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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, October 21, 2013.

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

- Staff: Tony Cappello
John Barrett
Gary Benedict, Jr.
Christine Quinlan

- Visitors: Kurt Rappazzo, MRB
Colleen Schiedel, Main Street Goes Blue
Jan Rogers, Livingstn Insurance Agency, Inc.
Ron Siegelman, Integrated Systems
Dave O'Hare, Integrated Systems
Leah Shea, Genesee Sun

Mayor Freeman called the meeting to order at 5:00 p.m. with the pledge of allegiance.

KURT RAPPAZZO, MRB:

The County is holding its annual property tax foreclosure proceeding on Thursday, October 24, 2013. There are four parcels that were previously owned by Mark Alexander (Linda Postler) that will be auctioned off. The first is the eighteen lots and right-of-way associated with Phase 1 of the Alexander Crossing Subdivision. The second is the single lot (Lot 1: 0.46 acres) that fronts on Lake Road at the southwest corner of the subdivision. The third is the 5.5 acre parcel in the northwest corner of the subdivision, which were to be dedicated to the Village had the subdivision proceeded. The fourth parcel is the remaining 21.3 acres.

Mayor Freeman suggested to the Board that perhaps the Village should entertain the idea of purchasing the second parcel to construct a storm water detention facility to alleviate downstream drainage concerns.

Kurt Rappazzo – Right now there is an existing dention pond that takes care of Five Lot Farm Subdivision and collects drainage from the east side of Pole Bridge Road and a large 30” pipe

that feeds into the pond that picks up more drainage which goes through the outlet structure through the gulley, through the school, and down to Genesee Street. The new property could be used to alleviate drainage issues downstream on Genesee Street even as far as Wadsworth Avenue

Trustee Batzel – The land next to it is all school land?

Kurt Rappazzo – Yes.

Mark – What is the status of Jacobs landing?

Mayor Freeman – The County went through all the committees and Reid Whiting has been working with them. Attorney Whiting said it went through the Ways and Means Committee and conceptually the County is prepared to convey the property to the Village with an offer of \$1,500. Attorney Whiting believes it is a health and safety benefit for the Village to purchase the land.

John Barrett – When we get heavy rain it goes to Spring Street, and from Spring Street it fills the ditches by Kraft to the top.

Mayor Freeman – At a neighborhood meeting Brenda Forsyeth talked about the trouble they have had with the creek. This would benefit them.

Trustee Batzel - Could you run a retention pond on the other side of the school property if you could get it cheap enough?

Kurt Rappazzo – Yes, but I don't know about access and who would maintain it.

Trustee McKeown – We want to do this because we're suspecting two other developers will buy the other lots?

Trustee Batzel – Will they have to go through all the studies again?

Kurt Rappazzo – I think it depends on how far they deviate from what was originally proposed.

Trustee McKeown – From my point of view I'm not sure I want to speculate that developers will come in and buy from us for infrastructure. Why do I need a storm water system and go on speculation. The water issues only bother me when there is a heavy rain. I'm not sure if it's the right thing for the Village Board to get into.

Trustee Zhe – I would assume that the developer would know that he needs that land too and not buy one without the other one.

John Barrett – If a developer is looking to buy 18 lots he's got to know what he has to do.

Trustee McKeown – Does it require the detention ponds?

Kurt Rappazzo – If he were to fully develop the land, than he would have to put in a pond.

Mayor Freeman – I think it’s protecting continued water problems that go downstream. If Frank Csapo further develops his property there would be more runoff.

Kurt Rappazzo – Development does cause more runoff.

Trustee McKeown – I don’t think the Village should be in a land speculation project.

Mayor Freeman - Is that the consensus of the Board?

Board - Yes.

POLICE CHIEF UPDATE:

Chief Benedict discussed the dead spots that are in the center of the Village for the police radios and suggested that repeaters be put on the siren pole that is located behind the Village building. Chief Benedict will contact Mike Bradley of the Livingston County Sheriff’s Office to discuss further.

On Tuesday the Police Department will be doing truck road stops with the Department of Transportation.

