

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 1, 2022.

- Present: Thomas Freeman, Mayor
William Zhe, Trustee
Tim Batzel, Trustee
Amanda Hoffmann, Trustee
Patrick McCormick, Trustee
- Staff: Ken Farrell, Supt. of Public Works
Joseph Geer, Police Chief
- Visitors: Richard Martin, River Street
Robert Hayes, D'Angelo Parkway
George Brown, Genesee Street
Cheri Frew, Ross Lane
Edward Forsythe, Sackett Road

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

VOUCHERS and MANUAL CHECKS:

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

#1-GENERAL FUND	\$25251.24
#4-SCHEDULE C	\$10717.50
#5-WATER	\$3485.92
#6-SEWER	\$14553.91
#TA00-TRUST & AGENCY	\$5111.73
TOTAL	\$55120.30

Electronic payments:

FED/NYS Taxes	p/r#22-15	\$15585.56
Nationwide Retirement	p/r#22-15	\$3025.13
	TOTAL:	\$18610.69

Manual Check:

AFLAC NY	replaced Voided Check	\$400.08
	TOTAL:	\$400.08

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

Thomas Freeman, Mayor	Voting	Yes
William Zhe, Trustee	Voting	Yes
Tim Batzel, Trustee	Voting	Yes

Amanda Hoffmann, Trustee	Voting	Absent
Patrick McCormick, Trustee	Voting	Yes

RICHARD MARTIN- LAND USE:

Mr. Martin appeared before the Board to discuss the land he owns in front of the nursing home. He discussed some history of the property and the creation of the detention pond. He also discussed the building of the solar field on the Avon Central School property. He discussed the drainage issues he is now seeing on his property and the immense amount of water at the school as well, stating that there is a lot of flooding in the areas near Peppermints and Salvatore's. Most recently, he has seen increase drainage problem on approximately 4 acres of commercial land that has been rezoned to agricultural when the zoning update was done in 2019. He believes that the only thing he can do to help alleviate the water problem is to create a berm. Mr. Martin would like the Board to offer some suggestions as well. Trustee Hoffmann asked if this was in order for him to be able to develop the land, in which he responded that he is not interested in developing land anymore. His desire is to make things easier for his daughter.

Mayor Freeman stated that there has definitely been a change in the area. The water from the school should be directed to Burke Pond, also stating that there was never any intention for there to be any water issues on Mr. Martin's property. Unfortunately, the school is not required to get any input from the municipality when they choose to do any kind of project like that. Mr. Martin suggested that the Village have their engineers review the area. He also suggests that perhaps the entryway could be restructured, perhaps larger pipes installed, in order to get the water in that area to Burke Pond more effectively and understands that drainage has been an issue for several years with the changing, building and growing of the community.

Mayor Freeman stated that the Board and Supt. Farrell will discuss some ideas and possibly have MRB take a look to see what kind of solutions can be found. He would like to see what happened in previous years, what was the intent and how things can be improved.

ROBERT HAYES:

Mr. Hayes attended the meeting in order to discuss with the Board the funds that were set aside for the sidewalk project which is no longer happening in D'Angelo Parkway. In 2002, Sam D'Angelo provided the Village with a securities account in the amount of \$26,000 that was to be used to guarantee the installation of sidewalks in D'Angelo Parkway. The installation never happened. In September of 2021, the Board voted to dissolve the sidewalk project.

Mayor Freeman explained that after several discussions between the Village Attorney Jake Whiting, and Mrs. D'Angelo's attorney, Mrs. D'Angelo did not accept the funds back and reverted it to the Village to use for the good of the community. Mr. Hayes believed that this was not a reasonable thing for Mrs. D'Angelo to do as it was not hers to "donate back" to the Village for any reason. He feels the Board of Trustees should be issuing checks to the residents of D'Angelo Parkway and was hoping that it would not come to litigation. At that time, under the threat of litigation, both Mayor Freeman and Deputy Mayor Zhe stated that the Board would not

discuss possible legal action in open session, and asked Mr. Hayes to have his attorney contact Village Attorney Jake Whiting.

