

A meeting of the Board of Trustees of the Village of Avon was held in The Opera Block of The Town of Avon Hall, 23 Genesee Street, Avon, New York, on April 1, 2024.

Present: Robert C. Hayes, Mayor
Tom Cushing, Trustee
Amanda Hoffmann, Trustee
Patrick McCormick, Trustee

Staff: Ken Farrell, DPW Supt.
David Piampiano, Fire Chief
Bob Alexander, Code Enforcement Officer
Christine Quinlan, Treasurer
Tim Ferrara, Officer in Charge
Honorable Joseph Temperato

Absent: Tim Batzel, Trustee

Visitors: Kitty Bressinton,
William Zhe
Cheri Frew
George Brown
Cindy Wolfer
Mike Raynard
Paul Phillips
Edward Forsythe
Judith Hobbs
Carole Hayes
Tim Hayes
Mary Beth DiBacco
Mike DiBacco
Jim Harrington
Bob Westfall

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

Before moving forward with the organizational meeting, Mayor Hayes took a moment to thank all who were in attendance for coming to the meeting, the support he received during the campaign, and the continued support for the Village of Avon.

Mayor Hayes noted that pursuant to Village law, the Mayor **may vote on any matter** but **must** vote in the event of a tie. Therefore, he will use his vote when needed.

ANNUAL ORGANIZATIONAL MEETING 2024:

APPOINTMENTS:

Mayor Hayes began by appointing Amanda Hoffmann as Deputy Mayor for a term of one year, and asked for a motion to approve the appointment:

Upon a motion made by Trustee Cushing and seconded by Trustee McCormick, the Board appointed Trustee Hoffmann to the position of Deputy Mayor for a term of 1 year. The motion was carried by the following vote:

Robert C Hayes, Mayor	Voting	Yes
Amanda Hoffmann, Dep. Mayor	Voting	Abstain
Tim Batzel, Trustee	Voting	Absent
Tom Cushing, Trustee	Voting	Yes
Patrick McCormick, Trustee	Voting	Yes

Upon a motion made by Trustee McCormick and seconded by Trustee Cushing, the following appointments were made:

AVON POLICE DEPARTMENT:

Officer In Charge Timothy Ferrara, Jr

DEPARTMENT OF PUBLIC WORKS:

Superintendent of Public Works Ken Farrell (Perm. Appointment)
 (yearly appointment is ceremonial)

OFFICE STAFF:

Village Clerk	Heather Randall (2026)	2yrs.
Deputy Clerk	Gary Margiotta (2026)	2yrs.
Treasurer	Christine Quinlan (2026)	2yrs

ANNUAL:

Code Enforcement Officer	Bob Alexander	1 yr.
Court Clerk	Jeanette Cullinan	1 yr.
Associate Village Justice	David Hoffmann	1 yr.

The motion was carried by the following vote:

Robert C Hayes, Mayor	Voting	Yes
Amanda Hoffmann, Dep. Mayor	Voting	Abstain
Tim Batzel, Trustee	Voting	Absent
Tom Cushing, Trustee	Voting	Yes
Patrick McCormick, Trustee	Voting	Yes

Upon a motion made by Trustee McCormick and seconded by Deputy Mayor Hoffmann, the following appointments were made:

PARK COMMISSION:

Park Commission Chairperson (annual)	Ashley Comeau (2026)	1 yr.
Parks Commission Member	William Zhe (2029)	5yrs.

ZONING BOARD:

Zoning Board Chairperson (annual)	Dan Freeman (2026)	1 yr.
Zoning Board Member	James Gerace (2029)	5yrs.

PLANNING BOARD:

Planning Board Chairperson (annual)	Paul Drozdziel (2026)	1 yr.
Planning Board Member	John Gibson (2029)	5yrs.
Planning Board Member	Marilyn Borkuis (2029)	5yrs.
Planning Board Member (replacement)	Paul Phillips (2026) to complete Rob Hayes term until 2026.	

The motion was carried by the following vote:

Robert C Hayes, Mayor	Voting	Abstain
Amanda Hoffmann, Dep. Mayor	Voting	Yes
Tim Batzel, Trustee	Voting	Absent
Tom Cushing, Trustee	Voting	Yes
Patrick McCormick, Trustee	Voting	Yes

Upon a motion made by Deputy Mayor Hoffmann and seconded by Trustee Cushing, the following members will be the liaisons between the following boards/committees:

BOARD LIAISONS:

Planning Board – Trustee McCormick & Trustee Batzel
 Fire Board – Deputy Mayor Hoffmann
 Park Commission – Trustee Cushing
 Water Board – Trustee McCormick & Trustee Batzel
 Library Board- Trustee Batzel

The Town Board and Village Board will continue to have joint meetings throughout the year.

