

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 6, 2022.

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

Staff: Ken Farrell, Supt. of Public Works  
 Christine Quinlan, Treasurer

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 McCormick the vouchers and manual checks/electronic payments were approved for payment from the following funds:

#1-GENERAL FUND	\$274848.13
#4-SCHEDULE C	\$11107.57
#5-WATER	\$3332.54
#6-SEWER	\$12592.36
#TA00-TRUST & AGENCY	\$5366.93
TOTAL	\$59847.53

Electronic payments:

FED/NYS Taxes	p/r#22-17	\$15763.02
Nationwide Retirement	p/r#22-17	\$3119.79
<b>TOTAL:</b>		<b>\$18882.81</b>

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	Yes
Patrick McCormick, Trustee	Voting	Yes

**DPW UPDATE:**

Supt. Farrell provided the following update to the Board:

DPW Activity – past weeks

- Brush pickup continues.
- Repaired hitching post at Erie Attica trail head.
- Put new metal picnic tables together.
- Picked up generator at Pebble Beach Pump Station, brought back to shop.



- Worked on drainage problem on Linden Street.
- Painted crosswalks throughout the Village.
- Sent letters out to Oak Street Resident in regard to “No Parking” signs going up on the south side of street within 2 weeks (per Village code Article IV 60.43 – 13).

WWTP -Operator Nick Kubinski provided the following update that Supt. Farrell reviewed with the Board:

WWTP Update – 8/15/22 - 9/6/22

- We are experiencing trouble with the incoming power from National Grid. We had a power outage on 8/22 and a brown out on 8/24. We also believe that the incoming power is causing our electronics to fail, our motors to overheat and the cause for the fire on 7/27. National Grid has been contacted and began charting the power quality on 8/26. Charting is still ongoing.
- We had a communication loss from the main lift pumps to our operator interface unit on 8/29. We had to operate the pumps in hand mode and manually control the level of the wet well. Operator onsite overnight – controls lost for 29 hours. Aqualogics found 2 blown fuses in the CPU, possibly caused by a spike in power. Repaired 8/30.
- Kraft’s lift pumps have continually failed, causing their wet well to overflow and feed directly into the sanitary sewer, as well as overflow into the storm sewer. The direct feed of Kraft’s product to the sewer plant causes major issues in process control (PH, BOD and TSS loading and Sludge loading). Overflow to the storm sewer is a violation and requires DEC notification. This needs to be addressed with Kraft and fixed ASAP. Pump failures 8/13, 8/29, 8/30, 8/31, 9/3, 9/5. We believe we have found at least one cross connection, need to test to confirm. Kraft’s sludge pump would not start on 9/5, started pump Village provided. Was able to start Kraft’s sludge pump 9/6.
- Gorman Rupp 6” main lift pump #2 – This pump stopped working on 5/28, Siewert inspected pump on 6/29, pump is 25+ years old and needs to be replaced. Siewert sent quote on 7/19 for a replacement pump and motor. We need this pump back online ASAP, we do not have redundancy if pump #1 fails and we are at the beginning of the wet season that will require 2 pumps. Gorman Rupp works exclusively with Siewert in this area. The lead time is 5 weeks, we can’t wait any more. This has become an emergency.

Upon a motion made by Trustee Hoffmann and seconded by Trustee Zhe, the Board accepted the quotes from Siewert to repair the pump and motor as recommended by WWTP Operator Kubinski, in the amount of 23545.00. The motion was carried by the following vote:

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



- Primary digester Vaughan mixing pump – we took this pump out of service on 6/21. It was continually overheating and burning the wires. The pump was double its lifespan in 2017 according to the inspection report provided by W2O. We have a quote from GP Jagger for a new Vaughan pump and motor (labor and freight not included). Quote amount total is \$23256.45. I have Siewert working on a quote for a replacement pump, but it will not be the same because they cannot sell Vaughan products. (Quotes can be reviewed at next meeting.)  
Without this pump we are unable to properly mix the primary digester. This will decrease our ability to digest our sludge and it could become unstable. Disposal costs of unstable sludge is significantly higher.
- Hach reactor block for heating reagents, used for sampling COD and Phosphorus, has stopped working. We believe a spike in power burned up the controls. New one costs \$1,252.00. This piece of lab equipment is used every day and needs to be replaced.

