

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 April 17, 2023.

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, Chief of Police
Andy Anderson, Code Enforcement Officer

Visitors: Bill Davis, MRB
Edward Forsythe

Mayor Freeman called the meeting to order at 6 p.m. and began with the Pledge of Allegiance.

POLICE UPDATE:

Chief Geer provided the following update to the Board:

- The speed signs will be placed in operation by next week.
- The Little League Parade is April 29th.
- Several car larcenies occurred over the past few weekends. An arrest was made.
- The prospective new hires have passed their psychological evaluations and background checks. One begins the Police Academy in April and the other in August, and both will complete the Academy at the same time. A prospective new part-time hire will be shared with the Caledonia Police Department.

MRB UPDATE:

Bill Davis provided the following update to the Board:

- Pebble Beach Road Pump Station construction status – waiting on power distribution panel components... originally schedule to arrive mid-April, now scheduled to arrive mid-May
- Disinfection project – MRB submitted response to comments and updated plans/specs to DEC for approval. DEC requested dates for construction to be implemented in a consent order. MRB to provide bidding timeframe (June) and milestone schedule to DEC.
- Valve Vault project – MRB discussed with the board the opportunity to seek funding/grant dollars for project. It was discussed to combine the 2MG water storage tank rehabilitation to the valve vault project to increase the potential project score and chances for grant dollars. MRB to provide an amendment to the water tank study so that it can provide a conclusion and define the 2MG tank rehab project (along with the valve vault) so the Village can use the report to seek grant dollars. Upon a motion made by

Trustee Batzel and seconded by Trustee Zhe, the Board authorized engineering proposal not to exceed \$10,000. 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

- Wastewater Treatment plant – MRB to provide proposal to update the WWTP PER (Preliminary Engineering Report) so that the Village can seek funding/grant funds for the potential future project. Target June 15 deadline to list the project with NYS EFC.

DPW UPDATE:

Supt. Farrell provided the following update to the Board:

DPW Activity – past weeks

1. Pick up Village brush.
2. Pick up limbs in Circle Park after windy days.
3. Broke down ice rink at Driving Park.
4. Worked on horse track (ran York rank on the track)
5. Ran Streetsweeper.
6. Worked on equipment/cleaned up around shop.
7. Worked on gazebo (prepped for concrete).
8. Repaired storm sewer on Lake Rd along sidewalk.
9. Hauled clay for youth baseball, hauled topsoil for stump restoration.

WWTP

1. New Vaughn primary mixing pump delivered, setting up for installation.

Water

1. Meter reading to start Mon., 4/22

Next 2 weeks

1. Brush pickup.
2. Sidewalk on Spring Street.
3. Working on dump truck quotes.

PERMISSIVE REFERENDUMS:

Treasurer Quinlan provided the permissive referendums for the DPW projects as follows:

**VILLAGE OF AVON
RESOLUTION**

A RESOLUTION authorizing the expenditures of \$3,000 from capital reserve fund titled Water Lines Reserve for the Village of Avon, Livingston County, New York.

Be it resolved, by the Board of Trustees of the Village of Avon as follows:

The specific object or purpose of the Village of Avon, Livingston County, New York for which the expenditures of monies from the capital reserve fund needed to inspect the tank at Reservoir Rd. The maximum estimated cost of the aforesaid specific object or purpose is \$3,000.

Upon this RESOLUTION taking effect, the same shall be published in full in THE LIVINGSTON COUNTY NEWS, the official newspaper, together with a legal notice of the Village Clerk as provided by law.

NOTICE PURSUANT TO GENERAL MUNICIPAL LAW SECTION 68.

This RESOLUTION published herewith was adopted on April 17, 2023, to authorize the expenditure of monies from the capital reserve titled Water Lines Reserve in the amount of \$3,000 for fiscal year 2023-2024.

This RESOLUTION is adopted and subject to a permissive referendum under the provision of Article 9 of the Village Law. Petitions protesting against such resolution and requesting that it be submitted to the electors of the Village of Avon for their approval or disapproval may be filed with the Village Clerk at any time within thirty (30) days after the date of the adoption of such resolution.

By Order of the Board of Trustees
Heather Randall
Village Clerk

**VILLAGE OF AVON
RESOLUTION**

A RESOLUTION authorizing the expenditure of \$40,000 from capital reserve fund titled Water Filtration Plant Reserve for the Village of Avon, Livingston County, New York.