The motion was carried by the following vote:

Robert C Hayes, Mayor	Voting	Abstain
Amanda Hoffmann, Dep. Mayor	Voting	Yes
Tim Batzel, Trustee	Voting	Absent
Tom Cushing, Trustee	Voting	Yes
Patrick McCormick, Trustee	Voting	Yes

Upon a motion made by Trustee McCormick and seconded by Trustee Cushing, the following are hereby approved:

BANKS:

The Bank of Castile
 Community Bank
 Five Star
 J P Morgan
 Canandaigua National Bank & Trust

The motion was carried by the following vote:

Robert C Hayes, Mayor	Voting	Abstain
Amanda Hoffmann, Dep. Mayor	Voting	Yes

Tim Batzel, Trustee	Voting	Absent
Tom Cushing, Trustee	Voting	Yes
Patrick McCormick, Trustee	Voting	Yes

Upon a motion made by Trustee McCormick and seconded by Trustee Cushing, the following are hereby approved:

OFFICIAL PAPER:

The Livingston County News
Batavia Daily News

The motion was carried by the following vote:

Robert C Hayes, Mayor	Voting	Abstain
Amanda Hoffmann, Dep. Mayor	Voting	Yes
Tim Batzel, Trustee	Voting	Absent
Tom Cushing, Trustee	Voting	Yes
Patrick McCormick, Trustee	Voting	Yes

Upon a motion made by Trustee McCormick and seconded by Trustee Cushing, the following are hereby approved:

MEETING NIGHTS AND TIMES:

The Village Board meetings will be held the first and third Monday of each month at 6:00pm unless otherwise noted ahead of time. The Board Meeting dates for the remainder of the year are as follows:

1. April 15th, 2024
2. May 6th, 2024
3. May 20th, 2024
4. June 3rd, 2024
5. June 17th, 2024
6. July 1st, 2024
7. July 15th, 2024
8. August 5th, 2024
9. August 19th, 2024
10. September 9th, 2024**
11. September 23rd, 2024**
12. October 7th, 2024
13. October 21st, 2024
14. November 4th, 2024
15. November 18th, 2024
16. December 2nd, 2024
17. December 16th, 2024

**September meeting dates are the 2nd and 4th Mondays of the month.

In an effort to conduct an efficient and time conscious Board meeting, Mayor Hayes asks the following:

- Items for possible discussion be submitted to Mayor Hayes or Clerk Randall by noon the Wednesday before the scheduled meeting. Mayor Hayes will review the topics and create the agenda accordingly. [Appointments with the mayor may be made for the public to discuss a particular topic and may be placed on the agenda for further discussion if he deems it necessary.]
- Only items on the agenda will be discussed at the meeting. The Board may choose to discuss a topic not on the agenda by a majority vote. Otherwise, the topic will be tabled and placed on the agenda for the next scheduled meeting.
- Public comment will be at the Village Board’s discretion and held at the end of the meeting once regular business has been complete. Guests will be permitted to speak for 3 minutes. This time limit will be strictly enforced, and guests may not yield their time to another speaker. The Board will listen to comments but will refrain from responding until they have had a chance to thoughtfully reflect on what has been said. A follow-up response will be provided if appropriate. Comments may also be submitted in writing, if preferred. Speakers will conduct themselves in a civil manner. Obscene language, libelous statements, threats of violence, statements advocating racial, religious, or other forms of prejudice will not be tolerated.

Upon a motion made by Trustee McCormick and seconded by Deputy Mayor Hofmann, the following are hereby approved:

ADVANCED APPROVAL OF CLAIMS:

Utility bills, postage, payroll and payroll related items, debt service, and freight shall be paid in advance and approved at the next regular Village Board meeting. An audit committee, which will consist of two board members, are authorized to approve any other advanced claims.

