

A meeting of the Board of Trustees of the Village of Avon was held in Conference Room B of the Village Hall, 74 Genesee Street, Avon, New York, on July 22, 2024.

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

Staff: Ken Farrell, DPW Supt.
Christine Quinlan, Treasurer
Tim Ferrara, Officer In Charge
David Piampiano, Fire Chief
Bob Alexander, Code Compliance
Bill Davis, MRB

Visitors: Margaret Lee, LCN
George Brown, resident
Jim Harrington, resident
Allison Hayes, resident
Ellen Turner, resident
Tom Freeman, resident
Linda Freeman, resident
Bill Zhe, resident
Kitty Bressington, resident
Jim Fusco, resident
Heather Arnold, resident
Mike Freeman, resident
Sarah Freeman, resident
Steve Comeau, resident
Linda Conrad, resident
Lynne Mignemi, resident
Sandy Schillinger, resident
Barbara Charity, resident
Ed Redmond, resident
Kelly Tonra, resident
Cindy Wolfer, resident
Marty Herkimer, resident
Nora Hayes, resident
Betsie and Lyle Findlay, residents
Olivia Findlay, resident

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

APPOINTMENT OF ASHLEY COMEAU:

Mayor Hayes addressed those in attendance stating that after fifteen years on the Village Board, Trustee Batzel had decided to resign from his position as a trustee. Mayor Hayes expressed his gratitude for the years of dedication and expertise Mr. Batzel provided as a valued member of the Board and wished him well in his future endeavors.

Mayor Hayes then introduced Ms. Ashley Comeau as his appointee to fill Mr. Batzel’s position. According to Village Law section 3-312, the vacancy left by Mr. Batzel may be filled by the mayor for the balance of the current official year. However, a special election will need to be held in March of 2025 to fulfill the rest of Mr. Batzel’s term, which would have expired in March of 2026. In March of 2026, the seat will again be on the ballot, as it would be the regular election cycle for the position.

Mayor Hayes gave a brief description of his reasons for selecting Ms. Comeau. Ms. Comeau ran for a seat on the Board this past year and has been involved in the Village as the Chairperson for the Parks Commission for several years. Mayor Hayes feels confident that Ms. Comeau will be a wonderful addition to the Board. He administered the Oath of Office and welcomed Trustee Comeau to the Board of Trustees.

RECORDS MANAGEMENT:

Kitty Bressington requested to discuss records management with the Village Board. The Board discussed the LGRMIF Grant that the Village and Town applied for jointly. Unfortunately, the municipalities were not awarded the grant. At the time of the meeting, the Board was waiting for a debriefing letter from the state.

VOUCHERS and MANUAL CHECKS:

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

#1-GENERAL FUND	\$149067.79
#4-SCHEDULE C	\$34756.99
#5-WATER	\$15918.54
#6-SEWER	\$22241.30
#HH44-STORMWATER PROJECTS	\$54477.26
#TA00-TRUST & AGENCY	\$1032.36
#V000-DEBT SERVICE	\$12340.59
TOTAL	\$289834.83

- Electronic payments/manual checks:

Paid electronically:

- Fed/NYS Taxes p/r 24-14 \$14330.47
- Nationwide Retirement p/r 24-14 \$2741.06

TOTAL: \$17071.53

Manual Check:

- NYS Child Sup. Proc. Ctr.	Child Support	\$356.00
TOTAL:		\$356.00

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

Robert C Hayes, Mayor	Voting	No Vote
Amanda Hoffmann, Dep. Mayor	Voting	Yes
Ashley Comeau, Trustee	Voting	Yes
Tom Cushing, Trustee	Voting	Yes
Patrick McCormick, Trustee	Voting	Yes

DPW UPDATE:

Supt. Farrell provided the following update:

DPW Activity

1. Brush
2. Ground stumps & Restoration
3. Cleaned catch basin preparation of rainstorm
- 4. *After Storm on 7/15**
5. *Fixed fence 2 x's at Driving Park, trees fell on
6. *Clean up after storm
7. *Fixed roof drain in Fire Station hallway
8. *Swept streets
9. Moved Native American from school to shop
10. Clean paint off Burke Park rock & bench
11. Started inventory of Sidewalks to be repaired & called in stake outs for them
12. Trimming low branches on trees (sidewalks)
13. Installed 25mph signs on Spring Street.