Upon a motion made by Trustee Hoffmann and seconded by Trustee McCormick, the Board authorized the repair of the heating reagents in the amount of \$1252.00. 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

Supt. Farrell explained that National Grid is monitoring to see if there has been “dirty power” supplied which has cause so many repairs to be needed due to surges or lost power. If this proves true, it is possible to file a claim to recoup some of the losses.

- I have contacted the Steuben County Landfill to set up an account for the Village of Avon so that we can send our digested sludge there without going through a company like Casella. Once our sludge samples come back from the lab (due back 9/23) we should be able to resume removing sludge from the facility.

Water

- Cleaned raw water tank (water from lake pumped into to tank before the plant) at Water Filtration Plant, minimal amount of sediment was at the bottom of tank (couple inches).
- Dug up two water valves on Spring Street (between Sackett Rd.- Rt 39). Replaced one and fully opened the second one.

Next 2 weeks

- Continue to paint X-walks
- Paint Spring St. wall (paint on order)
- Work on Pocket Park (installing electric conduit)
- Trees with the Village
- Work on Spring St. sidewalk.

Supt. Farrell requested approval to attend the NYCOM Public Works School held October 3-5, 2022 in Lake George in the amount of \$971.00 plus mileage.



Upon a motion made by Trustee Zhe and seconded by Trustee McCormick the Board approved Supt. Farrell’s conference attendance request in the amount of \$971.00 plus mileage. 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

**TREASURER UPDATE:**

Treasurer Quinlan provided the following update to the Board electronically:

*Ongoing*

- 2017 GVBA grant...contacted NYS certified MWBE electric vendor who is retired so Ken will be obtaining two quotes...Ken & Chris working on NYS certified MWBE paving quotes.
- 2019 GVBA grant...portable restroom quotes being worked on by John & Chris...John will present to GVBA board for review and approval.
- NYS retirement deductions still need to be corrected.
- The Board needs to determine additional use(s) of the ARPA funds.
- Letchworth Gateway Villages completing Avon’s Bike-Around Assessment insight report and action plan which will be shared with us.
- 97% of taxes collected to date with approximately \$37K outstanding. Tax reminder notices mailed monthly.

*New*

- NYMS-TA grant environmental review materials approved by NYS Homes & Community Renewal on 8/24/22.
- Billed CP Ward & MRB Group (25% each) for NG pole relocation on 8/24/22.
- 2021 GVBA grant reimbursement for the gazebo and the base covering in the amount of \$10K submitted on 8/26/22.
- Attended Genesee Valley Council on the Arts virtual grant webinar on 9/1/22.
- Two quotes for the timber structure roof are attached for your review. I would like the Board to approve the roof quote from Bear Hill Builders LLC in the amount of \$11,500. Bear Hill Builders down payment is in tonight’s vouchers w/the balance to be preapproved. New Energy Works balance to be preapproved as well as it is required for the grant to show payments clearing by the end of September 2022.

Upon a motion made by Trustee Zhe and seconded by Trustee Batzel, the Board approved the roof quote from Bear Hill Builders, LLC. in the amount of \$11,500. The Board also preapproved the balance due payment for New Energy. 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



- Working on the closing documents for National Grid streetlight purchase.
- Provided an email from NYPA (New York Power Authority) in regard to the PTAC unit project from a few years ago. The Final Customer Project Commitment was never sent to the Village for signature. They request that Mayor Freeman sign off on the project as it has already been billed and closed. This is just a formality for final completion.

Upon a motion made by Trustee Batzel and seconded by Trustee Zhe, the Board agreed to have Mayor Freeman execute the final documents for the PTAC unit project completion. It is understood that the project has been complete for several years and this is merely a formality. The motion was carried by the following vote:

Thomas Freeman, Mayor	Voting	No
William Zhe, Trustee	Voting	Yes
Tim Batzel, Trustee	Voting	Yes
Amanda Hoffmann, Trustee	Voting	Yes
Patrick McCormick, Trustee	Voting	Yes

**LETTER OF CREDIT w/ TOMPKINS, CLOSING DOCUMENTS FOR NATIONAL GRID STREETLIGHT PURCHASE**

Treasurer Quinlan discussed the need for a surety bond or letter of credit in the amount of \$190,900 for the “Security and Separation Work” referenced in National Grid’s Purchase and Sales Agreement (Section 5.3). Treasurer Quinlan requested the bank’s process to obtain said surety bond or letter of credit as well as pricing from Community Bank and Tompkins Community Bank. Tompkins Community Bank responded that the letter of credit would be more cost effective for the Village with a 1% bank fee.

