

**Village of Avoca
Board Meeting Minutes
September 11, 2025**

PRESENT: Mayor Tyner; Trustee Rodbourn, Trustee Gay, Trustee Rowe-Smalt, Clerk Saltsman and Attorney Thew

PUBLIC PRESENT: Peg Rundell; Minnie Brennan

EXCUSED/ABSENT: Trustee Hubbard; Street Supervisor Comstock

Mayor Tyner announced the recording of the meeting.

The Meeting was called to order at 7:00PM.

The Pledge of Allegiance was said. A moment of silence followed for remembrance of 9/11.

PUBLIC HEARING: Adjourn the regular meeting for the advertised Public Hearing in regards to VOA Resolution 2025-06 for the proposed Intra-Departmental Loan from the Village of Avoca Water Department Reserve Funds to the Village of Avoca General Fund for the amount of \$100,000.00.

Motion by Trustee Rodbourn; seconded by Trustee Rowe-Smalt. All in favor, none abstained. 4-0-0

Pursuant to a Resolution of the Board of Trustees of the Village of Avoca dated September 11, 2025 and numbered 2025-06 (the "Resolution"), authorizing an Intra-Departmental Loan from the Village of Avoca Water Department Reserve Funds to the Village of Avoca General Fund for the amount of \$100,000.00, the sum of \$100,000.00 is now loaned from Water Department Reserve Fund, Account #F200, to the Village of Avoca General Fund, Account #H630, as an interfund advance, as of the date hereof and is promised to be repaid on or before May 31, 2026, together with interest thereon from the date hereof at a rate of 4.65 percent per annum payable at maturity. Interest will be calculated on a thirty-day month/360-day year basis. This Note is callable and may be redeemed prior to maturity.

This loan is made pursuant to all terms and conditions of said Resolution, including that in the event the capital funds in the loan are needed for any issue for the Village of Avoca Water Department, the funds, or any portion thereof, shall be immediately transferred from the 2025-2026 Village of Avoca General Fund back to Village of Avoca Water Department Reserve account, for use within the Water Department.

There were no public comments on the proposed Resolution.

Motion to close public hearing made by Trustee Rodbourn; seconded by Trustee Gay. All in favor, none abstained. 4-0-1

PRIOR MEETING MINUTES: Minutes from the 8/14/2025 Board meeting were sent prior to this meeting for review by Trustees. Trustee Rowe-Smalt motioned to approve the meeting minutes; Trustee Rodbourn seconded. All in favor, none abstained. 4-0-1

MONTHLY DEPARTMENT REPORTS: The monthly department reports were sent prior to this meeting for review by Trustees. Trustee Rowe-Smalt motioned to approve the reports; Trustee Gay seconded. All in favor, none abstained. 4-0-1

GENERAL/PUBLIC COMMENTS: Peg Rundell stated the brush at the corner of North Maple Avenue and Alexander Street by the house that burned down makes it very difficult to see oncoming traffic prior to turning on the street. She inquired if this could be trimmed back by the Street Department? Discussion followed

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on this being on private property, not on Village property. Trustee Rowe-Smalt stated this should be a priority due to school being in session. The Mayor advised he would speak with the Street Department in regards to this obstruction as potentially being in the Village right away.

DEPARTMENT HEADS/OTHER MUNICIPALITIES:

Street Department: Superintendent Comstock was not present, so the Mayor advised of the following topics from discussions prior to the meeting.

- 1) Parks: Cameras are at the street shop and will be installed at Memorial and Hees parks; magnetic locks will be installed at Memorial Park bathrooms; the no motorized vehicle signs have arrived will be installed at Memorial and Hees parks.

