

Avon Village Board Meeting
Monday, August 15, 2011

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The meeting of the Board of Trustees of the Village of Avon was held at the Avon Village Hall, 74 Genesee Street, Avon, New York on Monday, August 15, 2011.

Present: Thomas Freeman, Mayor
Mark McKeown, Trustee
William Zhe, Trustee
Timmy Batzel, Trustee
Robert Hayes, Trustee

Staff: Tony Cappello
Chief James Carney
Chief Jay Batzel
Reid Whiting, Village Attorney

Visitors: Kurt Rappazzo, MRB

Mayor Freeman opened the meeting at 6:00 p.m. with the Pledge of Allegiance.

KURT RAPPAZZO – GRAY METAL & FIVE LOT DRAINAGE:

GRAY METAL:

Gray Metal is an existing industrial facility and is proposing an 89,700 square foot addition to the existing warehouse located at 495 Rochester Street. The area where the proposed addition would go is a parking and loading area. The building is located in an I-1 Light Industrial District. The addition is intended for warehousing and distribution and will include loading docks for 14 trucks. The addition will be located on the south end of the existing building with the loading docks on the west side. Gray Metal has proposed making the building and addition a uniform tan or beige color. The street side of the addition will be adorned with cut stainless steel lettering, reading, "Gray Metal Products."

The addition will be 55 feet, 6 inches from the road at the north end and 88 feet, 6 inches at the south end. The Zoning Code requires a 100 foot setback also the code requires that the warehouse be 100 feet from an Agricultural District. Gray Metal has applied for area variances and the Planning Board will forward the application along with a positive recommendation to the Zoning Board of Appeals.

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Gray Metal has proposed 196 parking spaces with 158 employees. The addition could result in the creation of 50 jobs.

Costich Engineering of Rochester is the engineering firm and Hanlon Architects of Fairport the architects. Lighting will be dark sky compliant; storm water will be conveyed via shallow swales to a management area. The grade of the addition will be 8 feet below the grade of the road. The addition will be metal sided. Gray Metal has proposed landscaping with nine Red Maple or Tulip trees. The overall cost of the project has been estimated at approximately \$2.4 million.

Kurt Rappazzo from MRB updated the Board on the Gray Metal proposal and preliminary site plan review. Mr. Rappazzo completed a review of the plans and offered comments for the Village to consider.

- 1 The Board should determine if they are satisfied with the proposed landscaping plan and the submitted building elevations.
- 2 The plans should confirm that the turning radius is sufficient for trucks leaving the loading area from the southernmost dock.
- 3 A construction sequence detailing each step within the demolition stage should be added to the demolition plan.
- 4 Orange construction fencing should be provided and shown to extend from the end section of the temporary drainage swale around the rear of the site following the same path as the proposed silt fence and ending at the concrete washing station.
- 5 Erosion control should be provided at the end section of the proposed temporary drainage swale.
- 6 The plans indicate that some landscaping might be 1.75" caliper. All proposed landscaping is to be a minimum 2" caliper. The plans should be revised accordingly.
- 7 The condition of the existing infrastructure downstream of proposed yard inlet DA shall be verified to be in good condition, and capable of handling the flows generated by the proposed onsite improvements. If found to be in poor condition it should be replaced as part of this project. A note to this effect should be provided on the plans.
- 8 The downspouts on the west side (loading docks) are to be piped to and discharge within the dry swale. They are not to be directly connected to the storm sewer as referenced on the site plans. The splash block and downspouts locations are to be depicted on the plans.
- 9 A concrete truck washing detail should be added to the plans.

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- 10 The water main crossing detail should be revised to remove notes 4 and 5 as a minimum vertical separation distance of 18" is required. If this minimum separation cannot be achieved then the water main land or the proposed storm sewer system is to be relocated.
- 11 Details of the proposed building and site lighting should be provided. A note should be added to the plans stating that all lighting will be dark sky compliant.
- 12 The dry swale detail does not correspond with the standard detail in Chapter 6 of the Storm Water Management Design Manual. The runoff reduction capacity for dry swales given in Table 3.5 of the SMDM is based upon the standard design. The design engineer should verify that the crushed stone media, and larger under drain pipe diameter will provide similar or better water quality volume treatment or runoff reduction than the standard design, and then update the calculations in Appendix II accordingly.
- 13 Section 2.1 of the SWPPP should address the project's location within an archeological sensitive area.
- 14 The explanations provided do not address how Criteria 2 or 3 of Section 9.3.1 of the SMDM are met, and seem to imply that the project does not meet the criteria for Redevelopment projects.
- 15 We are concerned that the project does not treat an adequate amount of the water quality volume to meet General Permit requirements. Based upon the information provided and comparing the calculations in Appendix II, it appears that the WQv should be 0.248 ac-ft (10,802 cubic feet). Under Section 9.3.2 B Option II of the SMDM, the project is required to provide treatment for 25% minimum of the WQv (2,704 cubic feet) through the implementation of standard practices (ie. Chapter 6) or reduced by application of green infrastructure techniques (ie. Chapter 5). It appears from the calculations in Appendix II that the dry swales only reduce the runoff volume by 770 cubic feet, leaving a minimum of 1,934 cubic feet to be treated by standard practices or reduced by application of green infrastructure techniques. The SWPPP should be clarified and updated accordingly.
- 16 Section 2.5 of the SWPPP implies that due to the longer time of concentration, the discharge rate increases.
- 17 The Village should decide if it wishes to accept the Storm water Maintenance Agreement (SMA) proposed by the applicant. Item 7 of the SMA should note that the Village is located in Livingston County. A copy of the SMA should be forwarded to the Village Attorney.
- 18 The drainage maps and Pond Pack computer model should be updated to consider the additional runoff contributed by the area east of East River Road.

