

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 March 6, 2023.

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

Staff: Christine Quinlan, Treasurer

Visitors: Edward Forsythe, Sackett Road

Absent: Patrick McCormick, Trustee

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

**COMMERCIAL SEWER RENTS PUBLIC HEARING:**

Upon a motion made by Trustee Zhe and seconded by Trustee Hoffmann, the Board opened the public hearing at 6:00pm. 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	Absent

Trustee Zhe read the following notice published in the Livingston County News as required:

**NOTICE OF PUBLIC HEARING  
 VILLAGE OF AVON, N.Y.**

*Notice is hereby given, that a public hearing will be held on Monday, March 6, 2023, at 6:00pm at the Village Hall, 74 Genesee Street, Avon, New York, to hear any and all complaints in relation to the number of COMMERCIAL sewer rents assigned for the Village’s year commencing August 1, 2023. There will be no change in the number of RESIDENTIAL units during that period unless there has been or will be a change in the number of living units within a building. Written notice of any proposed change, either residential or commercial, will be given prior to the public hearing.*

*By Order of the Board of Trustees  
 Village of Avon, New York*

*Thomas Freeman, Mayor*

The Board reviewed the analysis provided by Treasurer Quinlan and discussed the following accounts:

ACCT.			PRESENT	PROPOSED
NO.	OWNER	BASE	UNITS	UNITS
005015-000	AVON SPRINGS CLUB	2	3	4
005093-000	PEMM, LLC	1	27	30
005186-003	EDWARD COYNE	8	19-W, 15-SE	17-W, 13-SE
005721-000	AVON CENTRAL SCHOOL	1	6	7
005722-000	AVON CENTRAL SCHOOL	2	18	20
005723-000	AVON NURSING HOME	1	18	16
005797-000	FINGER LAKES DDSO	1	3	4
005885-000	TOM WAHL'S INC.	1	22	19
005895-000	MCDONALD'S	1	6	7
005977-000	TOPS MARKETS LLC (#431)	1	15	12
006256-000	COMMUNITY INTEGRATED SVCS	1	2	1
006930-000	ALDON	1	9	8
007148-000	RIVOLI DENTAL PC	1	2	3
007363-000	PEPPERMINTS RESTAURANT	1	6	5
007374-004	SKY NEW YORK HOLDINGS LLC	5	26	34
		Total W	182	187
		Total SE	178	183

Mayor Freeman suggested that we keep all units the same this year as we raised the sewer rate to \$67.00 per quarter. Two owners reached out to the Board for forgiveness- Avon Springs Club and Sky New York Holdings LLC. The Board discussed these two accounts at length. Most of the Board stated that while the intention is nice to not raise the units across the board, customers were notified and two people did reach out. They felt that those two that reached out should hold at their current units but the rest should change according to the analysis provided. Those that would decrease in units would also change.

Upon a motion made by Trustee Batzel and seconded by Trustee Hoffman, the Board decided to keep Avon Springs Club at 3 units and Sky New York Holdings, LLC at 26 units. The remaining accounts would change according to the analysis. 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	Absent

Upon a motion made by Trustee Batzel and seconded by Trustee Zhe, the Board closed the public hearing at 6:15pm. 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	Absent

**VOUCHERS and MANUAL CHECKS:**

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

#1-GENERAL FUND	\$23041.79
#4-SCHEDULE C	\$10177.64
#5-WATER	\$3843.95
#6-SEWER	\$31305.61
#TA00-TRUST & AGENCY	\$6249.85
<b>TOTAL</b>	<b>\$74618.84</b>

Electronic payments:

FED/NYS Taxes	p/r#23-04	\$14115.43
Nationwide Retirement	p/r#23-04	\$3491.61
	<b>TOTAL:</b>	<b>\$17607.04</b>

The motion was seconded by Trustee Batzel 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	Absent

**DPW UPDATE:**

Supt. Farrell was unable to attend but electronically provided the following update to the Board:

DPW Activity – past weeks

- Cut Trees at Pocket Park.
- Worked on sidewalk at Driving Park.
- Plowed snow and cleaned up.
- Restocked corn feed for Deer Harvest.
- 2 sewer call outs, 2 salt runs & plowed 3 times.
- Pothole repair
- St. Agnes Pre-K students visited DPW for annual tour.
- Street sign repair

WWTP

- W2O was on site repairing screener.
- Nick & Sam assisted with snow removal at the Village Office & sidewalk steps.