The Mayor advised the donation plaques on picnic tables and benches at Memorial Park are weathered and hard to read. Discussion followed and Trustee Rodbourn advised he will try to clean them to see if they are salvageable. Also discussed was looking into obtaining a donation plaque for all donations to be encased with option to expand for future donations. The Mayor advised the Park It For The Parks (Ag-Fest) made a profit of approximately \$3,000 and will be donating funds to the Memorial Park concession stand for enhancements. Hees park picnic tables are deteriorating and are in need of replacement. Trustee Rodbourn advised he will check on quotes for new picnic tables. The roll-up door for the concession stand at Hees estimate is over \$1,000, discussion followed to get other quotes for a roll-up door. Trustee Rodbourn advised he will also check with the Youth Program to help fund the cost. The perimeter board for around the gazebo are in and once installed the stone will be put between the board and the gazebo skirting. Discussion followed items to be purchased on the equipment request from Superintendent Comstock.

Trustee Rodbourn motioned to approve the purchase of a display case and a new entry door for Hees Park, seconded by Trustee Gay. Three in favor; Trustee Rowe-Smalt abstained. 3-0-1.

- 2) Street Grinding/Paving: Grinding is scheduled for the week of September 24th and paving will start near October 12th.
- 3) Sidewalks: Sections on South Main Street where the tree roots are causing upheaving of the sidewalk will be replaced in the new concrete pour.
- 4) Community Service Worker: He works every Friday and performs trimming and weed whacking.
- 5) River Street Sidewalk: Completed
- 6) Ditch Area Leading to Hees Park: IDA approved to complete the work of moving the area.
- 7) Water Meters Left to Convert: There are only two remaining.
- 8) Carrington Street Drainage: No further updates, tabled until next month
- 9) Leaf Box Purchase: This was approved in the Spring for \$11,000, however the cost has risen \$1,669. Trustee Gay motioned to approve the additional amount; Trustee Rodbourn seconded. All in favor, none abstained. 4-0-1
- 10) Equipment: A power trowel rental will be utilized when replacing sidewalks.
- 11) Garbage Can Lids: The Mayor advised there was an unknown \$400 shipping cost, but an alternate source was located and the lids were ordered.
- 12) MOA on Time-Off: Completed and in place as of September 1.
- 13) Alexander Street Sidewalks: Tabled.
- 14) New Fuel Sheet: In place as of September 1, 2025
- 15) Road Closure: East Avenue extension was closed for temporary bridge by School; it is back open today.
- 16) Water Meter Reader: The Mayor advised of the current issue with the water department billing and the water meter reader is not working as has no warranty in effect. This is a single source piece of

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equipment for the Village water system that is needed, quote supplied to all Trustees. Discussion followed on planning for a new one from this point forward for any future mishaps. Cost of a new reader is \$11,023.49 from the quote provided. Discussion followed.

Trustee Gay motioned to approve purchase of a new reader at that price; seconded by Trustee Rodbourn. All in favor, none abstained. 4-0-0

- 17) Street Closure: Legion is having an event on September 20th and asked that Main Street be closed from Grant Street to the red light for the event. Approved at the August of 2025 meeting, reminder to all Trustees.
- 18) Empire Telephone: The Mayor advised the new hub installed on Grant Street and is scheduled to be connected to the current lines. This is reported to be for residential and commercial service, but activation date is unknown at this time.
- 19) Miscellaneous: Main Street is looking great!

Fire District: The new fuel sheet is in place. Entrance concrete poured and billed. The Fire District is seeking quarterly water relief of 6,483 gallons. Trustee Gay motioned to approve water relief; Trustee Rodbourn seconded. All in favor, none abstained. 4-0-0

Planning Board:

- 1) Solar Application: Permit was not approved at the last meeting due to the numbers not matching the supplied plans.
- 2) Zoning Law: The review process has begun and will continue once the Solar Permit is completed.
- 3) Requests from Code/Zoning Officer:
 - a. Nothing in law pertaining to height of front fencing. Discussion followed on what should be included and/or changed. Discussion followed on outline for frontal fencing along property.
 - b. The Mayor will work with the Village Attorney for a draft for further review.
 - c. There is a need to define "recreational dwelling" for Village law in regards to people living in their campers. Discussion followed on definition of "camper" was what is allowed or now allowed. The Village attorney will review and provide examples of wording from other municipalities to review and apply to the current zoning law.