Upon a motion made by Trustee McCormick and seconded by Trustee Zhe, the Board agrees to proceed with a letter of credit from Tompkins Community Bank in the amount of \$190,900 with a payback of twenty-four (24) months. The Board recognizes a 1% bank fee for the letter of credit, and monthly interest payments if the letter of credit is drawn upon. The Board authorizes Tompkins Community Bank to file a UCC on all assets or cash secure as collateral, whichever is more expeditious. The Board designates Mayor Thomas Freeman authorization to sign agreements and execute documents. Treasurer Quinlan will provide required documents to Tompkins Community Bank and stress the need for the letter of credit to be in place no later than September 16, 2022. 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



**POLICE UPDATE:**

Chief Geer was unable to attend the meeting but requested from the Village Board to accept Officer Brandon Moran as part time competitive with Civil Service.

Upon a motion made by Trustee Zhe and seconded by Trustee Batzel, the Board approved Officer Moran, from the civil service list of eligibles, making him a part time competitive officer for the Village of Avon. 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

The Addendums for the SRO contract, and Chief Geer’s contract were tabled. Members of the Board wish to discuss them with Supt. Dr. Ryan Pacatte, Supt. of ACS. Mayor Freeman will reach out to him to find a convenient time for him to join us.

**CLERK UPDATE:**

The following items are updates from Clerk Randall:

- Provided- Public hearing notice that ran in the paper Thursday (8/25) to be held September 19<sup>th</sup>, 2022, and the proposed local law to change the sewer rate. Public Hearing to open at 7pm to adopt law.
- Provided- Public Notice that ran in the paper Thursday (8/25) of the financial statement filing.
- Provided- order authorizing transfer of street lighting facilities from National Grid to Village of Avon.
- Letter of Congratulations received by the Village for successfully completing our Livingston County First Impression project for our grant for Circle Park. Also received a copy of a letter of congratulations to Mike Carroll for his completion of major renovations to his building @ 5569 East Avon Road.
- Provided- Avon Chamber of Commerce minutes for August 2022.
- 9/11 Remembrance Ceremony hosted by St. Agnes School will be held Friday September 9<sup>th</sup>, 2022 @ 9:30 am in the Circle Park. All are welcome.
- Records destruction- bank book pages from 2016 and prior. Retention for 6 years.

**MINUTES:**

Upon a motion made by Trustee Hoffmann and seconded by Trustee Zhe, the minutes from the August 15, 2022, meeting, were approved as submitted. The motion was carried by the following vote:

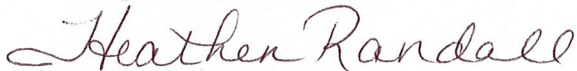
Thomas Freeman, Mayor	Voting	Yes
William Zhe, Trustee	Voting	Yes
Tim Batzel, Trustee	Voting	Yes
Amanda Hoffmann, Trustee	Voting	Yes
Patrick McCormick, Trustee	Voting	Yes

**TRUSTEE UPDATE:**

- ✚ Trustee Zhe discussed the language in the code book describing the job duties and requirements for Code/Building Department employees and whether or not it should be changed. They reviewed Attorney Whiting's guidance from several months ago, in which he explained what the code currently states, and how the Board can change it. Trustee Zhe stated that the Board needs to come to a decision on this. The Board asked Clerk Randall to advertise for a position in the Building Department.
- ✚ Trustee McCormick discussed the street light project meeting with Centrica and gave a brief update on the progress. Centrica representatives have completed subcontractor walks with potential firms. There has been no pricing given yet. Also discussed was the pricing of fixtures and proposed lighting at the back of the municipal lot. Trustee McCormick stated that there will be another meeting held September 15<sup>th</sup> which Centrica will review the final project and the scope of the work will Village staff. They would like to present the final project scope and cost to the Board 10/3 or 10/17.

Upon a motion made by Trustee McCormick and seconded by Trustee Zhe, the Board adjourned at 7:39pm. The motion was carried by a unanimous vote.

Respectfully submitted,



Heather Randall  
Village Clerk