

The regular monthly meeting of the Avoca Village Board of Trustees was held February 10, 2022 at the Town/Village Hall 3 Chase Street Avoca, NY. Mayor Eric Tyner called the meeting to order at 7:00pm with the following Village Trustees present:

Trustee Lannie J Gay Trustee Brian Mattoon
Trustee Andrew Hubbard (7:02pm) Trustee Carl Dockstader

Also present were Leann Wightman, Chris MacDougal, Bob Rathburn, Bill Brennan, Minnie Brennan, Elizabeth Oklevitch (7:10) and Tony Comstock (7:10)

The Meeting began with the Pledge of Allegiance.

Mayor Tyner announced the mask mandate has been lifted by NYS. Masks are not required, but encouraged.

Motion by Trustee Dockstader, seconded by Trustee Gay, to approve the minutes of the January 13, 2022 regular meeting, with the following corrections: None
4 In Favor, 0 Opposed, 1 Absent (Trustee Hubbard arrived at 7:02 after this motion was completed)

Mayor Tyner noted the special meeting which was scheduled for February 3, 2022 was cancelled due to a positive COVID test by one of the Board Members.

Motion by Trustee Mattoon, seconded by Trustee Dockstader, to accept the following Departmental Reports:

Fire: Jan	Treasurer: Jan
Fire Cancer Benefit Report: Jan	Ambulance: Jan
St. Dept.: Jan	Water Tests: Jan
Cemetery: Jan	Fuel Consumption: Jan
Zoning: None	Bank Statements: Jan
Budget Worksheets: Year to date	Budget Update: Jan
5 In Favor, 0 Opposed, 0 Absent	

Visitors:

Bill Brennan:

- The additional street lights being installed are great.
- Trustee Hubbard stated they have one more to go. NYSEG has installed the one on S Main Street, River Street & State Route 415, and one by Haines Manufacturing.

Departmental Reports:

Street & Water Department: Tony Comstock:

- New Tractor is at the dealership. We will receive it at some point in March
- The remote monitoring system has been received and Joe Zippi is scheduled to come for installation on February 22nd.
- The District Attorneys' Office has asked him for a monetary amount for the damage to the cemetery. He estimates it at 900.00. Does the Village Board want restitution or do they want the accused to perform the work? Mayor Tyner stated he should ask for restitution.
- Mayor Tyner has been speaking with him concerning the V-plow on the tractor. It is very old and has been repaired and welded numerous times. He has been looking at new ones and the prices range from 6,000.00 to 8,300.00. He will be adding this to his budget request.
- Trustee Hubbard stated that Tony and Art did a great job during the last snow storm especially since they were down 1 employee.
- Trustee Mattoon asked if the school was plowing their driveways across the road and into residents' yards. Tony stated yes, he has addressed the issue and is waiting for a response from Mr. Saxton.

Fire & Ambulance Departments: Chris MacDougal & Bob Rathburn:

- The bathroom renovation is continuing. The septic lines were snaked and cleaned out. James Lambert will be painting the floor and then they will begin the plumbing work. Mayor Tyner stated that once this bathroom is done they can start on the other one to make it handicap accessible.
- The main water line above the trucks is finally fixed.
- Engine 6 needs new tires as it still has the original tires from 1996. All Season Tire provided a quote for 2,252.00. Motion by Trustee Hubbard, seconded by Trustee Gay to allow the purchase and installation of tires for Engine 6 from All Season Tire at a price of 2,252.00. 5 In Favor, 0 Opposed, 0 Absent
- Bob Rathburn stated he has been looking into non ethanol fuel for used in their small equipment and generator. Mr. Comstock stated he will check with some vendors to see if we can get any delivered.

Gazebo & Village Park Property:

- Attorney Oklevitch stated they are still waiting on the survey paperwork. Once that is received the transfer of the property can move forward.

Mayor Tyner provided an update on the Main Street Grant through Senator O'Mara's Office.

- He spoke with Senator O'Mara. The Village will not be receiving the funds for Main Street.
- Mayor Tyner stated the payment to the bank must be out in the upcoming budget.