Be it resolved, by the Board of Trustees of the Village of Avon as follows:

The specific object or purpose of the Village of Avon, Livingston County, New York for which the expenditures of monies from the capital reserve fund needed to purchase a transfer pump, chlorine analyzer and upgrade SCADA. The maximum estimated cost of the aforesaid specific object or purpose is \$40,000.

Upon this RESOLUTION taking effect, the same shall be published in full in THE LIVINGSTON COUNTY NEWS, the official newspaper, together with a legal notice of the Village Clerk as provided by law.

NOTICE PURSUANT TO GENERAL MUNICIPAL LAW SECTION 68.

This RESOLUTION published herewith was adopted on April 17, 2023, to authorize the expenditure of monies from the capital reserve titled Water Filtration Plant Reserve in the amount of \$40,000 for fiscal year 2023-2024.

This RESOLUTION is adopted and subject to a permissive referendum under the provision of Article 9 of the Village Law. Petitions protesting against such resolution and requesting that it be submitted to the electors of the Village of Avon for their approval or disapproval may be filed with the Village Clerk at any time within thirty (30) days after the date of the adoption of such resolution.

By Order of the Board of Trustees
Heather Randall
Village Clerk

VILLAGE OF AVON RESOLUTION

A RESOLUTION authorizing the expenditures of \$13,000 from capital reserve fund titled Wastewater Treatment Plant Reserve for the Village of Avon, Livingston County, New York.

Be it resolved, by the Board of Trustees of the Village of Avon as follows:

The specific object or purpose of the Village of Avon, Livingston County, New York for which the expenditures of monies from the capital reserve fund needed to blacktop walkways and repair blacktop at the drying beds. The maximum estimated cost of the aforesaid specific object or purpose is \$13,000.

Upon this RESOLUTION taking effect, the same shall be published in full in THE LIVINGSTON COUNTY NEWS, the official newspaper, together with a legal notice of the Village Clerk as provided by law.

NOTICE PURSUANT TO GENERAL MUNICIPAL LAW SECTION 68.

This RESOLUTION published herewith was adopted on April 17, 2023, to authorize the expenditure of monies from the capital reserve titled Wastewater Treatment Plant Reserve in the amount of \$13,000 for fiscal year 2023-2024.

This RESOLUTION is adopted and subject to a permissive referendum under the provision of Article 9 of the Village Law. Petitions protesting against such resolution and requesting that it be submitted to the electors of the Village of Avon for their approval or disapproval may be filed with the Village Clerk at any time within thirty (30) days after the date of the adoption of such resolution.

By Order of the Board of Trustees
Heather Randall
Village Clerk

VILLAGE OF AVON RESOLUTION

A RESOLUTION authorizing the expenditures of \$15,000 from capital reserve fund titled Equipment Reserve for General Fund, Water Fund and Sewer Funds for the Village of Avon, Livingston County, New York.

Be it resolved, by the Board of Trustees of the Village of Avon as follows:

The specific object or purpose of the Village of Avon, Livingston County, New York for which the expenditures of monies from the capital reserve funds needed to purchase a lawnmower. The maximum estimated cost of the aforesaid specific object or purpose is \$15,000.

Upon this RESOLUTION taking effect, the same shall be published in full in THE LIVINGSTON COUNTY NEWS, the official newspaper, together with a legal notice of the Village Clerk as provided by law.

NOTICE PURSUANT TO GENERAL MUNICIPAL LAW SECTION 68.

This RESOLUTION published herewith was adopted on April 17, 2023, to authorize the expenditure of monies from the capital reserve titled Equipment Reserve for General Fund, Water Fund and Sewer Fund, in the amount of \$5,000 from each respective Equipment Reserve, for a total of \$15,000 for fiscal year 2023-2024.

This RESOLUTION is adopted and subject to a permissive referendum under the provision of Article 9 of the Village Law. Petitions protesting against such resolution and requesting that it be submitted to the electors of the Village of Avon for their approval or disapproval may be filed with the Village Clerk at any time within thirty (30) days after the date of the adoption of such resolution.