DPW UPDATE:

Supt. Farrell provided the following update to the Board:

- Electrical fire at the WWTP on Wednesday. They were back up and running Wednesday evening. Supt. Farrell contacted the insurance company. Rep has reached out to him but has not connected at the time of the meeting.
- Water break at the railroad tracks on Spring Street on Thursday. Supt. Farrell stated that the railroad company was contacted, and they assisted in the repairs with the Village. They continued repair work to the railroad once the Village crew was able to fix the water break.
- Concrete pad was poured at the Pocket Park. Mayor Freeman and Chief Geer assisted in the pour and stamping of the concrete. Supt. Farrell stated that things are coming along nicely.
- Crew member Tim Holtz is out for Knee Surgery. He will be out until September.
- Brief discussion about the National Grid pole at the pump station.
- Mayor Freeman commended the DPW crew for the work done for the Horse Show held at the Avon Driving Park at the end of July. Everything looked great and the event was wonderful. Mayor Freeman extended a special thanks to Jim Fusco, who works primarily in the park for the Village.

TREASURER UPDATE:

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

Ongoing

- 2017 GVBA portable stalls have been ordered. Ken and I working on MWBE quotes for electric and paving quotes.
- 2019 GVBA portable restroom quotes being worked on by John Barrett.
- NYS retirement deductions still need to be corrected.
- The Board needs to determine additional use(s) of the ARPA funds.
- Pocket Park concrete poured today. Structure to be installed three weeks after the concrete is poured. Working on two quotes for the Pocket Park structure roof.
- National Grid submitted the completed Section 70 package to NYS Public Service Commission (PSC) for review and approval the week of April 25th. PSC review and approval has been taking 90-110 days. Closing date with National Grid to follow.
- Letchworth Gateway Villages completing Avon's Bike-Around Assessment insight report and action plan which will be shared with us.

New

- Centrica is beginning the fixture verification process with National Grid. 4000k for the color temp of the new fixtures seems preferred. Progress meeting with Centrica on August 3rd.
- Lunch meeting with Bonnie Davis, Genesee Fingerlakes Regional Planning Council (GFLRPC) member, and Rob Richardson, GFLRPC Clean Energy Communities

Coordinator, on July 19th, to discuss energy opportunities for the Village. Rob reviewing our UV disinfection project for energy efficiency.

- Balance of ARPA monies received on July 19th.
- PAVE NY, EWR, POP & CHIPS reimbursement for Prospect St. and Cemetery St. submitted on July 26th.
- 2021 GVBA grant reimbursement for the gazebo submitted on July 27th.
- Zoom meeting on July 28th with Alex Kone & Bob Williams, Genesee Transportation Council re: next round of TAP funding. Alex and Bob to come walk potential project in Sept.
- See attached email dated July 29th from Bob Williams, Genesee Transportation Council, re: summary and findings from Erie-Attica Trail counter.
- 96% of taxes collected to date with approximately \$46K outstanding.
- Working on 2021-2022 fiscal year end closing.

Trustee Batzel asked to have Treasurer Quinlan provide to the Board for their convenience a breakdown of the ARPA Funds, specifically how much the Village received in total, how much of the funding has been used, and what it has been earmarked for.

POLICE UPDATE:

Chief Geer provided the following update to the Board:

- Reminder- National Police Night Out will be held in the downtown district on Tuesday August 2, 2022, starting at 6pm. Genesee Street will be shut down for the event starting at around 3pm for set up.
- Chief's Conference- Chief Geer discussed the conference he attended. The training sessions were very good in his opinion, and he discussed the keynote speakers as well. Chief Geer also stated that he was elected to the Board of Governors as the region 9 representative.
- Speed Sign- At the conference, Chief Geer looked into the vendors that sell speed signs. The sign he is interested will show the actual speed being driven, which will show on the sign. He will also be able to collect that data on an application from his phone.
- The second patrol car should be ready for delivery to the Village by next week.

CLERK UPDATE:

The following items are updates from Clerk Randall:

- Changes discussed at last board meeting for the Mulligan contract has been forwarded to Attorney Whiting. Provided for the Board's review is the updated contract. Updated contract will be forwarded to Mr. Mulligan's attorney for review.
- Provided- Public hearing notice that will be in the paper this Thursday and the proposed local law to change the sewer rate. Public hearing to be held Aug 15, 2022, at 7pm. At that time, the Board will discuss the new rate and possibly adopt the local law with the rate they decide. Residents will be notified in the November billing cycle of the new rate, which, if adopted, will be effective February 1, 2023.
- A copy of the notice of petition regarding Barilla's tax assessment. This has been provided to our attorney.
- Chamber of Commerce minutes provided.

