

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 September 23, 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  
Officer Matthew Tetreault

Visitors: Maureen Wheeler, DRI Presentation  
Mary Underhill, Conesus Lake Watershed Council  
Jay Grasso, G&G Municipal Consulting and Grant Writing  
Jan Rodgers, Livingston Insurance  
Collin Hayes  
Ellen Turner, resident  
Kitty Bressington, resident  
George Brown, resident

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

### **MAUREEN WHEELER- DRI PRESENTATION:**

Ms. Wheeler attended the meeting to present the Downtown Revitalization Initiative (DRI). The initiative helps to create an active downtown, attract new businesses and grows exciting, diverse, and thriving communities. The range of projects funded by this initiative is vast, ranging from improvements to streetscapes, trails, parks, wayfinding, and art to the development or rehabilitation of existing downtown buildings that could provide employment, housing, and services for the community. The Village is applying for funding in the amount of \$10 million to assist with transformative building renovations and looks forward to hearing more ideas and gaining support from the community for this initiative.

### **MARY UNDERHILL-CONESUS LAKE WATERSHED COUNCIL-**

Ms. Underhill attended the meeting to provide an overview of what the Watershed Council does and how important the Village is to the discussion of what the next 20 years of progress, projects, and partnership looks like. The Management Plan is being updated, and the Council wants to hear what is important to the people of the community. Focused on the health of Conesus Lake, the Council oversees actions designed to protect and restore Conesus Lake. The update to the management plan will help develop strategies to protect the lake, the lands that

surround the lake and the well being of our community. The public meeting on September 30<sup>th</sup>, 2024, will be held at Camp Stella Maris at 5:30pm. This meeting will allow people to express what they want to see in the future for the lake. Ms. Underhill also stated that the continued partnership with the Village of Avon is important and looks forward to all ideas and suggestions.

**JAY GRASSO- INCOME SURVEY UPDATE:**

Mr. Grasso reviewed the income survey with the Board. He said that the survey went very well and is complete, and discussed the results found. Our median household income has been determined to be lower than what was initially thought to be and stating that the Village would be considered “in hardship.” Hardship in turn allows for the Village to receive and apply for loans at a 0% rate and funding that normally would not be available to us. This will help the Village fund projects that are needed but may have had to wait due to lack of funding.

Upon a motion made by Deputy Mayor Hoffmann and seconded by Trustee McCormick, the Board accepted the results of the income survey and authorized Mayor Hayes to execute the certification. 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

**JAN RODGERS- LIVINGSTON INSURANCE:**

Mr. Rodgers updated the Village Board on the Selective insurance policies for the Village of Avon. Reviewed were property, assets, and liability exposures. Coverages have not changed and has seen a slight increase in premiums. Mr. Rodgers made a few recommendations for the Village to consider. The Industrial Appraisal report will be provided to the insurance company at their request. The Board also requested that Mr. Rodgers look into NYMIR as a potential future provider for the Village and report back to the Board. As always, Mr. Rodgers said that he is always available for discussions and to answer any questions that the Board or office staff has.

**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	\$81931.18
#4-SCHEDULE C	\$81549.74
#5-WATER	\$29858.37
#6-SEWER	\$52581.47
#TA00-TRUST & AGENCY	\$779.94
#HH44- STORMWATER PROJECTS	\$108231.18
#V000-DEBT SERVICE	\$2307.18
<b>TOTAL</b>	<b>\$357239.06</b>



- Electronic payments/manual checks:

Paid electronically:

Fed/NYS Taxes	p/r 24-19	\$16471.50
Nationwide Retirement	p/r 24-19	\$3223.00
<b>TOTAL:</b>		<b>\$19694.50</b>

Manual Check:

NYS Child Sup. Proc. Ctr.	Child Support p/r24-19	\$356.00
<b>TOTAL:</b>		<b>\$356.00</b>

The motion was seconded by Trustee Cushing, 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 pick-up will end on Oct. 21st. Leaf pickup starts Oct.14<sup>th</sup>.
2. Green way signs installed.
3. Painted Stop/X-walks & Parking space lines (more to finish)
4. Fixed electric in park, lights on Flag were out.
5. Set up for 9/11 ceremony.
6. Prepped road cuts & asphalted
7. Cleaned front gutter on office & gutter on hay barn at Driving Park
8. Closed River St & portable toilet trailer to Driving Park for GVGW bike rally.
9. Ground the front of Fire Station while pumper out of service.
10. Worked on equipment.

