

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 8, 2024.

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

Staff: Ken Farrell, DPW Supt.
 David Piampiano, Fire Chief
 Jake Whiting, Village Attorney
 Bill Davis, MRB
 Corey Hurley, MRB

Visitors: Judi Hobbs, resident
 George Brown, resident
 Jim Harrington, resident
 Allison Hayes, resident
 Ellen Turner, resident

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

#1-GENERAL FUND	\$13958.38
#4-SCHEDULE C	\$3733.71
#5-WATER	\$3392.09
#6-SEWER	\$13338.62
#TA00-TRUST & AGENCY	\$6703.34
TOTAL	\$41126.14

- Electronic payments/manual checks:

Paid electronically:

- Fed/NYS Taxes p/r 24-13 \$16348.26
- Nationwide Retirement p/r 24-13 \$3207.39

TOTAL: \$19555.65

Manual Check:

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

TOTAL: \$356.00

2 replacement checks issued to Livingston County Treasurer’s office for a single check that combined 2 items, at the request of Liv. Co.

- Liv Co. Treasurer	LC Self Ins. Fund 2024	\$20151.00
- Liv Co. Treasurer	Processing of 1239 parcels, Flash drive, and Edmunds Govtech Software- support And maintenance	\$2094.68
	TOTAL:	\$22245.68

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
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
2. Grind stumps
3. Yard restoration after stump grinding
4. Poured concrete (Spring St./Driving Park) complete
5. Serviced equipment
6. Made topsoil
7. Planted trees on Genesee St.
8. Weeded around Office
9. Responded to PESH inspection (sent in information that was requested)

WWTP

1. Daily operations
2. Cleaned aeration basins
3. Ran sludge, mixed & moved sludge
4. Cleaned grit channel
5. Repaired equipment (bad coupler on pump, slow close valve on screen press)
6. Worked on & submitted DMR & Ops report to DEC

Water

1. Daily operations
2. Stake outs
3. Repaired fire hydrant that got hit at intersection of Reed & Rochester St.
4. Cleaned up at Pump Station, mowed grass/ weed whipped
5. Received Chlorine at Pump Station
6. Worked on a water leak repair this afternoon.

Misc./ Upcoming weeks

1. Repair water leak on Pineview Heights- found out- W/NYS Rural Water
2. Repair Fire Hydrant on Valley Lane.
3. Finish up stumps
4. Repair fence at driving park (inside riding arena) that a tree branch fell on
5. Complaint about Burke Park Rock, someone painted it. DPW to clean up.
6. Called in Stakeout to replace hydrant on Clinton St.
7. Move Native American Statue from School

MRB UPDATE:

Bill Davis provided the following update to the Board:

WWTP Disinfection Project:

- GC waiting on UV equipment due for delivery July/August.
- Mr. Davis discussed the "\$3000 fine" that a resident referenced at a previous meeting. He clarified that this is a stipulated fine that has to do with the WWTP UV Disinfection project that could be enforced if the project is not complete in the timeframe allotted, not a fine that has been paid by the Village. Mr. Davis stated that we are currently on track to complete the project and the goal is to be up and running in August. MRB will also be submitting to the Village an amendment for construction admin costs as we are past the original timeline for the project.

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.
- **Engineering Planning Grant Proposal-** MRB provided the Board with a proposal for professional services for grant writing services through the 2024 Consolidated Funding Application(CFA) for an Engineering Planning Grant (EPG) (attached). The EPG can provide funds to assist the Village in preparing a Preliminary Engineering Report (PER) to complete a study evaluating different options for the rehabilitation or replacement of portions of the Village’s Wastewater Treatment Plant (WWTP). The PER can then be used to seek further funding for the design and construction of improvements necessary to address the issues with the outfall identified in the PER. The cost of services was proposed at \$3000.00.

Upon a motion made by Deputy Mayor Hoffmann and seconded by Trustee Batzel, the Board accepted MRB’s proposal for Grant Writing Services for the EPG as submitted. The motion was carried by the following vote:

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

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.

- MRB stated that there is a meeting with DEC tomorrow.

TREASURER UPDATE:

Treasurer Quinlan provided the following update to the Board:

- 93% of taxes have been collected.
- Received notification from NYSERDA of a \$10K grant award through the Clean Energy Communities program. Plan to use award for an audit for energy efficiencies on the municipal buildings.
- Working on fiscal year-end closing and annual report.

CODE DEPARTMENT UPDATE:

Code Compliance Officer Alexander was unable to attend the meeting but offered the following update to Mayor Hayes for the meeting:

- Inspected all buildings around the Circle Park.
- Reviewed fire inspection of 61 Park Place. Violations were noted and a comment letter with the recommendations for coming into compliance will be mailed.
- Letters were also sent for the following:
 - Car storage (3 letters)
 - No permits found for siding (3 letters)
 - Storage containers (2 letters)

FIRE DEPARTMENT UPDATE:

The following update was provided by Chief Piampiano:

- Officer meeting to be held on 7/16
- Drills continue weekly. Truck inspection tonight, extraction training, hose testing and water drill with the Rush department.
- Fire department physicals will be held at the Hall on July 13th.
- OSHA question and answer period has been extended to at least the end of July. It is possible the extension will go into October.