Water

- Meeting for pump station, scheduled date for arrival expected 3/9, this Thursday.
- Repaired 2 water breaks (1 Valley Lane, 1 Spring St.)
- Lead Water Operator provided to Supt. Farrell two quotes for swing check valves, taps, gasket kits, and freight:
  1. Seiwert- 2-10” Pratt Series 8501 air cushioned swing check valves @ \$5672, 2-adder for the 1” NPT tap on each valve for the ARV @ \$560, additional freight @ \$250 for both valves. No price yet for the gasket kit, however the total at this point is \$12714. The gasket kit will push the quote just over \$13000.
  2. TI Sales- 2-10” Pratt Series 8501 AWWA Swing Check valve @ \$6960 plus freight @ \$300.00 for a total of \$14220.

Upon a motion made by Trustee Hoffmann and seconded by Trustee Batzel, the Board accepted the quote from Seiwert. 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	Absent

Streetlights

- Lights on Genesee St, Circle Park are completed, new pole on Municipal parking lot has been installed. Still a few more lights to change/ install. Email received from Steve Tacconi at Centrica reviewed the progress, stating that they are about 87% complete. The following is a brief breakdown:
  - Completed work is as follows:
    - o 261 new LED cobrahead fixtures
    - o 70 new LED post top fixtures on Horseshoe/Circle Park/Genesee Street
    - o 78 new LED post top fixtures through village (previously National Grid owned)
    - o 2 new longer arms and LED cobrahead fixtures in municipal lot
    - o 1 new pole in municipal lot.
  - Remaining work is as follows:
    - o 3 new arms and 2 new LED cobrahead fixtures in municipal lot
    - o 2 new LED cobraheads in alley adjacent to municipal lot
    - o 6 new LED post top fixtures in Village Hall lot
    - o 4 new LED post top fixtures at WWTP
    - o 2 arm relocations on East Main Street (lights have been converted to LED)
    - o 2 new arms and new LED cobraheads
- Fixed bad wire on Horseshoe Dr.

Next 2 Weeks

- Continue to work on Gazebo at Driving Park
- Continue work on sidewalk at Driving Park
- Start grinding stumps (after stake outs are clear, we will start)

## MRB UPDATE:

Bill Davis did not attend the meeting. However, the Board discussed the Reservoir Road Water Tank Valve Vault Improvement amendment #1. Treasurer Quinlan suggested that the Board allow consultant John Barrett to review the amendment before voting. The Board agreed.

The Board also talked about the WWTP UV Disinfection project and the backup generator. According to Mark Bailey, of MRB, “to date, the Pebble Beach pump station generator has been planned for use as the UV system backup generator. The DEC would require the generator to be a permanent installation with an automatic transfer switch.

If the Village would like to utilize the Pebble Beach generator as a trailer mounted unit and utilize it for backup power at other locations, we have the following cost estimate for providing a new, permanent generator for the UV disinfection system:

- Approximately \$40K for an 80KW, 480V, 3-Phase, Outdoor Diesel Generator. This is the minimum size generator that Cummins makes that is sized appropriate for the UV system load.
- Estimate another \$40k for Labor/Materials to install.” (Provided by email from Mark Bailey, MRB)

Mayor Freeman stated that he discussed with Bill Davis and asked to make the generator an alternate bid in the project.

