A meeting of the Board of Trustees of the Village of Avon was held in the Whitney Room of Village Hall, 74 Genesee Street, Avon, New York, on March 20, 2023.

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

Staff: Christine Quinlan, Treasurer
Ken Farrell, DPW Supt.
Joe Geer, Police Chief
Andy Anderson, Code Enforcement
Bill Davis, MRB

Visitors: Edward Forsythe, Sackett Road

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

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	$46,978.44
#4–SCHEDULE C	$9356.28
#5-WATER	$14525.68
#6-SEWER	$87249.51
#TA00-TRUST & AGENCY	$1059.64
TOTAL	$159169.55

Electronic payments:

Fed/NYS Taxes	p/r 23-05		$13242.68
Nationwide Retirement	p/r 23-05		$3436.63
		TOTAL:	**$16679.31**

Water Fund Refund Checks:

Alana Hamilton	12 Carriage Lane		$23.84
James Hartke	94 East Main Street		$300.00
Timothy Letson	285 Genesee Street		$168.11
William Wall	117 River Street		$9.98
Krista Miglorie	41 Temple Street		$67.13
Darlene Roloson	7 Pine View Heights		$27.00
		TOTAL:	**$596.06**

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	Yes

DPW UPDATE:

Supt. Farrell provided the following update to the Board:

DPW Activity – past weeks

1. Worked on Gazebo at Driving Park.
2. Started Stump Grinding
3. Loaded Sludge- hauled out by Dixon Environmental at approximately $84 per ton.
4. Repaired waterline at WWTP for drying bed (use for trailer)
5. Cleaned up piles of old dirt in parking lots at Driving Park
6. Ran Camera for sewer issue on Linden St.
7. Dug up 1 stump at Pocket Park
8. Cleaned up snow piles.

Call Outs

1. 2- Plow snow, 2- Salt, 1- tree branch fallen across sidewalk, 1- sewer

WWTP

1. Started running sludge trailer.

Water

1. Pump Station delivered.

Streetlights

1. P&CG here today to look at Circle Park, replaced fuses that feed the circle. P&CG switch the feed to the park from 2 to 1 lag to see if that takes care of the recurring light problem.

If the problem happens again, they will come out to look to find the break in the line (couple hrs. to do so). They'll quote us on a price to fix, hopefully in the next week.

Office

1. Van Hook was here and replaced the hot water recirculation tank and motor for heat units. Quoted us on repairing pully on FD heat unit, DPW fixed issue. Crew members also worked on the air leaks.

Misc.

1. Supt. Farrell discussed with the Board Ross Lane noting that it has been incorrectly labeled as a one way street for several years on the NYS street inventory. Supt. Farrell was instructed that the Board should resolve that the road is a two-way street in order to correct the inventory.

Upon a motion made by Trustee Hoffmann and seconded by Trustee Zhe, the Board resolved that Ross Lane is a two-way street. 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

2. Supt. Farrell will be taking time of Wed March 22nd through Friday March 24th. Crew member Tim Holtz will be available in his absence.

MRB UPDATE:

Bill Davis provided the following update to the Board:

- Disinfection Project- Comments have been sent back to DEC. Waiting to hear back. The generator must be in a fixed location. The intention is to bid the generator as an alternate.
- Water Tank Valve Vault Improvement- received DOH approval and ready to go out to bid.The Board discussed taking a step back for the time being on this project in order to look into grant options. The project is getting more expensive and an award of a WIIA grant could fund up to 75% of the project. Supt. Farrell agrees stating that we have several projects happening right now and stepping back and looking into these grants could save the Village quite a bit of money. The Mayor stated that our new senator, Senator Pam Helming, has stated that there is a lot of funding coming available for water/sewer infrastructure.

  The Board unanimously agreed to take a step back from this project at this time.

  The Board also reviewed the Valve Vault Improvement Amendment provided by MRB in the amount of $24,300 which increased the contract agreement to $87,800. Consultant John Barrett reviewed these numbers and stated that he can not dispute any of it. He continued by saying that the Village did change the concept and created the increases and that DOH asked for the engineering study to accompany the submission.

Upon a motion made by Trustee Zhe and seconded by Trustee Hoffmann, the Board accepted the Valve Vaukt Improvements Amendment #1, increasing the amount of the contract agreement total by $24,300 to $87,800. 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

- Pebble Beach Pump Station- the building was delivered. We are still waiting on an electrical panel that was not delivered with the building. That is expected late March.
- Joint Tank Project- Mr. Davis gave a brief update. The Town is currently in compliance with their THMs, but just barely. MRB's next step is to price out options.

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.
- NYS EFC finance closing for WWTP disinfection project tentatively scheduled for the end of April.
- Working on budgets.