WWTP

1. Daily operations
2. Took Effluent samples to lab for UV performance.
3. Asst. Kraft with sampling plan.
4. Ran sludge.
5. Worked on equipment.
6. Washed weirs on Primary, Final clarifiers & thickener.

Water

1. Daily operations.
2. Stake outs.
3. Working on Lead & Copper inventory.
4. Fixed door on PRV station @ Polebridge Rd.
5. Worked on/sent DOH (Dept. of Health) monthly report.

6. Read Kraft’s water meters for monthly billing.
7. Fence installed at Pump Station; CP Ward still need to install drain from check valve vault & re-topsoil.
8. Proposal for roof PRV @ Polebridge Rd. (F8340.4 account) under TIPs program contract #210205, from Elmer Davis: PVR Drop Station in the amount of \$6482.00.

Upon a motion made by Trustee McCormick and seconded by Trustee Cushing, the Board accepted the Elmer Davis proposal in the amount of \$6482.00. 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

Misc./ Upcoming weeks

1. Paint Spring Street wall, after done painting X-walks, stop line & parking spaces.
2. Finish blacktop cuts.
3. Sidewalks & curb repairs.
4. Start getting ready for leaf pickup.

Mayor Hayes asked Supt. Farrell if Lead Water Operator Vanderbilt has been able to get the information Treasurer Quinlan requested for grant work. Supt. Farrell said he would reach out to him to remind him to get it to her as soon as he could.

Deputy Mayor Hoffmann reminded the Board of a discussion held about installing a crosswalk on Genesee Street. Once the Board establishes the location, Supt. Farrell can put it in.

Upon a motion made by Deputy Mayor Hoffmann and seconded by Trustee Comeau, the Board authorized the installation of a crosswalk on at the north corner of Spring Street and Genesee Street. 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

**SLIDE GATE AUTHORIZATION:**

Supt. Farrell discussed the slide gate on the primary clarifier effluent box bypass line at the WWTP. This would be in the amount of \$16949.57 and would leave the allowance remaining the General Contract as \$16581.97.



Upon a motion made by Trustee Comeau and seconded by Deputy Mayor Hoffmann, the Board authorized the slide gate in the amount of \$16949.57. 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

**MRB UPDATE:**

Bill Davis provided the following update to the Board:

- MRB has provided an amendment to their previous agreement with the Village of Avon for construction administration services for the WWTP UV Disinfection project. The previous agreement was based on a six (6) month construction duration, which would have ended on April 6<sup>th</sup>, 2024. This amendment provides an additional six (6) months of construction administration services, through November 2024. The Board continues to review.
- A meeting was held on Wednesday, September 18<sup>th</sup> with the Town of Avon to review the draft of the IMA between the Village and the Town for the Joint Water Project. The Town and Village Attorneys will be going back to tighten up some language before finalization. Both Boards are anticipated to accept the IMA in the next few weeks.
- MRB has provided updates to the Village’s Sewer Use Law. This needs to be reviewed by the Village Attorney and the Village before being finalized.
- WWTP Disinfection- up and running. Taking sample for testing to see where we are.
- Pebble Beach Pump Station- MRB to take care of fees for Koester.
- Kraft Pilot system- continued discussion. Senior leadership team is coming out in October to meet with Village officials.

**POLICE UPDATE:**

Officer in Charge Timothy Ferrara Jr. provided the following update to the Board:

- Calls continue- 87 calls reported, several arrests were made including DWI, suspended license and registration, reckless driving. Thirty-two tickets were written, nineteen of them for speeding.
- Department continues to work the safety grant, which is a speed enforcement grant.
- Working with Treasurer Quinlan on a grant for body cameras.
- Discussed with the Board the vehicles. Quotes were provided. Officer Ferrara recommends the Durango. This quote was received from Utilitac through the National BuyBoard Contract #698-23. Total quote in the amount of \$61,511.37. This includes the warranty and outfitting the car appropriately.

