of interest, members of the Board noted the following:

- Trustee Hoffmann’s husband is the Village Associate Justice
- Trustee Zhe’s wife is part of the Library Board.

Trustee Zhe and Supt. Farrell took a moment to sign the Oath of Office book for their 1-year appointment. Clerk Randall will send letters to all the appointments to have them come in to sign the Oath Book.

VOUCHERS and MANUAL CHECKS:

Trustee Zhe reviewed the submitted vouchers for payment and stated that the Board needed to remove the phone for former code officer Cappello from the phone account.

Upon a motion by Trustee Zhe, the vouchers and manual checks/electronic payments were approved for payment from the following funds:

#1-GENERAL FUND	\$15950.36
#4-SCHEDULE C	\$4032.06
#5-WATER	\$3621.58
#6-SEWER	\$13051.57
#TA00-TRUST & AGENCY	\$4947.16
TOTAL	\$41602.73

Manual Checks:

NYWEA,Inc	WWTP Op. Lic.- K. Farrell	\$160.00
	TOTAL:	\$160.00

Electronic pymts:

Nationwide Ret. Sol.	Def. Comp p/r#22-06	\$2823.23
Fed/NYS Taxes	taxes p/r#22-06	\$15599.15
	TOTAL:	\$18422.38

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

Thomas Freeman, Mayor	Voting	Yes
Tim Batzel, Trustee	Voting	Yes
Amanda Hoffmann, Trustee	Voting	Yes
Patrick McCormick, Trustee	Voting	Yes
William Zhe, Trustee	Voting	Yes

DPW UPDATE:

Supt. Farrell provided the following update to the Board:

DPW Activity – past 2 weeks

1. Water leak 266 Genesee St.
2. Bush pick up
3. Service sweeper- will be prepared to run this week.
4. Tree trimming/ removals- have removed 25 trees so far.

WWTP

- 1. Ran sludge out to drying bed
- 2. Meeting with Kraft/ Heinz

Licenses- Nick Kubinski has signed up for his test. Sam Rugg has to wait 1 year to get his license.

WATER

- 1. Cleaning filtration plant
- 2. Cleaned out drying bed

Activity - next 2 weeks

- 1. Tree trimming/ removals
- 2. Fix sidewalks (flush cut saw)

Looking toward summer- one seasonal employee coming back from last year. The flower caretaker has said that she may come back but would let Supt. Farrell know for sure in order for him to make other arrangements if necessary. Supt. Farrell stated that he will also reach out to the Genesee Valley BOCES program to see if there are any students interested inworking for the summer. They wouldn't be able to start until the end of June but will reach out none the less.

KRAFT- Supt. Farrell provided the Board with a plan that Kraft would like to put in place to work on upgrading the existing process wastewater pretreatment system in order to comply with the permit limits, which includes phase one- screening and flow equalization and phase two- treatment in the future. The Board reviewed and discussed the concept and agreed that it looked solid. Kraft also requests that the Village not penalize them as they continue to work through and find the solution. Supt. Farrell was confident that the Village is in a position to grant that, stating that we have improved our plant to where Kraft's BOD's and total suspended solids should not adversely affect us.

Upon a motion made by Trustee Zhe and seconded by Trustee Batzel, the Board is supportive of the plan Kraft has prepared to comply with permit limits and will not penalize them as they continue to work toward a solution. The motion was carried by the following vote:

Thomas Freeman, Mayor	Voting	Yes
Tim Batzel, Trustee	Voting	Yes
Amanda Hoffmann, Trustee	Voting	Yes
Patrick McCormick, Trustee	Voting	Yes
William Zhe, Trustee	Voting	Yes

TREASUER UPDATE:

Treasurer Quinlan was unable to attend but provided the following update to the Board electronically:

Ongoing

- Submitted insurance certificates to Dept of Ag. Waiting on Dept of Ag to extend the 2017 GVBA grant and approve the 2021 GVBA grant.
- John Barrett is working on portable restroom quotes for 2019 GVBA grant project.

