

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 4, 2024.

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

Staff: Ken Farrell, Supt. of Public Works
Dave Piampiano, Fire Chief
Andy Anderson, Code Enforcement Officer
Robert Alexander, Fire Marshal

Visitors: Bill Davis, MRB Group
Judy Hobbs
Deb Spratt
Kitty Bressington
Julie Ayers
Louise Wadsworth
Tom Cushing
J. Richard Driscoll
Rob Hayes
Jim Dolgos
Marty Herkimer
Mike Freeman
George Brown
Jim Harrington

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

COMMERCIAL SEWER RENTS PUBLIC HEARING:

Upon a motion made by Trustee Zhe and seconded by Trustee Hoffmann, the Board opened the public hearing at 6:00pm. 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 Zhe read the following notice published in the Livingston County News as required:

**NOTICE OF PUBLIC HEARING
VILLAGE OF AVON, N.Y.**

Notice is hereby given, that a public hearing will be held on Monday, March 4, 2024, at 6:00 p.m. at the Village Hall, 74 Genesee Street, Avon, New York, to hear any and all complaints in relation to the number of COMMERCIAL sewer rents assigned for the Village’s year commencing August 1, 2024. There will be no change in the number of RESIDENTIAL units during that period unless there has been or will be a change in the number of living units within a building. Written notice of any proposed change, either residential or commercial, will be given prior to the public hearing.

By Order of the Board of Trustees
Village of Avon, New York

Thomas Freeman, Mayor

The Board reviewed the analysis provided by Treasurer Quinlan and discussed the following accounts:

ACCT.			PRESENT	PROPOSED
NO.	OWNER	BASE	UNITS	UNITS
005015-000	AVON SPRINGS CLUB	2	3	4
005093-000	PEMM, LLC	1	30	23
005681-000	ROBERT AUSTEN	2	3	2
005722-000	AVON CENTRAL SCHOOL	2	20	21
005885-000	TOM WAHL’S	1	19	23
005897-000	AVON KIDS CLUB	1	3	4
005977-000	TOPS MARKETS LLC (#431)	1	12	18
006256-000	COMMUNITY INTEGRATED SVCS	1	1	2
006924-000	STAR HEADLIGHT	1	4	3
006929-000	GRAY METAL PRODUCTS	1	7	6
006930-000	ALDON	1	8	11
006936-000	A&B EQT.	2	4	5
007148-000	RIVOLI DENTAL PC	1	3	2
007359-000	ANNA MORETTI	2	2	3
007441-000	FOUR PTS. PROPERTY-MARK’S PIZZA	1	22	9
		Total W	145	140
		Total SE	145	140

Three owners reached out to the Board for forgiveness: Avon Springs Club, J. Richard Driscoll, and Anna Moretti. Francis Matusak on behalf of the Avon Springs Club reached out to the Mayor. Carrie Gruschow and Anna Moretti reached out via e-mail stating there was a leak at their property on 43 Genesee St. J. Richard Driscoll was present and pleaded his case, being a small business owner. The Board discussed these three accounts at length.

SIGNAGE:

Julie Ayers was recognized by Mayor Freeman whereby she related her two complaints regarding political signs, specifically their size and length of time kept up. Ms. Ayers asked why does the Public need to make a complaint rather than the Code Enforcement Officer acting on this. Code Enforcement Officer Anderson referenced the ordinance and read it aloud. Mayor Freeman stated there was a conversion issue from the Village’s former code regulations to the newly adopted code regulations. Deb Spratt stated she lodges complaints at election time with both the Town and Village Code Enforcement Officers regarding signage. Ms. Spratt said it would be much easier if the signage regulations were the same for both municipalities.

LIVINGSTON COUNTY ECONOMIC DEVELOPMENT:

Ms. Wadsworth attended the meeting to give an update to the Board on Grow Liv Co and Visit Liv Co plan and goals, and the Downtown Partnership Program.

