

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 February 19, 2024.

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  
 Bob Alexander, Code Enforcement Officer  
 Paul Drozdziel, Planning Board Chair  
 Rob Hayes, Planning Board Member  
 John Gibson, Planning Board Member  
 Marilyn Borkhuis, Planning Board Member  
 Gary Margiotta, Deputy Clerk

Visitors: Bill Bacon, Liv. Co. Economic Development, Director  
 Bill Davis, MRB  
 Sherman Gittens, MRB  
 David Cox, Passero  
 Jerry Mosher, Taylor the Builder  
 Margaret Lee, LCN  
 Jim Harrington, East Main Street  
 George Brown, Genesee Street  
 Judi Hobbs, Rochester Street  
 Kitty Bressington, Collins Street  
 Tom Cushing, Clinton Street  
 Jon Lottes, Wadsworth Ave

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	\$32933.35
#4-SCHEDULE C	\$4733.50
#5-WATER	\$1295.16
#6-SEWER	\$10639.28
#TA00-TRUST & AGENCY	\$826.60
#V000- DEBT SERVICE FUND	\$23419.43
#HH44-STORMWATER PROJECTS	\$81906.90

<b>TOTAL</b>	\$155754.22
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Electronic payments:

Fed/NYS Taxes	p/r 24-03	\$14893.82
Nationwide Retirement	p/r 24-03	\$2460.75
	<b>TOTAL:</b>	<b>\$17354.57</b>

Manual Checks:

NYS Child Sup. Proc. Ctr	Child Support	\$356.00
	<b>TOTAL:</b>	<b>\$356.00</b>

The motion was seconded by Trustee Hoffmann 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 –

1. Cold Patched streets.
2. Ran problem sewers. (Problem sewers get clogged easily and tend to run slow and are flatter.) These are known areas that require maintenance.
3. Cleaned out ditch on River & Main St.
4. Trimming trees, low branches

WWTP

1. Daily Operations
2. Changed hydrant & guard valve at WWTP.
3. Submitted DMR.
4. Attended Water Works Conference (Batavia) CE hours.

Water

1. Daily Operations
2. Fixed water valve boxes on Lacy St. & W Lake Rd.
3. Dan Levey, Nose to the Ground leak detection track the Triphammer water line from Reservoir Rd to woods on the south side of Papermill Rd. No detection was indicated at first, after reviewing film on “Go Pro” possible a hit online. Dan to return this week, weather dependent to check on the hit.
4. Water leak Saturday 2/17. We discovered a leak to be on Kraft’s Fire system. We are in contact with Kraft to repair.
5. Attended Water Works Conference (Batavia) CE hours.

UV Disinfection

1. Poured concrete walls.

**MRB UPDATE:**

Bill Davis provided the following update:

- Received a “missing items” letter from EFC re: Joint Tank project. Currently working on the list.
- Scheduling a meeting with Geneseo in regard to Triphammer Road and ideas moving forward.
- Pebble Beach Pump Station- replaced impellers. We are just shy of 1300 gpm. Still have a few things that need some work. There is a pressure gage that needs replacing. Troubleshooting continues. The Village is not being required to pay for anything additional. The old station should be able to be removed once the electrical has been complete.
- Briefly discussed the income survey proposal. Treasurer Quinlan was waiting to see if there was a second quote before presenting as we only received one quote. Mr. Davis said he would reach out to Treasurer Quinlan to discuss.

**TREASURER UPDATE:**

Treasurer Quinlan did not attend but provided the Board with the following update:

*Ongoing*

- Gathering ideas for 2019 GVBA grant. Meeting onsite tomorrow with GVBA to discuss arena footing.
- The Board needs to determine additional use(s) of the ARPA funds.
- IT policies to be adopted at annual meeting.
- 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 are completed.
- 2018 GVBA grant reimbursement request to be made after contract is executed.
- National Grid’s approval to install arms in process.

*New*

- Submitted WWTP disinfection 6<sup>th</sup> progress payment application.
- Prepared Commercial Sewer analysis for Board review. On the analysis, you are able to see the present units and what the change will be. Request that the Village Board agree to set up the public hearing date for Monday March 4<sup>th</sup> at 6pm.

Upon a motion made by Trustee Zhe and seconded by Trustee Batzel, the Board set the public hearing date for the 2024 Commercial Sewer on March 4, 2024, at 6pm. 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

- Submitted reimbursement for 2017 GVBA grant.