- Sending bank reconciliations to Jen Talbot to complete. NYS retirement deductions still need to be corrected.
- The Board needs to determine additional use(s) of the ARPA funds.
- Awaiting date/time from D. Brown’s family for park bench recognition event.
- Awaiting date/time from Olie Olson for BOCES benches’ recognition event.
- National Register nomination went before the State Review Board this month for their approval. SHPO is now finalizing everything they need to do on their end to forward it on to the National Park Service. The final listing in the NR can take a few months. Landmark Society and the Village to host a tax credit virtual meeting on April 14th at 7 p.m.

New

- Mural flyer printed and distributed to donors and local businesses. Need to order a box to be installed on the mural wall.
- Committee is meeting regularly to plan mural festival event for July 9th. The committee would like to request Board approval to close Genesee St. and have the DPW prime the retaining wall below Genesee St. The Village Hall and the Fire Hall will be used for activities and restrooms. The committee will coordinate with the Police Dept., Fire Dept. and the DPW.

Upon a motion made by Trustee Hoffmann and seconded by Trustee Zhe to shut down Genesee Street from the crosswalk to the municipal parking area for the Mural Festival, to be held on July 9th, 2022, at 3pm.

- RFP for the Pocket Park structure and roof is attached. Will submit two notices in the official paper, one for the structure and one for the roof. Will send out to at least three vendors for competitive bids with a two-week turnaround.
- NYMS-TA grant extension request letter submitted on 3/30.
- Additional pruning pricing approved by NYS DEC. Progress report completed and submitted to NYSDEC on 3/29.
- County First Impressions grant submitted on 3/25 for two additional picnic benches for Circle Park.
- Streetlight RFQ- Mayor Freeman spoke to the purchasing requirement stating that the Village can advertise a request for quotes, and we already have three for review.
- Rick Doubt- Water/Sewer Units request- Mr. Doubt submitted a letter requesting that his water/sewer units remain the same for his building. He is using the back are that housed the Karate Studio as storage and the meter for that area will be removed.

Upon a motion made by Trustee Batzel and seconded by Trustee Hoffmann, the Board agreed to leave Mr. Doubt’s water/sewer units the same as long as the back meter for the Karate Studio is pulled. The motion was carried by the following vote:

Thomas Freeman, Mayor	Voting	Yes
Tim Batzel, Trustee	Voting	Yes
Amanda Hoffmann, Trustee	Voting	Yes
Patrick McCormick, Trustee	Voting	Yes
William Zhe, Trustee	Voting	Yes

CLERK UPDATE:

Clerk Randall provided the following information to the Board:

- Deer Committee Report Week 12 (final week) 3 of six sites harvesting for 8.5 hours harvesting during 3 sits, no deer observed.
Total for 2022- 28 deer harvested, 31 shots taken (2 misses 1 non-lethal hit) for a 90% success rate, 274 deer observed over 30 dates of harvesting. (Average of 9 deer per date)
- Historic District Info provided for your information
- Minutes from Liv Co. Traffic Safety Board for Feb 2022 provided.
- Report from Terry Ekwel re: 52 West Main Street provided.
- Glow Region Annual Report provided.
- Free Rabies Clinic for dogs, cats, and ferrets has been scheduled by the Liv Co Dept of Health (schedule provided). For Livingston County residents only. Flyer has been posted,
- Assessments for Village owned properties provided
- Town of Avon provided the proposed Local Law T-3A-2022 (amending zoning boundaries of a certain parcel) and will hold a public hearing on April 28th, 2022 at 6:15pm.
- Provided- a copy of the support letter submitted to the Landmark Society expressing the Village’s support of the preservation of the Opera Block.
- Reminder: Fire Department Election held Thursday 4/7/2022.
- Reminder: Water Works Committee meeting to be held tomorrow at 7pm at the Village Hall.
- Congratulations to Tim Batzel and Amanda Hoffmann, Trustees to the Village Board for a four-year term, to end April of 2026.
- Complaint received in regard to 60 West Main Street, apartment #9. We have received verbal complaints about this before- Code Enforcement has been notified.
- Invitation to the Board- Annual Ladies Night Banquet to be held May 21st, 2022, starting at 6pm. Dinner will be served at 7pm. Members are asked to RSVP by May 14th, 2022.

