

**Village of Avoca
Board Meeting Minutes**

June 11, 2026

PRESENT: Mayor Tyner; Trustees: Abbott, Rowe-Smalt, Hubbard; Attorney Thew, Clerk Cermak

PUBLIC PRESENT: Minie & Bill Brennan, Janet Miller, Dawn Miller, Deb Whitehead, Megan Hubbard

EXCUSED/ABSENT: Trustee Rodbourn, Street Supervisor Comstock

The Meeting was called to order at 6:45 PM.

Mayor Tyner announced the audio recording of the meeting.

The Pledge of Allegiance was said.

Trustee Rowe-Smalt motioned to close the Regular Meeting and open up the two Public Hearings, seconded by Trustee Hubbard, all in favor, none opposed, none abstained. 4,0,0

Village of Avoca Local Law #2026-03 – Proposed additions to Land Use and Development, which include; additional duties for Zoning Officer, clarification for fencing street frontage, and trailer occupancy. Bill Brennan asked about any reference to manufactured homes being trailers in connection to this proposed law. Discussion followed and the “Legislative Intent” of the definition of Local Law #2026-03 was clarified by the Village attorney in relation to “manufacturer homes” not being included as trailers, this law is in reference to tow-behind trailers. Mayor Tyner also advised the Board of a concern mentioned by Trustee Rodbourn as he was unable to attend, on holding on passing this change to trailer occupancy until the Prattsburg School budget’s next vote as it may affect residency of some students for sport programs. Discussion followed.

Village of Avoca Local Law #2026-02 – Changes in Election Dates, terms for Trustees. No comments from the Public or Trustees.

Trustee Rowe-Smalt motioned to close the Public Hearings, seconded by Trustee Hubbard, all in favor, none opposed, none abstained. 4,0,0

The Regular Board Meeting back in session at 6:55 p.m.

Motions from Public Hearings:

Trustee Rowe-Smalt motioned to approve Village of Avoca Local Law #2026-02, seconded by Trustee Hubbard, all in favor, none opposed, none abstained. 4,0,0

Trustee Rowe-Smalt motioned to approve Village of Avoca Local Law #2026-03 seconded by Trustee Hubbard, all in favor, none opposed, none abstained. 4,0,0

PRIOR MEETING MINUTES:

Minutes from the 05/14/2026 Board Meeting were sent prior to this meeting for review by Trustees. Trustee Rowe-Smalt motioned to approve the meeting minutes; Trustee Hubbard seconded. All in favor, none opposed, one abstained. 4,0,0

MONTHLY DEPARTMENT REPORTS:

The monthly department reports were sent prior to this meeting for review by Trustees. Trustee Abbott motioned to approve the reports; Trustee Hubbard seconded. All in favor, none opposed, none abstained. 4,0,0

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GENERAL/PUBLIC COMMENTS:

Megan Hubbard from the Avoca Community Foundation (ACF) communicated events being held this year. The Foundation will be assisting with the Alumni Block Party in August at Gazebo Park. Park in the Park car show on Sunday, August 30th at Memorial Park, to include; cars, trucks, tractors, Touch Trucks for children and chicken BBQ. ACF would like to hold a Community Block Party on July 11th at Gazebo Park to include; taco truck, ice cream truck, mobile drink truck which is operated by a local resident, and a DJ, carnival games, bounce houses. ACF asked about the possibility of closing the street at the four corners to Griswald Street for this event. ACF will be asking other organizations from the community to join in as well. Concerns and discussions were held regarding other events in surrounding communities, insurance for bounce houses and local organizations selling food vs. bringing in outside food trucks. Megan explained that she does not feel that other events will hamper the participation by the local community, she will review the insurance required for bounce houses and local organizations will be asked to participant in the event for sale of food items. Mayor Tyner stated the street closure for the event will not be a problem and will use detour signs during the event. A check was received from the Avoca Community Foundation from the concession stands at Memorial Park for \$3,000. Discussion was held regarding what other items or ideas the foundation could assist with for funding, such as the possibly buying picnic tables for the area along Main Street at Gazebo Park because there is a lack of seating during events that are held there. The board members verbally agreed the event could go forward. Trustee Rowe-Smalt mentioned that it would be a great opportunity to tie in the American 250 theme.

Minnie Brennan asked if there was something that could be done regarding people driving through the red light and driving erratically. Mayor Tyner stated that he had recently spoken the NYS Police regarding multiple problems in the Village, and there will be a higher police presence in the Village.

Janet Miller raised the concern about the number of feral cats in the Village, the problems they are causing and what can be done about them? Attorney Thew advised that the owner of a property can set out their own live trap, with their identification on it. They can take the cat to an SPCA or Humane Society, but cannot drop off in the woods or anywhere else as that is a felony charge.

