

**VILLAGE OF AVOCA  
MEETING  
March 14, 2024**

**6:00 PM – The Budget Workshop was called to order.**

Refer to the budget workshop outline and worksheets for items of discussion.

**7:00 PM -The Monthly Meeting was called to Order**

**Mayor Tyner announced the audio recording of the meeting.**

**The Pledge Allegiance to the Flag was said.**

Present at the meeting were Mayor Tyner, Trustees Gay, Hubbard, Rowe Smalt and Rodbourn.

Bill and Minnie Brennan, Dan Hubbard, Lee and Emily Bottoni, Jesse Galvan, Randy Smalt, Tony Comstock, and Clerk Haar.

**Review – Approve: Minutes from the February 8, 2024 Board Meeting**

Trustee Rowe Smalt would like the wording changed: “rented to retained” pertaining to the youth baseball pants.

A motion was made to accept the minutes with that change.

1<sup>st</sup> Trustee Rowe Smalt 2<sup>nd</sup> Trustee Rodbourn All in favor 5-0

**Review – Approve: Monthly Departmental Reports**

A motion was made to accept the Departmental Reports

1<sup>st</sup> Trustee Rowe Smalt 2<sup>nd</sup> Trustee Gay All in favor 5-0

**Visitors: General Comments**

Dan Hubbard asked about the postcard he received in the mail about a write in vote and the tax map numbers being on it. Trustee Rodbourn responded to his questions.

Emily Bottoni wanted the board to know that she is still pursuing the grant for the landscaping around Gazebo Park. Her students are going forward drawing up plans.

**Discussion on Summer Youth Programs – Trustee Rowe Smalt**

Trustee Rowe Smalt introduced Jesse Galvan who is leading the youth baseball program. Mr. Galvan shared information about the donations that he’s received and said that the quote he received for the clay to be used on the pitching mound and high traffic areas is more expensive than expected. There was discussion about drainage on the field. Mayor Tyner asked the board if they would still like to do the major work, costing around \$14,000, on the baseball field. The Youth Baseball would have to pay for the tarp covering of the field. The goal is to have “opening Day” on May 11<sup>th</sup>. The softball program is still working on their schedule.

A motion was made to finance the infield repair costs at Hees Park for approximately \$14,204.

1<sup>st</sup> Trustee Rowe Smalt 2<sup>nd</sup> Trustee Hubbard All in Favor 5-0

Mr. Galvan told the board that a corporation has been formed by 3 people to take over the Avoca Youth Sports, including baseball, softball, soccer, and cheerleading. The corporation members are Jesse Galvan, Leann Wightman and Tony Comstock. Attorney Russell said that there would need to be proof of insurance and a lease agreement to schedule the activities at the field. Attorney Russell was questioned about the funds being transferred.

A motion was made to transfer the youth program funds to Jesse Galvan as representative of the Avoca Youth Sports after Attorney Russell receives and approves the paperwork.

1<sup>st</sup> Trustee Rodbourn 2<sup>nd</sup> Trustee Rowe Smalt All in Favor 5-0

A second motion was made that if there is a need for funds for the program before the attorneys review and approve, the money will be distributed without board approval.

1<sup>st</sup> Trustee Rodbourn 2<sup>nd</sup> Trustee Rowe Smalt All in Favor 5-0

**Further Discussion on merging of the proposed VOA Local Law 2024-1 and the current Zoning Document – Planning Board Working on Update**

The Planning Board is working on updating the Local Law.

**Set Date for Public Hearing on 2024-2025 Budget**

Trustee Rodbourn asked if the intra departmental loan was legal. Attorney Russell said that NYCOM had been questioned and they answered that it was allowable. Mayor Tyner had emailed NYCOM. The person that answered the email and sent a presentation about it is specific to the water departments for municipality. Trustee Rodbourn wanted it on the record that our attorney advised us that it’s acceptable. The date of April 11<sup>th</sup> at 7PM was set for the Budget Public Hearing with the regular meeting to follow immediately.