Both Matt McFadden and Travis McFadden will be going to a training seminar.

A motion was made by Trustee Zhe to approve the probation report submitted by Chief Benedict for Joseph Geer. The motion seconded by Trustee McKeown and carried by the following vote:

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

Trustee Hayes– I watched 18 cars go by with kids in the crosswalk on Lacy Street. Around 4:00 p.m. Are we doing everything we can to accommodate this issue?

Gary Benedict – If they are ready to step off onto street the driver should anticipate that but they don’t. Enforcement wise it’s tough. They don’t have the right-a-way until they are in the crosswalk. Maybe more signage would help. We could put signs in the center and people would be more apt to see the signs.

DPW UPDATE:

A company is coming tomorrow to do a screening study at the WWTP which is free to us. It will run for two weeks. It's a whole different approach to screening and grit removal. It's a fine screening and got almost 50% BOD reduction. Going to pilot study that for two weeks and we just provide electricity.

Superintendent Barrett reported that he had talked to Bruce Howlett again and he ran his equipment from south to north but is concerned if he runs in the opposite direction. He seems very satisfied and in the future if there is a problem he is satisfied it will be taken care of. We paved under the bridge today.

Superintendent Barrett said that the crew did one round with the new leaf vacuum through the Village.

John Barrett noted that he had bought drain tile for Voros and McAllister's driveways on West Main Street and will be working on that. Will cut a 24" trench and pour a concrete collar around it.

Trustee Zhe – What about the Five Arch Bridge?

John Barrett – We looked at it and caulked it and we'll be watching it.

Trustee Hayes reminded Mr. Barrett about removing the "Private Road" sign on Richmond Lane.

John Barrett – Ok

EXECUTIVE SESSION:

Upon a motion made by Trustee Zhe, the Board went into executive session 6:05 p.m. to discuss personnel matters. Trustee Hayes seconded the motion and the Board exited executive session at 6:20 p.m. The motion was carried by a unanimous vote.

CODE ENFORCEMENT UPDATE:

- Still working on letters for deteriorating homes.

- Been doing footer inspection at Gray Metal. Star headlight is finished ready for final inspection.
- Louise Wadsworth came today and did inspections.
- Back at work at the Town.

COLLEEN SCHIEDEL – MAIN STREET GOES BUE GRANT:

Colleen Schiedel identified herself as a Nurse from the Health Department. Main Street goes Blue campaign runs during the month of March. We need to encourage the community to get involved. Colon cancer is the 2nd leading cause of death. The campaign has been successful because doctors say patients come in and asked questions. We need someone to come to one – two brief meetings for explanation of MSGB and distribution of materials. The volunteers would then help to organize and instruct the local businesses regarding the goal of MSGB and encourage business participation.

JAN ROGERS – LIVINGSTON INSURANCE AGENCY, INC.

Jan Rogers, Agent and owner of Livingston Insurance Agency, Inc. distributed handouts to the Board showing them what items were covered under the insurance policy and items that appeared on the report from Industrial Appraisal that were not insured. The Board needs to make a determination on whether to have those items included on their current insurance policy. There is a \$5,000 deductible on the policy so some items would not make sense to insure.

Mr. Rogers commented on how thankful he was that the Village had their inventory recently updated.

Mr. Rogers notes that he is still waiting for the Fire Department Items.

Trustee Batzel suggested that Mr. Rogers talk directly with Fire Chief Snyder and gave him his phone number.

Mr. Rogers reported that he didn't find Clinton Street water booster station and the grinder building at 11 Farmers Road on the inventory. Do you want coverage added to those two buildings and equipment?

Mayor Freeman stated that he will check with John Barrett. If it's a separate building it should be listed.

