

**VILLAGE OF AVOCA**  
**MONTHLY MEETING MINUTES**  
**JUNE 8, 2023**  
**SUBMITTED: VILLAGE CLERK CHRISTINE HAAR**

**REORGANIZATIONAL MEETING**

**Meeting called to Order by Mayor Tyner at 6:33 PM**

**Pledge Allegiance to the Flag**

No Visitors Present

Appointment Schedule for June 2023-May 2024 read through by Mayor Tyner line by line.  
Discussion followed on appointment of Youth Commissioner asked by Trustee Rodbourn  
Discussion followed on the appointment of the Zoning Officer by Trustee Hubbard

Motion to Approve Appointment Schedule as presented by Mayor Tyner

Motion to Approve: Rodbourn, Rowe-Smalt 4-1 Approved

(4) Approved - Rowe-Smalt, Gay, Tyner and Rodbourn  
(1) Not Approved - Hubbard (based on Zoning Officer appointment)

Reorganizational Meeting concluded at 6:51 PM and moved directly into June Board of Trustees Meeting

**Appointment Schedule Attached**

**MONTHLY BOARD OF TRUSTEES MEETING**

**1. 6:52 PM – Call to Order – Monthly Board of Trustees Meeting**

Attendance: Present: Mayor Tyner, Trustee Hubbard, Trustee Gay, Trustee Rowe-Smalt, Trustee Rodbourn, Village Clerk Haar

Visitors: Carl Dockstader, Brian Mattoon and Aaron Benton

**2. Review – Approve: Minutes from the May 11, 2023 Regular Meeting**

Motion to Approve: Rowe-Smalt, Gay: 5-0 Approved

Discussion about the audio recording of the monthly Board of Trustees meeting followed. Mayor Tyner will add to the agenda for the July meeting and discuss with Attorney Oklevitch of Mullen Associates to obtain the criteria and outline for this process to be implemented.

**3. Review – Approve: Minutes from the May 31, 2023 Special Meeting**

Motion to Approve: Gay, Hubbard: 5-0 Approved

**4. Review – Approve: Monthly Departmental Reports**

Motion to Approve: Hubbard, Gay: 4-0 Approved 1-Hubbard abstained

**5. Visitors: General Comments**

No comments from any visitor present.

**6. Welcoming of New Village Clerk/Treasurer-Christine Haar**

Mayor Tyner made comments to welcome the newly appointed Village Clerk Christine Haar. She is familiarizing herself with the village systems and processes. The Board of Trustees welcomed her to her new position with the village.

**7. Presentation and Letter of Appreciation to former Trustee Brian Mattoon and Trustee Carl Dockstader**

Mayor Tyner made the presentation to both former Trustees for their years of service to the residents of the Village of Avoca.

Brian Mattoon served as a Trustee from 04-01-2007 to 03-31-2023

Carl Dockstader served as a Trustee from 04-01-2019 to 03-31-2023

Both former Trustees thanked all the employees of the Village for their time working together and both stated they had enjoyed their years of service on the Village Board. Brian Mattoon also thanked former Village Clerk Leann Wightman for all her service and assistance over the years.

**8. Discussion / Presentation of Change of Insurance Broker on Record**

Present for discussion was Aaron Benton of Maple City Savings. Discussion followed on the process for the Broker on Record to be changed and the financial and coverage impact to the village, if there is a change from the current broker of Genesee Valley Insurance. Mr. Benton advised the cost and coverage would not change, just the agent handling the insurance policies for the village.

There was discussion of the cost of insurance coverage on certain buildings. Mr. Benton explained the process of assessing the buildings and the NYMIR report, which was provided to the Trustees for review by Mayor Tyner. If the Broker on Record changes, Mr. Benton will be setting up a meeting with the Mayor to do an evaluation for coverage and pricing.

### **Motion to Change Insurance Broker on Record**

Rowe-Smalt, Hubbard: 5-0 Approved

Mr. Benton advised he will be emailing the Change of Broker forms to the Mayor the following day to begin the process for the new insurance agent and setting up the meeting at the Village Hall next week.

## **9. Department Heads:**

### **a. Street & Water Departments – Tony Comstock Not Present**

#### **Items on Agenda presented by Mayor Tyner for Comment or Discussion**

##### **1. Old Shed Painting**

Date not set at this time. Mayor Tyner provided spray gun for completion.