A motion was made to se the date and tie above:

1<sup>st</sup> Trustee Hubbard 2<sup>nd</sup> Trustee Rowe Smalt All in Favor 5-0

#### **Department Heads / Other Municipalities:**

##### **Street & Water Departments – Tony Comstock:**

Tony wants to fix the kick stops at the soccer field at Memorial Park. He would like to do it at the same time that he digs and pours for the bathroom entrances. There was talk about having art on the kick stops possibly by an art class at the school.

Tony was approached by a man who wants to put a mausoleum at Valley View Cemetery. He wanted to know what the board felt about it. He thinks this should be addressed in our policy.

Tony will be ordering a tablet for the new water testing system next week. The water leak is not found yet. He will be starting the Gazebo Park sidewalks next week.

A motion was made to use the insurance money refund for the fire department on the work at Gazebo Park. There was discussion about a pedestrian walkway to Hees Park. There is no easement. The plan is to replace the sidewalk to Hees Park..

A motion was made to take the fence down.

1<sup>st</sup> Trustee Hubbard 2<sup>nd</sup> Trustee Rodbourn All in Favor 5-0

Next month discussion will continue about maintenance on the path.

A motion was made to put out a bid notice for a new Ford F550 or equal truck.

1<sup>st</sup> Trustee Gay 2<sup>nd</sup> Trustee Hubbard Trustee Rowe Smalt abstained 4-1

The cemetery fees will be addressed next month. The rates have not been changed since 2012.

#### **Fire District**

All the utilities have been changed over.

**Vehicle and Property Transfer Update** – Trustee Hubbard turned all the plates in to the clerk. Only one vehicle still hasn't been transferred.

**Comptroller Audit of Village Accounts / Department Transfer-** According to the State Comptroller's Office, the transfer of the municipality does not affect our tax rate.

**Water Relief for February-**The department will give us a sheet and we will give them relief. We will ask that they give us it quarterly.

**Updates on meeting with Town Supervisor-** No communication from the Town.

#### **Discussion and Motion on Local Law and VOA Policies:**

**Policy #33 – Posting of Signage on Village Properties** Attorney Russell wanted to make sure we could always reference the NYS law about freedom of speech.

A motion was made to start the policy now and work on getting the board made soon.

1<sup>st</sup> Trustee Rowe Smalt 2<sup>nd</sup> Trustee Hubbard All in Favor 5-0

#### **Review of CPA RFP Process Update**

We are done using Carol Golden. She will send final bill at the end of the month.

#### **Review and Approval of Expenditures from the General, Water and Grant Funds**

A motion was made to approve the expenditures

1<sup>st</sup> Trustee Hubbard 2<sup>nd</sup> Trustee Rodbourn All in Favor 5-0

#### **Review of Change in Phone and Internet Provider**

The Mayor said that Empire would like more time to give a quote that meets the services the Spectrum is offering. The decision to change has been tabled until next month, so Empire can get us the quote.

**Review of Change on Website-** Currently we are paying over \$1000/year for the website.

The cost of the new website will be about \$350/year.

A motion was made to change to GoDaddy as our website host

1<sup>st</sup> Trustee Hubbard 2<sup>nd</sup> Trustee Rowe Smalt All in Favor 5-0

**Hubbard Water Relief:** Dan and Karron Hubbard are asking for relief because there was an unknown leak at their residence. Our policy says that the past 3 water bills will be reviewed and the average of the 3 bills will be used to determine the amount of relief.

A motion was made to give the relief as outlined in the policy

1<sup>st</sup> Trustee Rodbourn 2<sup>nd</sup> Trustee Gay Trustee Hubbard abstained 4-0

**Gazebo Park-** The contractor is doing the finish work currently. The funds have been transferred.

#### **Memorial Park-Discussion on Pavilion Rental Fee / Security Deposit**

There was discussion about rates for rental. It was decided to have the fee be \$75 with a security deposit of \$75 that is refundable after the bathrooms are cleaned and inspected. It was also decided that garbage needs to be removed by the renter (garbage in, garbage out).