WWTP

1. Daily operations
2. Cleaned up after storm/rain event
3. Met with EV Group (contactors for Kraft) regarding sampling, also toured our plant
4. Ran, moved and hauled sludge
5. Met with LCWSA regarding partial flume meter @ Tops. LCWSA will be contacting DPW when reading the meter.
6. UV system onsite, GC Blue Heron on site today to start installation.

Water

1. Daily operations
2. Stake outs
3. Koester Associates @ Pump Station to finish "punch list items"
4. Water leak on Pineview Heights
5. Replaced Fire Hydrant on Valley Lane
6. Transferred lagoon pump

Misc./ Upcoming weeks

1. Start on sidewalk/ curb repairs
2. Repair road cuts & concrete gutters
3. Prep for Corn festival
4. CPR course with PD.
5. Replace ceiling tiles at FD

MRB UPDATE:

Bill Davis provided the following update to the Board:

WWTP Disinfection Project:

- For the next meeting- approval of WWTP change order for GC and EC with substantial completion dates of 9/1/20254.
- Will be providing a construction admin cost amendment for the Board's review and approval in the next few weeks.

Joint Water Tank Project:

- Village, MRB, and BPD working on NYS EFC requested "missing items"- A/E procurement last item and is in process.
- Draft of IMA for capital cost share between the Village and Town has been provided to the Village and BPD for review. The Village, at a previous meeting, accepted the draft with their additional comments and agreed to send it to the Town for their review and comments. We are currently waiting for their response. We will need both the Town and EFC to review and approve the IMA.

Triphammer Road Water Main Project:

- MRB authorized to complete a study of the water transmission main replacement along with a new water main per the request of the Town of Geneseo. Study will show justification for project and provide cost estimate. Study could be further utilized in the future for a Preliminary Engineering Report to seek funding.
- Study to also look at potential interconnection between Geneseo and Avon.
- MRB met with representatives from the Village of Avon and the Town of Geneseo in May to discuss and review potential alternatives for the Triphammer Watermain Replacement Study. Four different alternatives were discussed and have been evaluated in the report. Two costs have been prepared for each alternative: one for the work being publicly bid and completed by a contractor, the other is based on the estimated material cost if the work was completed by a shared services agreement between the Town of Geneseo and the Village of Avon. The estimated material costs do not account for the labor costs for installation, and it was stressed that these are just estimates.

The four alternatives that have been evaluated are as follows:

-Alternative 1 – Replacement in kind of the existing Triphammer watermain. Public bid cost estimate is \$4.5 million, material only cost estimate is \$1.3 million.

-Alternative 2 – Replacement of the existing Triphammer watermain by connecting to the existing watermain in the Town of Geneseo at Elm Road and North Road. Public bid cost estimate is \$2.1 million, materials cost estimate is under \$900K.

-Alternative 3 – Replacement of the existing Triphammer watermain by connecting to the existing watermain in the Town of Geneseo at Elm Road and North

Road and connecting to the existing Village of Avon watermain on Pole Bridge Road. Public bid cost estimate is \$2.3 million, materials cost estimate is under \$1 million.

-Alternative 4 – Replacement of the existing Triphammer watermain by connecting to the existing watermain in the Town of Geneseo at Elm Road and North Road and connecting to the existing Town of Avon watermain on Avon Geneseo Road (NYS Route 39). Public bid cost estimate is \$2.7 million, materials cost estimate is \$1 million.