Zoning Officer: The Zoning Officer has been given permission to hand out warnings for unlicensed vehicles in the Village.

Town: Trustee Rodbourn advised he spoke with the Town Supervisor and there is no bookcase for the binders in the Board Room at this time. He advised the masonry estimate is still pending with the contractor and he hopes to get completed in the next week. The Town Supervisor will be contacting the Mayor for further discussion on the masonry work and other items.

RESOLUTIONS/BANS/LEGAL/BUDGET:

Grant Writer/Researcher Advertisement: The Mayor advised he reviewed the budget and a budget of \$2,500 can be set to advertise for a grant writer/researcher to help with grants for the Village. These funds will be moved from the Village Clerk / Treasurer line item if approved. Discussion followed. Trustee Rowe-Smalt motioned to approve this budget move; seconded by Trustee Rodbourn. All in favor, none abstained. 4-0-0

Enforcement Officer: The Mayor outlined the two possibilities for this position with the Village Attorney. The option of an officer with "police powers" would be cost prohibitive, but the second option of adding to the duties of an established position is feasible, this would allow for the current Zoning Officer and/or Code Officer to

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issue tickets for people who do not comply with certain provisions of local laws. A draft outline of scope of duties will be brought to the next meeting.

FOIL Policy #35: A new policy was drafted and reviewed by the village attorney, and if approved, will be effective immediately. Trustee Rowe-Smalt motioned to approve the policy; seconded by Trustee Rodbourn. Three in Favor, Trustee Gay abstained. 3-0-1

NYCLASS Sub-Accounts: Two new sub-accounts were created two weeks ago: 2025/2026 tax revenue \$150,000 and banner funds \$4,036. Since placing these funds in this account, they have accrued \$224 in interest.

Update on Williamson/Closing: The consultant, Rick Blafield, has not responded to calls/emails in regards to closing the books for 2023. Former Clerk Haar will continue to contact the consultant to get the closing information and then come in to enter the information to close out 2023. This will complete her final duties.

REVIEW/APPROVE EXPENDITURES: All invoices were reviewed by Trustees and Mayor. Trustee Gay motioned to approve all expenditures; Trustee Rodbourn seconded. All in favor, none abstained. 4-0-0

WATER ENGINEERING STUDY – HUNT:

Application: The application for the Engineering Study was completed and submitted with letters of support received. Additional letters may still be collected and submitted.

Administration Plan: The plan for engineering study will be drafted with Hunt Engineering.

SOLAR FARM ON SOUTH MAIN ST:

Host Community/Road Use Agreement: An email was received in regards to the funds available (\$15,000) which stated will be split between the Town and Village. The Mayor advised of the email received from the Solar Attorney on this date outlining a \$70,000 one-time payment or \$100,000 over 5 years, split between the town and the village. Discussion followed. Trustee Rowe-Smalt inquired about the percent of panels in the town / village. Trustee Rodbourn advised the planning boards were advised the panels are supposed to be moved back and the panel numbers are supposed to be reduced.

Future Moratorium: A draft will be created to limit any/all solar panels in the Village in regards to height, placement and set-backs for residential solar panels.

Planning Board: Further review on the revised solar farm for South Main Street and the percentage of the Village parcel will be calculated.

RESOLUTION 2025-06 – INTRA-DEPARTMENTAL LOAN – EAST AVNEUE CULVERT:

The Mayor advised this item was not covered in the agenda above and called for a motion to approved the previously discussed VOA Resolution 2025-06.

Trustee Rodbourn motioned to approve the Resolution as described; Trustee Gay seconded. All in favor, none abstained. 4-0-0

GRANTS:

Culvert: Payment made for Invoice #10. The design and DEC permits were approved, signed and filed. Bid process will hopefully begin in the Fall of 2025. The Mayor advised that the initial construction estimate increased \$270,000 over the current Grant. Discussions are underway for application to the “excess funds” for Region 6 to cover this increased cost.