A motion was made to raise the fee to \$75/day  
1<sup>st</sup> Trustee Rowe Smalt 2<sup>nd</sup> Trustee Hubbard Opposed Trustee Rodbourn 4-1

A motion was made to charge a \$75 security deposit  
1<sup>st</sup> Trustee Rowe Smalt 2<sup>nd</sup> Trustee Hubbard All in Favor 5-0

A motion was made for Hees Park Pavilion rental fee to be \$50 with a security deposit of \$50  
1<sup>st</sup> Trustee Hubbard 2<sup>nd</sup> Trustee Gay Opposed Trustee Rowe Smalt 4-1

## **Grants Update**

### **Bridge and Culvert NY Grant**

On February 28, 2024 there was a meet and greet at 1:00 PM. Mayor Tyner spoke about the rise in construction costs. To try to save on the first stages of the project, we may do a \$100,000 bond of intra-department loan or bond. This would save on interest payments. The board could also decide to charge the general fund interest be paid back to the water fund. There is a possibility of making the lane a one-way lane to save on costs. Mayor Tyner emphasized that the board wants it to be a bridge, not just a culvert. Right of way issues have been addressed. The next hurdle is with Army Corp of Engineers and flooding issues.

**Clean Energy Grant Update – Phase II Update** No more money has been received yet. The \$5000 has been put in a separate account as requested. Trustee Hubbard has been working on getting all the information in for further phase acceptance.

**Windmill Historical Projects – Project in Mitigation Phase** No update

**Federal Grants for Main Street Project** There is a fall grant that Mayor Tyner will keep updated on.

### **1. Board Discussions / Agendas / Reports on Assignments**

- a. **Mayor Tyner** - Cindy Loucks has come on as Deputy Clerk  
DSS Community Workers Contract has been received.

Website Update – Meeting with Matt Morales

- b. **Trustee Hubbard** none
- c. **Trustee Gay** none
- d. **Trustee Rowe-Smalt** none
- e. **Trustee Rodbourn** none
- f. **Village Clerk / Treasurer Haar** -Spoke about the local FEMA meeting. Avoca is not certified yet. The basic idea is that if you are certified, you will be able to get financing more easily if there is a flood.
- g.

Trustee Rowe Smalt asked if the executive session was necessary. Mayor Tyner said the board needs to discuss the purchase in executive session and will vote in regular session.

Trustee Rodbourn asked if we were done discussing the cemeteries. He wants to make a motion to continue this season as normal. The board decided the fees need to be discussed next month.

### **Visitors: Comments for the February Meeting Topics**

Minnie Brennan asked about the grants the board is investigating.

Emily Bottoni asked about the sidewalk on River Street. The Mayor will talk to Tony about the sidewalk right away.

Bill Brennan brought up the cost of foundations.

### **A motion was made to go into Executive Session to Discuss the Potential Purchase of Real Property on River Street**

1<sup>st</sup> Trustee Rodbourn 2<sup>nd</sup> Trustee Hubbard All in Favor entered Executive Session at 9:25PM.

A motion was made to come out of executive session  
1<sup>st</sup> Trustee Rodbourn 2<sup>nd</sup> Trustee Gay All in Favor 5-0

The executive session was closed at 9:43

A motion was made to approve the mayor making contact with the owner of the property at 21 River Street to discuss purchase of the property

1<sup>st</sup> Trustee Rodbourn 2<sup>nd</sup> Trustee Gay All in Favor 5-0

A motion was made to close the meeting

1<sup>st</sup> Trustee Rowe Smalt 2<sup>nd</sup> Trustee Gay All in Favor 5-0

The meeting was adjourned at 9:44

Respectfully submitted,  
Christine Haar  
Village Clerk/Treasurer