

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 November 6, 2023.

Present: Thomas Freeman, Mayor  
 William Zhe, Trustee  
 Tim Batzel, Trustee (arrival 6:08pm)  
 Patrick McCormick- Trustee

Staff: Ken Farrell, DPW Supt.  
 David Piampiano, Fire Chief  
 Christine Quinlan, Treasurer  
 Bill Davis, MRB

Visitors: Mark McKeown, Deer Committee  
 David Cox, Passero  
 David Hoffmann, River Street  
 George Brown, Genesee Street  
 Jimmy Harrington, Councilman, Town of Avon  
 Edward Forsythe, Sackett Road

Absent: Amanda Hoffmann, Trustee

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

**DEER COMMITTEE, MARK MCKEOWN:**

Mark McKeown, who is a former trustee and is a member of the Deer Committee, joined our meeting to give a brief update on the harvest and to request the purchase of a cell phone that will be attached to an active camera (one to try for now) and the reimbursement of \$15 for three months for the service (\$45) in order to view activity on the trail cam. The Board agreed.

Mr. McKeown also stated that David LeFeber has been kind enough to offer straw and corn to the committee again this year, which has been a help during the harvest. The committee would also like the Board to consider changing the cull hours and asked for approval to move the start time to one hour prior to sunset and end a half hour after sunrise, and authorize the Mayor to execute the permit required by the DEC.

Upon a motion made by Trustee Zhe and seconded by Trustee McCormick, the Board authorized the change in the cull hours. 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	Absent
Patrick McCormick, Trustee	Voting	Yes

Upon a motion made by Trustee Zhe and seconded by Trustee McCormick, the Board authorized Mayor Freeman to execute the permit as required by DEC. 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	Absent
Patrick McCormick, Trustee	Voting	Yes

**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	\$24331.32
#4-SCHEDULE C	\$10917.33
#5-WATER	\$3496.47
#6-SEWER	\$12924.31
#TA00-TRUST & AGENCY	\$6247.31
<b>TOTAL</b>	<b>\$57915.74</b>

Electronic payments:

Fed/NYS Taxes	p/r 23-21	\$16267.31
Nationwide Retirement	p/r 23-21	\$2710.21
Fed/NYS Taxes	p/r 23-22	\$15135.85
Nationwide Retirement	p/r 23-22	\$2712.08
	<b>TOTAL:</b>	<b>\$36825.45</b>

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	Absent
Patrick McCormick, Trustee	Voting	Yes

**HONORABLE DAVID HOFFMANN- ST. PATRICKS DAY PARADE REQUEST**

Honorable David Hoffman visited the Board, not in his official capacity but as a resident of the Village and a representative of the Holiday Spectacular, in order to request the opportunity to hold the St. Patrick’s Day Parade once again in the Village in 2024. They would use the same route as previously used. The Holiday Spectacular Committee would like to officially announce the date at the Holiday Spectacular on December 2, 2023, hence the request now. He did let the Board know the date in order for the Board to make the decision.

Upon a motion made by Trustee McCormick and seconded by Trustee Zhe, the Board approved the St. Patrick’s Day Parade to be held in March of 2024. The date will be officially announced

at the Avon Holiday Spectacular on December 2, 2023. 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	Absent
Patrick McCormick, Trustee	Voting	Yes

**DAVID COX, PASERO ASSOCIATES- Jaguar Tubulars, Inc. Project:**

Mr. Cox attended the meeting to review with the Village Board the Jaguar Tubular Project and site plan that is being considered in the Livingston Industrial Complex. The application was presented and reviewed by both the Village Planning Board and the Village’s engineering representative, Sherman Gittens before proceeding to the Village Board for review.

Jaguar Tubular is a steel pipe manufacturing plant which is based in Canada. The manufacturer provides products for such projects as the expansion of JFK International Airport. The steel would come in by rail car into the building which employees would then use machines to create the pipe by heating and bending the steel into the product needed.

Upon review, the Board discussed and moved forward with the following resolution to declare their intent to become lead agency:

VILLAGE OF AVON BOARD OF TRUSTEES RESOLUTION  
 PROJECT MILL  
 HORSESHOE BOULEVARD, AVON, NEW YORK  
 TAX MAP I.D: 24.17-1-2.111, 24-2-1, & 24.14-1-1  
 SPECIAL USE PERMIT & SITE PLAN APPLICATION