MILEAGE ALLOWANCE:

IRS 2024

Privately owned vehicle – 67 cents per mile

The motion was carried by the following vote:

Robert C Hayes, Mayor	Voting	Abstain
Amanda Hoffmann, Dep. Mayor	Voting	Yes
Tim Batzel, Trustee	Voting	Absent
Tom Cushing, Trustee	Voting	Yes
Patrick McCormick, Trustee	Voting	Yes

POLICIES:

Upon a motion made by Deputy Mayor Hoffmann and seconded by Trustee Cushing, the following policies are hereby approved as previously submitted, with no updates:

1. Code of Ethics (adopted 12/5/16)
2. Conference/Travel Expense Reimbursement (adopted 12/5/16)

3. Meals/Refreshments Reimbursement (adopted 12/5/2016)
4. Credit Card Policy (adopted 12/5/2016)
5. Fixed Asset Policy (adopted 12/5/2016)
6. Investment Policy (adopted 12/5/2016)
7. Borrowing Policy (adopted 12/5/2016)
8. Sexual Harassment Policy (adopted 10/08/2018)
9. Whistleblower Policy (adopted 12/5/2016)
10. Workplace Violence (adopted 12/19/2016)
11. Procurement Policy (updated 2/2/15)
12. Government Safety Plan Re-Opening (adopted 8/3/2020)
13. Police Reform Plan (adopted 3/1/21)
14. Pandemic Action Plan (adopted 3/15/21)
15. Post Closing Policies and Procedures for Tax Exempt Notes & Bonds (4/4/2022)

The motion was carried by the following vote:

Robert C Hayes, Mayor	Voting	Abstain
Amanda Hoffmann, Dep. Mayor	Voting	Yes
Tim Batzel, Trustee	Voting	Absent
Tom Cushing, Trustee	Voting	Yes
Patrick McCormick, Trustee	Voting	Yes

CHECK SIGNING AUTHORITY:

Upon a motion made by Trustee Cushing and seconded by Trustee McCormick, the following check signing authority is hereby adopted for the Mayor, Deputy Mayor and/or Treasurer:

- Checks in the amount of \$0 - \$10,000 – one signature required.
- Checks in the amount of \$10,000 or more – two signatures required.
- Withdrawal slips, wire transfers – one signature required.

The motion was carried by the following vote:

Robert C Hayes, Mayor	Voting	Abstain
Amanda Hoffmann, Dep. Mayor	Voting	Yes
Tim Batzel, Trustee	Voting	Absent
Tom Cushing, Trustee	Voting	Yes
Patrick McCormick, Trustee	Voting	Yes

M/WBE-EEO MINORITY BUSINESS OFFICER:

Upon a motion made by Trustee McCormick and seconded by Deputy Mayor Hoffmann, the following is adopted with, no changes to the previous resolution for the M/WBE goals:

**MINORITY AND WOMEN’S BUSINESS-EQUAL EMPLOYMENT
OPPORTUNITY PROGRAM WORK PLAN
NEW YORK CLEAN WATER STATE REVOLVING FUND
MUNICIPAL OTHER THAN LAND ACQUISITION**

Policy Statement:

The Village of Avon commits to carrying out the intent of the New York State Executive Law, Article 15-A which assures the meaningful participation of minority and women’s business enterprises in contracting and services, and the meaningful participation of minorities and women in the workforce on activities financed by the CWSRF program.

Minority Business Officer:

Heather Randall is designated as the local Government Official or Minority Business Officer responsible for administering Minority and Women’s Business-Equal Employment Opportunity (M/WBE-EEO) program for the Village of Avon.

MBEO Officer Phone No. 585-226-8118

M/WBE Projected Goals:

10% Minority Business Enterprise Participation

EEO Projected Goals:

5.3% Minority Labor Force Participation

6.9% Female Labor Force Participation

The motion was carried by the following vote:

Robert C Hayes, Mayor	Voting	Abstain
Amanda Hoffmann, Dep. Mayor	Voting	Yes
Tim Batzel, Trustee	Voting	Absent
Tom Cushing, Trustee	Voting	Yes
Patrick McCormick, Trustee	Voting	Yes

STANDARD WORKDAY ESTABLISHMENT FOR RETIREMENT:

The following are the positions and the hours to be reported to the NYS Retirement System as the standard workday established by the Village Board for retirement credit:

<u>POSITION</u>	<u>HOURS</u>
• Board Member (Plan,Zone,Water)	6 hours
• Code Enf. Officer/Fire Marshal	6 hours
• Court Clerk	6 hours
• Crossing Guard	6 hours
• Deputy Clerk	7 hours
• Deputy Court Clerk	7 hours

- F/T Patrolman 8 hours
- Fire Dept. Sec. 6 hours
- Laborer 8 hours
- Mayor 6 hours
- P/T Laborer 6 hours
- P/T Patrolman 6 hours
- Police Chief 8 hours
- Sergeant 8 hours
- Superintendent of Pub. Works 8 hours
- Treasurer 7 hours
- Trustee 6 hours
- Village Clerk 7 hours
- WWTP Lead Operator 8 hours
- Zoning Officer 6 hours