## TREASURER UPDATE:

Treasurer Quinlan the following update to the Board:

### *Ongoing*

- 2017 GVBA grant...preparing MWBE waiver paperwork for electric and blacktop.
- 2018 GVBA grant...grant paperwork submitted on 2/28. Preparing MWBE waiver paperwork for portable restrooms, storage addition, and blacktop.
- 2019 GVBA grant ideas w/pricing discussed with GVBA at their 10/12 meeting. GVBA Board agreed to proceed with grant but not particular project(s) yet.
- The Board needs to determine additional use(s) of the ARPA funds.
- Awaiting response from National Grid re: streetlight bill charges.
- Continued review of IT policies w/Shawn Petti, Hurricane Technologies. Future Board approval.
- Heather working on reporting salary & contributions as our former employee does want to retire from NYS.
- Attorney Whiting responded to NYPA re: outstanding invoice. No response from NYPA yet.
- Attorney Whiting and Wendy Sisson, Esq., working on GVBA/Village agreement.
- Working on budgets.

### *New*

- Avon Trail Town members meeting with Pauline Burnes, Genesee Valley Trail Town (GVTT) Coordinator on 3/8/23, at 7 p.m.

- Letchworth Gateway Villages (LGV) monthly update meeting on March 9<sup>th</sup>.
- Dept. Head meeting to review 3<sup>rd</sup> quarter financials on March 10<sup>th</sup>.
- NYS EFC finance closing for WWTP disinfection project tentatively scheduled for the end of April.

**POLICE UPDATE:**

Chief Geer was unable to attend, but Mayor Freeman provided the following update to the Board on his behalf:

- Parking in front of the Town Building- Mayor Freeman stated that Chief Geer is working on the continued parking problems in front of the Town Offices, stating that employees have always been encouraged to park in the back of the building in order to free up parking for the business district.
- The Board discussed budgeting of the perspective new cars for the next few years.

**CLERK UPDATE:**

The following items are updates from Clerk Randall:

- Deer Committee- Week 8- 5 of 6 sites were harvesting. Sites spent 14.25 hours harvesting. 0 deer was taken. 0 shot was taken. 36 deer were observed over the 3 days (average of 12 per day).  
Week 9- 3 of 6 sites were harvesting. Sites spent 10 hours harvesting during 3 sits. 1 deer was taken. 1 shot was taken, and all bolts/arrows were recovered. 11 deer were observed over the 2 days (average of 6 per day). deer was donated.  
To Date: 16 deer have been harvested, 19 shots have been taken (2 misses, 1 non-lethal hit) for an 84% success rate of shots taken. 217 deer observed over the 26 dates for an average of 8 deer per date (138.25 hours of participation.) Of the 19 participants, 9 have successfully harvested a deer. 3 participants have harvested multiple deer. *Both reports have been provided by Scott Gage.*
- General Code Resolution -public hearing to be held April 3<sup>rd</sup>, 2023, at 6pm.

Trustee Hoffman moved to adopt the following resolution, seconded by Trustee Zhe. 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	Absent

**VILLAGE OF AVON  
RESOLUTION TO HOLD PUBLIC HEARING  
ON PROPOSED LOCAL LAW**

WHEREAS the Board of Trustees of the Village of Avon has entered into a project for the codification of local laws, ordinances, and certain resolutions of the Village of Avon for the purposes of increasing the effectiveness of village governmental administration, providing for greater public awareness of and access to village legislation and protecting the health, safety and welfare of village inhabitants; and

WHEREAS the proposed codification has been published in loose-leaf form and the Board of Trustees now desires to formally effect the adoption of said codification by enactment of a local law;

NOW, THEREFORE, BE IT RESOLVED, that a public hearing be held by the Board of Trustees with respect to enactment of the following local law, such public hearing to be held on the 3rd day of April 2023, at 6 p.m., in the Village Hall, Village of Avon, New York. The proposed local law to be considered is as follows:

**LOCAL LAW NO. 3 -2023**

A LOCAL LAW TO PROVIDE FOR THE CODIFICATION OF THE LOCAL LAWS, ORDINANCES AND CERTAIN RESOLUTIONS OF THE VILLAGE OF AVON INTO A MUNICIPAL CODE TO BE DESIGNATED THE “CODE OF THE VILLAGE OF AVON”

Copies of the text of the above-named local law shall be filed in the office of the Village Clerk.