By Order of the Board of Trustees
 Heather Randall
 Village Clerk

Upon a motion made by Trustee Zhe and seconded by Trustee Hoffmann, the Board agreed to publish said permissive referendums. 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

STREETLIGHT UPDATE:

Superintendent Farrell related the progress on the streetlight project. Treasurer Quinlan provided the costs for the proposed change order prepared by Centrica as follows:

Owner Held Contingency	\$20,511.00
Circle Park Repairs	\$ 2,782.00
Linden St. Add One	\$ 3,551.43
Driving Park 4 new fixtures	\$ 3,551.43
Driving Park power to pole	\$ 1,450.00
Total:	\$11,259.14
Remaining Contingency:	\$ 9,251.86

After review and discussion, the Board agreed to proceed with the Circle Park repairs and the one addition on Linden St. for a total of \$6,333.43. Upon a motion made by Trustee Hoffmann and seconded by Trustee McCormick, a change order to Centrica in the amount of \$6,333.43 was agreed upon. 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

Superintendent Farrell was directed by the Board to obtain pricing for the remaining change order items to compare to those provided by Centrica.

CLERK UPDATE:

Clerk Randall was unable to attend but provided the following update for the Board:

- Provided Livingston County Traffic Safety Board meeting minutes.

- Received LCWSA annual report.

MINUTES:

Upon a motion made by Trustee Batzel and seconded by Trustee McCormick, the minutes from the April 3, 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

TREASURER UPDATE:

Treasurer Quinlan provided the following update to the Board:

Ongoing

- MWBE waivers requested for GVBA 2017 & 2018 grants.
- 2019 GVBA grant ideas to be reviewed at GVBA meeting on 4/17.
- The Board needs to determine additional use(s) of the ARPA funds.
- Awaiting a response from National Grid re: streetlight bill charges.
- Continued review of IT policies w/Shawn Petti, Hurricane Technologies. Future Board approval.
- Heather is 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.

New

- Executed forms for our NYS EFC finance closing for WWTP disinfection project.
- Submitted Cost Share Summary and Work Detail for the Five Arch Bridge project to NYS Parks on 4/17.
- Streetlight project update.
- Completed ARPA filing on 4/11.
- Submitted GTSC speed enforcement grant application on 4/11.
- Preparing Villages First Impression grant application, to include bistro tables, chairs, and anti-graffiti sealant for mural.
- Standard & Poor’s call re: credit rating, with Donegan’s office on 4/26.
- Treasurer Quinlan submitted to the Board a request to use GOSC repayment monies for the Pocket Park overages totaling \$13,500 including the fence, instead of General Fund. Funds can be used for Community economic development, neighborhood revitalization and/or energy conservation projects. The Village wishes to recognize \$13,500 of deferred revenue collected through 3/31/23, in miscellaneous revenue, and appropriate said amount toward this project.

Upon a motion made by Trustee Batzel and seconded by Trustee Zhe, the Board authorized the use of \$13,500 for the Pocket Park expenses. 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 Quinlan presented the budget adjustment for Pocket Park expenses as follows:

Increase	A2770	\$13,500.00
Increase	A7110.2	\$13,500.00

Upon a motion made by Trustee Batzel and seconded by Trustee Zhe, the Board approved said budget adjustment. 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

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	\$ 26,743.11
#4-Schedule C Fund	\$ 38,046.00
#5-Water Fund	\$ 20,206.67
#6-Sewer Fund	\$ 67,424.96
#TA00-Trust & Agency Fund	\$ 1,061.64
TOTAL	\$153,482.38

Electronic payments:

• FED/NYS Taxes	P/R#23-07	\$12,855.53
• Nationwide Retirement	P/R#23-07	\$ 3,447.45
	TOTAL:	\$16,302.98

Manual check:

- NYWEA Rugg-Grade 3 license \$ 150.00

The motion was seconded by Trustee McCormick 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

FIRE DEPT. ELECTION:

The Board reviewed the Fire Department election results from April 6, 2023. Fifteen ballots were mailed to eligible voters with fourteen votes cast. Totals are as follows:

Chief David Piampiano-13 votes
 Assistant Chief Dan Snyder-12 votes
 Assistant Chief Brian Strozewski-14 votes

Upon a motion made by Trustee Batzel and seconded by Trustee Hoffmann, the Board accepted the election results as presented. 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

CODE BOOK PUBLIC HEARING & ADOPTION:

The public hearing from April 3rd was held open in order to review and continue open discussion about the code book. The Board briefly discussed the code book. Upon a motion made by Trustee Batzel and seconded by Trustee Hoffmann, the Board closed the code book public hearing.