New

- 2021 GVBA grant…new agreement approved for time extension…preparing pay application for surface materials under gazebo.
- Lindsay Yoder, Bero Associates, preparing letter to reduce scope and budget of the Five Arch Bridge project.
- Submitted NYMS-TA grant monitoring questionnaire and required documents to NYS HCR on 3/15.
- Submitted Community Project Funding Request for I&I project to Rep. Tenney on 3/17.
- Attending Springbrook Cirrus (new platform) demo on 3/21.
- Attending Envision (BOCES software) demo on 3/28.
- Attending SU Environmental Finance Center webinar re: State & Federal Funding, Financing, and Resource for Municipal Infrastructure on 3/29.
- Working on Trail Town grant to include signage, kiosk, and horse hitching rail. Deadline is 3/31.

Parks and Trails NY Genesee Valley Trail Town Grant- the Board discussed the grant application with Treasurer Quinlan who stated that we would be applying for wayfinding signage- including finger point signs and a hitching post. Awards for the grant range between $3000 to $15,000 with a match of 15%. The match can be cash or in-kind service. This will help increase connectivity to our trail systems throughout communities and help promote investment into our downtown districts, encouraging visitors and neighbors to explore what unique experiences our communities have to offer.

The Board unanimously agreed to the importance of the Trail Towns program and this grant application. They authorized Treasurer Quinlan to move forward with the submission, also authorizing the 15% match in cash or in-kind services. Treasurer Quinlan and Clerk Randall will construct a support letter to include with the application.

- Patty Bruno to help with Sire Stakes paperwork on 4/3.
- Bank Recent Market Events Update- Treasurer Quinlan spoke to the recent events involving Silicon Valley Bank and Signature Bank and the resulting market uncertainty. Treasure Quinlan received emails and memos from all of the banks with which we do business. It was stated that Community Bank is strong, and in excellent financial condition where municipal deposits are fully collateralized at 105% and the bank is FDIC insured. The same statement came from Tompkins saying that they are also FDIC insured

and NYCLASS cash deposits are fully collateralized. All institutions remain stable and ready to address any concerns we may have.

- Streetlight project update includes the following:

Completed work includes:

- (261) new LED cobrahead fixtures
- (70) new LED post top fixtures on Horseshoe/Circle Park/Genesee St
- (78) new LED post top fixtures through (previously Grid owned)
- (3) new longer arms and LED cobrahead fixtures in municipal lot
- (3) new LED post top fixtures in municipal lot
- (1) new pole in municipal lot w/ new arm and new LED light
- (2) new LED cobraheads in alley adjacent to Municipal Lot
- (3) new LED Post Top Fixtures at WWTF

Remaining work includes:

- (1) new arms and (1) new LED cobrahead fixtures in Municipal Lot (in front corner of parking lot)
- (6) new LED Post Top fixtures in Village Hall lot (post top tenon needs to be modified)
- (2) new LED Post Top Fixtures at WWTF (couldn't get to due to soggy ground)
- (2) arm relocations on E. Main St (lights have been converted to LED)
- (2) new arms and new LED cobraheads on E. Main

Notes:

- Only fixtures not converted at this point (from an energy savings standpoint) are the (6) in the village lot and (2) in the WWTF/DPW
- the long arms for E. Main are on back order- at the time of the kickoff, this material was in stock, but P&CG had to use it over the winter for other National Grid repairs. They don't expect these for a few months unfortunately. We'll continue to keep on eye on those as well as push NG along.

POLICE UPDATE:

Chief Geer provided the following update to the Board:

- St. Patrick's Day parade went very well.
- Discussed businesses using third party security teams. The Park Theater used security outsourced to a third party for their St. Patrick's Day concert. The chief has no problem with this and thinks that business owners should have the opportunity to do that. However, Chief Geer would like the Village Police Department to be notified for awareness's sake. He would like to look into amending or adding to the Village Code to make it required.
- Spoke on the speed limit change that the Board has been discussing. Chief Geer recommends lowering the speed limits on all side streets in the Village to 25 miles per hour, but not on main thoroughfares such as Genesee Street, Route 5&20, and Wadsworth Ave (NYS roads). Supt. Farrell said he can do an inventory of speed limit signs to find a cost to change them. Chief Geer also recommends changing Hal Bar, Lacy Street, and Temple Street to school zones. Members of the Board stated that once we get the new police speed signs out, they will collect data to back up the suggestion for school zones on those streets. Other members didn't feel it was necessary to have the data

for support. They feel it is a safety issue and that warrants changing them. Either way, changing the limits on Village side streets and making Hal Bar, Lacy and Temple school zones all require a local law and a public hearing.