Mayor Tyner will be ordering the plaque for the Hees Park Pavilion for Logan Manciocchi. He will be speaking with Logan's mom, Stephanie to make sure the wording is correct.

Discussion concerning the youth sports programs, specifically the upcoming Little League Baseball Season.

- Clerk/Treasurer Wightman provided background on the program. The Village provides the insurance for each program – baseball, softball, soccer, basketball, etc. They also provide use of Hees and Memorial Parks. The program itself is handled by parent volunteers whom are willing to step up and organize the program. The village took oversight of the fund raised money about 12 or so years ago because the money was disappearing with no receipts to back up where it went. The funds are held in a separate savings account under the Villages name and are restricted accounts specific to the youth sports programs. The youth committees decide what fund raisers they will do and what they will be purchasing, but the funds are handled through the village so there is oversight.

Mayor Tyner was contacted by Jack Wheeler by email on January 25th concerning the distribution of COVID tests and masks. He agreed to have the Village Hall be a distribution center. The supplies were delivered last week and he is waiting on instructions from the County as to how we can distribute them. We received 900 tests and 2,000 masks.

Continued discussion of an Avoca Event for 2022 to bring activity and business into the Village:

- A committee meeting was held on February 7th. It was attended by Trustee Gay, Fonda Gay, Bill & Minnie Brennan & Chris MacDougal.
- This was a brainstorming meeting. Many ideas were shared. Next meeting will be February 21st at 6:00pm. This is a holiday, so the Mayor hopes people will be able to attend.

NYSEG Street Light Replacement Project:

- Trustee Hubbard reported 1 Light Pole is left to be installed.
- Clerk/treasurer Wightman noted the budget year for the electric bill has ended and we have a credit of 2,892.06. The budget has been lowered considerably.

Steuben County DSS Mobile Work Program:

- Mayor Tyner received the signed contract back from Steuben County and we can start utilizing the program.

Motion by Trustee Hubbard, seconded by Trustee Mattoon to set the following dates for the 2022-23 Budget Process:

- Budget Workshops:
 - Thursday March, 3, 2022 at 6:00pm
 - Thursday, March 10, 2022 at 6:00pm
 - Thursday, March 24, 2022 at 6:00pm
- Public Hearing for the 2022-23 Budget:
 - Thursday, April 14, 2022 at 6:30pm

5 In Favor, 0 Opposed, 0 Absent

Discussion concerning the Laborer / Assistant Water Plant Operator Position:

- Christopher Shuart sent an email to the Village Board resigning his position as Laborer/Assistant Water Plant Operator as of January 26, 2022.
- Clerk/Treasurer Wightman asked to speak. Mr. Shuart had called her to ask questions regarding the Cobra portion of the health insurance, but also asked her if she would address the Village Board regarding the raise he feels he was entitled to on June 1, 2021. The section of the union contract regarding pay increases stated the individual employees name and not the title, but he feels the intent was always there to increase the pay regardless of who held the position. He also reminds the Village Board that every other union benefit found in the contract was given to him except for the pay increase.
- Mayor Tyner stated the wage section was specific to Greg Longwell, not Mr. Shuart. Attorney Oklevitch stated that municipalities are not allowed to give gifts. If the intent of the union contract was to give raises to the position not the person then the raise should be given, if not then it would be considered a gift to give it to him now. Trustee Hubbard stated he does not feel the raise should be given. He was hired in November of 2020 and was given a pay increase in May 2021 (6 month increase). He does not feel the Board intended to give him the raise in June when they hired him.
- Mayor Tyner stated if the union contract had stated the position of Laborer then the June raise would have been given. Trustee Mattoon stated he feels it was the intent to give the raise for the position and they should do so in good faith. Trustee Dockstader agrees. He stated during the last union negotiations the Village was willing to give the raises. The name should not matter, the intent was there.
- Mayor Tyner asked for the Board Members to address the issue of his resignation first: Motion by Trustee Hubbard, seconded by Trustee Gay to accept the resignation of Christopher Shuart effective January 26, 2022. 5 In Favor, 0 Opposed, 0 Absent.
- On February 2, 2022 Mayor Tyner asked Clerk/Treasurer to publish the job opening on the Village's facebook page. Motion by Trustee Hubbard, seconded by Trustee Mattoon to post the position of Laborer for the Street Department with a deadline for applications/resumes of February 21, 2022. 5 In Favor, 0 Opposed, 0 Absent
- Motion by Trustee Dockstader, seconded by Trustee Mattoon to pay Christopher Shuart .75 per hour back pay from June 1, 2021 through January 26, 2022. 2 In Favor (Mattoon, Dockstader), 3 Opposed (Gay, Hubbard, Tyner) 0 Absent. Motion does not carry.
- Motion by Mayor Tyner, seconded by Trustee Gay to pay Christopher Shuart .75 per hour back pay from November 16, 2021 through January 26, 2022. 2 In Favor (Tyner, Gay), 3 Opposed, (Mattoon, Dockstader, Hubbard) 0 Absent. Motion does not carry.