Wastewater Treatment Plant (SPDES renewal & Improvement Project):

- MRB and Village WWTP staff working on requirements for NY2A SPDES application documents so DEC can complete review and renewal of SPDES permit. MRB reviewed info and Village to send final package to DEC.
- DEC provided comments on Preliminary Engineering Report (PER). Responses and additional info requested to be implemented into the report by DEC/EFC. Additional treatment options were requested to be evaluated. Due to potential SPDES change, MRB suggesting that the Village consider an EPG (Engineering Planning Grant). Grant could be used to address additional report info requested by DEC/EFC. At the last Board meeting, the Board accepted MRB's grant writing service proposal for the EPG

Resolution of Support & Authorization for the Village of Avon 2024 Engineering Planning Grant Application:

The following was presented to the Board and approved:

WHEREAS, Village of Avon, Livingston County, supports the submission of a 2024 Consolidated Funding Application (CFA) on behalf of the Village, for the Engineering Planning Grant (EPG) program to conduct a study of its Wastewater Treatment Plant (WWTP); and

WHEREAS, the New York State Environmental Facilities Corporation (EFC), provides a competitive statewide reimbursement grant program to assist in the initial planning of eligible Clean Water State Revolving Fund (CWSRF) water quality projects; and

WHEREAS, The Village of Avon meets the municipal median household income thresholds for EPG eligibility; and

WHEREAS, if funding is received it will allow the Village of Avon to prepare a preliminary engineering report to complete a thorough investigation of its WWTP to recommend solutions, enabling the Village to seek further financing for construction through the CWSRF program to advance the required water quality improvements;

NOW THEREFORE BE IT RESOLVED, the Village Board, on behalf of the Village, identifies the Village Mayor as the authorized representative for the project, able to execute necessary documents relative to and as required for this application; and

BE IT FURTHER RESOLVED, the Village Board does hereby authorize and obligates local matching funds of the minimum 20% of the total grant funding awarded in the form of in-kind services or cash contribution hereby appropriated from the sewer fund; and

BE IT FURTHER RESOLVED, that the Village of Avon, recognizes and fully supports the submission of the 2024 Engineering Planning Grant for investigation of the WWTP.

Motion by: Trustee McCormick

Seconded by: Deputy Mayor Hoffmann

Passed by the following vote of all Village Board Members voting in favor thereof:

Affirmative Village Board Members: Deputy Mayor Hoffmann, Trustee Comeau, Trustee Cushing, Trustee McCormick

Affirmative: # 4

Negative: # 0

Abstain: # 1

I, Heather Randall, do hereby certify that the resolution was passed at a meeting of the Village of Avon Village Board held on July 22nd, 2024, and is incorporated in the original minutes of said meeting OR on file and of record, and that said resolution has not been altered, amended, or revoked and is in full force and effect.



Heather Randall, Village Clerk

[Official seal of the Village of Avon]

Income Survey: Ongoing- MRB to circle back to find out the timing we will be looking at.

Pretreatment Program and Significant Industrial Users:

- Kraft has installed a full-size pilot pretreatment system (DAF treatment).
- Pilot system in place and running, and the Village is being provided with reports and sampling results. There is a new plant manager, and communication has been frequent. We are getting reports and have seen a slight improvement, however, there has not been enough sampling done and we do not have much data right now.

POLICE UPDATE:

- 93 calls since last meeting.
- 18 ambulance calls.
- 2 accidents.
- DOT Check on 7/18

- First Aid/ CPR/AED training with village staff on 7/29.
- All set with Corn Fest Schedule.
- Ready for Carriage show parade on Sunday. Officer Tetreault will be on duty along with Officer Ferrara.
- Speed signs are around the village. Discussed the data captured which includes the speed, the number of cars, traffic patterns. Currently having a difficult time accessing the data, however it is being worked on with the vendor. The Board discussed adding more speed signs, making them stationary in certain spots in the village. This would be a nice reminder to residents of the Village as to the speeds allowed while using the movable signs to areas where we would like to collect data.
- Discussed upcoming APD training.

TREASURER UPDATE:

Treasurer Quinlan provided the following update to the Board:

- 94% taxes collected.
- Ordered Erie-Attica signs for the GVTT grant.
- Filed FED & NYS quarterly tax reports.
- Working on fiscal year-end closing and annual report.
- Upcoming meetings for DRI project, NYSERDA CEC kickoff, and Triphammer Rd. watermain.
- Mayor Hayes discussed the webinars that he and Treasurer Quinlan have been attending discussing brownfield properties and ideas of remediation for problem areas of the Village.