MINUTES:

Upon a motion made by Trustee Batzel and seconded by Trustee McCormick, the minutes from the March 21, 2022, were approved as submitted. The motion was carried by the following vote:

Thomas Freeman, Mayor	Voting	Abstain
Tim Batzel, Trustee	Voting	Yes
Amanda Hoffmann, Trustee	Voting	Abstain
Patrick McCormick, Trustee	Voting	Yes
William Zhe, Trustee	Voting	Yes

POLICE UPDATE:

Chief Geer provided the following report to the Board:

- **New Position Duties Statement:** Chief Geer introduced Ian Hall to the Village Board. Chief Geer reviewed that a new position was submitted to Livingston County Personnel requesting the title of Police Officer be added to the Village for a new hire. Personnel has approved the New Positions Duties Statement submitted and will be titled as Police Officer. This is a competitive class position.

Upon a motion made by Trustee Zhe and seconded by Trustee McCormick, the Board finalized the creation of Police Officer for the Village of Avon and authorized Mayor Freeman to execute the paperwork. The motion was carried by the following vote:

Thomas Freeman, Mayor	Voting	Yes
Tim Batzel, Trustee	Voting	Yes
Amanda Hoffmann, Trustee	Voting	Yes
Patrick McCormick, Trustee	Voting	Yes
William Zhe, Trustee	Voting	Yes

Upon a motion made by Trustee Batzel and seconded by Trustee Zhe, the Board approved Ian Hall as the new full time police officer for the Avon Police Department. The motion was carried by the following vote:

Thomas Freeman, Mayor	Voting	Yes
Tim Batzel, Trustee	Voting	Yes
Amanda Hoffmann, Trustee	Voting	Yes
Patrick McCormick, Trustee	Voting	Yes
William Zhe, Trustee	Voting	Yes

Mr. Hall will complete his new hire paperwork and join the team for his first shift on Friday April 8th, 2022.

- Both new cars are in and will be outfitted. Chief Geer hopes to have the cars in service by the Little League Parade.

TRUSTEE UPDATE:

- ✚ Trustee Batzel spoke of the Mutual Aid Agreement with Livingston County. He asked that the Board table the discussion and stated that he will review the agreement and rediscuss at the next meeting.
- ✚ MTG. Discharge, 139 West Main Street- Chris Martin has satisfied her loan through the Community Development Rehab Loan and has requested Mayor Freeman to sign off on the paperwork to discharge the mortgage.

Upon a motion made by Trustee Zhe and seconded by Trustee Batzel, the Board authorized the Mayor to execute the paperwork to discharge the mortgage for 139 West Main Street. The motion was carried by the following vote:

Thomas Freeman, Mayor	Voting	Yes
Tim Batzel, Trustee	Voting	Yes
Amanda Hoffmann, Trustee	Voting	Yes
Patrick McCormick, Trustee	Voting	Yes
William Zhe, Trustee	Voting	Yes

- ✚ Trustee Batzel discussed a donation coming to the fire department. He stated that the donation is very generous, and the department would like to take some of that donation to create some sort of a memorial for the donor. An idea being discussed is possibly a rock with a plaque in memory of them. Trustee Batzel said they will bring the request/discussion to the Parks Commission.

Upon a motion made by Trustee Zhe and seconded by Trustee McCormick, the Board adjourned at 7:44pm. The motion was carried by a unanimous vote.

Respectfully submitted,

A handwritten signature in blue ink that reads "Heather Randall". The signature is written in a cursive, flowing style.