The Downtown Partnership is a community revitalization program that has been successful in creating and expanding businesses and renovating historical properties throughout the Villages of Livingston County. The Village of Avon contributes to this partnership annually which allows the Village access to a coordinator that works with the community leadership and businesses, incentives encouraging renovations and new business concepts, assistance with capturing grant funding along with the administration of those funds, and many training opportunities. Over the last 11 years, the Village has invested a total of \$44,500 in the County’s Downtown Partnership Program. During that time, Livingston County Development Corporation has injected \$1,950,832 in grant funding into the Village of Avon, leveraging an additional \$1,951,588 in private investment for a total 11-year investment of \$3,902,420. This is an average investment of \$354,765 per year in the community’s downtown and a return of investment of over 8600%.

Upon a motion made by Trustee Hoffmann and seconded by Trustee Batzel, the Board agreed to the annual contribution of \$5000.00. The Board authorized Deputy Mayor Zhe to execute the 2024 Downtown Partnership Program 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

Ms. Wadsworth announced the upcoming First Impressions Village Program where funds will be available for Villages to access \$5K for eligible projects implementing design guidelines or the wayfinding study recommendations. Another First Impressions Program for businesses with varied amounts can be used for new downtown businesses, businesses outside downtown if considered a tourist attraction, assistance for design work, branding and website development.

DPW UPDATE:

Supt. Farrell provided the following update to the Board:

DPW

1. Picked up Brush.
2. Trimmed trees.
3. Equipment maintenance.
4. Dragged horse track.
5. Cleaned up after windstorm.
6. Ran sewer camera in sewer line behind the gas station on Route 39.
7. Assisted Caledonia DPW with sewer camera at Caledonia playground.

WWTP

1. Daily operations.
2. Repaired heat pump and heater unit
3. Worked on 1- piston pump for sludge.
4. Hauled sludge.

Water

1. Daily operations.
2. Stake outs.
3. Dan Levey, Nose to Ground Leak Detection walked more of the Triphammer Line, had a hit on the line. The crew dug about 35-40’ and didn’t find leak but did find the old wooden main.
4. Fixed couple water leaks on Triphammer line.
5. Worked on lagoon check valve at water plant.
6. Checked for leak on Spring St. by Kraft after their water leak on fire system.
7. Disconnected water @ 58 West Main St.

UV Disinfection project

1. Pipe for supply to UV system and discharge to river has been installed.
2. Poured concrete for UV building.

Superintendent Farrell reported the sidewalk plow tractor will be delivered on Wed.

Superintendent Farrell provided two separate Hach quotes to the Board for review and approval. Hach provided a sole source letter stating that the Hach Company is the sole authorized manufacturer and direct distributor for the items proposed and quoted. After review and discussion, Trustee Zhe motioned to approve the Hach quote for chlorine analyzers in the amount of \$11,999.00 as well as the Hach quote for PH sensors in the amount of \$2674.38. Trustee Batzel seconded the motion. 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 provided a proposal from Aqualogics for engineering and field services to integrate the UV system data into the existing wastewater treatment plant main control panel in the amount of \$5,590.00. After review and discussion, Trustee Zhe motioned to approve the Aqualogics proposal with a second by Trustee Batzel. 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

FIRE DEPT. UPDATE:

Chief Piampiano related that it is business as usual with drills and truck inspections. Upcoming inspection of the Opera Block and hurst tool demo. The old air packs being donated were picked up. Upcoming events include the St. Patrick’s Day parade on March 16th, officers meeting on March 19th, and ham party on March 23rd. The truck committee is waiting for specs from vendors.

APD UPDATE:

Chief Geer could not be present but provided the following update:

- Officer Tetreault has completed FTO training and is working shift alone.
- APD is ready for the St. Patrick’s Day parade on March 16th at 3 p.m.
- The School Crossing Guard job notice has been submitted to the Penny Saver as Paula Clark will be leaving in March.
- The 2024 VADMC Week 9 reports is as follows:
Week 9 saw only three of six sites harvesting over two days, due to warm weather and unfavorable wind directions. The sites spent 9 hours on location during four sits. One deer was harvested: an adult doe. One shot was taken, for a 100% success rate. The bolt was recovered. Eight deer were observed (2 per sit), for a daily average of four. The deer was harvested without the aid of a red light and was kept by the volunteer.