Motion by Trustee Mattoon, seconded by Trustee Dockstader to approve the payment of all expenditures presented to the Board of Trustees from the General Fund in the amount of 24,747.29, the Water Fund in the amount of 3,498.43, and Grant Fund in the amount of 0.00.

The Clerk/Treasurer is further authorized to pay any bills concerning village utilities and postage without prior Board approval to avoid any late fees or lapse in the offices ability to mail correspondence to vendors or taxpayers.
5 In Favor, 0 Opposed, 0 Absent

The Mayor is researching Grants for the following areas:

- Main Street: to replace sidewalks / infrastructure (change drains etc) The Mayor stated he will be getting with Mr. Comstock to get measurements for sidewalks, etc.
- Community Revitalization Grant: Parks, Gazebo, Memorial Park, sidewalk to Hees Park off River Street and fence, possibly old fashion lights for the walkway.
- Consolidation Grant – This is a matching grant and therefore not feasible at this time.
- Apparatus Grant for a jointly owned vehicle. Mr. MacDougal stated the Hose Company is in favor of this if the contract is worded correctly. He cannot force his volunteers to respond to every call in every jurisdiction.
- Mitigation Grant – Steuben County has funds we could apply for to put in a generator for the Village/Town Hall, the fire and village garage. This is a partial match grant. He is working on estimates.

Board of Trustee discussions:

Mayor Eric Tyner:

- He is working with the Teamsters Union to create an incident report.
- The Village held training for the Villages Policy against Harassment here at the office. He will be setting up a time to hold the training for the Fire department too.

Trustee Brian Mattoon:

- Nothing at this time

Trustee Carl Dockstader:

- Nothing at this time

Trustee Lannie J Gay:

- Nothing at this time

Trustee Andrew Hubbard:

- Nothing at this time

Further Items and Topics:

Attorney Elizabeth Oklevitch:

- Nothing at this time

Clerk/Treasurer Leann Wightman:

- Nothing at this time

Visitors: Comments on the current meeting items:

None

Motion by Trustee Mattoon, seconded by Trustee Hubbard to close the regular meeting and go into Executive Session at 8:22 pm to discuss the Village Maintenance Supervisor proposed policy and the changes to the union contract. Attorney Oklevitch, Clerk/Treasurer Wightman and Village Maintenance Supervisor Tony Comstock are asked to attend.

5 In Favor, 0 Opposed, 0 Absent

Ms. Oklevitch left the session at 9:00pm. Mr. Comstock left the session at 9:45pm and Mrs. Wightman left the session at 10:00pm.

It is also noted that Trustee Hubbard left the session at 10:05pm.

Motion by Trustee Mattoon, seconded by Trustee Dockstader to leave Executive Session and return to regular session at 10:11pm. 4 In Favor, 0 Opposed, 1 Absent

Motion by Trustee Mattoon, seconded by Trustee Gay to approve the MOA with the NYS Teamsters Local 118 as presented and dated 2/1/22. A copy of the MOA can be found in the Village Clerk's Office. 4 In Favor, 0 Opposed, 1 Absent

Motion by Trustee Dockstader, seconded by Trustee Mattoon to adjourn the meeting at 10:13PM.

4 In Favor, 0 Opposed, 1 Absent.

Respectfully Submitted,
Leann Wightman
Village Clerk/ Treasurer