- Working on budgets. Department budget sheets to be returned by this Fri., 2/23.
- Also Provided a copy of the Who’s Who on the Trail- Genesee Valley Greenway 2021-2023 Trail Count Report.

**FIRE DEPARTMENT UPDATE:**

Chief Piampiano provided the following update to the Board:

- Working on budgets.
- Drills continue. Search and rescue drill to be held next week.
- Officer’s meeting to be held 2/20/2024.
- Received a request from the Holiday Spectacular Committee to allow a bonfire in the municipal parking lot behind the Pocket Park during the March 16<sup>th</sup> celebration. Chief Piampiano and his team feel that this is not a good idea and also said that the date also happens to fall on the start of a statewide burn ban. He will reach out to the committee to let them know.

**CLERK UPDATE:**

The following items are updates from Clerk Randall:

- Deer Committee Update: Week 7: 5 sites were harvesting. sites spent 16 hours harvesting during 6 sits. 2 deer were taken. 3 shots were taken, 1 non-lethal (66% success rate). All bolts were recovered. (1 deer was donated). 39 deer were observed for an average of 20 per day.  
To Date- 20 deer have been harvested. 25 shots have been taken with 5 non-lethal hits for an 80% success rate. (packet includes week 6 and 7)
- Provided- Copy of notice for publication to run in the LCN- the resolution (delinquent water/sewer resolution) will be on the agenda for adoption on March 4<sup>th</sup>. Notice will be published for 2 weeks.
- Request to the Board to set the public hearing date for the proposed 2024/2025 budget to be held Monday, April 1, 2024, at 6:30pm.

Upon a motion made by Trustee Batzel and seconded by Trustee Hoffmann, the Board set the proposed 2024/2025 budget public hearing to be held Monday, April 1<sup>st</sup>, 2024, at 6:30pm. 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

- Provided copies of acceptance of letters of intent for the FD election: FD Election to be held 4/4/2024.
  - David Piampiano- Chief
  - Dan Snyder- 1<sup>st</sup> Asst. Chief
  - Brian Strozewski- 2<sup>nd</sup> Asst. Chief
- Water Works Committee: Kim McDowell sent an email to members asking for the best day for the upcoming meeting and offered up the following dates: 3/13 or 3/20 at 6pm. She

also emailed last year’s minutes for a refresher for members. The Village Board has discussed a new member to the committee and decided to appoint Kevin McCormick. Upon a motion made by Trustee Batzel and seconded by Trustee McCormick, the Board agreed to appoint Kevin McCormick to the Water Works 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	Abstain
Patrick McCormick, Trustee	Voting	Yes .

- Sheen Housing Correspondence- provide safe and sustainable housing for low-income individuals, families, seniors, veterans, and people living with disabilities. Grants are available to make home repairs necessary to their health and safety and based on income. Info is on the community board; we have info in the office, and we also provided the info to OFA. If you know of anyone who may qualify, please pass along the info or send them our way.

**Important Dates:**

- **BOARD MEETINGS- March 4<sup>th</sup>**- Public Hearing for Commercial Sewer Rents at 6pm, and adoption of the delinquent water/sewer resolution. -**March 25<sup>th</sup>**. Changed from the 18<sup>th</sup> in order to include new members and to present the tentative budget. A public hearing for the budget will be held Monday April 1<sup>st</sup> at 6:30pm.

**MINUTES:**

Upon a motion made by Trustee Hoffmann and seconded by Trustee Zhe, the minutes from the February 5, 2024 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:**

- ✚ Trustee Zhe discussed with the Board an email received from Sue Carlock, Director at the Livingston County Office for the Aging in regard to their desire to purchase a new stove for Conference Room A. They rent the room for the Nutrition Program held here Tuesday through Friday and know that we have done several repairs to the stove. They have some ARPA funding that they must commit by the fall and thought this would be a good use of the funds. After discussion, the Board asked Clerk Randall to reach out to see if they are willing to sign over the ownership of the stove to the Village. It was also stated that it would need to be a commercial stove. Clerk Randall will email Ms. Carlock and report back.

- ✚ Trustee Hoffmann discussed the website and said she has been looking at what other communities’ websites offer and what information they provide. She has some ideas to update the site.
- ✚ Avon on the Green PILOT Agreement- The Board reviewed the agreement prior to the meeting and authorized its execution.

Upon a motion made by Trustee Hoffmann and seconded by Trustee Zhe, the Board acknowledged and authorized the execution of the Avon on the Green PILOT agreement. 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

**PUBLIC COMMENT:**

Mayor Freeman opened the floor to public comments.