##### **2. Sidewalks**

No update – Sidewalk replacement held for further discussion.

##### **3. Summer Help**

Steuben County DSS has a new person in charge of program and are making efforts to locate the previously submitted work request form submitted to the program by Mayor Tyner. If not located, the form will be resubmitted for summer help with the parks and cemeteries.

##### **4. South Main Street Easement / Drainage**

Discussion about fixing the water collection problem near the laundromat followed. Mayor Tyner just received the easement paperwork just prior to this meeting. The paperwork to be reviewed with the Maintenance Supervisor and the two property owners and approval tabled until next month's meeting.

##### **5. Lift Bucket**

No update as this time.

### **b. Fire and Ambulance Departments – Chris MacDougal**

#### **1. Update on Paint Issue for E5**

Fire Chief advised the previously discussed paint flaw with E5 will be covered under warranty, so it will be painted by Colton Enterprises with no charge to the village as he understands the process.

#### **2. 2023 Budget-Discussion on Transfers**

The Fire Department line items ending balances from last year's budget were transferred back into the General Fund at the end of the year due to the absence of any budget line requests made by the department head. Fire Chief advised he does not feel this money allocated to the fire department should be lost as he

usually gets the number for the transfer from the former Village Clerk, which did not occur this year. Discussion followed with Trustee Rowe-Smalt advising that some responsibility does fall on the department head to make the request. Trustees in agreement that department line item balances should be reviewed and if possible, a dollar amount presented to place into this year's budget for the Fire Department. Mayor Tyner and Clerk Haar will review what line items for the previous year's budget can be moved into a line item for the current budget for use by the Fire Department.

**3. Contractor Update**

The Mayor inquired about the color of the railing to be placed by the side entrance door to the Fire Department. The Fire Chief advised they are requesting a black railing. Mayor Tyner will get the railing ordered for the concrete pad.

**4. New Doors/Windows**

Discussion followed on trying to find a contractor for the projects scheduled for village property. No contractor is available currently. The same advertisement will be updated by the Mayor and sent to the papers again advertising the pending projects for bids to be submitted.

**5. Update on Separation to Fire District**

**a. Tentative Agreement Discussion**

The Fire Chief did not have further information on this, but Trustee Hubbard advised the outline has been sent to the fire department lawyer for review and suggestions.

**b. Lease Agreement – Discussion on Real Property**

Discussion by the Board on whether the real property will be leased or transferred to the new Fire District as previously discussed. Mayor Tyner advised that he supports the real property being transferred to the new Fire District if the agreement includes the stipulations as discussed and submitted. The benefit to the Fire District would be the ability to apply for different grant opportunities they would not be eligible for if just leasing the property. Discussion followed and the Board agreed for the real property to be transferred upon review of the final document and the provisions set forth therein. Trustee Hubbard advised he would advise Kevin Kowalzac to advise the fire district attorney.

Chief Chris MacDougal reminded the Board of the Fire Department Spaghetti Dinner on June 11.

Chief McDougal also advised that the gas pump handle and the village fueling station is broken. The members were able to get it to work to get gas, but it needs to be looked at and fixed. The Mayor advised this is the first he has heard of this issue, but he will get with Trustee Gay to fix or replace the gas pump handle.

**10. Review and Approval of Updates - Village Policy #27-Village Maintenance Supervisor/Water Treatment Operator**

Discussion of wording on Policy #24 followed. Trustee Rodbourn and Trustee Rowe-Smalt had questions on certain provisions in the policy and how they were incorporated. Mayor Tyner and Trustee Hubbard explained some of the process in how the policy was developed and processed and where provisions were taken from as the policy was implemented. Further discussion followed. Mayor Tyner advised the only item on the table at this time are the updates to the policy as approved at the May meeting, but further discussion on this process can be added to the July meeting.

Motion to Approve: Hubbard, Gay: 4-0 Approved 1-Rowe-Smalt abstained

**11. Review and Approval of Updates to Village Policy #26 – ZBA and Planning Board**

The Mayor advised the policy was submitted to the Planning Board for review with no comments made. The policy has also been reviewed and approved for legal aspects by the village attorney. Mayor Tyner advised he will contact the County once this policy is approved for a training date for the members of the ZBA. Discussion followed on the passing of the local law, 2023-1, provisions for addressing ZBA members missing more than 3 meetings, along with the other provisions of the policy.