Other options that Jan asked the Board to consider were:

- 1) Review my 10/21/2013 Property Schedule based on the 06/10/2013 Industrial Appraisal Update (this is the "colorful" spreadsheet) and:
 - a. Decide which location(s) highlighted in yellow, if any, you want to add coverage for onto your existing policy. You can compare this to the signed Statement of Values dated 8/14/2013 that Mayor Freeman executed on 8/15/2013, which reflects the only locations we presently have insured, as well as the respective limits of insurance. If you decide you want to insure some items at a location and not others (e.g. insure the flagpole & lighting at Circle Park but not the monuments), please let me know this so I can separate and specifically identify the item(s) insured;
 - b. Confirm location #'s 3-3 and 3-10 are the exact same building and, if so, we need to delete location 3-10;
 - c. Determine what location 6-1 is and whether you want to continue insuring the building;
 - d. Determine if there is/are any location(s) you do not want to insure based on value, use, exposure to claim, insurability, etc. (e.g. locations 2-15, 2-18, 3-2, 3-13, 3-16 – 3-21, inclusive, 10-1, 10-2, etc.);
 - e. Determine whether you want to add coverage for either/both of the following locations and, if so, the estimated replacement cost of each. I could not find either location included in the previous and/or updated Industrial Appraisal. I would recommend bringing these two locations to the attention of your Industrial Appraisal contact so they can be included.
 - i. Clinton Street – Water Booster Station;
 - ii. 11 Farmers Road – Grinder Building;
 - f. Determine if there are any other location(s) that are not included in the updated Industrial Appraisal and/or this document;
 - g. I neglected to let the Board know that I excluded the Mobile Equipment values from this document that were included in the updated Industrial Appraisal for the following locations: 2-9 (\$401,600), 2-17 (\$15,800), 2-21(\$98,800), 2-22 (\$103,350) & 2-16 (\$3,500). These were the only locations with Mobile Equipment values included in the updated Industrial Appraisal. Any/all Mobile Equipment the Board wants to insure should be included on the Inland Marine Schedule;
- 2) Other than 83 Genesee Street, please provide me with a listing of other parking lot location(s) that are owned/rented/leased by the Village & available to the public. Kindly identify those that the public is required to pay a fee to park, if any;
- 3) Review the Inland Marine Schedule dated October 21, 2013 to make certain the schedule and values are up to date. This should be a comprehensive listing of items that are "mobile," not always kept at one of the insured locations where a BPP (Business Personal Property – contents) limit is included and that the Board wants to insure. Since all items 10 years or less old are insured on a replacement cost basis, it is critical to:
 - a. Include the year of every current & future item;
 - b. Confirm the values for scheduled items 10 years or less old reflect the cost to replace the item with like kind & quality at today's prices;
 - c. For items more than 10 years old, coverage is on an ACV (Actual Cash Value) basis. The value for these items should reflect what the current market will bear for a similar item in the same condition, same options, same hours/miles, etc.;
 - d. Consider scheduling some/all of the Police Department firearms;
- 4) After the meeting, I stopped at the Fire Hall and spoke with Dan Snyder. I provided him with a copy of the Inland Marine & Vehicle Schedules for review. He is going to get me a current comprehensive list of the Fire Dept. mobile equipment so we can be certain everything he wants insured is insured. He also identified items on the Inland Marine Schedule I had

- assigned internally to the FD that should be assigned to the POL (i.e. Star Interceptor w/ Control Box # 8421SL, Orion 110 Watt MA/Com Mobile Radio w/ Remote & Stalker Radar Unit # 5683);
- 5) Consider adding Failure to Supply liability coverage with a \$1,000,000 limit for an additional premium of \$750.00;
 - 6) Determine if Money & Securities (On & Off Premises) limit is adequate. This coverage applies to Money & Securities stolen by someone other than a Village employee, volunteer, Board member, etc. Presently you have \$1,000 coverage with a \$100 deductible &, during the period of June 1 – July 31, this limit is increased by \$40,000;
 - 7) Determine whether your Crime coverage limits are adequate. You presently have Employee Theft – Per Employee Coverage of \$100,000 after a \$500 deductible, with a \$100,000 Excess limit for the Village Clerk, Treasurer & Mayor;
 - 8) Review the Vehicle Schedule to make certain it is current & determine if any coverage changes need to be made (e.g. do you want Full Glass coverage on all of the PPT (Private Passenger Type) vehicles or none of them, etc.). As indicated on this schedule, you presently have FG on the '09 Ford Crown Vic, only. The savings to change the Collision deductible on all vehicles to \$1,000 is only \$65.00;
 - 9) Consider increasing the Umbrella limit from the present \$5,000,000. The additional premium is \$500 per \$1,000,000 layer. For example, if the Board decides to go to \$10,000,000, the additional premium would be \$2,500; and
 - 10) Since the Village does not own a boat, canoe or rowboat, we will delete this Commercial General Liability classification. An endorsement will be forthcoming directly from Selective making this change.