Local Law No. 3 reads as follows:

VILLAGE OF AVON
 NOTICE OF ENACTMENT OF LOCAL LAW

WHEREAS notice of public hearing was duly given and said hearing duly held on the 3rd day of April 2023 to consider the enactment of the local law described below;

NOW, THEREFORE, PLEASE TAKE NOTICE that, after due consideration and deliberation, the Board of Trustees of the Village of Avon duly enacted said local law on the 17th day of April 2023, and said local law and the Code adopted thereby shall be in full force and effect as provided by law upon the filing of a copy of this local law with the Secretary of State. The local law enacted is entitled and described 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"

This local law:

- (1) States the legislative intent of the Board of Trustees in adopting the Code.
- (2) Provides for the designation of the local laws, ordinances, and certain resolutions of the Village of Avon as the "Code of the Village of Avon."
- (3) Repeals local laws and ordinances of a general and permanent nature not included in the Code, except as provided.
- (4) Saves from repeal certain local laws and ordinances and designates certain matters not affected by repeal.
- (5) Retains the meaning and intent of previously adopted legislation.
- (6) Provides for the filing of a copy of the Code in the Village Clerk's office.
- (7) Provides for certain changes in or additions to the Code.
- (8) Prescribes the manner in which amendments and new legislation are to be incorporated into the Code.
- (9) Requires that Code books be kept up to date.
- (10) Provides for the sale of Code books by the village and the supplementation thereof.
- (11) Prohibits tampering with Code books, with offenses punishable by a fine of not more than \$250 or by imprisonment for not more than 15 days, or both.
- (12) Establishes severability provisions with respect to the Code generally.
- (13) Provides that the local law will be included in the Code as Chapter 1, Article I.

Dated:
April 17th, 2023

By Order of the Board of Trustees
Village of Avon

Heather Randall
Village Clerk

Upon a motion made by Trustee Batzel and seconded by Trustee Hoffmann, the Board adopted the Code Book. 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 Randall will post the local law in the Livingston County News as required, and share said local law with Attorney Whiting and General Code.

BUDGET PUBLIC HEARING & ADOPTION:

The public hearing from April 3rd was held open in order to review and continue open discussion about the budget. The Board briefly discussed the previously presented budget for fiscal year 2023-2024. The members are confident with what has been presented and had no further questions for Treasurer Quinlan.

Upon a motion made by Trustee Zhe and seconded by Trustee Batzel, the Board closed the Budget public hearing.

Upon a motion made by Trustee Zhe and seconded by Trustee Batzel, the Board adopted the Village budget as amended with a salary increase for the Supt. of Public Works. 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 Randall will post the budget adoption notice local law in the Livingston County News as required.

SPECTRUM PUBLIC HEARING:

The Village received notice that the franchise with Charter Communications, known locally as Spectrum, has expired. A draft franchise renewal and supporting materials was forwarded by Clerk Randall to the Board and Attorney Whiting for review.

Upon a motion made by Trustee Zhe and seconded by Trustee Batzel, the Board agreed to set a public hearing date for May 15th. 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

EXECUTIVE SESSION:

Upon a motion made by Trustee Zhe and seconded by Trustee Batzel, the Board entered executive session at 7:15pm to discuss contractual obligations. 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 Hoffmann, the Board exited executive session at 7:30pm. 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

CODE ENFORCEMENT:

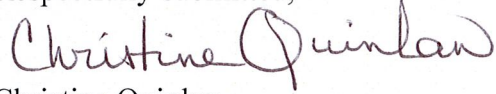
Code Officer Anderson and Trustee McCormick met with Louise Wadsworth, Downtown Coordinator, regarding the proposed Livingston County Design Guidelines. Great discussion was had including the need to recognize solar opportunities. A follow-up meeting will be held in October with Ms. Wadsworth.

The Board discussed several property maintenance complaints with Code Officer Anderson. Code Officer Anderson will provide the Board with a spreadsheet detailing verbal and written contact with property owners.

ADJOURNMENT:

Upon a motion made by Trustee Batzel and seconded by Trustee McCormick, the Board adjourned at 8:00pm. The motion was carried by a unanimous vote.

Respectfully submitted,

A handwritten signature in cursive script that reads "Christine Quinlan".

Christine Quinlan
Treasurer