Windmill: No updates - tabled

Main Street Sidewalks: The Mayor is working with Claudia Tenny's Office on FY2026 outline.

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Playground Grant: There is shared 50/50 Grant open, the current plan is for a \$50,000 playground for Hees Park. Trustee Rowe-Smalt inquired about asking the Town for donations towards the building of a playground.

Retention Grant: Pending with HUNT Engineering.

BOARD DISCUSSION:

Mayor Tyner- The NYMIR Crime questionnaire was completed and submitted.

The Mayor spoke with NYCOM and there are no municipal grants available for cemeteries.

Trick-or-Treat hours need to be officially scheduled for 6:00 PM to 8:00 PM on 10/31/25. Trustee Rodbourn motioned to approve the hours; seconded by Trustee Rowe-Smalt. All in favor, none abstained. 4-0-0

An American flag was donated to the Village from Chase Knowles, currently actively serving in the US Navy, which was placed at Memorial Park.

Trustee Rowe-Smalt motioned to approve, seconded by Trustee Gay. All in favor, none abstained. 4-0-0.

The old American flag to be donated to Deborah Whitehead to make memorials for the veterans at the Bath VA.

Trustee Gay motioned to approve this donation to Mrs. Whitehead; seconded by Trustee Rodbourn. All in favor, none abstained. 4-0-0

The Mayor advised he received notice from Dan Hubbard of an impending lawsuit on the Village in regards to the solar farm.

A water estimate request was received from Jannine Gay to adjust their bill to \$10; she has not lived there and had no water usage for the last 3 months. All present in favor to adjust the bill as this is just an administrative process.

The Mayor advised of contact with the Zoning Officer and Giles Concrete and Asphalt about a project at Crosby's pouring a concrete pad along South Main Street for parking and deliveries with drainage into the pond by Dollar General. There have been no easements or permits submitted for this project yet; Zoning and Coding Officers are both aware of the issue and working with Crosby's and contractor for proper permits and design. Also, the electric pole on South Main Street that was struck has been replaced.

Trustee Hubbard: Absent

Trustee Gay- Nothing at this time.

Trustee Rowe Smalt- Trustee Rowe-Smalt is still working on the provider vendors for NYSEG accounts. One meter at Hees Park is an on-demand and will be looked into for usage. The overgrown cemetery plots in Valley View are both completed so this is being removed from her list of items. The Mayor advised he spoke with Aaron Mullen and the Masonic Lodge is covered by insurance for injuries, however not for fire or potential damage loss, similar to being a tenant. Further discussion is needed. Trustee Rowe-Smalt also advised that peddlers are back in the Village and permits need to be completed for anyone soliciting in Avoca. Discussion followed and the information on Peddler Permits will be placed on electronic sign to direct people to the Village Hall.

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Trustee Rodbourn: Nothing further, items covered above.

Clerk Saltsman: Current policy does not clarify when personal and sick time are available to use; all were in agreement to allow usage now. September newsletter edition was wrong as far as the Edition Number; this will be corrected for the next version. Training for NYSLRS, on-line accounting and Williamson will all be scheduled as previously discussed and authorized.

PUBLIC COMMENTS:

Minnie Brennan: asked that a picture of Chase Knowles with the donated American flag at Memorial Park be placed in the next newsletter. She also advised she is aware of the veteran program where the stars are cut from the old American flag being donated to Mrs. Whitehead .

MISCELLANEOUS:

Trustee Rowe-Smalt inquired about a process to ensure that the Village flags be lowered to half-staff and then raised to avoid any future issues. The flags not being lowered today for 9/11 was discussed and the responsibility on the street department. Discussion followed as the flags should have been lowered to half-staff today for 9/11 and the schedule should be secured and posted for the street department to ensure no future issues.

Trustee Gay motioned to adjourn the meeting at 8:37PM; seconded by Trustee Rodbourn. All in favor, none abstained. 4-0-0

Respectfully submitted,

Valerie Saltsman
Village Clerk/Treasurer