- Judi Hobbs discussed with Supt. Farrell the advertisement in the Pennysaver about shoveling sidewalks.
- Jim Harrington asked what the next plan of action was to address the Triphammer Road issues. Bill Davis reiterated his plan to meet with officials from Geneseo.
- Jim Harrington discussed who is responsible for overseeing departments, specifically the police department. Mayor Freeman explained that the Village Board does that cooperatively.
- Jim Harrington discussed an illegal business located in the Village.
- Jim Harrington discussed with Bill Davis the \$18 million to upgrade the WWTP. Mr. Davis explained that this would be in a perfect world and that there are many pieces to the puzzle, which includes but is not limited to what other municipalities around us are doing with their systems. We continue to have discussions with these municipalities about the many options available.
- Unmetered water was discussed. Resident Kitty Bressington asked who pays for unmetered water? The Mayor stated that the water system pays for it. He went into some history of the water system and Mr. Davis also explained that there is water loss in all communities who have water systems. This is known as slippage.
- Jim Harrington asked about violation from DEC in regard to Kraft, wanting to know why we don’t pass those fines along to them?

**PUBLIC HEARING Continued- JAGUAR TUBULAR:**

Upon a motion made by Trustee Hoffmann and seconded by Trustee McCormick, the Village Board continued the site plan review public hearing at 7pm. 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 welcomed the Village Planning Board members and introduced Bill Bacon, Director of Livingston County Economic Development, who discussed a little history of the Jaguar project. This project started in 2020 during the pandemic.

Mr. Bacon said that electrical allocation seems to be appropriate for this project with an electrical main already established. If that was needed to move forward, this project could take substantially longer. The railroad has also made a significant investment and is ready to proceed accordingly. After discussion, Paul Drozdziel, chairman of the Planning Board stated that they feel they are comfortable that everything they have required from Jaguar and Passero has been met and are ready to give the Village Board a positive recommendation to approve the site plan. Community members expressed some concern about the noise and questioned water usage. Mr. Cox and planning board members explained that water usage is limited and noise would be minimal, happening during the daylight hours. There was also discussion of the possibility that the left-over acreage not being used now would be used for a solar field in the future. It was stated that to everyone’s knowledge there has been no discussion of a solar field. Tax abatement was discussed, along with the length of time it will take for the build and how many employees there would be. There was also a question about truck traffic. Mr. Cox explained that truck traffic would be directed into and out of the complex utilizing route 5 & 20 with signage.

Upon a motion made by Planning Board Member John Gibson and seconded by Planning Board Member Marilyn Borkhuis, the Planning Board provided the Village Board with a positive recommendation on the Jaguar site plan. The motion was carried by the following vote:

Paul Drozdziel, Chairman	Voting	Yes
Marilyn Borkhuis, Member	Voting	Yes
John Gibson, Member	Voting	Yes
Robert Hayes, Member	Voting	Yes
Kelley Tonra, Member	Voting	Absent

Upon a motion made by Trustee McCormick and seconded by Trustee Batzel, the Village Board closed the public hearing at 7:48pm. 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 McCormick and seconded by Trustee Hoffman, the Village Board approved the site plan for the Jaguar Tubular 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	Yes
Patrick McCormick, Trustee	Voting	Yes

**EXECUTIVE SESSION:**

Upon a motion made by Trustee Batzel and seconded by Trustee Zhe, the Board entered executive session at 7:50pm and exited at 8:48pm in order to discuss the employment history of a particular person or corporation leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal, or removal of a particular person or corporation. Supt. Farrell and Clerk Randall were asked to stay. The motion was carried by the following vote:

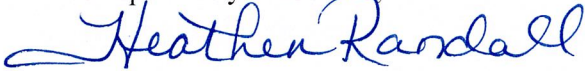
Thomas Freeman, Mayor	Voting	Yes
William Zhe, Trustee	Voting	Yes
Tim Batzel, Trustee	Voting	Yes
Amanda Hoffmann, Trustee	Voting	Yes
Patrick McCormick, Trustee	Voting	Yes

Clerk Randall was asked to set up interviews with three candidates for the laborer position for Tuesday February 27, 2024, at 4pm. Trustee Hoffmann and Trustee McCormick, along with Supt. Farrell will lead these interviews.

**ADJOURNMENT:**

The Board adjourned at 8:50pm by a unanimous vote.

Respectfully submitted,



Heather Randall  
Village Clerk