Heather Randall
Village Clerk

**Post-Issuance Tax Compliance and Continuing Disclosure
Policies and Procedures
For Tax-Exempt Notes & Bonds**

The purpose of these Post-Issuance Tax Compliance and Continuing Disclosure Policies and Procedures is to establish policies and procedures in connection with tax-exempt notes and bonds, or installment purchase agreements, or other tax-exempt or tax-advantaged debt obligations (referred to herein in each case as the "Bonds") issued by, or on behalf of, the VILLAGE OF AVON (the "Issuer") so as to maximize the likelihood that certain applicable post-issuance requirements of federal income tax law needed to preserve the tax-exempt status of the Bonds are met and so as to likewise maximize the likelihood that certain applicable post-issuance requirements of the federal securities laws Rule, hereinafter defined, are met. The Issuer reserves the right to use its discretion as necessary and appropriate to make exceptions or request additional provisions as circumstances warrant, and as permitted by applicable law. The Issuer also reserves the right to change these policies and procedures from time to time. The Issuer shall review and reconfirm and re-adopt these policies and procedures not less frequently than annually at the same time it adopts or re-adopts its other ongoing policies and procedures.

Post-Issuance Tax Compliance Requirements

External Advisors/Documentation

The Issuer shall consult with bond counsel and other legal counsel and with its financial advisor and other advisors, as needed, throughout the Bond issuance process to identify requirements and to establish procedures necessary or appropriate so that the Bonds will continue to qualify for tax-exempt status. Those requirements and procedures shall be documented in the tax arbitrage certificate (the "Arbitrage Certificate") and/or other documents finalized at or before issuance of the Bonds. Those requirements and procedures shall include future compliance with applicable arbitrage rebate or yield restriction requirements and all other applicable post-issuance requirements of federal tax law throughout (and in some cases beyond) the term of the Bonds.

When authorized or required in the Arbitrage Certificate, the Issuer shall engage expert advisors, which may include the financial advisor to the Issuer (each a "Rebate Service Provider"), to assist in the determination of whether yield restriction is required or in the calculation of arbitrage rebate payable in respect of the investment of Bond proceeds, unless the Arbitrage Certificate documents that arbitrage rebate or yield restriction will not be applicable to an issue of Bonds. When authorized or required by the Arbitrage Certificate, the Issuer shall engage bond counsel for consultation to assist the Issuer in meeting its obligations in the Arbitrage Certificate.

refinanced with proceeds of each issue of Bonds, including a final allocation of Bond proceeds as described below under "Record Keeping Requirements";

- consulting with bond counsel and other legal counsel and with the financial advisor or other advisors in the review of any contracts or arrangements involving the transfer, or sale, or lease or other use of all or any portion of Bond-financed or refinanced assets to ensure compliance with all covenants and restrictions set forth in the Arbitrage Certificate relating to the Bonds;
- maintaining records for any contracts or arrangements involving the use of Bond-financed or refinanced assets as described below under "Record Keeping Requirements";
- conferring at least annually with personnel responsible for Bond-financed or refinanced assets to identify and discuss any existing or planned use of Bond-financed or refinanced assets, to ensure that those uses are consistent with all covenants and restrictions set forth in the Arbitrage Certificate relating to the Bonds; and
- to the extent that the Issuer discovers that any applicable tax restrictions regarding use of Bond proceeds and Bond-financed or refinanced assets will or may be violated, consulting promptly with bond counsel and other legal counsel and with the financial advisor or other advisors to determine a course of action to remediate all nonqualified bonds, if such counsel or advisor advises that a remedial action is necessary.

All relevant records and contracts shall be maintained as described below.

Due Diligence Monitoring Compliance

The board of the Issuer will identify in writing the appropriate business official(s) or other individual(s) or employee(s) of the Issuer responsible for conducting due diligence review of all outstanding Bonds at regular intervals and will provide a written description of the training provided, or to be provided, to such responsible individual(s) with regard to monitoring compliance and the Issuer shall maintain a record of such training, including the date(s) of attendance and a general description of the training received. The Issuer will assure adequate maintenance of training of the responsible official/employee and will establish such monitoring procedures, with timely reporting to the chief fiscal officer and/or to the Finance Board of the Issuer, reasonably expected to timely identify tax law noncompliance and procedures ensuring that the Issuer will take steps to timely correct any and all discovered noncompliance with the tax law. If the Issuer engages in an activity causing bond-financed property to be used in a manner that violates the applicable use and payment limitations in the internal revenue code, the Issuer may take one or more "self-help" remedial actions. Possible remedial actions include defeasing the non-qualified