Motion to Approve: Hubbard, Gay: 5-0 Approved

**12. Review and discussion on Draft of Village Policy # 27 – Electronic Funds Transfer**

Mayor Tyner advised this policy is the same template for most municipalities and the purpose of the policy is for insurance liability requested by the current insurance carrier. The content of the policy has been reviewed and approved by the village attorney.

Motion to Approve: Hubbard, Gay: 5-0 Approved

**13. Request from Zoning Officer – Grass Cutting on Certain Lawns**

The Mayor advised he was contacted by the Zoning Officer in regards to certain privately owned lawns in the village are not being mowed and how to proceed as some property owners are not in the area. Discussion followed that it is not a good idea to have the village mow privately owned property for liability purposes. The Mayor outlined the current process in place under the zoning document and the Board

advised the Mayor to instruct the Zoning Officer to issue warnings / notices accordingly.

**14. Discussion on the Fees Charged to the Use of the Pavilions at the Village Parks**

The Mayor turned the discussion over to Trustee Rowe-Smalt for discussion on the charge for use of the pavilions at the municipal parks. Discussion followed on the new fee scheduled for village residents and non-residents for use of the pavilions. Fee schedule to be modified as of July 1, 2023 that village residents shall pay \$25.00 a day use fee and non-residents shall pay \$75.00 a day use fee for the pavilions in the village parks. Trustee Rodbourn asked if pavilion use already scheduled would remain the same and the Mayor advised yes, the old fee amount would apply to already scheduled pavilion use.

Motion to Approve: Rowe-Smalt, Hubbard: 5-0 Approved

**15. Update of Implementation of the new contract between the Village of Avoca and Teamster's Local 118 for Street Department Employees**

Mayor Tyner presented the final signed contract for review. The Mayor and Trustee Gay reviewed the documents to be signed and all provisions as outlined in negotiations were included along with the new pay schedule. Approval of the changes to the contract has already been approved, presented for information purposes that the process is complete.

**16. Discussion on the Insurance Coverage for 2023-2024 for Certain Village Owned Buildings**

See # 9 above, previously discussed with Mr. Benton.

**17. Spectro Tel information on Phone Line Change Over**

The Mayor presented to the Board a current option to change over the village phone lines to the new digital system being offered as opposed to continuing with the current "copper" based lines the office currently has in place. The change over, according to the Village IT person, Matt Foster, could adversely affect the current internet and other systems and could result in new equipment needing to be purchased or installed. Discussion followed. The Board agreed it was not an advantage to switch over to a different system at this time.

**18. Discussion on:**

**a. Village Banking- Treasurer / Two Signature Checks for Payments**

Mayor Tyner advised that the change-over as previously discussed to a two-signature check system could not be completed as official minutes were needed

by the bank to make this change. Discussion followed and the Board felt this would be the proper avenue to pursue as a check and balance on payments being made and protect all parties involved. Mayor Tyner, Deputy Mayor Hubbard and Clerk / Treasurer Haar will be the parties signing all checks.

Motion to Approve: Rowe-Smalt, Hubbard 5-0 Approved

Mayor Tyner will secure a copy of the completed minutes and respond to Five Star Bank to begin the process.

**b. Setting Office Hours:**

Discussion followed as the Mayor presented to the Board the new office hours for the Village Clerk as discussed with the Village Clerk. New hours are posted on the door, the bulletin board and will be posted on the Village Facebook page. Comments from the Board indicates a good mix of hours for residents to come to the office in the evening and on Saturday to conduct their business.

Motion to Approve: Rodbourn, Hubbard 5-0 Approved

**c. Establishing Deputy Clerk position:**

The Mayor presented the topic for discussion of hiring a Deputy Clerk from the current list of applicants that were interviewed for the Village Clerk position. Mayor Tyner and Trustee Rodbourn narrowed the list down to (4) other potential applicants to interview. Mayor Tyner advised the interviews could be conducted for this position with Trustee Rodbourn and Village Clerk Haar. Trustee Rodbourn stated he did not feel this would be necessary as the list had already been agreed upon and he suggested to proceed with calling the (4) candidates and asking about interest in the Deputy Clerk position. The Mayor outlined the transfer of funds from the Village Clerk position (\$3,000) to the Deputy Clerk position and discussion of setting the starting wages at \$20.00 an hour, with a (10) hour a month guarantee to be available to cover the Village Clerk's Office occasionally. Discussion followed. The Mayor advised he will go over the list with the Village Clerk and make the calls accordingly for a name for the Deputy Clerk position to present to the Board at the July meeting.