**WHEREAS**, the Village of Avon Board of Trustees (hereinafter referred to as Board of Trustees), is considering a Site Plan Approval for the development of the Project Mill project (Project), a proposed 270,000 square-foot pipe fabrication facility in the Village of Avon with a potential future 65,000 square-foot expansion, new rail spur for delivering steel and exporting finished pipe, driveway entrances for employees and for trucks, outdoor storage areas and pipe racks, gantry cranes, truck scales, perimeter fencing, an electrical substation, water connection, sanitary sewer with a pump station and force main, storm sewer with stormwater management facilities and pond, parking, lighting, and landscaping. This Project is to be located within the Village of Avon industrial district, Tax Map ID: 24.17-1-2.111, 24.-2-1, & 24.14-1-1 (site). The proposed Project will be located on ±23-acres of a ±187-acre site as described in the Site Plans dated October 2023 and all other relevant information submitted as of November 6, 2023 (the current application); and **WHEREAS**, the Village of Avon Planning Board (hereinafter referred to as Planning Board) is considering the Special Use Permit Approval for the current application, for the outdoor storage of finished material on the site; and

**WHEREAS**, the Board of Trustees has reviewed the completed State Environmental Quality Review (SEQR) Full Environmental Assessment Form (EAF), Part 1 prepared by the applicant on the above referenced Project (hereinafter referred to as the Action); and

**WHEREAS**, the Board of Trustees determines that said Action is classified as Type 1 Action under the SEQR Regulations; and

**WHEREAS**, the Board of Trustees determines that said Action is also subject to a coordinated review and approval by other involved agencies under SEQR Regulations; and

**WHEREAS**, the Board of Trustees determines that it may be the most appropriate agency to insure the coordination of this Action and will provide written notifications to the involved and interested agencies, for the purposes of conducting a coordinated review and making the determination of significance thereon under the SEQR Regulations.

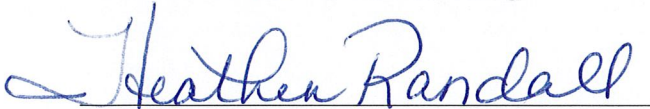
**NOW, THEREFORE BE IT RESOLVED** that the Board of Trustees does hereby declare its intent to be designated as the lead agency for the Action.

**BE IT FURTHER RESOLVED**, that the Village Engineer (MRB Group) is directed to provide notice hereof to the involved and interested agencies, seeking their agreement (or objection thereto) in writing.

The above resolution was offered by Trustee Batzel and seconded by Trustee McCormick at a meeting of the Board of Trustees held on Monday, November 6, 2023. Following discussion thereon, the following roll call vote was taken and recorded:

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

I, Heather Randall, Village of Avon Clerk, do hereby attest to the accuracy of the above resolution being acted upon and recorded in the minutes of the Village of Avon Board of Trustees of Appeals for the November 6, 2023 meeting.



Heather Randall, Village of Avon Clerk

**DPW UPDATE:**

Supt. Farrell provided the following update to the Board:

DPW Activity – past weeks

- Leaf pickup
- Prepped Linden St. for paving, Removed dead trees on Linden St.
- Paved Linden St.
- Picked up Brush (last time until after leaves)
- Finished sidewalk on North Ave.
- Topsoiled at Case Park (concrete at Gazebo)
- Worked on Road extension behind CVS (dug out, graveled, piping)

- Nick Ankowiak, started with us 10/23/23 doing leaves, we had 2 applicants for position, Nicks & 1- that came in 10/27/23.

WWTP

- Ran sludge trailer.
- Sludge trailer put away for winter.
- Hauled sludge.

Water

- 10/24/23 Livingston Department of Heath did their annual inspection walk through. Report to be mailed.
- Water meters read and bills sent out.

Pebble Beach Pump Station

- Tentatively Monday the 11/13/23, pipe work is to take place per Koester Associates. Bill Davis also stated that, if necessary, the impellor will be replaced as well.

UV Disinfection

- Per preconstruction meeting Blue Heron is tentatively scheduled to start this week.
- Fence Company at WWTP today measuring fence.

Next 2 weeks.

- Leaf pickup
- Get winter/snow equipment ready.

**St. Agnes School request-** Supt. Farrell received a request from St. Agnes School to auction off a dump truck ride to school for their Harvest Tastings Auction to be held on Saturday November 18<sup>th</sup> at the Avon Inn. The Board unanimously agreed.

**Tractor purchase-** Supt Farrell discussed the tractor purchase. He received two quotes as follows: 1. Kubota, (state bid) at a cost of \$56,556.76 but no trade in for our tractor. 2. John Deere- Lakelands, (state bid) at a cost of \$66,664.26 with \$18,000 trade in for our tractor, making the price\$48, 642.26. Supt. Farrell recommends the John Deere (Lakelands) offer.

Upon a motion made by Trustee Zhe and seconded by Trustee McCormick, the Board accepted the John Deere quote in the amount of \$48642.26. 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	Absent
Patrick McCormick, Trustee	Voting	Yes

The purchase will be funded by the use of ARPA funds, and water and sewer fund balance.