To date, twenty-two deer have been harvested: 5 adult does, 9 yearling does, and 8 yearling bucks. Volunteers provided 109 hours of participation over forty-three sits. Twenty-seven shots have been taken, with five non-lethal hits, for an 81% success rate. Twenty-six bolts have been recovered (96%). Twenty-two days of harvesting have resulted in 192 deer being observed, for a daily average of nine deer (4 per sit). Average hours of participation per deer harvested is 5.0 hours. Ten deer (45%) were harvested by red lights, nine by crossbow mounted lights and one by feeder light. Ten deer were donated (45%) and one deer was consumed by coyotes (5%). Eleven of the seventeen participants (65%) have successfully harvested a deer. Seven participants harvested multiple deer. All six sits have been successful in harvesting multiple deer.

As a comparison, after Week 9 of 2023, volunteers provided 138.25 hours of participation over fifty-one sits. Sixteen deer were harvested, and 217 deer observed over twenty-six dates, for a daily average of eight per date (4 per sit). Nineteen shots were taken with two misses and one non-lethal hit, for an 84% success rate. Average hours of participation per deer harvested was 8.6 hours. Six deer were harvested by aid of red light (38%). Eight deer were donated (50%).

CLERK UPDATE:

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

- Provided Avon Chamber minutes.
- Important Dates:
Board meeting on March 25th so that new Board members can be present for the tentative budget.
A public hearing for the budget will be held on April 1st at 6:30 p.m.
- Fire Marshal Alexander submitted a request for conference attendance for Energy Code Enforcement training at the Brighton Town Hall on March 7th. No cost for this training which will provide in-service learning credits.

Upon a motion made by Trustee Hoffmann and seconded by Trustee Batzel, the request for conference attendance was approved. 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

MINUTES:

Upon a motion made by Trustee Batzel and seconded by Trustee Zhe, the minutes from the February 19, 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

TREASURER UPDATE:

Treasurer Quinlan provided the following update to the Board:

Ongoing

- Gathering ideas for 2019 GVBA grant. Met onsite with GVBA to discuss arena footing.

- The Board needs to determine additional use(s) of the ARPA funds.
- IT policies to be adopted at the annual meeting.
- 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.
- 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

- Tree City USA application was approved by the Arbor Day Foundation.
- Received bulletproof vest funding.
- Commercial Sewer analysis for Board review.
- Working on budgets and prorated taxes.

MRB UPDATE:

Bill Davis, MRB, provided the following update:

- Joint water tank project – MRB to arrange meeting with the Village, Town and Bernard Donegan, to review the financial pay-back in order to prepare an intermunicipal agreement for NYS EFC which will be needed to proceed with closing on the financing and the grant.
- Triphammer Rd. watermain-had a productive and cooperative meeting with the Town of Geneseo regarding replacing the watermain and potentially forming a Town of Geneseo water district. MRB to provide a study proposal to the Village of Avon, requested by the Town of Geneseo, to justify this approach vs. simply replacing the existing main.
- Pebble Beach Pump Station– the supplier of PS working on the replacement check valves to resolve the pump capacity issue. CP Ward can move forward with the remainder of the work.
- WWTP disinfection project is going well.
- SPDES permit for the wastewater treatment plant is being updated. NYS DEC requested information for a new application to initiate this process. MRB will assist with information already gathered a few years ago in a similar request.
- Kraft–we received a “package” of information from Kraft but still need more information. They’re proposing a pilot system to start with which we will respond positively to with some questions.
- The Board reviewed and discussed the income survey proposal from G&G Municipal Consulting and Grant Writing. Another proposal was sought but LaBella wasn’t interested. Per Mark Bailey, MRB, the Village median income is \$77,438 whereas the statewide median income is \$75,157. \$60,000 would be considered hardship for no/low interest loans and/or grants to be available. A sample survey was distributed to the audience for their review and comment. Ms. Hobbs commented that she felt that residents would be open to providing answers to the survey. Mayor Freeman and Treasurer Quinlan will reach out to Mr. Grasso to obtain additional information.

