

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 June 3, 2024.

Present: Robert C. Hayes, Mayor  
 Tom Cushing, Trustee  
 Tim Batzel, 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  
 Corey Hurley, MRB

Absent: Amanda Hoffmann, Deputy Mayor

Visitors: George Brown  
 Jim Harrington  
 Ellen Turner  
 Kitty Bressington  
 Cindy Kellen  
 Heather Arnold  
 Deb Spratt  
 Collin Hayes  
 Chris Polland  
 Reese DeVito  
 Alijah Arnold  
 Aaron Arnold

Mayor Hayes 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 McCormick, the vouchers and manual checks/electronic payments were approved for payment from the following funds:

#1-GENERAL FUND	\$16721.46
#4-SCHEDULE C	\$8683.84
#5-WATER	\$3502.67
#6-SEWER	\$14173.53
#TA00-TRUST & AGENCY	\$7204.71
<b>TOTAL</b>	<b>\$50286.21</b>

- Electronic payments/manual checks:

Paid electronically:

- Fed/NYS Taxes	p/r 24-11	\$16909.47
- Nationwide Retirement	p/r 24-11	\$ 3214.76
		<b>TOTAL: \$20124.23</b>

Manual Check:

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

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

Robert C Hayes, Mayor	Voting	No Vote
Amanda Hoffmann, Dep. Mayor	Voting	Absent
Tim Batzel, 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 pickup.
2. Grinding stumps
3. Cleaned streets(sweeping)
4. Mulched Park, Office, Genesee St.
5. Prepped for Memorial Day
6. Repaired outside spigot at FD.
7. Dug out & formed up to prepare to pour concrete for sidewalk (Spring St.)
8. Formed up gutter to prep for concrete on North Ave., Water leak.
9. PESH was at the DPW shop today for an inspection. Mayor to receive a letter in the following weeks.

WWTP

1. Nick attended Rural water conference for CEC hrs.
2. Daily operations
3. Ran sludge, moved out of drying beds & hauled sludge.
4. We had a thickener pump issue, Possible motor failure. Nick & Sam switched the motor off another pump, only to have same issue. Contacted W2O contractors, found issue with an electric contactor, W2O switched out and we purchased a second contactor to have on site for future.
5. Yard maintenance.
6. Submitted RFI for SPDES (renewal) DEC
7. Submitted DMR & Op reports to DEC

Water

1. Daily operations
2. Flushing hydrants
3. Yard maintenance at plant (weed whipped)
4. Meter repairs (Residents on Railroad & Wadsworth)
5. Pebble Beach Pump station walk through with MRB for punch list for project.



6. Fire flow test for Avon Central School.
7. Water Quality report went out.

Pebble Beach Pump Station- discussed the fence. There is a manhole cover about 20 feet from the lake Supt. Farrel feels that it would be a good idea to extend the fence out to encompass the manhole. He spoke to Scott Baker at CP Ward and there may be an extra cost to do that. The Board agreed that extending the fence is a good idea and asked Supt. Farrell to check to see if there are any state requirements for height.

### **MRB UPDATE:**

Corey Hurley provided the following update to the Board:

#### **WWTP Disinfection Project:**

- GC waiting on UV equipment due for delivery July/August. Substantial completion to be extended per review with consultant John Barrett to 9/30/2024 following request from Blue Heron.
- EC is waiting on the generator for the UV system, which is due for delivery in October.
- EFC contacted re: site visit (using Critical Path Solutions as a sub-consultant) and document collection as discussed at the last meeting. That meeting still needs to be scheduled with John Barrett.

#### **Pebble Beach Pump Station:**

- Pumps are operating at 1400 gpm per spec. CP Ward took down old structures and is working on chemical lines and restoration.
- Final Punch list provided to CP Ward. Restoration needs some improvement, and a number of miscellaneous items need to be completed before close out.

#### **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. Next step is for the Village to provide the Town and Town attorney with the latest draft for their review. 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.
- Site visit occurred 5/16 with Village, Town of Geneseo to review project and to walk watermain locations and evaluate potential alignments. Discussion re: “in house” work occurred. MRB to price project both ways (in house and bid).
- MRB to provide schedule for completion of study.

#### **Water/Sewer Income Survey:**

- Village proceeding with survey to include sewer and water.
- Jay Grasso provided up-charge for Town of Avon water customers to town. The Town may not authorize. Income survey will remain a significant potential benefit for the Wastewater project and also Village water projects.



**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.

**Pretreatment Program and Significant Industrial Users:**

- Kraft has installed a full-size pilot pretreatment system (DAF treatment). MRB and Village have provided comments and has requested additional information.
- Pilot system in place and running. Commented on needing a sampling protocol and results for the Village and MRB to review.
- Supt. Farrell is working on scheduling a site visit.

**LCWSA Regional Water Project:**

- Meeting held 5/31. Called by LCWSA to review opportunity for LCWSA to upsize a portion of their system for a potential future inter-connection between the Village/Town and LCWSA (near Fratelli's). Cost is estimated at \$1.8 million.
- Benefit to Village and Town- potential inter-connection as opposed to expanding the Water Treatment Plant.
- Benefit to Town-potential inter-connection which could allow the need for the East Avon elevated water storage tank.
- LCWSA is asking for a letter of interest/support. Mayor Hayes stated that we were waiting for more information from LCWSA before supplying a letter.