**TREASURER UPDATE:**

Treasurer Quinlan provided the Board with the following update:

*Ongoing*

- Gathering cost estimates for 2019 GVBA grant.
- The Board needs to determine additional use(s) of the ARPA funds.
- 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.
- Organizing sign & hitch rail purchase for Erie-Attica.
- 2017 GVBA grant reimbursement request to be made after water work is complete and all checks have been cashed.
- 2018 GVBA grant reimbursement request to be made after all checks have been cashed.
- Still waiting for National Grid’s approval to install arms & release CD.

*New*

- Closed on 52 West Main St. property.
- Picnic table delivered on October 26<sup>th</sup>. Reimbursement to be made by the Dougherty family.
- Portable restroom trailer delivered on November 1<sup>st</sup>.

Treasurer Quinlan discussed the Five Arch Bridge project. A request for proposals for the project consultant was in the paper along with 15 requests submitted to potential consultants in the area. The Village received 5 responses from consultants that were not interested, and one proposal from Bero Architecture. Treasurer Quinlan recommended the Board to accept the proposal presented by Bero and suggested that the project would be funded out of repayment monies from the CDBG Grant. (Proposal attached.)

Upon a motion made by Trustee Zhe and seconded by Trustee McCormick, the Board accepted the proposal from Bero Architecture for the Five Arch Bridge project. 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	Absent
Patrick McCormick, Trustee	Voting	Yes

**FIRE DEPARTMENT UPDATE:**

Chief Piampiano provided the following update to the Board:

- The department is using metal cabinets for storage of supplies. Intend on donating some excess oxygen tanks.
- Attendance to drills and calls are on an upswing.
- CPR refresher course will be held 11/20.
- Continue to clean up and reorganize the department.
- Halloween went well. Front doors were open, and the department served donuts, cider, lots of candy for the little ones, and gave out a lot of fire prevention literature.

**CLERK UPDATE:**

The following items are updates from Clerk Randall:

- The Town Board has provided a copy of the Town Budget for 2024.
- Provided- copies of the Liv. Co. Traffic Safety Board meeting minutes from June and September 2023. (November meeting held on the 1<sup>st</sup>)
- Provided- copy of the WWTP preconstruction meeting held 10/6/2023.
- For approval- copy of proposed 2024 VB meeting dates- January dates and September dates are the 2<sup>nd</sup> and 4<sup>th</sup> Mondays of the month. Also included are the holidays for 2024 when the village is closed.

Upon a motion made by Trustee Batzel and seconded by Trustee Batzel, the Board approved the 2024 meeting dates 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	Absent
Patrick McCormick, Trustee	Voting	Yes

Clerk Randall will post the new meeting dates on the website at the end of December and place a notice in the paper as required.

- Preparing add for Pennysaver to send the week of Thanksgiving for Xmas tree tags. The Board unanimously agreed that the cost will remain \$35.00 for a tag as it has been the last several years.
- Emailed Avon Inn- Association Dinner- Shooting for early December.
- Meetings next week with Convergent (11/13 @10am) and RelComm (11/16 @ 1pm w/ Hurricane) Phone System, and Toshiba (11/13@2pm) copier Lease up in Dec. Meeting w/ Laserfiche (11/27).

**MINUTES:**

Upon a motion made by Trustee Batzel and seconded by Trustee McCormick, the minutes from the October 16, 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	Absent
Patrick McCormick, Trustee	Voting	Yes

**TRUSTEE UPDATE:**

- 📌 Library Request- Maureen Wheeler, President of the Board of Trustees of the Avon Free Library submitted a written request for the Board’s consideration to provide snow removal services for the front and back of the building. Supt. Farrell agreed to the request but would like the library to purchase the type of material they would like the Village to use for salt.

Upon a motion made by Trustee Zhe and seconded by Trustee McCormick, the Board agreed to the snow removal request made by the library. 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	Absent
Patrick McCormick, Trustee	Voting	Yes

Before entering executive session, Mayor Freeman asked if there were any comments from the public. Resident George Brown asked about the no standing signs on Wadsworth Ave. Supt. Farrel stated that they were installed by the state as Wadsworth Ave is a state road. He also commented on the Jaguar project stating that a project like that will cause noise in that area. He also expressed concern over the longevity of the business. Finally, he commented on the draft of minutes from October 16 not being on the website for review before tonight’s meeting.

**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 along with discussion on matters leading to the appointment, employment, promotion, or demotion of a particular person. and exited at 8:10pm. The Board asked Bill Davis to remain for this conversation along with Supt. Farrell, and Treasurer Quinlan. Attorney Whiting was asked to call in for the discussion as well. 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	Absent
Patrick McCormick, Trustee	Voting	Yes

No action was taken.

**ADJOURNMENT:**

Upon a motion made by Trustee Batzel and seconded by Trustee Zhe, the Board adjourned at 8:15pm by a unanimous vote.

Respectfully submitted,

Heather Randall  
Village Clerk