BOND COUNSEL AGREEMENT:

The Law Offices of Timothy McGill provided their bond counsel services agreement for review and approval.

Upon a motion made by Trustee Batzel and seconded by Trustee Hoffmann, the Board authorized Deputy Mayor Zhe to sign the 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

DRUG TASK FORCE AGREEMENT:

The Livingston County Drug Task Force cooperative agreement was reviewed by the Board. The term is from January 1, 2024, through December 31, 2027.

Upon a motion made by Trustee McCormick and seconded by Trustee Hoffmann, the Board authorized Deputy Mayor Zhe to sign the 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

DELINQUENT WATER/SEWER RESOLUTION 2024:

Trustee Zhe offered the following resolution and moved for its adoption:

RESOLUTION

WHEREAS the Village of Avon residents are billed quarterly for the use of water and sewer within the Village, and

WHEREAS the February 1st billing is the last billing prior to the yearend fiscal closing, and

WHEREAS there are delinquent water and sewer accounts, it is therefore

RESOLVED, that all delinquent water and sewer amounts not paid prior to March 28, 2024, are added to the Village of Avon tax roll for each specific delinquent account.

Trustee Batzel seconded the motion, and it was carried by the following vote:

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

COMMERCIAL SEWER RENTS PUBLIC HEARING:

Upon a motion made by Trustee Zhe and seconded by Trustee McCormick, the Board decided to keep Avon Springs Club at 3 units, Anna Moretti at 2 units, and A&B Equipment at 4 units. The remaining accounts would change according to the analysis. 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 Zhe, the Board closed the commercial sewer public hearing at 6:45pm. 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 comment. Jim Harrington asked about the employment status of Chief Geer. Members of the Board responded that Chief Geer is still employed by the Village.

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	\$19,955.79
#4-Schedule C Fund	\$ 9,630.99
#5-Water Fund	\$ 4,065.93
#6-Sewer Fund	\$15,214.99
#TA00-Trust & Agency Fund	\$ 6,967.79

TOTAL	\$55,835.49
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Electronic payments:

FED/NYS Taxes	P/R#24-04	\$15,598.23
Nationwide Retirement	P/R#24-04	\$ 2,811.72
	TOTAL:	\$18,409.95

Manual check:

NYS Child Support	Child Support	\$ 356.00
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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

FACILITY RESERVATION FORM:

Trustee Zhe related that Chief Piampiano asked the Board to consider removing the Fire Bays from the Facility Reservation form due to security concerns. After review and discussion, the Board would like the facility reservation form to remain the same. If the Fire Chief doesn't want an event held in the Fire Hall, it is his/her discretion to not approve the request.

EXECUTIVE SESSION:

Upon a motion made by Trustee McCormick and seconded by Trustee Zhe, the Board entered executive session at 7:10 p.m. to discuss matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person; specifically a new hire for the Department 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

Upon a motion made by Trustee McCormick and seconded by Trustee Zhe, the Board exited executive session at 7:20 p.m. 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

CONFERENCE ATTENDANCE REQUEST:

Superintendent Farrell provided a conference attendance request for Lead Water Operator Vanderbilt to attend the AWWA New York’s Water Event conference from April 9th through April 11th in Saratoga Springs with a budget estimate of \$760. The Board reviewed and discussed the request. The Board would like the water operators to alternate conference attendance annually.

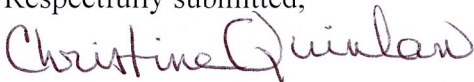
Upon a motion by Trustee Batzel and seconded by Trustee McCormick, the Board approved the conference attendance request for Lead Water Operator Vanderbilt. The motion was carried by the following vote:

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 Batzel and seconded by Trustee McCormick, the Board adjourned at 7:30 p.m. The motion was carried by a unanimous vote.

Respectfully submitted,



Christine Quinlan
Treasurer