Failure to Supply, if we didn't supply water/sewer the cost would be \$750 per year up to \$1,000,000 limit per claim. The Board will discuss this with Attorney Whiting.

Mr. Rogers reported that as discussed, we have had absolutely no success in finding any market for "demolition insurance". In addition to the traditional insurance marketplace, we have also gone to the Excess & Surplus lines market. Since Lloyd's of London is a market for most anything anyone wants to insure. I am confident it will be extraordinarily expensive, but will pursue this if the Board wants.

Jan Rogers – Does the Village or Fire Department owns a canoe or rowboat?

No.

Jan Rogers– Other than 83 Genesee Street, I need you to provide me with a listing of other parking lot locations that are owned/rented/leased by the Village and available to the public.

Mayor Freeman– Yes we own that parking lot, and some other things we needs to talk to you about at some point if and when the Village obtains easements along Genesee Street.

Trustee Batzel asked if the Village would receive a discount on their insurance if we did the Industrial Appraisal Update on a regular basis.

Mr. Rogers – Not that I know of, but I will check on that.

CDGB GRANT – PUBLIC HEARING:

Mayor Freeman opened the public hearing and read the official notice that was published in the Livinginston County News.

The Village of Avon anticipates submitting an application to the New York State Office of Community Renewal for funding under the Federal Small Cities Community Development Block Grant Program. The Village will be seeking funds to rehabilitate substandard rental units in the Village.

A public hearing is held as part of the process to solicit public input with respect to the application and to develop program activities. Community Development funds can be used for activities that are eligible under Section 570.482 of Subpart I of the federal Housing and Community Development Act of 1974. More complete details of eligible activities as outlined at Section 570.482, will be available at the public hearing.

The existing Community Development Grants and related programs are funded under Title I of the Housing and Community Act of 1974, as amended. Funds for which the Village is applying for will be provided by the federal government, pursuant to Title I to New York State for award and administration. A public hearing is held pursuant to Section 570.486 Subpart I of the federal Small Cities Community Development Block Grant Program regulations and/or any similar State regulations that may govern the State's Community Development Program.

There was no one present for the public hearing, therefore no comments were received.

The public hearing was closed at 8:35 p.m.

A motion was made by Trustee Hayes to submit an application to the New York State Office of Community Renewal for funding under the Federal Small Cities Community Development Block Grant Program and seconded by Trustee Zhe and carried by the following vote:

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

RON SIEGELMAN – INTEGRATED SYSTEMS:

Mr. Siegelman introduced himself to the Board and expressed how he believes that he could help organize the technology structure of the Village and the necessity of having our data and network managed by an experienced technology provider for municipal government.

He mentioned that he serves municipal clients across New York State by supporting them with their technology needs and being a resource for them on their technology projects.

We have been providing technology support and solutions for municipal government for over 30 years. We have partnered up with SOS Online Backup to be able to offer safe automatic backups of data. Our information would be backed up to remote servers and would be available 24 hours a day.

The larger the time block purchased, the greater the savings per hour. It includes Network and System troubleshooting, programming, end user technical support, cabling and travel. The hours may be used for any combination of services.

The Village of Perry was the first municipality that had hosted services.