CODE DEPARTMENT UPDATE:

Code Compliance Officer Alexander offered the following update to the Board:

- Discussed the storm, and call with fire department.
- Sent out several letters for property maintenance issues.
- Completed two safety inspections, letters sent with instructions to become compliant.
- 1 abandoned vehicle to be towed behind the D'Angelo Building
- Continue to issue permits for fence, siding.

FIRE DEPARTMENT UPDATE:

The following update was provided by Chief Piampiano:

- Drills continue weekly. Water drill with the Rush department on 7/29, rescue jacks. Hose testing was delayed until 8/1.
- Fire department physicals were held at the Hall on July 13th. 22 participated.
- Going into August-drills continue- truck inspection, UTV training, rescue truck training (MES coming)
- Will be providing hots, hamburgers, and light breakfast for the GVBA event at the Downs in August.
- WNYVFA Convention hosted by Avon/Caledonia on Thursday, Friday and Saturday. Events will be held in Caledonia.
- Storm Update- 2 call outs for the department. No flooded basements!

- Hoping to bring truck specs to the Village Board in August.

CLERK UPDATE:

The following items are updates from Clerk Randall:

- Clerk Randall asked for an official date for the Code Book public hearing:

Upon a motion made by Deputy Mayor Hoffmann and seconded by Trustee Cushing, the Board agreed to set the public hearing date for code for the 8/19/24 meeting at 7pm. The motion was carried by the following vote:

Robert C Hayes, Mayor	Voting	No Vote
Amanda Hoffmann, Dep. Mayor	Voting	Yes
Ashley Comeau, Trustee	Voting	Yes
Tom Cushing, Trustee	Voting	Yes
Patrick McCormick, Trustee	Voting	Yes

Important Dates:

- **BOARD MEETINGS-** August 5th and August 19th at 6pm.
- **First Aid, CPR, and AED training-** to be held July 29th, 2024, at noon. Office will be closed for the training.

MINUTES:

Upon a motion made by Deputy Mayor Hoffmann and seconded by Trustee McCormick, the Board approved the minutes from the July 8, 2024, meeting. The motion was carried by the following vote:

Robert C Hayes, Mayor	Voting	No Vote
Amanda Hoffmann, Dep. Mayor	Voting	Yes
Ashley Comeau, Trustee	Voting	Abstain
Tom Cushing, Trustee	Voting	Yes
Patrick McCormick, Trustee	Voting	Yes

TRUSTEE UPDATE:

- 🚧 Five Arch Bridge Project Award- The Board decided to table this topic and will award the bid at the next meeting.

- 🚧 NYSERDA Grant- Execution of Executive Order #16 and Agreement-

Upon a motion made by Trustee Comeau and seconded by Deputy Mayor Hoffmann, the Board authorized Mayor Hayes to execute the documents for the NYSERDA Grant. The motion was carried by the following vote:

Robert C Hayes, Mayor	Voting	No Vote
Amanda Hoffmann, Dep. Mayor	Voting	Yes
Ashley Comeau, Trustee	Voting	Yes
Tom Cushing, Trustee	Voting	Yes
Patrick McCormick, Trustee	Voting	Yes

- 🚧 Noyes Water Hookup Agreement Execution- Mr. Noyes previously requested Board approval for a water hookup on West Lake Road. Mr. Noyes has paid all related fees and has signed the agreement.

Upon a motion made by Deputy Mayor Hoffmann and seconded by Trustee McCormick, the Board authorized Mayor Hayes to execute the agreement with Mr. Noyes. The motion is carried by the following vote:

Robert C Hayes, Mayor	Voting	No Vote
Amanda Hoffmann, Dep. Mayor	Voting	Yes
Ashley Comeau, Trustee	Voting	Yes
Tom Cushing, Trustee	Voting	Yes
Patrick McCormick, Trustee	Voting	Yes

✚ Deputy Mayor Hoffmann requested Board approval to attend NYCOM Fall Training School in September 2024.