19 The Notice of Intent should be completed and submitted for review.

Since they need to obtain two variances, Attorney Whiting suggested scheduling the public hearing for Site Plan Approval after the variances are obtained and Livingston County has given their approval. Currently Mark Costich is completing the necessary variance applications.

FIVE LOT DEVELOPMENT:

Kurt Rappazzo informed the Board that on August 2nd he had met with Superintendent John Barrett and visited the Alexander Crossing site. Mr. Barrett expressed concerns with the existing Avon Village View drainage system and flooding issues downstream at Genesee Street. Storm water runoff generated by the lands east of Pole Bridge Road and the Avon Village View subdivision flow westerly towards a detention facility located west of Five Lot Lane. The detention facility has a large concrete outfall pipe which discharges into a swale that runs westerly through the school property towards Genesee Street. The facility and its outfall pipe do not appear to provide much detention.

One of the proposed benefits of the planned Alexander Crossing subdivision was the construction of a storm water management facility on lands to be dedicated to the Village. The existing outfall pipe on the Five Lot detention facility would be removed and the flow rerouted to the new facility whose outfall structure would discharge into the same swale, but farther downstream. This improvement would increase the detention capacity in the area and provide relief to Genesee Street. However, after 4 years, it is unclear when or if every the new detention facility might be constructed.

The Village has two options to improve the drainage capacity and provide relief to Genesee Street. Option 1 includes the modification of the existing Five Lot Lane detention facility and outfall structure. Option 2 would be to follow the Alexander Crossing plan by removing the Five Lot Lane outfall pipe, and rerouting the flow to a new facility constructed downstream. In order to use the lands for drainage improvement at Alexander Crossing, the Village would have to secure an easement or be offered the lands for dedication by the owner.

Attorney Whiting indicated that ownership produces concerns, such as maintenance and liability. Some places have homeowners association to do this. Long term is a concern.

Mayor Freeman informed the Board that he had spoken with Mark Alexander on his forethought and he is hoping the economy will turnaround. The subdivision is not for sale, he hasn't given up on the development. He would like to get into Phase I. He's invested a lot of money into this project already.

If the Village were to follow through with Option 2, they would never get their money back. Mayor Freeman talked to Mr. Alexander about mowing or turning it back into agriculture. It's a

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huge impact on the neighbors to the south. Mayor Freeman asked Code Officer Cappello to keep an eye on it.

VILLAGE BOARD MEETING MINUTES:

Upon a motion made by Trustee Zhe the minutes from August 1, 2011 are hereby approved as submitted. Trustee Hayes seconded the motion and it was carried by the following vote:

Thomas Freeman, Mayor	Voting	Yes
Mark McKeown, Trustee	Voting	Yes
William Zhe, Trustee	Voting	Yes
Robert Hayes, Trustee	Voting	Yes
Timmy Batzel, Trustee	Voting	Yes

VOUCHERS AND MANUAL CHECKS:

Upon a motion made by Trustee McKeown the following vouchers and manual checks were approved for payment:

General Fund	\$ 46,803.32
Water Fund	\$ 3,385.54
Schedule C	\$ 23,977.11
Sewer Fund	\$ 6,555.77
Fund #10	\$
Fund #11	\$
Fund #17	\$
Fund #47	\$
Fund #48	\$ 730.00
Fund #50	\$
Fund #51	\$ 1,750.25
Fund #52	\$
Fund #53	\$
Fund #54	\$
Fund #55	\$
Fund #56	\$
Fund #57	\$
Fund #58	\$

