

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 December 18, 2023.

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

Staff: Ken Farrell, DPW Supt.
 David Piampiano, Fire Chief
 Christine Quinlan, Treasurer
 Ashley Comeau, Parks Commission Chairperson
 Bill Davis, MRB

Visitors: Rob Hayes, North Ave.
 George Brown, Genesee Street
 Jimmy Harrington, West Main Street
 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	\$46451.97
#4-SCHEDULE C	\$5994.64
#5-WATER	\$839.63
#6-SEWER	\$5725.68
#TA00-TRUST & AGENCY	\$806.44
#V000- DEBT SERVICE FUND	\$77595.88
#HH44-STORMWATER PROJECTS	\$4400.00
TOTAL	\$1414814.24

Electronic payments:

Fed/NYS Taxes	p/r 23-25	\$14633.99
Nationwide Retirement	p/r 23-25	\$2667.64
Toshiba	payoff copier	\$96.45
TOTAL:		\$17398.08

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

ASHLEY COMEAU:

Parks Commission Chairperson Ashley Comeau attended the meeting to thank the Village for the support of the Holiday Spectacular. Numbers have shown that they had the same attendance as last year, even with the rainy weather.

Ms. Comeau also discussed the additional ice rink purchase from the Village of Buchanan. Ms. Comeau and the Holiday Spectacular Committee raised \$12,000 for the purchase of the rink and partial fencing that the Village of Buchanan agreed to sell to the Village of Avon due to low usage. The donations will be presented to the Village and a check will be cut from the Village of Avon as requested by the Village of Buchanan. Ms. Comeau and members of the committee will be heading to the Village of Buchanan after Christmas to pick up the rink, which will be added to the rink at the Downs.

DPW UPDATE:

Supt. Farrell provided the following update to the Board:

DPW Activity – past weeks

1. Leaves (last day tomorrow)
2. Cleaned up after Holiday spectacular.
3. Put together ice rink at the Driving Park. They will add the new portion of the rink once it has been picked up from the Village of Buchanan.
4. Ran problem sewers (preventive maintenance).
5. Picked up strawbales for deer harvest.
6. Equipment maintenance
7. Clean shop

WWTP

1. Had sludge hauled.
2. Moved sludge from drying beds to sludge bunker.
3. Worked and submitted DMR paperwork.
4. Participated in a High Strength meeting for Wastewater.

Water

1. Worked on air compressor at Filtration plant.
2. Stake outs on water mains
3. Maintenance on filters at Filtration plant
4. Issue with check valve at pump station (trouble keeping water in pipes for priming the old pump).

UV Disinfection

1. Poured concrete for effluent valve box, excavated for UV building.

Next 2 weeks

1. Repair hydrant at wastewater plant.
2. Pick up corn for deer harvest.
3. Routine maintenance around the Village continues.

MRB UPDATE:

Bill Davis provided the following update:

- Letter received from EPA in regard to the Filtration Plant. Response required by January 6, 2024.
- WIIA Grant- Mr. Davis congratulated Treasurer Quinlan and the Village Board for the award of a \$2.8 million grant for the Reservoir Road/ Valve Vault Project. The Village Board needs to commit to the project by January 19th, 2024. Mr. Davis will review with the Town of Avon Board, hoping to show them how beneficial it will be to continue with this project jointly.
- UV Disinfection project at the WWTP is going well and on schedule.
- Pebble Beach Pump Station- the impellers are expected to arrive right around Christmas.

TREASURER UPDATE:

Treasurer Quinlan provided the Board with the following update:

Ongoing

- Gathering ideas 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 purchase for Erie-Attica. Hitch rails ordered.
- 2017 & 2018 GVBA grant reimbursement request to be made after all checks have been cashed.
- Still waiting on National Grid's approval to install arms.

New

- Bill and I met with Bero re: Five Arch Bridge on December 13th. Lindsay Yoder provided draft plans for review. The time extension for the project was granted by NYS Parks until 12/17/2024. The estimated completion date for the project is 11/1/2024. Bero hopes to bid the project out in the next month depending on bidding requirements.
- Submitted CHIPS reimbursement for Linden St.
- Flex enrollment completed for 2024.
- Will be preparing W2's and 1099-NEC's.