Motion to Approve: Rowe-Smalt, Hubbard: 5-0 Approved

**19. Open discussion on Research of Cost of Private Mowing of Cemeteries**

The Mayor turned the discussion over to Trustee Rowe-Smalt on the current process and for open discussion. Trustee Rowe-Smalt requested information about the cost to the Village Street Department in manner of time, benefits, and time lost on other

street projects. Discussion followed on potential costs and the condition of the cemeteries. The Board will table this discussion for further research on such items and the ownership of the cemeteries, maintenance costs and the process in which the village became involved in the cemeteries back in the 1950's. The topic will be placed on the July Meeting agenda by the Mayor for further discussion and review by the Board.

**20. Updates on Bathrooms for Pavilion at Memorial Park**

**a. Phase II Specs and Advertisements-Contractors**

The Mayor advised the specifications for the bathroom construction at Memorial Park have been completed and are available. The advertisement for the construction project will be updated and sent back out to papers in an attempt to find contractors interested in doing the work on this project.

**21. Review and Approval of Expenditures from General, Water and Grant Funds**

Motion to Approve: Rowe-Smalt, Gay 5-0 Approved

**22. Grants Update**

The Mayor provided updates on the current Grant projects listed below:

**1. Community Revitalization Grant-Parks - Update**

**2. Federal Funding - Update**

**3. Bridge and Culvert NY Grant**

NYSDOT Region 6 was contacted for the update and hopefully by mid-June approval will be sent from Albany. This will begin the bid process for the \$1.25 million dollar project.

**4. Federal Infrastructure Grant Included Items – No Update for this Month**

**5. New Grant for State Funding-Review Categories**

New Grant – The only applicable section would be for a study on the cost benefits for the combining with local governments, such as the town and village.

Discussion followed, no action to be taken.

**23. Board Discussions/ Agendas /Reports on Assignments:**

**a. Mayor Tyner –**

**1.** The Mayor advised the Board on the purchase of 2X2 safe for Village Office. The safe is to be mounted in the village clerk area.

**2.** Special Projects – The Mayor advised if any Trustee would like to adopt a special project, such as looking further into cemeteries, youth programs, such as Trustee Hubbard did with the LED street lights, please feel free to bring up at the meeting.

**3.** The Mayor brought up the request for the Voter ID Letter of Support and resolution on the shared drive. Discussion followed with the comment made the village residents would support such an action. The Mayor will draft a letter of



support and contact the village attorney for the resolution being drafted on the template provided.

Motion to Approve: Hubbard, Rodbourn: 5-0 Approved

**4. Purchasing Gift / Letter of Appreciation for Clerk Wightman** - The Mayor advised he will be contacting the engraver to secure the standard presentation gift to former Village Clerk Wightman for her years of service. Discussion followed on another appropriate gift and \$100 gift card to a local greenhouse was approved. The Mayor will secure items and contact former Village Clerk Wightman for a presentation Village Board Meeting once the gift is available.

**b. Trustee Hubbard** – Nothing Further

**c. Trustee Gay** – Nothing Further

**d. Trustee Smalt** –Nothing Further

**e. Trustee Rodbourn** – Discussion of the work and planning to date on the replacement Gazebo. The Mayor advised to proceed and to make contact with former Trustee Dockstader for information previously obtained.

**25. Village Clerk/Treasurer Haar-** Thanked everyone for their confidence in doing the job. Discussion followed on the purchase of a desk converter to make it possible to stand while working on the computer. No objections.

#### **26.Visitors: Comments April Meeting Topics**

No Visitor Comments

#### **27.Executive Session on the Specific Employment Details of Village Employees**

Motion to Adjourn to Executive Session at 9:30 PM

Rowe-Smalt, Hubbard: 5-0 Approved

Motion to Adjourn from Executive Session and Reconvene in Regular Session at 9:50 PM:

Rodbourn, Hubbard: 5-0 Approved

#### **28. Return to Regular Session**

No further business.

#### **29.Regular Meeting Closing**

Motion to close the Regular Meeting: Hubbard, Rodbourn: 5-0 Approved

Meeting adjourned at 9:51 PM