Dawn Warner asked if a person can legally live in a camper, a pool and fencing at 10 River Street along with a kennel being placed close to the property line? Mayor Tyner explained the new Local Law #2026-03 is addressing the ability to live in a camper and the zoning officer will be able to enforce this law. Pools are also regulated by Zoning and Code and the Mayor will ask the Zoning Officer to investigate. Mayor Tyner explained that multiple violations are against this property at this time and is being handled by the court system. He also suggested contacting the Dog Control Officer, Deb Matthews, regarding the questions to kennels and housing for dogs.

Mayor Tyner stated the American Flag that was donated by Chase Knowles has some tears in it and asked if Deb Whitehead would be willing to repair the flag? Deb agreed to repair the flag. The Street Department will take down the flag and replace with a smaller flag while the repair is being made.

Minnie Brennan spoke regarding the complexity of the Village of Avoca website. She stated she would like to see it in a more organized fashion. Mayor Tyner will speak with Matt Morales regarding this. Trustee Rowe-Smalt is the website liaison and will continue working with Matt Morales regarding design.

Reorganizational Changes

Trustee Abbott motioned to approve the updates to Policy #24 – Employment of the Village Maintenance Supervisor and Water Treatment Plant Operator, seconded by Trustee Rowe-Smalt, all in favor, none opposed, none abstained. 4,0,0

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Trustee Hubbard motioned to approve the 2026-2027 Teamster's Contract, seconded by Trustee Rowe-Smalt, all in favor, none opposed, none abstained. 4,0,0

Budget Updated

Mayor Tyner stated at the July Board Meeting, Clerk Cermak will have the June financials and bank statements available for board review and sign-off on for the new 2026-2027 budget. He will no longer create a monthly budget summary as it will all be done through Williamson Law Books. He also stated that 2025/2026 fund balance will be approximately \$42,000 over what was expected, mainly due to the increase in revenue from sales tax. Once the financial books are completed, he will discuss the final results with the Board. Mayor Tyner expressed that once a final number is determined for Fund Balance, he would like to create a reserve account to hold the money for monthly reserves in NYClass, or other possible debt reduction such as paying off the truck BAN. Trustee Rowe-Smalt suggested outlining the ideas to use the funds once the final balances have been entered.

DEPARTMENT HEADS/OTHER MUNICIPALITIES:

Street: Mayor Tyner advised he met with Supervisor Comstock prior to the meeting and advised on the following updates:

1) Parks:

a. Memorial Park: Locks are not installed.

b. Hees Park:

1. Roll-up cover, still waiting for quote.
2. Second ball field, will probably not happen this year, but would like to lay it out.
3. The Family would like it known that the grill donations were actually provided by the Hees family. Discussion was held where to place the older grills that are being removed. No grills to be placed at Gazebo Park, possibly an additional grill at Memorial and Hees Park once the new grills are installed.
4. Mayor Tyner and Street Supervisor Anthony Comstock met Bill Commer regarding the resurfacing of the basketball court. Anthony's Asphalt will resurface and paint lines, but is not looking to fill the crack on the court. It will cost approximately \$150 - \$200 for Anthony's Asphalt to repair the crack and he is not willing to donate that repair. Trustee Abbott motioned to allow up to \$200 to repair the crack by Anthony's Asphalt, seconded by Trustee Rowe-Smalt, all in favor, none opposed, none abstained. 4,0,0 The Street Department powered washed the court and cleared the weeds. Backboards are on hold until quotes are received for squared off metal backboard.

c. Gazebo:

1. The hose that was purchased has broken. Superintendent Comstock will look into the warranty/replacement of the hose.
2. The Mayor advised the lamp post lights all have LED bulbs. The globes will all be taken down and washed. Trustee Abbott questioned why there are no benches on the gazebo for seating? Tabled.

2) Ditch Leading to Hees Park – No further updated, tabled

3) Superintendent Comstock will be signing up for weed spraying certification. Discussion was held regarding the spraying of cemeteries and the headstones and the test area to see how it looks.

4) The No Parking sign will be installed to resolve the site distance problem brought up by the Avoca Post Office. The Avoca Post Office mentioned that their 200th Anniversary will be in 2028. They are beginning to plan events for this occasion.

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- 5) Supervisor Comstock will look into putting up crosswalk signage for the new crosswalk in front of Village/Town Hall.
- 6) The first sections for the sidewalk replacements have been called in. There will be two cement pours in the month of June. Trustee Hubbard asked to have the list of scheduled sidewalk replacements posted on the share drive, as residents often ask about replacement of sidewalks.
- 7) Water Rate Discussion and Change in Policy – Tabled as no other policies for comparison have been provided.
- 8) Mayor Tyner stated he had discussed with Superintendent Comstock regarding the complaints about the weed whacking at cemetery on Memorial Day.
- 9) One quote was received from Knoll Brothers for removal of 3 trees. Two additional quotes are required for the for the Board to review.