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Fund #59	\$
Fund #60	\$
Fund #61	\$
Fund #62	\$
Fund #63	\$
Fund #64	\$
Fund #65	\$
Fund #66	\$
Fund #67	\$
Fund #68	\$
Fund #69	\$
Fund #70	\$
Fund #71	\$
Fund #72	\$ 71,530.00
Fund #73	\$
Fund #74	\$
Fund #75	\$
Fund #76	\$
Fund #77	\$ 1,979.31
Fund #78	\$
Fund #79	\$ 34,645.59
Fund #80	\$
Fund #81	\$
Fund #82	\$
Fund #83	\$
Fund #84	\$
Fund #85	\$
Fund #86	\$ 1,500.00
Fund #87	\$
Fund #88	\$ 702.80
Fund #91	\$
Fund #92	\$
Fund #93	\$
Fund #94	\$
Fund #95	\$
Fund #96	\$
Fund #97	\$
Fund #98	\$
Fund #99	\$
TOTAL	\$201,347.91

Manual Checks: NYS Child Support Proc. Ctr. – Child Support \$ 256.00

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Nationwide Retire.-Deferred Comp.	\$1,201.00
Law Enforcement Officers Union	\$ 426.44
SEIU 200 United	\$ 211.56
Colonial Belle	\$ 214.00
Kings River Casting	\$ 827.00
Things Remembered	<u>\$ 219.00</u>
Total	\$3,355.00

Trustee Zhe seconded the motion and it was carried by the following vote:

Thomas Freeman, Mayor	Voting	Yes
Mark McKeown, Trustee	Voting	Yes
William Zhe, Trustee	Voting	Yes
Robert Hayes, Trustee	Voting	Yes
Timmy Batzel, Trustee	Voting	Yes

OPEN PROJECTS:

Superintendent Barrett requested that the Board resolves to open the following project from the General Equipment Reserve:

(SIDEWALK GRINDER);

Trustee Hayes offered the following RESOLUTION and moved for its adoption:

RESOLUTION

A RESOLUTION authorizing the expenditures of \$5,000 from capital reserve funds HR22 – GENERAL EQUIPMENT for the Village of Avon, Livingston County, New York.

Be it resolved, by the Board of Trustees of the Village of Avon as follows:

The specific object or purpose of the Village of Avon, Livingston County, New York for which the expenditures of monies from the capital reserve funds is for monies needed for *SIDEWALK GRINDER*. The maximum estimated costs of the aforesaid specific object or purpose is \$5,000.

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Upon this RESOLUTION taking effect, the same shall be published in full in THE LIVINGSTON COUNTY NEWS, the official newspapers together with a legal notice of the Village Clerk as provided by law.

This RESOLUTION is adopted subject to a permissive referendum.

Trustee Zhe seconded the motion and it was carried by the following vote:

Thomas Freeman Mayor	Voting	Yes
Mark McKeown, Trustee	Voting	Yes
Timmy Batzel, Trustee	Voting	Yes
William Zhe, Trustee	Voting	Yes
Robert Hayes, Trustee	Voting	Yes

Trustee Hayes offered the following RESOLUTION and moved for its adoption:

RESOLUTION

Resolved, that a capital project be established in the amount of \$5,000.

Resolved, that said capital project shall be number H and entitled *SIDEWALK GRINDER*.

Trustee Batzel seconded the motion and it was carried by the following vote:

Thomas Freeman Mayor	Voting	Yes
Mark McKeown, Trustee	Voting	Yes
Timmy Batzel, Trustee	Voting	Yes
William Zhe, Trustee	Voting	Yes
Robert Hayes, Trustee	Voting	Yes

FIRE CHIEF BATZEL:

Chief Batzel discussed the mutual aid and calls the department has had. The East Avon Department does a mutual aid training each month.

The Department went to a Thermal Imaging Camera hands on training last week at the concrete tower on East River Road.

OPEN PROJECTS:

Chief Batzel requested that the Board resolves to open the following projects from the Fire Equipment Reserve:

(TURNOUT GEAR):

Trustee Hayes offered the following RESOLUTION and moved for its adoption:

RESOLUTION

A RESOLUTION authorizing the expenditures of \$10,000 from capital reserve funds HR21 – FIRE EQUIPMENT for the Village of Avon, Livingston County, New York.

Be it resolved, by the Board of Trustees of the Village of Avon as follows:

The specific object or purpose of the Village of Avon, Livingston County, New York for which the expenditures of monies from the capital reserve funds is for monies needed for TURNOUT GEAR. The maximum estimated costs of the aforesaid specific object or purpose is \$10,000.

Upon this RESOLUTION taking effect, the same shall be published in full in THE LIVINGSTON COUNTY NEWS, the official newspapers together with a legal notice of the Village Clerk as provided by law.

This RESOLUTION is adopted subject to a permissive referendum.

Trustee Zhe seconded the motion and it was carried by the following vote:

Thomas Freeman Mayor	Voting	Yes
Mark McKeown, Trustee	Voting	Yes
Timmy Batzel, Trustee	Voting	Yes
William Zhe, Trustee	Voting	Yes
Robert Hayes, Trustee	Voting	Yes

Trustee Hayes offered the following RESOLUTION and moved for its adoption:

RESOLUTION

Resolved, that a capital project be established in the amount of \$10,000.