Upon a motion made by Trustee Cushing and seconded by Trustee McCormick, the Board approved Deputy Mayor Hoffmann’s request to attend the NYCOM conference. The motion was carried by the following vote:

Robert C Hayes, Mayor	Voting	No Vote
Amanda Hoffmann, Dep. Mayor	Voting	Abstain
Ashley Comeau, Trustee	Voting	Yes
Tom Cushing, Trustee	Voting	Yes
Patrick McCormick, Trustee	Voting	Yes

✚ Mayor Hayes reviewed the meeting held with the tenants at the horse barn. The meeting included Trustee Cushing, Supt. Farrell, and Parks Commission Member Bill Zhe. It was reviewed what was in the lease agreement and they asked the tenants to please clean up the barn, reminding them that it is not to be used for personal storage. The Village wishes to continue to provide this service and it will continue to be monitored. It was pointed out that we have three big events happening and we want to encourage people to use the barns, but we need to protect ourselves. Therefore, lease agreements will be reviewed for updates, and we will reach out to our attorney to help with updated language.

PUBLIC COMMENT:

Mayor Hayes opened the floor for public comment:

- Jim Harrington asked if the Village has an update on the independent audit that they were receiving proposals for. Mayor Hayes reminded him that the Board accepted a proposal at the last meeting and were expected to be on their schedule later in the fall.
- Jim Harrington asked about water meters on village buildings. Quotes will be forthcoming. Ms. Bressington piggy backed off of his question and asked who incurs that cost(?). This is included in the water rate.
- Cindy Wolfer asked if the village would make sure that work being done near her residence be reviewed for correctness and that is in conjunction with what was permitted.
- Ellen Turner requested clarification on a few acronyms/abbreviations used during the meeting.

EXECUTIVE SESSION:

Upon a motion made by Trustee McCormick and seconded by Deputy Mayor Hoffmann, the Board entered executive session at 7:09pm for the purpose of discussing the medical, financial,

credit or employment history of a particular person or corporation or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation. The motion was carried by the following vote:

Robert C Hayes, Mayor	Voting	No Vote
Amanda Hoffmann, Dep. Mayor	Voting	Yes
Ashley Comeau, Trustee	Voting	Yes
Tom Cushing, Trustee	Voting	Yes
Patrick McCormick, Trustee	Voting	Yes

Upon a motion made by Deputy Mayor Hoffmann and seconded by Trustee McCormick, the Board exited executive session at 8:05pm. The motion was carried by the following vote:

Robert C Hayes, Mayor	Voting	No Vote
Amanda Hoffmann, Dep. Mayor	Voting	Yes
Ashley Comeau, Trustee	Voting	Yes
Tom Cushing, Trustee	Voting	Yes
Patrick McCormick, Trustee	Voting	Yes

Upon a motion made by Deputy Mayor Hoffmann and seconded by Trustee Comeau, the Board appointed Officer Matthew Tetreault as full-time competitive effective August 30th, 2024. The motion was carried by the following vote:

Robert C Hayes, Mayor	Voting	No Vote
Amanda Hoffmann, Dep. Mayor	Voting	Yes
Ashley Comeau, Trustee	Voting	Yes
Tom Cushing, Trustee	Voting	Yes
Patrick McCormick, Trustee	Voting	Yes

Upon a motion made by Deputy Mayor Hoffmann and seconded by Trustee Comeau, the Board decided to sponsor Casey Medina in the Police Academy and hire as a part time officer contingent upon a successful completion of a psychological evaluation, background check and any other civil service requirements. The motion was carried by the following vote:

Robert C Hayes, Mayor	Voting	No Vote
Amanda Hoffmann, Dep. Mayor	Voting	Yes
Ashley Comeau, Trustee	Voting	Yes
Tom Cushing, Trustee	Voting	Yes
Patrick McCormick, Trustee	Voting	Yes

ADJOURNMENT:

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

Respectfully submitted,

Heather Randall
Village Clerk