FIRE DEPARTMENT UPDATE:

Chief Piampiano provided the following update to the Board:

- Officer Meeting to be held 12/19/2023.
- Offering extra oxygen bottles to Cuylerville Fire Dept.
- Donated coats/pants to fire departments in Tennessee and Alabama areas. The department is interested in donating old air packs as well and would like to know how we can do that. We will reach out to Attorney Whiting for a release that would be appropriate and go from there.

- Mayor Freeman extended thanks to the department for the fire truck ride to school that was donated as a raffle prize for the Holiday Spectacular. Everyone was excited for the opportunity and the kids who got to ride the truck were thrilled!

CLERK UPDATE:

The following items are updates from Clerk Randall:

- Clerk Randall reviewed quotes for the phone system. The Board has decided that cloud based is the desired system. The quotes are as follows:
 - Convergent- out of pocket expense \$1859.88 (includes purchase of 12 phones, training, set up, porting #s and fax) and a monthly fee of \$356.87. Capable of setting up a transfer system between the Village and Town Office. No charge for service calls. Located in Mendon.
 - Hover- out of pocket expense \$2715.00 (includes the purchase of 12 phones, training, porting #s, fax, netgear switch) and a monthly fee of \$247.00. Also included a lease option for 36 months at \$322 per month and for 60 months at 293 per month with no purchase of equipment. Located in Buffalo.

Upon a motion made by Trustee Zhe and seconded by Trustee McCormick, the Board, on the recommendation of Clerk Randall and Treasurer Quinlan, accepted the quote from Convergent.

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 met with another records maintenance group- Docuware- last week. Received quote today- very high. In discussing the quote with the Town, we both felt that it was way too high for us to consider. We let them know and we will possibly revisit after the holidays.
- Jaguar Update- missed the deadline for the County Planning Meeting in December. Deputy Clerk Gary Margiotta has sent the packet to Heather Ferraro for the January meeting. Mrs. Ferraro has said that they will review the packet and let us know what is needed in order to have a complete package for the County Planning Board meeting in January, which will be held 1/11/2024. The SEQR package for interested agencies was sent out December 12th. We have received 2 forms back from the Town of Avon and the Town of Caledonia agreeing to the Village being lead agency for the project. Deadline is January 10th for the forms. Deputy Clerk Margiotta has provided the agenda for tomorrow night’s planning board meeting for your information. We would like to ask both the Village Board and Planning Board to consider holding a joint public hearing on January 22 at 7pm in order for both boards to review the site plan and special use permits and ask any further questions. We should have comments from the county Planning Board the week before for everyone to review. Sherm Gittens of MRB is able to attend that night.

Upon a motion made by Trustee Zhe and seconded by Trustee Hoffmann, the Board agreed to schedule a Public Hearing for January 22, 2024 at 7pm for review of the site plan application by

the Village Board and the special use permit application by the Planning Board. 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

Deputy Clerk Margiotta will request the same of the Planning Board before he and Clerk Randall submit the notice for publication.

- Provided- Calendar for the fire department elections- due to the fire department 1/5/2024. Copies will be provided to the FD on 1/4/2024.
- Congratulations letter from Liv Co Economic Development to T's on Genesee for their work at 90 Genesee Street. The project was awarded \$5000 for improvements.
- Letter provided from GVBA to members for update.

Important Dates:

BOARD MEETINGS- January 8, and January 22, 2024! (2nd and fourth Monday)

The village will be closed Monday December 25th, 2023, and January 1st 2024.