DEPARTMENT HEADS/OTHER MUNICIPALITIES:

Fire District: No Updates.

Planning Board:

- 1) Filling Vacancy: The new Chairman Pete Hannan is now place. Rick Pratt will be joining the Planning Board for the June meeting.
- 2) Leadership conference: 3 Planning Board members attended the conference at Corning Community College this year.

Zoning Officer:

- 3) The Zoning Officer has agreed to take on the additional duties incorporated in the new Local Law 2026-3. The Mayor spoke with her and suggested compensation of an additional \$400 per year. Trustee Hubbard motioned to approve the increase in the Zoning Officer's salary by \$400 per year to \$3,000 annually, seconded by Trustee Rowe-Smalt, 3 in favor, none opposed, 1 abstained, 3,0,1
- 4) Mayor Tyner express that the Zoning Officer has been busy with complaints regarding junk vehicles, mowing of grass, etc. Trustee Rowe-Smalt inquired about a list of properties for the Board to review, the Mayor will speak to the Zoning Office and /or post pictures on the Share Drive.

Town:

- 1) Mayor Tyner stated he is still waiting to hear from the Solar attorney regarding meeting the Town in the middle for the difference in the Solar Split. No updates available at this time.

RESOLUTIONS/BANS/LEGAL/BUDGET:

Grant Writer/Researcher Update: No update; tabled to keep on agenda.

SIB Loan: The Mayor advised the SIB for Main Street has been paid.

Cemetery Reserve: The Mayor advised after discussion with the Village attorney a Public Hearing is needed to officially create the Cemetery Reserve Fund. Trustee Hubbard motioned to hold a Public Hearing on July 9, 2026 at 7:00 p.m. to establish a cemetery reserve, seconded by Trustee Abbott, all in favor, none opposed, none abstained 4,0,0

Procurement Policy #11: Tabled, the Mayor will add in the NYMIR new regulations for the MFA on vendor change requests for the July meeting.

Attorney Thew/Lease Agreement: Attorney Thew spoke with Aaron Mullen and he is in agreement that the current Masonic Lodge Lease Agreement is confusing and should be updated. Attorney Mullen will speak with the Town Supervisor regarding the lease agreement.

NYMIR: Discussion was held regarding NYMIR would like the Village to obtain insurance information on all Golf Carts/UTV's riding on Village streets to reduce the potential liability to the Village. It was decided that a

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notice will be created and posted regarding the rules of the road. The notice will be put together and reviewed at the July meeting.

Cemetery Signage: Discussion was held regarding what information should be listed on the notices at the cemeteries. Trustee Rowe-Smalt will work on wording and sizing for the sign and review at the July meeting. Trustee Rowe-Smalt suggested having a designated area in the cemeteries to put bio-degradable items. This item tabled and to be discussed further at next meeting.

REVIEW/APPROVE EXPENDITURES:

All invoices were reviewed by Trustees and Mayor. Trustee Abbott motioned to approve all expenditures; Trustee Hubbard seconded. All in favor; none opposed; none abstained. 4,0,0

GRANTS:

Culvert: The Mayor advised he received a link for the culvert permits, which turned out to be permits for a project in West Sparta. The project is still on hold until the DEC Flood Control Permits to proceed with project are issued and then the ACOE Permits. Once the permits are received, the project can go out to construction bidding.

Windmill: Project is at a standstill until construction begins.

Main Street Sidewalks: FY2027 is in process with Representative Tenney's office.

Playground Grant: On hold pending funding.

CDBG Water Study: The final documents in place and Supervisor Comstock advised a team came and did some testing on the well sites.

Retention Grant: A site visit is required to the Village Hall to review the number of records. Date will be set by Mayor Tyner.

FEMA Grant: No Updates forwarded yet. Attorney Thew advised the County is waiting on the same information and he will check on any updates at the County level.

BOARD DISCUSSION:

Mayor Tyner:

The Solar Escrow account for solar has been closed out. Once the construction begins a new Solar Escrow account will be created.

Insurance renewal for 2026/2027 is completed.

Discussion was held regarding IT Services. Clerk Cermak will get a quote from a company out of Watkins Glen. Last year the Village was registered mistakenly as to paying sales tax. Mayor Tyner will write a letter to the state emphasizing that we do not collect sales tax and are a municipality.

Motion to make a budget modification to move from A1990.4 Contingency to A1410.412 Software Support in the amount of \$1,656.00 by Trustee Hubbard, seconded by Trustee Abbott, all in favor, none opposed, none abstained. 4,0,0. Motion to make a budget modification from A1990.4 Contingency to A5110.49 Misc. Supplies in the amount of \$772.00 by Trustee Abbott, seconded by Trustee Hubbard, all in favor, none opposed, none abstained. 4,0,0.