Upon a motion made by Trustee Cushing and seconded by Trustee McCormick, the Standard Workday hours were approved. The motion was carried by the following vote:

Robert C Hayes, Mayor	Voting	Abstain
Amanda Hoffmann, Dep. Mayor	Voting	Yes
Tim Batzel, Trustee	Voting	Absent
Tom Cushing, Trustee	Voting	Yes
Patrick McCormick, Trustee	Voting	Yes

CONFLICT OF INTEREST:

In order to maintain the integrity of their positions and prevent a conflict of interest, members of the Board noted the following:

- Deputy Mayor Hoffmann’s husband is the Associate Village Justice.
- Mayor Hayes’s wife is an employee of Hurricane Technologies.
- Trustee Batzel is an active member of the Fire Department and Pumper Co.
- Trustee McCormick and Trustee Cushing are members of the Vanzandts.
- Deputy Mayor Hoffmann is a member of the Holiday Spectacular Committee.

Judge Temperato was in attendance and administered the Oath of Office to all newly elected and appointed individuals.

FIRE DEPARTMENT UPDATE:

Chief Piampiano briefly discussed the anticipated plan for the Solar Eclipse on Monday April 8th, 2024. He is planning to meet with the police and DPW to discuss what will happen if there is an emergency during the event. He will be attending a meeting at the County to review traffic management ideas and is considering having a crew at the department on Sunday to help with the anticipated influx of travelers on Route 5 & 20. He may look into only allowing local traffic on the side street by the school and there will be no parking on Clinton Street.

Mayor Hayes reported that the office will close at noon on Monday in anticipation of the extra people in the area.

CLERK UPDATE:

The following items are updates from Clerk Randall:

- Deer Committee Update: Week 13: 2 sites were harvesting. sites spent 6 hours harvesting during 2 sits. 1 deer was taken. 1shot taken, (100% success rate). 1 bolt was recovered (1 deer donated). 25 deer were observed for an average of 13per day.
To Date- 26 deer have been harvested. 31 shots have been taken with 5 non-lethal hits for an 84% success rate. (report provided)
- Provided- Copy of letter sent to the school for acceptance of the Native American statue accepted by the Board at the 3/25/2024 meeting.
- Provided copy of Avon Chamber minutes.
- **USDA Request-** authorization to access property for traps for research. The request is for posting traps along the roadside for containing insects for research. The traps do not contain chemicals and pose no threat to the general public.

Upon a motion made by Deputy Mayor Hoffmann and seconded by Trustee McCormick, the Board approved the USDA request and authorized Mayor Hayes to execute the documents. The motion was carried by the following vote:

Robert C Hayes, Mayor	Voting	Abstain
Amanda Hoffmann, Dep. Mayor	Voting	Yes
Tim Batzel, Trustee	Voting	Absent
Tom Cushing, Trustee	Voting	Yes
Patrick McCormick, Trustee	Voting	Yes

Important Dates:

- **BOARD MEETINGS-** - April 15th – Budget adoption
- **Del. water/sewer letters went out to residents and were due to the office by March 28th in order to avoid being releived onto the Village taxes for June. Waiting a few days for mailed in bills.**

VOUCHERS and MANUAL CHECKS:

Upon a motion made by Trustee McCormick, the vouchers and manual checks/electronic payments were approved for payment from the following funds:

#1-GENERAL FUND	\$16307.22
#4-SCHEDULE C	\$9672.94
#5-WATER	\$4027.59
#6-SEWER	\$14339.58
#TA00-TRUST & AGENCY	\$8230.46
TOTAL	\$52577.79

- Electronic payments/manual checks: none

The motion was seconded by Trustee Cushing and carried by the following vote:

Robert C Hayes, Mayor	Voting	Abstain
Amanda Hoffmann, Dep. Mayor	Voting	Yes
Tim Batzel, Trustee	Voting	Absent

Tom Cushing, Trustee	Voting	Yes
Patrick McCormick, Trustee	Voting	Yes

RFP REQUEST FOR AUDIT:

Mayor Hayes requested the Board to authorize Treasurer Quinlan to research and obtain proposals from accounting firms to complete an audit.