MINUTES:

Upon a motion made by Trustee Hoffmann and seconded by Trustee Zhe, the minutes from the December 4, 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

SENIOR NUTRITION LEASE AGREEMENT EXTENSION:

Upon a motion made by Trustee Zhe and seconded by Trustee Zhe Hoffmann, the Board agreed to extend the current lease agreement with The Livingston County Office of the Aging for use of Conference Room A for the Senior Nutrition Program for 1 year through December of 2024. Monthly rent will remain \$350 for the room use and \$37.50 for the dumpster rental. The total amount per month will continue at \$387.50. 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:

- ✚ Resolution of Condemnation- 52 West Main Street- the following resolution was presented and reviewed by the Village Board as requested by the Livingston County Land Bank Corporation who owns the property and intends to demolish the building per New York Codes, Rules and Regulations §56-11.5:

**RESOLUTION OF CONDEMNATION OF REAL PROPERTY SITUATED AT
52 WEST MAIN STREET (TAX MAP NO. 34.6-2-64.1)**

WHEREAS, 52 West Main Street (hereafter “premises”) is located within the Village of Avon; and

WHEREAS, the premises are owned by the Livingston County Land Bank Corporation (hereafter “Land Bank”) by virtue of a Warranty Deed dated October 20, 2023, which was recorded in Liber 1305 of Deeds, page 2724, in the Office of the Livingston County Clerk, State of New York.; and

WHEREAS, the Land Bank confirmed that no other person(s) or entity(ies) has any ownership interest or possessory interest in the premises besides the Land Bank; and

WHEREAS, the premises was formally declared an unsafe building pursuant to Chapter 33 of the Village Code; and

WHEREAS, the premises remain unsafe and uninhabitable; and

WHEREAS, the Land Bank has determined that demolition is the only suitable disposition of the improvements located on the premises; and

WHEREAS, the Land Bank has determined that there is asbestos on the premises; and

WHEREAS, the Land Bank plans to perform a demolition on the property with asbestos in place; and

WHEREAS, New York Codes, Rules and Regulations Section 56-11.5, states that a structure may be demolished with asbestos material in place when said structure has been formally condemned; and

WHEREAS, the Village of Avon desires to assist the Land Bank in its demolition in order to remove an unsafe and unsightly property located within the Village; and

WHEREAS, Angela Ellis, Executive Director of the Land Bank has provided, or will provide, an Affidavit unequivocally consenting to this condemnation.

NOW, FOLLOWING A MOTION to condemn the premises, and said motion being seconded and carried via vote of the Trustees of the Village Board;

BE IT THEREFORE:

RESOLVED, that the Village Board hereby formally condemns the premises known as 52 West Main Street, Village of Avon, identified as tax map no. 34.6-2-64.1; and be it further

RESOLVED, that this formal condemnation comports with New York Codes, Rules and Regulations Section 56-11.5, which states that a structure may be demolished with asbestos material in place when said structure has been formally condemned; and be it further

RESOLVED, that nothing herein shall limit or eliminate the Land Bank’s obligation to comply with local, county, and state regulations while performing said demolition.

Dated: Dec 18, 2023



Heather Randall
Village Clerk, Village of Avon

Upon a motion made by Trustee Zhe and seconded by Trustee Hoffmann, the Board accepted the resolution as requested by the Livingston County Land Bank Corporation. 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

Mayor Freeman stated that Code Officer Anderson has said that the demolition process will be followed along with appropriate permitting. The process will be listed on the permit application.

- ✚ Mayor Freeman, Supt Farrell, and Treasurer Quinlan discussed mid-year financials stating that the sewer fund looks to be \$100,000 short due to increased sludge removal and chemical treatment at the sewer plant.
- ✚ Avon on the Green Pilot- Members discussed the pilot. The Town of Avon has not made any decision as yet and will continue the discussion at another meeting between the Town and Village, hopefully in early January.

PUBLIC COMMENT:

Mayor Freeman opened the floor to public comments.

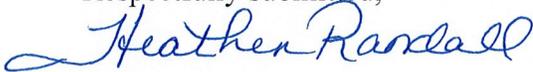
- Mr. Harrington discussed Avon on the Green.
- Mr. Harrington discussed the Land Bank affidavit.
- Mr. Harrington discussed the car at Wadsworth Avenue and suggested that the process to remove the car should be taken care of per Village Law and that any attorney fees incurred should be the responsibility of the property owner.

There were no other comments.

ADJOURNMENT:

Upon a motion made by Trustee McCormick and seconded by Trustee Batzel, the Board adjourned at 6:52pm by a unanimous vote.

Respectfully submitted,



Heather Randall
Village Clerk