Pastor Doug would like to hold church services at Gazebo Park for the next 3 Sundays. . If someone is renting the space they will hold the service elsewhere. Services are open to the public.

The Mayor advised that in his meeting on vehicle complaints with the NYS Police then suggested installing a flashing sign for speed limit control by the school. The Mayor will look into any programs for speed limit signage for further discussion.

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Trustee Hubbard:

Crosby's - There are no further updates from Crosby's on the area along South Main Street. Discussion followed with a suggestion to have the Village Street Department fix the problem. Trustee Rowe-Smalt will contact Crosby's to discuss the matter further. Mayor Tyner will also speak with Superintendent Comstock.

NYSEG – He advised we need to compose email regarding lights and poles. He also received questions from a resident about the area of construction for the Main Street Sidewalk Application. The Mayor advised the application is in a folder on the Share Drive and he will review the details.

Solar - He spoke with Brandy Miller from the Town Board; she wanted to know where the split percentage came from of 57/43 and 50/50 for the Solar Project as she has never seen the paperwork. He suggested that Village Board members speak directly with Town Board members and advised as to the formula for the split. He then inquired where the decision of the split stood presently? Mayor Tyner stated that he reached out to Attorney Seth Pullen and the matter is still pending in the hands of the attorneys.

Trustee Rowe Smalt:

NYSEG - She is still checking with NYSEG for gas and electric supplier. She also suggested locking in with them at .09 cents if no hidden charges are added to this. She stated that there are different rates for different meters and believes this all needs to be documented and reviewed. Meters are not read at the same time period. Information was received from NYSEG regarding the accounts that involved sales tax on them, but NYSEG did not show how much the sales tax was. She will have to get on the Village's NYSEG accounts to review the amount of sales tax paid.

Banners – She will call on the banner replacements.

Website – She sent Matt Morales second email with the new reorganization chart in order for him to update the Village Website. She feels that volunteering to maintain the website doesn't hold expectations; it is at their leisure. Mayor Tyner will speak to Matt regarding the website maintenance.

Cemetery - She stated that all trustees received a picture of the flowers that were purchased for the cemeteries and are now dead. She suggested instead of spending funds on the flowers that have to be maintained, possibly installing solar lights on each side of the driveway at the entrance and exit. A motion was made by Trustee Hubbard to purchase 4 solar lanterns up to a total cost of \$250.00, seconded by Trustee Abbott, all in favor, none opposed, none abstained. 4,0,0

Cemetery – She received an email from Rosalie at the school suggesting the use of robotic mowers in the cemeteries. A discussion was held regarding the use of these mowers.

Water Wells – She suggested replacing the green surround at the water building at Hees Park and weed eating properly around it. Mayor Tyner stated that the is part of the 1.5-million-dollar water grant that comes after the initial study.

Batting Cage – She asked when the batting cage was coming down? Will be removed at the end of the ball season and put in to storage. Discussion followed and Mayor Tyner will speak with Supervisor Comstock about batting cage being taken down and stored after the baseball season is over.

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Trustee Rodbourn:

Not present.

Trustee Abbott:

Solar Moratorium - She provided an update regarding findings of some particulars concerning solar. She will meet with Trustee Rowe-Smalt to continue the process.

Clerk Cermak:

AI Program - Discussion was held regarding the inability to find a free AI Program to assist with the monthly meeting minutes due to the time constraints from the programs. The Trustees agreed to review programs that didn't have constraints and the cost involved. She will check into other AI programs for the July meeting.

IT Services – Discussion on the recent computer bought for the Clerk and the problems with getting the systems working. She suggested to look into other companies for IT Services. She will reach out to for service and quotes for the July meeting.

PUBLIC COMMENTS:

Deb Whitehead stated that woodchucks are living near and around the Village's milling storage area close to her home. Mayor Tyner to discuss with Superintendent Comstock.

Janet Miller brought up the concern about the site distance by Crosby's when pulling out onto Route 415, going North when delivery trucks are there.

Bill Brennan also mentioned when looking South, the pine tree is obstructing the view as well.

MISCELLANEOUS:

Trustee Rowe-Smalt expressed concern about the dead tree in the cemetery that needs to come down prior to getting storms. Bill Brennan mentioned that it's unfair to Ben Knoll that his quote has been released for the cutting of the tree and we now have to have two more quotes according to the procurement policy.

EXECUTIVE SESSION:

Motion to Adjourn regular session at 8:54 p.m. by Trustee Hubbard, seconded by Trustee Abbott, all in favor, none opposed, none abstained. 4,0,0

Respectfully submitted,

Jill Cermak
Village Clerk/Treasurer