

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 January 23rd, 2023.

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

Staff: Ken Farrell, Supt. of Public Works
Chris Quinlan, Treasurer
Joseph Geer, Police Chief
Andy Anderson, Code Enforcement Off.
Bill Davis, MRB

Deputy Mayor Zhe called the meeting to order at 6pm and began with the Pledge of Allegiance. The Village Board proceeded with standard updates and regular business.

VOUCHERS and MANUAL CHECKS:

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

#1-GENERAL FUND	\$209439.00
#4- SCHEDULE C	\$48344.73
#5-WATER	\$17798.87
#6-SEWER	\$6781.28
#TA00-TRUST & AGENCY	\$1059.64
#HH50- TURNOUT GEAR	\$200.00
#HH81-MASTER METER KRAFT	\$77831.66
TOTAL	\$369068.16

Electronic payments:

FED/NYS Taxes	p/r#23-01	\$18954.28
Nationwide Retirement	p/r#23-01	\$3154.89
	TOTAL:	\$22109.17

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

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

MRB UPDATE:

Bill Davis of MRB gave the following update to the Board:

- WWTP Disinfection Project-Response Letter from the Village to DEC for approval (see Clerk Update). The drawings were sent to DEC on January 13th. Currently waiting on electric quotes.
- LeFeber Easement is complete. Clerk Randal will email MRB a copy of the easement and sent to the county for filing.
- Water Tank Study- Look to set up the kickoff meeting. Update on Town THM issue- currently back in compliance.
- Valve Vault Improvement Project information sent to the Department of Health on 1/20/2023.
- PBPS- looking to remain on the current timeline, building delivery end of February.

DPW UPDATE:

Supt. Farrell provided the following update to the Board:

DPW Activity – past weeks

- Repaired sewer at 171 Reed St. Collapsed sewer in 2 spots.
- Repaired sewer at manhole at 32 River St. The pipe entering the manhole had collapsed. We replaced 6 ft of clay tile.
- Ran sewer at 32 River St. to clean out back up from collapsed pipe.
- Cleaned up area in lift station/ Records room at WWTP for Holiday decorations (all Christmas trees, totes of garland bags of bows) altogether.
- Cut down small trees that were dead (2-55 Spring St., 190 North Ave., 1 Valley Lane & 202 Commerce Dr.).
- Replaced leaky water valve on Spring St. This is the one that built up ice at Kraft's driveway during cold weather.
- Repaired equipment.
- Ran camera on Wadsworth Ave. Resident contacted me regarding backing up issue.
- Working on Local Highway Inventory (Ross Lane).

WWTP

- Worked on equipment.
- Discovered 2nd water leak at Kraft (same area as before) due to high flows at WWTP.

Water

- Starting to read meters.
- Mulligan Farms are all set up and flowing water. Around 50,000 to start.
- Working on the billing for Mulligan Farms also.

Next Two Weeks

- Terry Tree slated for their annual tree clean up throughout the Village in the amount of \$12000. National Grid will be coming through as well.

TREASURER UPDATE:

Treasurer Quinlan provided the following update to the Board:

Ongoing

- 2017 GVBA grant...contacted NYS certified MWBE electric vendor who is retired so Ken will be meeting with two locals in Jan. for quotes...response back to Ken from one of the three NYS certified MWBE paving companies. Preparing MWBE paperwork for NYS review and approval.
- 2018 GVBA grant...working on grant paperwork for portable restrooms and paving including MWBE waiver for submission to NYS Ag for approval.
- 2019 GVBA grant ideas w/pricing discussed with GVBA at their 10/12 meeting. GVBA Board agreed to proceed with grant but not particular projects yet.
- The Board needs to determine additional use(s) of the ARPA funds.
- Awaiting response from National Grid re: leaning poles and streetlight bill charges.
- Continued review of IT policies w/Shawn Petti, Hurricane Technologies. Future Board approval.
- Working on 1099-NEC forms.

New

- Response from NYS Retirement on 12/30/22 re: non-reported employee. Heather working on reply.
- GVBA/Village draft agreement from Attorney Whiting and Wendy Sisson, Esq. for your review and approval.
- Review Bero's updated documents for the Five Arch Bridge project.
- Distributed budget worksheets to Dept. Heads on 1/18.
- Working on budget timeline and budget.
- Billed ACS for SRO coverage at the Primary School.
- Attending Genesee Valley Trail Towns meeting on 1/26.
- Attending Letchworth Gateway Villages monthly meeting on 2/9.