Upon a motion made by Trustee Hoffmann and seconded by Trustee Batzel , the Board agreed to move forward with changing Hal Bar, Lacy Street and Temple Street into school zones, and continue discussion about the side streets. We will reach out to Attorney Whiting for guidance procedure, and the construction of draft local laws for the changes. 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

CLERK UPDATE:

The following items are updates from Clerk Randall:

- Deer Committee- Week 10- 5 of 6 sites were harvesting. Sites spent 13.25 hours harvesting. 1 deer was taken. 1 shot was taken. 37 deer were observed over the 2 days (average of 19 per day). Deer was kept by participant.
  Week 11- 3 of 6 sites were harvesting. Sites spent 8.5 hours harvesting during 3 sits. 0 deer was taken. 2 deer were observed over the 2 days (average of 1 per day).
  To Date: 17 deer have been harvested, 20 shots have been taken (2 misses, 1 non-lethal hit) for an 85% success rate of shots taken. 256 deer observed over the 30 dates for an average of 9 deer per date. Of the 19 participants, 10 have successfully harvested a deer. 3 participants have harvested multiple deer. *Both reports have been provided by Scott Gage.*
- Provided- Copy of 2023 appointments that will be expiring and need reappointments at the organizational meeting (4/3/2023).
- Provided: copies of letters sent to commercial sewer customers re: sewer units.
- Provided- Copy of letter sent to out of district customer re: current outstanding water bill. Letter has also been sent to Attorney Whiting.
- Provided-Copy of letter from the Department of Health to Corey Hurley (MRB) re: Approval of Plans for Public Water Supply Improvements- Reservoir Road.
- Working with Liv. County to create position for new hire.
- Provided- Area happenings from the Livingston County Area Chamber of Commerce for the month of March.
- Avon Preservation and Historical Society presented The History of the Avon Fire Department with Dick Neth as the speaker. This was held on Sunday 3/19/2023 at the Park Theater.
- Provided- Notice from Livingston County free rabies Vaccination clinics for 2023.

- **Important Dates**:
  - 3/27/2023- Special Meeting @ 6pm for Tent. Budget
  - 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

CODE DEPT. UPDATE:

Code Officer Anderson provided the following update:

- Reached out to Bob Alexander to connect with him. Wants to schedule a time to show him around, and discuss the upcoming training.
- Received new permit applications from Frank Csapo for 2 new builds.
- Flower shop is looking to expand into the Turnbull building. They will be bringing in an engineer.
- Received complaints of garbage and debris flying around. Has reached out to the offenders.
- Mayor Freeman stated that he took a call from the McCarthy's who are on the Planning Board agenda tomorrow night. The Mayor has asked them to fill out the required permit/site plan applications and pay the fee associated with them. Code Officer Anderson will be meeting with the Mayor and McCarthy's as well.
- Meeting scheduled with Louise Wadsworth on Wednesday evening (3/220 has been rescheduled for April.

FIRE DEPT. UPDATE:

Chief Strozewski was unable to attend, but provided the Board with three applications for approval:

1. Athena Cottone (active member)
2. Erin Ippolito/DeNalle (social)
3. Mary Flynn (social)

Trustee Batzel discussed each candidate and recommended approval.
Upon a motion made by Trustee Hoffmann and seconded by Trustee Zhe, the Board accepted the applications of Athena Cottone, Erin Ippolito/DeNalle, and Mary Flynn. 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 Batzel also discussed the review being done of the rules and regulations/bylaws of the department. Once the committee has reviewed and updated what they would like, and presented the changes to the membership, they will bring to the Board. The Board- with the help of Attorney Whiting-will then schedule the public hearing and for a new law for final adoption.

MINUTES:

Upon a motion made by Trustee Hoffmann and seconded by Trustee Zhe, the minutes from the February 22nd, 2023, executive session meeting and March 6, 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	Yes

TRUSTEE UPDATE:

- Mayor Freeman requested of the Board to consider forgiving the penalty on the water/sewer bill for Mr. Paul Lippa. The penalty amounted to less than $10. The Board discussed the circumstances and agreed to waive.

Upon a motion made by Trustee Batzel and seconded by Trustee McCormick, the Board agreed to forgive the penalty on Paul Lippa's water/sewer bill. 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

- **Barilla First Amendment to PILOT Agreement**- the Village Board tabled this until they received comments back from Attorney Whiting.
- **GVBA Agreement**- Attorney Whiting and Wendy Sisson ESQ. provided the Village Board with an agreement with GVBA which was discussed by the Village Board, and reads as follows:

AGREEMENT BETWEEN GENESEE VALLEY BREEDERS ASSOCIATION, INC. and the VILLAGE OF AVON

The Village of Avon (hereinafter "Avon") and the Genesee Valley Breeder's Association, Inc (hereinafter "GVBA") hereby agree as follows:

1. The GVBA has qualified for funding from the State of New York to facilitate the purchase of items and equipment and to build improvements (hereinafter items, equipment, and buildings) on property owned by Avon, known as the Avon Driving Park and located in the Village of Avon.