Upon a motion made by Trustee McCormick and seconded by Deputy Mayor Hoffmann, the Board authorized Treasurer Quinlan to obtain proposals for an audit. The motion was carried by the following vote:

Robert C Hayes, Mayor	Voting	Abstain
Amanda Hoffmann, Dep. Mayor	Voting	Yes
Tim Batzel, Trustee	Voting	Absent
Tom Cushing, Trustee	Voting	Yes
Patrick McCormick, Trustee	Voting	Yes

PUBLIC HEARING- ANNUAL BUDGET

Mayor Hayes read the following notice as it appeared in the Livingston County News and noted that publish dates were during Mayor Freeman’s term:

**NOTICE
NOTICE OF PUBLIC HEARING REGARDING ANNUAL BUDGET
VILLAGE OF AVON**

The tentative budget for the Village of Avon is being prepared and will be presented to the Village of Avon Board of Trustees at the March 25th, 2024, Board meeting. The proposed budget will be available to be inspected by any interested parties between the hours of 8 am and 4 pm as of March 26th, 2024. Proposed compensation for the Board of Trustees is as follows:

Mayor: \$15417.00
 Deputy Mayor: \$8451.00
 Trustees: 3 at \$7240.00

Notice is hereby given that a **public hearing** in relation to the adoption of the annual budget will be held on April 1st, 2024, at 6:30 p.m. in the Avon Village Hall, 74 Genesee Street, Avon, New York.

By Order of the Board of Trustees
 Thomas Freeman, Mayor

Dated:
March 4, 2024

Upon a motion made by Deputy Mayor Hoffmann and seconded by Trustee McCormick, the Board opened the public hearing at 6:30pm. The motion was carried by the following vote:

Robert C Hayes, Mayor	Voting	Abstain
Amanda Hoffmann, Dep. Mayor	Voting	Yes

Tim Batzel, Trustee	Voting	Absent
Tom Cushing, Trustee	Voting	Yes
Patrick McCormick, Trustee	Voting	Yes

The Board reviewed/discussed the budget with Treasurer Quinlan. It was stated that assessed values in the Village decreased slightly. In order to stay within the tax cap, the proposed levy is \$1,234,109 with a tax rate that would increase to \$5.17/1000 (last year was \$4.99/1000). The water and sewer rates will remain the same.

It was noted that the Village has healthy fund balances and capital reserves.

The public hearing will remain open until the next Board meeting on April 15, 2024.

PUBLIC COMMENT:

Mayor Hayes opened the floor to public comments.

- Kitty Bressington- asked how the budget is created. Mayor Hayes and Treasurer Quinlan discussed the process, including meeting with department heads, payroll and how it is allocated from each fund, along with special projects and capital projects.

TRUSTEE UPDATE:

Mayor Hayes asked members of the Board if they had any updates:

- Deputy Mayor Hoffmann discussed the Solar Eclipse Events happening at the school on Monday April 8th, 2024. Starting time is noon and continues throughout the afternoon until 4pm where community members can hear speakers, participate in a costume contest, face painting, food vendors and more. She hopes everyone will stop at the middle school for this exciting day!
- Mayor Hayes stated that he was fortunate to be able to have lunch with none other than Mr. Tom Wahl, at Tom Wahls! Mr. Wahl happened to be celebrating his 93rd birthday! The Village of Avon wishes him a very happy birthday!!!

EXECUTIVE SESSION:

Upon a motion made by Trustee McCormick and seconded by Trustee Cushing, the Board entered into executive session at 6:45pm and exited at 8:21pm in order to discuss proposed, pending, or current litigation. The motion was carried by the following vote:

Robert C Hayes, Mayor	Voting	Abstain
Amanda Hoffmann, Dep. Mayor	Voting	Yes
Tim Batzel, Trustee	Voting	Absent
Tom Cushing, Trustee	Voting	Yes
Patrick McCormick, Trustee	Voting	Yes

Upon exiting executive session, Clerk Randall welcomed any public still in attendance back into the meeting.

Upon a motion made by Trustee McCormick and seconded by Trustee Cushing the Board agreed to hire Trivett Cristo Attorneys. The motion was carried by the following vote:

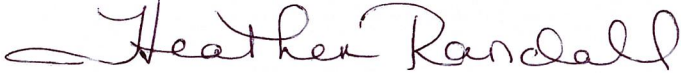
Robert C Hayes, Mayor	Voting	Abstain
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Amanda Hoffmann, Dep. Mayor	Voting	Yes
Tim Batzel, Trustee	Voting	Absent
Tom Cushing, Trustee	Voting	Yes
Patrick McCormick, Trustee	Voting	Yes

ADJOURNMENT:

Upon a motion made by Trustee McCormick and seconded by Deputy Mayor Hoffmann, the Board adjourned at 8:25pm by a unanimous vote.

Respectfully submitted,



Heather Randall
Village Clerk