- Received letter from resident @45 Clinton Street in regard to the new tree in front of her house. She doesn't believe that it is a healthy tree. The letter has been provided to Supt. Farrell.
- July 23rd, Brian Strozewski received 21–35-year service award from the Western NY Volunteer Fireman's Association at their annual conference. Congratulations.
- Fire at 480 Wadsworth Ave.- House is a loss. Resident contacted the office in regard to shutting off the water and requested that the billing for the water and sewer be suspended. They anticipate being displaced for at least a year if not longer. The Board agreed to suspend all billing for water and sewer until they are able to begin rebuilding on the property. Billing suspension will begin as of August 1, 2022.

MINUTES:

Upon a motion made by Trustee Zhe and seconded by Trustee McCormick, the minutes from the July 18, 2022, meeting, were approved as submitted. The motion was carried by the following vote:

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

TRUSTEE UPDATE:

- ✚ Trustees discussed the Horse Show held at the Driving Park, and the Parade of Carriages through the Village. The show was a great success according to the Western NY Carriage Association, who look forward to continuing the tradition next year.
- ✚ Avon Central School has requested the presence of a second SRO for the district in order to have an officer in each building. Mayor Freeman met with Supt Pacatte and Supervisor LeFeber to discuss the request and options. The second SRO would only be required for the school year and would be paid by the district, however, would technically be employed by the Village. Members agree that this would be a good idea and want to continue the discussion in order to pin down key details.
- ✚ **Centrica Streetlight Project-** Trustee McCormick shared an update on the project with the Board. Centrica reps will be meeting with the Village on Wednesday 8/3 to introduce themselves to the Village team, provide a schedule of events moving forward. They will also create a schedule for update Trustee McCormick, who will be the point of contact for the trustees. Centrica completed a full GIS Audit and light reading. They are working on finalizing the scope of work to provide to subcontractors, hoping to complete bid walks by mid-August. They are also in contact with National Grid about fixture discrepancies and hope to have an update on that for the 8/3 meeting.
- ✚ **National Grid Pole-** Trustee Batzel said that he discussed the movement of the National Grid Pole at the Pump Station with the contractor in order to come to an agreement about the share of the cost. The National Grid Proposal to relocate the pole will cost \$20718.99. In prior meetings, Bill Davis of MRB stated that they were clear during the bidding process that this would be something that would have to be addressed by the contractor. He also said that it will be a great improvement to the Village. Trustee Batzel

recommends that the Village Board execute the Proposal for relocation of the pole. He stated that He wanted to finalize his discussion with MRB, but the Village will pay 50% of the cost and the contractor agreed to pay 25% of the cost. Trustee Batzel will let the Board know the outcome of the discussion with MRB.

Upon a motion made by Trustee Batzel and seconded by Trustee Zhe, the Board agreed to execute the National Grid Electrical Service Proposal for the Pump Station. The Board will pay 50% of the \$20178.99, the contractor will pay 25%, and Trustee Batzel will reach out to MRB for the final 25%. The motion was carried by the following vote:

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

*As of August 4th, 2022, Trustee Batzel submitted an email to the Trustees, Mayor Freeman, Treasurer Quinlan, and Supt. Farrell stating that MRB agreed to pay 25% of the cost.

- ✚ Trustee Batzel discussed training for email/phishing scams. Computer hacking has been happening in surrounding counties and he reached out to Hurricane Technologies to find out about our IT security and how we are moving forward in a more electronic and digital age.
- ✚ Trustee Zhe stated that Steve Brown, a member on the Parks Commission, is in poor health, has moved out of the Village, and recommends that the Village put out an advertisement for a new member.

EXECUTIVE SESSION:

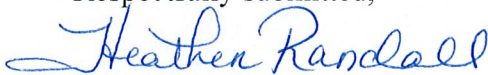
Upon a motion made by Trustee Batzel and seconded by Trustee Hoffmann the Board entered executive session at 7:35pm and exited at 8:30pm in order to discuss possible litigation. The motion was carried by the following vote:

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

No action was taken.

Upon a motion made by Trustee McCormick and seconded by Trustee Zhe, the Board adjourned at 8:35pm. The motion was carried by a unanimous vote.

Respectfully submitted,



Heather Randall
Village Clerk