**TREASURER UPDATE:**

Treasurer Quinlan provided the following update to the Board:

- Submitted WWTP disinfection 9<sup>th</sup> progress payment application on 5/22.
- Submitted bulletproof vest grant on 5/24 for 2 replacement vests.
- Property taxes prepared and distributed.
- Working with Genesee/Fingerlakes Regional Planning Council on Clean Energy Communities grant, submitted on 5/31 to audit the Village Hall energy efficiency.
- 2018 GVBA grant reimbursement request submitted on 6/3.
- Provided EFC documentation to MRB for WWTP disinfection project on 6/3.
- Five Arch Bridge project revised scope of work sent to NYS Office of Parks for SHPO review & approval on 5/22. Bids are due on 6/13.

**Parks Commission Encumbrance of funds:** Treasurer Quinlan reviewed and discussed the following items for purchase by the Parks Commission and requested the Board to approve the encumbrance of \$3900 from the 2023/2024 budget year to the 2024/2025 budget year to proceed with the purchases:

- \$500 for hydrangeas, grasses, etc for around Pocket Park
- \$500 for grasses for the entrance of the dog park at the Driving Park
- \$500 for swing mats for the Downs playground
- \$2000 for cement pad, flagpole and greenery for around the concrete pad at the Historical Society Kiosk

- \$200 to refresh the Erie- Attica Trail kiosk
- \$200 to add shade sails on the Downs playground.

Upon a motion made by Trustee McCormick and seconded by Trustee Cushing, the Board approved the encumbrance of \$3900 for the purchases as requested. The motion was carried by the following vote:

Robert C Hayes, Mayor	Voting	No Vote
Amanda Hoffmann, Dep. Mayor	Voting	Absent
Tim Batzel, Trustee	Voting	Yes
Tom Cushing, Trustee	Voting	Yes
Patrick McCormick, Trustee	Voting	Yes

Parks Commission Chairperson, Ashley Comeau, will contact Supt. Farrell about the timing for these purchases.

- Trustee Batzel asked about our balance of ARPA funds. Treasurer Quinlan stated that there is approximately \$130k for the Board to commit.

**CODE DEPARTMENT UPDATE:**

Code Officer Alexander offered the following update to the Board:

- 3 complaints received that Code Officer Alexander has looked into and is currently working with those residents to help them come into compliance.
- 16 property maintenance inspections have been completed on the circle and will now start with building safety inspections.

**POLICE UPDATE:**

Officer in Charge Ferrara updated the Board on the following:

- Discussed grants- received funding from a discovery grant in the amount of \$3700 for a printer and laptop for the department.
- Reviewed the rules for golfcarts in the Village. There are 2 carts in the Village that are road legal due to the fact that they are LSV Vehicles (manufactured as “low speed vehicles”). Others that are not will be ticketed if the police officers see them on the roads. Officer Ferrara provided the Board with additional information which has been posted in the office. A notice has also been placed on the website. Officer Ferrara suggested that if people have questions about the legality of their recreational vehicles to contact the office at the non-emergency police line between the hours of 10am-2pm Monday through Friday to speak to the admin officer (Officer Ippolito).

**FIRE DEPARTMENT UPDATE:**

The following update was provided by Chief Piampiano:

- Truck check to be held next week.
- Officer meeting on 6/18.
- County Chief’s meeting to be held on the 6<sup>th</sup>- will learn more about OSHA updates.
- Memorial Day- BBQ went well. Was a little slower than usual because of the weather and the cancellation of the parade. However, the event wrapped up about 2:30pm.
- Department continues with fire calls and EMT calls.



**CLERK UPDATE:**

The following items are updates from Clerk Randall:

- Provided- Copy of Avon Chamber minutes.
- Provided- copy of the Livingston County Traffic Safety minutes. No meetings will be held over the summer. The next meeting will be held 9/4/2024.
- The new phone system was installed and went live on 5/29/2024.
- Trustee McCormick will complete the annual court audit with Court Clerk Cullinan on June 20<sup>th</sup>, 2024, at 2pm.
- GLOW will be holding a paint collection event in Wyoming County on Saturday June 8<sup>th</sup>. Appointments are required and can be made by calling the GLOW office or on their website at glowsolidwaste.org .
- Provided- copy of letter sent by Mayor Hayes in the May 1<sup>st</sup> water bills.

**Important Dates:**


- **BOARD MEETINGS-** June 17, 2024. Public Hearing for Local Law#1 of 2024 changing the speed limit going into the Driving Park.
- **Primary Election-** June 25<sup>th</sup>, 2024. Hall will be open at 5am for election inspectors. Elections run from 6am-9pm.