Upon a motion made by Deputy Mayor Hoffmann and seconded by Trustee Comeau, the Board, at the recommendation of Officer Ferrara, accepted the quote for the Durango in the amount of \$61,511.37, to be funded with ARPA funds. 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

- Officer Ferrara discussed the new firearms for the department. He is currently waiting to hear from another vendor on the trade in value of the current firearms.

**FIRE DEPARTMENT UPDATE:**

The following update was provided by Chief Piampiano:

- Drills continue-rescheduled drill with Rush (will be held in October), truck inspection 10/14, arial drill 10/21, fire extinguisher drill 10/28.
- Fire Prevention week at ACS 107-10/11. The evacuation drill for the school will be 10/10. Students will evacuate the school and all walk to the Village Hall as an emergency location.
- Fire Department has smoke detector/CO2 detectors they supply to residents during emergency calls. Residents are also able to call the department if they need them.
- Truck 224 is out for annual service.
- Halloween! Department will have the doors open for community engagement! Donuts, cider, and CANDY! Also working with Kraft on a Trunk-or-Treat event they would like to hold on a Saturday afternoon in October. Department will be in contact with Kraft for that.
- WNYVFA is done for the year.
- The department has responded to 162 calls to date.
- Chief Piampiano discussed the timeline for the rescue apparatus. After the Board adopts the permissive referendum resolution, Clerk Randall will submit to the paper to allow for the 30-day provision of Article 9 of Village Law. Clerk Randall will also submit the bid request notice to the paper. The bids will be due by noon on Friday November 1<sup>st</sup> and will be opened during the Board meeting on November 4<sup>th</sup>. Bids will then be reviewed and awarded, hopefully, at the November 18<sup>th</sup> meeting.

**PERMISSIVE REFERENDUM RESOLUTION- RESCUE APPARATUS:**

Deputy Mayor Hoffmann offered the following resolution and moved for its adoption:

RESOLUTION

A RESOLUTION authorizing the expenditures of \$115,000 from capital reserve fund titled Fire Truck Reserve for the Village of Avon, Livingston County, New York.

Be it resolved, by the Board of Trustees of the Village of Avon as follows:



The specific object or purpose of the Village of Avon, Livingston County, New York for which the expenditures of monies from the capital reserve fund needed to purchase a custom fire rescue apparatus. The maximum estimated cost of the aforesaid specific object or purpose is \$400,000.

Upon this RESOLUTION taking effect, the same shall be published in full in THE LIVINGSTON COUNTY NEWS, the official newspaper together with a legal notice of the Village Clerk as provided by law.

NOTICE PURSUANT TO GENERAL MUNICIPAL LAW SECTION 68.

This RESOLUTION published herewith was adopted on September 23, 2024, to authorize the expenditure of monies from the capital reserve titled Fire Truck Reserve in the amount of \$115,000 for fiscal year 2024-2025.

This RESOLUTION is adopted and subject to a permissive referendum under the provision of Article 9 of the Village Law. Petitions protesting against such resolution and requesting that it be submitted to the electors of the Village of Avon for their approval or disapproval may be filed with the Village Clerk at any time within thirty (30) days after the date of the adoption of such resolution.

By Order of the Board of Trustees  
 Heather Randall  
 Village Clerk

Trustee McCormick seconded the motion, and it 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

Clerk Randall will submit the notice to the official paper as required.

**TREASURER UPDATE:**

Treasurer Quinlan provided the following update:

- Met with CJ Brown re: Village Hall energy audit on 9/4.
- Submitted WWTP disinfection 12<sup>th</sup> progress payment application on 9/18.
- Submitted NYS DOT Chips reimbursement for River St. project on 9/23.
- Working on Annual Financial Report to be submitted by 9/30.
- Ninety-seven percent taxes collected. To be turned over to Liv. Co. by 10/8.
- Upcoming meetings for Five Arch project, DRI and Village solar opportunities.

**CLERK UPDATE:**

The following items are updates from Clerk Randall:

- Records destruction- destroyed journals for tax payments for years 2015-2017. These have a 6-year retention per the LGS-1 schedule.

**Important dates:**

Next Village Board meetings: October 7 and October 21.