AND BE IT FURTHER RESOLVED that the Village Clerk is hereby directed and authorized to cause public notice of said hearing to be given in accordance with the Municipal Home Rule Law, the Open Meetings Law, and the Village Law of the State of New York.

**VOTE OF BOARD OF TRUSTEES**

AYE: 4  
NO: 0  
ABSENT: 1

DATE: March 6, 2023

Clerk Randall will have the public hearing notice published in the LCN as required.

- Provided- copy of the 2023 Voter list for elections. List will be posted on 3/22/2023 and ballots will be sent to voters- certified mail- the same day.
- Provided- Avon Chamber Minutes
- Provided- Livingston County Planning Board Agenda for meeting on Thursday 3/9/2023 @ 7pm.
- The Board discussed the Special Meeting date in order for the budget to be presented.

Upon a motion made by Trustee Batzel and seconded by Trustee Hoffmann, the Board scheduled the Special Meeting for Monday March 27, 2023. The motion was carried by the following vote:

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

• **Important Dates:**

- 3/18/2023- St. Patrick’s Day Parade @3pm
- 4/3/2023 Organizational Meeting
  1. Public Hearing opened for Local Law 3 at 6pm
  2. Public Hearing open for Budget @ 6:30pm
- 4/6/2023- Fire Department Election
- 4/17/2023- Adopt Budget, Local Law 3 (general code)
- Town Board will be meeting at Village Hall on 3/9/2023 at 6pm.
- Court will begin holding sessions at Village Hall on March 13<sup>th</sup>, 2023.
- Water Works Committee will hold their meeting at Village Hall on March 16<sup>th</sup>, 2023, at 7pm.
- Town Planning/Zoning Board meeting will be held at Village Hall on March 20, 2023, at 6pm.

**MINUTES:**

Upon a motion made by Trustee Hoffmann and seconded by Trustee Batzel, the minutes from the February 20th, 2023, 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	Absent

**DELINQUENT WATER/SEWER RESOLUTION 2023:**

Trustee Zhe offered the following resolution and moved for its adoption:

*RESOLUTION*

WHEREAS, the Village of Avon residents are billed quarterly for the use of water and sewer within the Village, and

WHEREAS, the February 1<sup>st</sup> billing is the last billing prior to the yearend fiscal closing, and

WHEREAS, there are delinquent water and sewer accounts, it is therefore

RESOLVED, that all delinquent water and sewer amounts not paid prior to March 31, 2023, are, added to the Village of Avon tax roll for each specific delinquent account.

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

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



**TRUSTEE UPDATE:**

- ✚ Five Arch Bridge- Letter sent to Lindsay Yoder with a dollar amount in order to have her help modify the scope of the work for the project.
- ✚ Mayor Freeman discussed the permit application submitted by Mike Raynard for a hot dog stand in the Village.
- ✚ Trustee Hoffmann discussed her desire to have some sort of website/social media access that would connect residents to the community events around the Village. Treasurer Quinlan stated that the Chamber is working on updating their website in order to make the information on these events readily available. Perhaps we can post a link on our Village website that would take people to the chamber site.
- ✚ Mayor Freeman stated that Code Officer Anderson and Trustee McCormick will be meeting with Louise Wadsworth on March 22, 2023 to discuss the Livingston County Design Guidelines.
- ✚ GVBA Agreement- no new agreement as yet. Tabled until we receive something new from Attorney Whiting.
- ✚ Village Board interviewed applicants for an additional Building Department employee and accepted the application of Bob Alexander. Clerk Randall will work with Livingston County Personnel to create a position. Mr. Alexander will be required to take all training needed in order to receive his NYS certification and will start collecting a salary once he starts attending training. Clerk Randall and Code Officer Anderson will research the training schedule.

Upon a motion made by Trustee Batzel and seconded by Trustee Zhe, the Board agreed to start Mr. Alexander salary when he starts his training courses. The motion was carried by the following vote:

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

**ADJOURNMENT:**

Upon a motion made by Trustee Zhe and seconded by Trustee Hoffmann, the Board adjourned at 6:55pm. The motion was carried by a unanimous vote.

Respectfully submitted,



Heather Randall  
Village Clerk