**MINUTES:**

Upon a motion made by Trustee McCormick and seconded by Trustee Cushing, the Board approved the minutes from the May 20, 2024, meeting. The motion was carried by the following vote:

Robert C. Hayes, Mayor	Voting	No Vote
Amanda Hoffmann, Dep. Mayor	Voting	Absent
Tim Batzel, Trustee	Voting	Yes
Tom Cushing, Trustee	Voting	Yes
Patrick McCormick, Trustee	Voting	Yes

**TRUSTEE UPDATE:**

 **Lamar Lease Agreement-** At the last Board meeting, Mayor Hayes brought to the Board’s attention that the owners of 307 West Main Street have been receiving rents for a billboard that is located there for many years from The Lamar Companies. Attorney Whiting reviewed the survey map and abstract for the property, and it was discovered that the billboard is actually located on Village property, and there is no recorded agreement between the Village and the owner of the property for the rents. Therefore, the Village is entitled to the rents and will collect them going forward. A lease agreement between the Village and Lamar has been prepared and was given to the Board for review and approval. The agreement states that rents will be presented to the Village in the amount of \$1750.00 annually beginning July 1<sup>st</sup>, 2024, for an initial term of 10 years. Renewal term will be automatic for an additional 10-year term unless either party provides written notice 60 days prior to the expiration of the then-current term.

Upon a motion made by Trustee Batzel and seconded by Trustee McCormick, the Village Board accepted the terms of the agreement and authorized Mayor Hayes to execute the required documents. The motion was carried by the following vote:



Robert C. Hayes, Mayor	Voting	No Vote
Amanda Hoffmann, Dep. Mayor	Voting	Absent
Tim Batzel, Trustee	Voting	Yes
Tom Cushing, Trustee	Voting	Yes
Patrick McCormick, Trustee	Voting	Yes

- ✚ Fire Department updated Rules and Regs (bylaws) discussion was tabled as Deputy Mayor Hoffmann was absent from the meeting.
- ✚ Annual Water Report- The Board discussed the water report noting that the Village had 80 million gallons of water that was unaccounted for in 2023, which is a shortage of 23%. This shortage, known as slippage, is not uncommon, and all communities plan for slippage. Numbers from around the county include municipalities that range from a 9% shortage to a 33% shortage. However, 23% is higher than the Village would like to see for our community. Mayor Hayes discussed a plan that he and Supt. Farrell have discussed to try to correct some of these issues, including the following ideas/options:
  - we will install water meters on all municipal buildings and facilities,
  - we will audit Town Pump station and meters
  - we will continue to put priority to conceptualize and figure the Triphammer Road line solution
  - we will install a master meter outside of the line that goes INTO Kraft to ensure we can account for any problems 'inside the fence line'
  - we will engage the NY Rural Water consultants for survey and audit work
  - we will audit water master meter vs. revenue meters in the eastern part of system that the Pole Bridge Rd. meter feeds

Mayor Hayes expressed that “we continue to provide our residents with high quality drinking water at a very affordable price, and our water treatment continues to keep contaminants within regulatory limits”. This in and of itself is good news. The goal is to achieve a 10% reduction in our slippage by next year.

Mayor Hayes asked members of the Board if they had any updates. There were none.

**PUBLIC COMMENT:**

Mayor Hayes opened the floor to public comment at 6:46pm and read the following:

*“Public comment, at the Village Board’s discretion, will be held at the end of the meeting when regular business has been completed. Guests are asked, upon being recognized by the mayor, to introduce themselves, state their address and identify the organization they are representing (if any) and will have an opportunity 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 your comments but will refrain from commenting until they have had an opportunity to thoughtfully reflect on what has been said. If your comments require follow-up or a response from the Board, appropriate action or follow-up will be taken. All speakers are to 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. If preferred, you may submit your comments in writing to the Village Clerk by noon on the Wednesday prior to the scheduled meeting. These comments will then be forwarded to the Board in their next meeting packet.”*

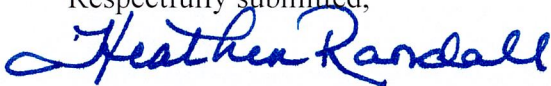
- Cindy Kellen, a resident of Clinton Street, discussed another resident who has moved into the neighborhood in a rental. She is concerned with potential behavior and stated that the new resident is also cutting through people's properties while walking through the Village without permission. She has reached out to the landlord of the property who stated that he has no new tenants at his property and knows nothing of this person.
- Heather Arnold, also a resident of Clinton Street, expressed her concern of the same issues as Mrs. Kellen.
- Jim Harrington asked if there were any responses to the questions he asked at the last meeting. Mr. Harrington also asked when the outside audit begins for the Village- Mayor Hayes responded that it has yet to be scheduled.
- Mr. Harrington asked if the horse barn issue has been addressed.
- Mr. Harrington asked if there has been any movement on the list of addresses provided previously by another resident who recommended that the Code Department look into for property maintenance issues.
- Kitty Bressington stated that she would be asking about records at a future meeting.

There were no other comments.

### **ADJOURNMENT:**

Upon a motion made by Trustee McCormick, and seconded by Trustee Cushing, the Board adjourned at 6:55pm by a unanimous vote (Deputy Mayor Hoffmann was absent.)

Respectfully submitted,



Heather Randall  
Village Clerk