**CODE UPDATE:**

Code Compliance Officer Alexander provided the following update:

- List of unregistered vehicles- 7 have been taken care of
- Building inspections continue. Working with a few people to help them come into compliance .
- Issuing permits- currently a convenience store on Wadsworth Ave where the gas station is located. 11 East Main Street is working on a new fence.
- Working with the White Horse property at the bottom of the hill on the installation of a fence.
- 52 West Main Street has been demolished. Still working on the removal of the stone. Mayor Hayes has a call in to Livingston County Land Bank for an update on their plan after demolition.
- Fee schedule was discussed.

**MINUTES:**

Upon a motion made by Trustee Comeau and seconded by Deputy Mayor Hoffmann, the Board approved the minutes from the September 09, 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	Yes
Tom Cushing, Trustee	Voting	Yes
Patrick McCormick, Trustee	Voting	Yes

**TRUSTEE UPDATE:**

- Trustee Comeau and Trustee Cushing stated that they have started negotiations with the DPW for a new union contract. Current contract expires this year.
- Deputy Mayor Hoffmann discussed her time at the NYCOM Conference.
- Electric supply bid- Board reviewed the electric supply bid from the bidders.

Upon a motion made by Trustee Comeau and seconded by Trustee McCormick, the Board awarded the purchase of electricity to Energy Coop of America at the indexed adder rate of \$0.01976 per kwh used as recommended by Energy Enterprises. 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



**TAX RELEVY RESOLUTION:**

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

*RESOLUTION*

Whereas, the Village of Avon hereby requests that the County of Livingston collect certain delinquent Villages taxes for the tax levy of June 2024, and

Whereas, the Village of Avon will take no action to recover said unpaid taxes pursuant to Section 1440 of the Real Property Tax Law of the State of New York and no sale on account of said unpaid taxes will be held pursuant to law,

Now therefore be it resolved that the Village of Avon officially requests that the County of Livingston collect certain delinquent Village taxes for the tax levy of June 2024 as of October 1, 2024, pursuant to Section 1442 of the New York State Real Property Law.

And it is further resolved that a copy of this resolution, duly certified by the Treasurer of the Village of Avon shall be transmitted forthwith to the Livingston County Treasurer and the Clerk of the Livingston County Board of Supervisors.

Trustee McCormick seconded the motion, and it 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

**PUBLIC COMMENT:**

- George Brown asked about the Triphammer Road project and the current cost estimates. Mr. Davis said that the next steps really hinged on the outcome of the income survey in that area and whether or not the work is done in house versus contracted out. The Village does qualify for hardship based on the income survey (0% load through EFC based on the MDI (median household income). However, the project also needs to score high.
- George Brown asked about a car that was at the Erie Attica Trail, stating that it appears damaged and is being vandalized. Chief Piampiano explained that the car is being used for fire department drills and will be cleaned up.
- Collin Hayes, as a member of the Rotary Club, asked for the Board’s consideration to do something at Pocket Park in memory of Mr. Edward “Ted” Coyne. He stated that the Rotary Club is interested in purchasing a plaque in memory of him for mounting somewhere in the park. The Board briefly discussed, and Trustee Comeau stated that, as the liaison to the Parks Commission, she would like to take it to them in order to be involved in that discussion.

**EXECUTIVE SESSION:**

Upon a motion made by Trustee McCormick and seconded by Trustee Comeau, the Board entered executive session at 8:23pm and exited at 9:06pm in order to discuss Contractual negotiations and the 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 motions were carried by the following vote:

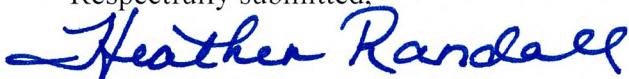
Robert C Hayes, Mayor	Voting	No Vote
Amanda Hoffmann, Dep. Mayor	Voting	Yes
Ashley Comeau, Trustee	Voting	Yes
Tom Cushing, Trustee	Voting	Yes
Patrick McCormick, Trustee	Voting	Yes

No action was taken.

**ADJOURNMENT:**

Upon a motion made by Trustee McCormick and seconded by Trustee Comeau, the Board adjourned at 9:07pm by a unanimous vote.

Respectfully submitted,



Heather Randall  
Village Clerk