POLICE UPDATE:

Chief Geer presented the following update to the Board:

- Chief Geer provided the Board with an end of the year report for the department. For 2022, the department responded to 2461 calls, which is up 20 calls from last year. The highest number of calls continues to be for EMS. Arrests are up by 40 from last year totaling 192. Mental Hygiene arrests continue to increase every year, this year being the highest arrest type. Whenever there is a mental hygiene arrest, the officer takes the arrestee to Strong Hospital.
- The speed signs have arrived. They are battery operated and will be put out in the Village once the warmer weather comes along. They are not recommended for weather under 40 degrees.
- Waiting to send our potential new hire for their psychological evaluation at this time. We are currently looking for another Phase II to send him to as the Sheriff's Department decided no to run a Phase II as anticipated.

CODE ENFORCEMENT UPDATE:

Code Enforcement Officer Andy Anderson gave the following update to the Village Board:

- The Cottone property on Rochester Street is under new ownership. There will be work starting on it, the first thing being the demolition of the garage on 1/24/2023.

- Met with the new owners of the dry cleaners' building who may have a rental prospect in the works. The owner/renter have a good idea that could be a great addition to the Village in Code Officer Anderson's opinion. The inspection was completed on 1/18/2023 and a certificate of compliance will be issued when the new renters come in.
- 540 Dream Valley Blvd- This is located in the Tops Plaza. A new business is expected to be coming into that location. It will be a smoke shop. They will not be carrying smokable cannabis at this time.
- Jerris' rental- Mr. Jerris explained to Code Officer Anderson that the eviction process was halted as the renter paid the back rent that was owed. He expressed to Mr. Jerris that the property needs to continue to be cleaned up and addressed the boat that is currently being stored there. Mr. Jerris has spoken to the tenant about the boat stating that it needs to be removed.
- Former macaroni factory (Rochester Street)- Owner of Livingston County Pizza Corporation, Paul Vanvalkenburg, is still interested in talking with the current owner of the macaroni factory for a possible purchase.
- Provided to the Board- a list of 2022 permits, certificates of compliance and certificates of occupancy issued.
- Fire Inspections continue.
- Driscoll Property on the hill- Attorney Whiting asked what direction the Board wishes to take. Mayor Freeman will reach out to him to discuss the most appropriate way to handle the issue moving forward.
- Trustee Zhe asked about the parked car located on the corner of Linden Street and Route 39 as you are heading out of the Village. Code Officer Anderson stated that he has asked the owner of the car to move it on several occasions, giving them the benefit of the doubt. He will site them.

CLERK UPDATE:

The following items are updates from Clerk Randall:

- **Deer Committee- Week 2-** 5 of 6 sites were harvesting. Sites spent 15.5 hours harvesting during 6 sits. 1 deer was taken. 2 shots were taken, and all bolts/arrows were recovered. 31 deer were observed over the three days (average of 10 per day). Deer was donated.
Week 3- 5 of 6 sites were harvesting. Sites spent 18.5 hours harvesting during 8 sits. 3 deer were taken. 3 shots were taken, and all bolts/arrows were recovered. 34 deer were observed over the three days (average of 11 per day). One deer was donated.
To Date: 7 deer have been harvested, eight shots have been taken (1 miss) for an 88% success rate of shots taken. 102 deer observed over the 8 dates for an average of 13 deer per date (44.25 hours of participation.) Of the 19 participants, 5 have successfully harvested a deer. 1 participant has harvested multiple deer. Both reports have been provided by Scott Gage.
- Provided- Copy of the public hearing notice which will run in the paper on 1/26/2023 for the hearing to be held 2/6/2023 at 7pm for the adoption of local laws 1 & 2 which will provide partial exemption from real property taxes to certain eligible senior citizens and persons with disabilities who have limited incomes. This will keep the Village in line with the County. The drafts of the local laws are available in the office for review.

- The Fire Department election calendar was provided to the Board. The election will be held April 6, 2023.
- Fire Department continues their training with the new air packs.
- Request for Conference Attendance: WNY Water Works Conference held at GCC for training and recertification for Supt. Farrell, Lead WWTP Operator Nick Kubinski, WWTP Operator Sam Rugg, Lead Water Operator Kirk Vanderbilt, and Water Operator Chad Bailey. Total cost is \$200(\$150 for registration and \$50 for dues to be paid from the water and sewer funds).

Upon a motion made by Trustee Hoffmann and seconded by Trustee McCormick, the Board approved the training and recertification conference request in the amount of \$200.00. The motion was carried by the following vote:

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

- The Village Board received a violation letter from DEC in regard to the WWTP Disinfection Project. MRB has provided a response letter to DEC outlining a proposed schedule for moving forward. Supt. Farrell, John Barrett, and the Board have reviewed the letter and authorized Trustee Zhe to execute the letter in order to meet the deadline set by DEC for the response.