Resolved, that said capital project shall be number H and entitled *TURNOUT GEAR*.

Trustee Zhe seconded the motion and it was carried by the following vote:

Thomas Freeman Mayor	Voting	Yes
Mark McKeown, Trustee	Voting	Yes
Timmy Batzel, Trustee	Voting	Yes
William Zhe, Trustee	Voting	Yes
Robert Hayes, Trustee	Voting	Yes

(HURST SIMO UNIT);

Trustee Hayes offered the following RESOLUTION and moved for its adoption:

RESOLUTION

A RESOLUTION authorizing the expenditures of \$10,000 from capital reserve funds *HR21 – FIRE EQUIPMENT* for the Village of Avon, Livingston County, New York.

Be it resolved, by the Board of Trustees of the Village of Avon as follows:

The specific object or purpose of the Village of Avon, Livingston County, New York for which the expenditures of monies from the capital reserve funds is for monies needed for *HURST SIMO UNIT*. The maximum estimated costs of the aforesaid specific object or purpose is \$10,000.

Upon this RESOLUTION taking effect, the same shall be published in full in THE LIVINGSTON COUNTY NEWS, the official newspapers together with a legal notice of the Village Clerk as provided by law.

This RESOLUTION is adopted subject to a permissive referendum.

Trustee Zhe seconded the motion and it was carried by the following vote:

Thomas Freeman Mayor	Voting	Yes
Mark McKeown, Trustee	Voting	Yes
Timmy Batzel, Trustee	Voting	Yes
William Zhe, Trustee	Voting	Yes
Robert Hayes, Trustee	Voting	Yes

Trustee Zhe offered the following RESOLUTION and moved for its adoption:

RESOLUTION

Resolved, that a capital project be established in the amount of \$10,000.

Resolved, that said capital project shall be number H and entitled *HURST SIMO UNIT*.

Trustee McKeown seconded the motion and it was carried by the following vote:

Thomas Freeman Mayor	Voting	Yes
Mark McKeown, Trustee	Voting	Yes
Timmy Batzel, Trustee	Voting	Yes
William Zhe, Trustee	Voting	Yes
Robert Hayes, Trustee	Voting	Yes

Chief Batzel informed the Board that the Quint steering column needs to be redone, plus preventative maintenance. The transmission cooler will be replaced also.

CODE ENFORCEMENT OFFICER:

- Rapone has tabled his proposal for a Motor Vehicle Garage on Rochester Street
- Calls received by unhappy residents of High Street regarding Habitat House proposal

POLICE UPDATE:

- Corn Festival went well
- Car larcenies on North Avenue and High Street
- Assisted with ambulance call on Isham Avenue
- MVA in the Park
- DOA on Sackett Road
- 15 arrests in the last five weeks
- New car should be done in two weeks

Chief Carney reported that prior to the Charger going out of service, the computer died and is not repairable, and therefore, Chief Carney is looking at a new computer. He is looking for a 12" or

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13" screen because of size restraints. It needs to have certain ports and would like to get a back lit keyboard. The cost should be under \$1000 and would like to purchase it through his regular budget.

EXECUTIVE SESSION:

Upon a motion made by Trustee Zhe the Board went into executive session to discuss personnel matters at 7:45 p.m. Trustee McKeown seconded the motion and it was carried by a unanimous vote. The Board exited executive session at 8:05 p.m.

TRUSTEE'S UPDATE:

OFFICE COMPUTER QUOTE – Clerk Baker submitted a request to purchase a new office computer for Deputy Clerk Margiotta. Mr. Margiotta has been experiencing difficulty with his current computer and a quote of \$779 was submitted to the Board for approval.

Upon a motion made by Trustee Zhe the quote submitted for the office computer of \$779 was approved. Trustee McKeown seconded the motion and it was carried by the following vote:

Thomas Freeman Mayor	Voting	Yes
Mark McKeown, Trustee	Voting	Yes
Timmy Batzel, Trustee	Voting	Yes
William Zhe, Trustee	Voting	Yes
Robert Hayes, Trustee	Voting	Yes

BRUSH PICKUP POLICY –

The Board reviewed our current policy for brush pickup, and the majority agreed to leave it as is and any large amounts should be left to the discretion of Superintendent Barrett. If we should have people come in and complain, then we'll address it at that time.

INTERMUNICIPAL AGREEMENT – COURT SECURITY REVISION - Attorney Whiting reported that he is still waiting to hear from Jim Campbell, the Town's attorney on the revisions that were made before the Board can approve.

Upon a motion the meeting was adjourned at 8:45 p.m.

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Respectfully submitted by,

Patricia E. Baker
Village Clerk