Post-Issuance Continuing Disclosure

Under the provisions of SEC Rule 15c2-12 (the "Rule"), Participating Underwriters (as defined in the Rule) are required to determine that each borrower (such as the Issuer) has entered into a written Continuing Disclosure Agreement to make ongoing disclosure in connection with each debt offering subject to the Rule. Unless the Issuer is exempt from compliance with the Rule or the continuing disclosure provisions of the Rule as a result of certain permitted exemptions, the transcript of closing documentation for each issue of related Bonds will include a Continuing Disclosure Agreement executed by the Issuer ("Continuing Disclosure Agreement").

In addition to the responsibilities of the Issuer set forth in each Continuing Disclosure Agreement, in order to monitor compliance by the Issuer with its Continuing Disclosure Agreements, the appropriate business official(s) or other individual(s) or employee(s) of the Issuer, as designated in writing by the board of the Issuer, will:

- A. Assist in the preparation or review of annual reports of financial information and operating data ("Annual Reports") in the form required by the related Continuing Disclosure Agreements.
- B. Maintain a calendar, with appropriate reminder notifications, listing the filing due dates relating to dissemination of Annual Reports, which annual due date is generally expressed as a date within a certain number of days (e.g., 180 days) following the end of the Issuer's fiscal year (the "Annual Report Due Date"), as provided in the related Continuing Disclosure Agreements.
- C. Ensure timely dissemination of the Annual Report by the Annual Report Due Date, in the format and manner provided in the related Continuing Disclosure Agreements, which may include transmitting such filing to the Municipal Securities Rulemaking Board ("MSRB") through the Electronic Municipal Market Access ("EMMA") System at www.emma.msrb.org in the format prescribed by the MSRB.
- D. Monitor the occurrence of any event notice (as described in the Continuing Disclosure Agreements) and timely file notice of the occurrence of any such event in the manner provided under the Continuing Disclosure Agreements. Maintain an ongoing, updated list of all "financial obligations" of the Issuer, as defined in the Rule so as to be in a position to timely file any event notice that may be required by the Rule. To be timely filed, any and all such event notices must be transmitted within 10 business days (or such other time period as set forth in the Continuing Disclosure Agreements) of the occurrence of such event.

VILLAGE OF AVON
in the Genesee Valley

74 Genesee Street
Avon, New York 14414

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TONY CAPPELLO, CODE/ZONING OFC.
ANDY ANDERSON, FIRE MARSHAL

March 25, 2022

Megan Klem
Preservation Planner
Landmark Society of Western NY
5 Castle Park
Rochester NY 14620

Dear Ms. Klem:

In 1876, a building was erected in the Village of Avon in which commercial spaces and offices were located on the first and second floors, while a community space was created on the third floor. This third-floor space, known today as the Opera Block, was to become a gathering place in the community for lectures, rallies, dances, small theater performances, and other events.

In 2006, the Town Board made a move to acquire the building and maintain the municipal offices in this space. It has been a mainstay in the Village for over 140 years, and has been a commercial, housing, and retail use throughout that time.

The third-floor space, The Opera Block, is a location that still holds in its mind's eye, the significant opportunity to be reinvented into the community gathering space that it once was. To this day, you can still find signatures of those who have visited, historical graffiti of a time gone by. The preservation of this historic gem is of the utmost importance for the community, as it is an integral part of our history, as well as our downtown district.

The Village of Avon strongly supports the preservation of the historic Opera Block, restoring it to a place of community and history. On behalf of the Village Board of Trustees, we look forward to the endeavor and will stand behind any and all attempts behind the Historic Preservation application.

Sincerely,



Heather Randall, Village Clerk
Village of Avon