CLERK UPDATE:

The following items are updates from Clerk Randall:

- Provided- copy of support letter for the nomination of the Opera Block Building for the 2024 Excellence in Historic Preservation Award.
- Provided- copy of Avon Chamber minutes.
- Provided- copy of agenda for the Livingston County Planning meeting to be held on Thursday 7/11/2024.
- Destruction of newspapers- Liv. Co. News is the Villages official paper. Notices in the papers submitted by the Village have a permanent retention. I have reviewed papers from 2021-2024 and copies of notices have been filed. Papers will be destroyed.

Important Dates:

- **BOARD MEETINGS-** July 22nd.

- **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 Batzel, the Board approved the minutes from the June 17th, 2024, meeting. The motion was carried by the following vote:

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

TRUSTEE UPDATE:

- ✚ Liv. Co. First Impressions Grant Award- The Village has been awarded \$5000 for projects to be determined. The Board accepted the award at the last meeting and discussed the possible projects. Mayor Hayes proposed banners for the poles around the circle and the remaining funds to be used toward the website transformation.

Upon a motion made by Deputy Mayor Hoffmann and seconded by Trustee Cushing, the Board agreed with the proposed banners and website transformation for the use of the First Impressions grant award. The motion was carried by the following vote:

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

- ✚ Five Arch Bridge Project- Additional Funding- Treasurer Quinlan explained that when the Village initially bid out the project for Phase II repairs, the bids all came in over budget. A revised scope was established, and the project was rebid as repairs to the North side of the bridge only. Treasurer Quinlan wanted to know if the Board would like to try to pursue additional funding before moving forward with the project to possibly be able to do both sides of the bridge. However, it would need to go through the bidding process for a third time with a matching requirement from the Village. Trustee Batzel felt we should try for the additional funding while the rest of the members felt we should not.

Upon a motion made by Deputy Mayor Hoffmann and seconded by Trustee McCormick, the Board voted to not pursue additional funding and move forward with the project as is. The motion was carried by the following vote:

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

The Board will award the bid for the project at the next meeting.

- ✚ Audit RFP- The Village received one proposal in response to the RFP for an audit. The proposal was received from Mengel Metzger Barr & Co., LLP, not to exceed \$6950.00.

Upon a motion made by Trustee McCormick and seconded by Deputy Mayor Hoffmann, the Board accepted the proposal presented by Mengel Metzger Barr & Co., LLP in the amount not to exceed \$6950.00 The motion was carried by the following vote:

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

- ✚ EFC Site Visit Close Out- execution- The Village Board and MRB agreed to table the execution of the Close Out documents until a later date.
- ✚ Mayor Hayes said that he will be meeting the tenants for a site visit of the horse barn at the Downs on Friday 7/12 at 11am, along with Supt. Farrell, and invited any of the other Board members to join.

CODE BOOK and COMPLIANCE/COMPLAINT PROCESS DISCUSSION:

Mayor Hayes and the Board discussed the Code Book. Mayor Hayes would like to review and reconcile portions of Local Law 2-2020 and cross reference to make sure that the changes were carried throughout the whole book. It was noted that there were pieces that will need to be re-adopted by the Board to enact that legislation as well. He would like to set a public hearing for the second meeting in August (8/19/2024).

Discussion continued as resident Judy Hobbs requested clarification into whether or not a permit is necessary when replacing siding. It was established that the Village follows NYS Uniform Code and/or the Energy Code, however, the Village is also able to be more restrictive when it comes to what is required. Attorney Whiting, along with Trustee Cushing, explained that NYS requirements are the minimum requirements allowed, and the Village can require more, and that a permit is required. There is no charge for a siding permit.

Mayor Hayes moved on to offer a draft of a code complaint policy statement, which was discussed among the members, Attorney Whiting, and members of the public. Attorney Whiting believes this is a good procedure to put into place that will help future code compliance officers as well. George Brown stated that the policy statement changes what the code says pointing out that Village Code already has a procedure. Attorney Whiting explained that this policy is how the process starts with the code compliance department/officer and the second part of the policy is how the Board would like to keep the public aware of how the situation is being handled.

Mr. Brown hopes that the policy statement and the code can be melded together. Mayor Hayes expressed that this wouldn't change the code, it just bridges the gap between notification and working with a resident to come into compliance and then the official action that can lead to citations, court, and fines as stated in code.

ADJOURNMENT:

Upon a motion made by Deputy Mayor Hoffmann and seconded by Trustee McCormick, the Board adjourned at 8:01pm by a unanimous vote.

Respectfully submitted,

A handwritten signature in blue ink that reads "Heather Randall". The signature is written in a cursive, flowing style.

Heather Randall
Village Clerk