2. The purpose of the items, equipment, and buildings is to improve the Avon Driving Park location for the conduct of an annual agricultural fair and for the conduct of events and activities that support and promote agricultural and community interests.

3. Avon agrees that the GVBA shall have access to not only the items, equipment, and buildings funded through the grants from New York State, but shall also have access to the Avon Driving Park until December 2032; that access and use may be extended for unlimited periods beyond that date by written agreement between the parties. While Avon may permit third parties to have use of the items, equipment, and buildings from time to time, in the event of

a conflict, the GVBA shall have priority access to said items, equipment, buildings, and the grounds of the Avon Driving Park.

4. In taking possession of all items, equipment, and buildings (both present and future) obtained through the efforts of the GVBA, Avon agrees to accept ownership and responsibility for all items, equipment, and buildings which are the subject of this Agreement.

5. GVBA agrees to carry adequate insurance for the specific activities conducted by the GVBA at the Driving Park and shall name Avon as an additional insured for the duration of those activities conducted by the GVBA at the Driving Park.

6. Avon accepts full ownership responsibility for any and all items, equipment, and buildings obtained through the joint efforts of the GVBA and Avon that have been funded by grants from the State of New York. Avon shall properly care for and maintain all such items, equipment, and buildings in good and usable condition, and shall maintain sufficient insurance for said items, equipment, and buildings. In the event of a loss that is covered by insurance, Avon shall use the insurance proceeds to replace the lost items, equipment, and buildings to the extent the proceeds cover the same.

7. Both parties acknowledge that this Agreement is supported by sufficient and reciprocal consideration for the ownership and use of the subject equipment and improvements in accordance with this Agreement.

8. At the time of the signing of this Agreement, the items, equipment, and buildings subject to the Agreement are listed in Schedule A, attached hereto. The Parties intend that Schedule A may be expanded through the joint efforts of Avon and the GVBA, and that any and all additional items so obtained shall be subject to the terms of this Agreement.

Upon a motion made by Trustee Zhe and seconded by Trustee Batzel, the Board approved the GVBA agreement and authorized Mayor Freeman to execute the document. 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

- **Downtown Partnership: Mem. Of Understanding**- The Board received the memorandum of understanding (agreement) from Louise Wadsworth, Downtown Coordinator, for execution by Mayor Freeman. The Board approved the $5000 contribution at the February 6th meeting, and the memorandum will be effective June 1, 2023-May 31, 2024.

  The Downtown Partnership is a community revitalization program that has successfully creates and expands businesses and helps to renovate historical properties in Livingston

County. By contributing to this program annually, the Village has received in return over $1.8 million in grant funding, and an additional $1.8 million in private investing . This has helped our community encourage renovations and new business concepts into our downtown district, revitalizing our community.

Upon a motion made by Trustee Hoffmann and seconded by Trustee Zhe, the Board approved the execution of the Downtown Partnership Memorandum of Understanding. 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

WATER WORKS COMMITTEE MEETING:

The Water Works Committee met March 16th, 2023 to review the past year and look ahead to next year. Supt. Farrell provided information and the water rate recommendation for 2023. The following letter was provided to the Village Board:

Avon Town Board
David LeFeber, Supervisor
23 Genesee Street
Avon, NY 14414

Avon Village Board
Thomas Freeman, Mayor
74 Genesee Street
Avon, NY 14414

Dear Supervisor LeFeber and Mayor Freeman,

At the March 16, 2023, meeting of the Avon Water Works Committee the committee recommended that a water rate of $2.27 per 1000 gallons be adopted as the wholesale water rate to both the town and village for 2023. This rate includes the most recent projection for expenses as provided by Ken Farrell as well as projected consumption figures for the coming year. Copies of the most recent Schedule C as well as other supporting documentation were provided to those members in attendance.

The committee approved the reappointment of Peter Vonglis whose term expires on April 26, 2023.

Please contact us if you have questions.

Sincerely,
Kim McDowell

Kim McDowell, Recording Clerk
Avon Water Works Committee

Upon a motion made by Trustee Batzel and seconded by Trustee McCormick, the Board followed the committee's recommendation and adopted $2.27 per 1000 gallons as the wholesale

water rate for 2023 for the Village and Town 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

Upon a motion made by Trustee Batzel and seconded by Trustee McCormick, the Board accepted the recommendation of the Water Works Committee to reappoint Peter Vonglis to the committee. 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

ADJOURNMENT:

Upon a motion made by Trustee Zhe and seconded by Trustee McCormick, the Board adjourned at 7:55pm. The motion was carried by a unanimous vote.

Respectfully submitted,

Heather Randall

Heather Randall
Village Clerk