Upon a motion made by Trustee Hoffmann and seconded by Trustee McCormick, the Board authorized Trustee Zhe to execute the letter. The motion was carried by the following vote:

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

Clerk Randall will forward the executed response to Environmental Program Specialist Don Cardinal of the DEC.

- **Important Dates:**

- January 26, 2023- Ian Coyle will be at the Town Board meeting for a county update. All are invited to attend.
- February meetings will be the first and third Mondays as usual.

MINUTES:

The vote for the minutes were tabled until the next meeting due to attendance.

TRUSTEE UPDATE:

- GVBA Agreement- Attorney Whiting is working on another draft with Wendy Sisson ESQ, for review at a later time.
- Five Arch Bridge Update-Provided to the Board for review was a brief update and estimate from Lindsay Yoder of Bero Architecture for the phase I repairs. It was noted that the roofing system installed in 2020 has reduced the pace of masonry deterioration.

However, project costs will continue to increase as time goes on. At this point, the Village has to decide how to use their EPF award or it will be forfeited. The Village has put forth great effort in trying to preserve the bridge, and EPF grants are very competitive. There is no guarantee that public funding would even be available in the future. Ms. Yoder suggested that the Village possibly reconsider the scope of the project in order to bring it within a more acceptable budget. Upon discussion, Trustee Zhe and Trustee Hoffmann think that reducing the scope of the project is a good idea. Whatever the decision, the Village still needs to come up with their share for the match. Mayor Freeman stated that there is no easy answer as the roof was a huge project and the repair work will be another huge project. Where do we get these funds now? Is it fair to leave this for a future Board to figure out?

Trustee Zhe asked if we could invite Ms. Yoder to a future meeting and the Board meet at the Five Arch Bridge in order for her to point out areas that would be worthwhile for the Village to focus on. All trustees thought this was a good idea. A future date will be worked out in order to meet before a Board meeting at the bridge.

- ✚ Mayor Freeman discussed events hoping to find a home at the Driving Park this year. The Western NY Carriage Association met to review dates that they wanted to request for the park use. Once again, they are looking to hold a Pleasure Show July 29-30 along with two single day events in May, and possibly something in the fall. Assistant Chief Snyder (at the Carriage meeting) said he would let them know if the Fire Department will be able to provide concessions as they did last year. The Breeders Horse Show has been scheduled for August 19-20, and the Sire Stakes has professed interest for July 9th. We are waiting on copies of the horse track survey to provide to the Trotting Association to verify if the track is compliant. Supt. Farrell said that they can design a drag to help maintain the track.

- ✚ East Avon Fire Department Commissioners Meeting- Mayor Freeman attended the meeting held on January 16th in order to start a dialogue with the East Avon Fire Department. The Mayor believes that between the Village Department and East Avon, there is a wonderful opportunity to reach common ground and utilize each other to the benefit of our community as a whole. Using the same equipment, or comparing what each has in order to not duplicate could be a step in the right direction. Members were supportive of the idea saying that they would send 2 members to forums/meetings to continue the discussion. The Mayor stated that Chief Strozewski was encouraged by the idea when it was presented to him in December, and Trustee Hoffmann expressed her interest in being included in the forum. There has been no word from the Town Board as to whether or not they would be interested in participating in the conversation.

- ✚ The Mayor gathering that was scheduled for January 18th was cancelled and will be rescheduled for a later date.

EXECUTIVE SESSION:

Upon a motion made by Trustee Hoffmann and seconded by Trustee Batzel, the Board entered executive session at 7:05pm in order to discuss the employment history of a particular person or corporation leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal, or removal of a particular person or corporation. The motion was carried by the following vote:

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

Upon a motion made by trustee McCormick and seconded by Trustee Hoffmann, the Board exited executive session at 7:30pm. The motion was carried by the following vote:

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

Upon a motion made by Trustee Hoffmann and seconded by Trustee McCormick, the Board agreed to schedule interviews with potential building department candidates for February 8th, 2023, beginning at 6pm. The motion was carried by the following vote:


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

Clerk Randall will set up the appointments and confirm with the Board.

ADJOURNMENT:

Upon a motion made by Trustee McCormick and seconded by Trustee Hoffmann, the Board adjourned at 7:35pm. The motion was carried by a unanimous vote.

Respectfully submitted,



Heather Randall
Village Clerk