VILLAGE BOARD MEETING MINUTES:

Upon a motion made by Trustee Hayes the minutes from October 7, 2013 meeting are hereby approved as submitted. Trustee Zhe seconded the motion and it was carried by the following vote:

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

VOUCHERS AND MANUAL CHECKS:

Upon a motion made by Trustee Zhe, vouchers and manual checks were approved for payment:

General Fund	\$ 40,000.51
Schedule C Fund	\$ 3,147.38
Water Fund	\$ 5,223.54
Sewer Fund	\$ 10,137.90
Fund #10	\$
Fund #11	\$ 734.44
Fund #17	\$ 2,424.54
Fund #44	\$
Fund #46	\$
Fund #47	\$
Fund #48	\$
Fund #50	\$
Fund #51	\$
Fund #52	\$ 19,970.00
Fund #53	\$ 80,660.00
Fund #54	\$
Fund #55	\$
Fund #56	\$
Fund #57	\$
Fund #58	\$
Fund #59	\$
Fund #60	\$
Fund #61	\$
Fund #62	\$ 141,215.17
Fund #63	\$
Fund #64	\$
Fund #65	\$
Fund #66	\$
Fund #67	\$
Fund #68	\$
Fund #69	\$

Fund #70	\$
Fund #71	\$
Fund #72	\$
Fund #73	\$
Fund #74	\$
Fund #75	\$
Fund #76	\$
Fund #77	\$
Fund #78	\$
Fund #79	\$
Fund #80	\$
Fund #81	\$
Fund #82	\$
Fund #83	\$ 416.00
Fund #84	\$
Fund #85	\$
Fund #86	\$
Fund #87	\$
Fund #88	\$
Fund #91	\$
Fund #92	\$
Fund #93	\$ 812.50
Fund #94	\$
Fund #95	\$
Fund #96	\$
Fund #97	\$
Fund #98	\$
Fund #99	\$
TOTAL	\$ 304,741.98

Manual Checks:	NYS Child Support	Holtz & Ferrara	\$ 1,023.00
	Dr. Michael Oros	NYMS Pmt. Request #1	\$ 20,561.25
	James Carney	Accrued Sick Time	\$ 32,558.35
	NY Water Envir.	Training Seminar	\$ 60.00
	Nationwide Retirement	Deferred Comp.	\$ 981.00
	Finger Lakes Law Academy	Benedict Seminar	\$ 100.00
	Postage By Phone Acct.	Postage	\$ <u>1,000.00</u>
	TOTAL:		\$56,283.60

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

Mayor Thomas Freeman	Voting	Yes	
Trustee Mark McKeown	Voting	Yes	(with the exception
			Fishers and Keeler)
Trustee William Zhe	Voting	Yes	
Trustee Robert Hayes	Voting	Yes	
Trustee Timmy Batzel	Voting	Yes	

TRUSTEE'S UPDATE:

Trustee Zhe inquired as to where we are with the Kime property.

Mayor Freeman stated that he had tried to catch them to talk but as of yet have not been able to find them.

Trustee Zhe reminded the Board that copies of the police contract had been distributed for review and mentioned that meetings needed to be scheduled for negotiations.

Trustee Batzel asked on behalf of the Fire Department if they could get the radio room and ready room cleaned perhaps every other week.

Clerk Baker will check with Jose Alvarado who currently cleans the Village Office on a price and bring it back to the next Board meeting for discussion.

Trustee Hayes mentioned that he has spoken with Frank Garguiolo of KVS Software, and he will be calling regarding an upcoming webinar.

Mayor Freeman mentioned that the Village is behind on general tree maintenance. He would like to get an arborist that could do street by street and put together a general pruning plan.

Treasurer Quinlan responded by saying that there is a DEC grant coming out December 1st that she will look into.

Mayor Freeman instructed Treasurer Quinlan to work with John Barrett on that.

The Board once again briefly discussed the one day pick up for garbage pickup. It was also mentioned that rather than getting the Village involve, perhaps encourage neighborhoods to bid out their garbage pickup so the same neighborhood would have the same refuse hauler.

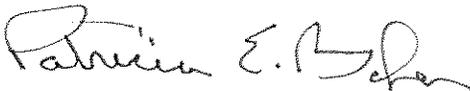
Treasurer Quinlan mentioned that the Board needs to set a date for the Erie Attica ribbon cutting ceremony. The Board chose November 15th. At 3:00 p.m.

EXECUTIVE SESSION:

Upon a motion made by Trustee Zhe, the Board went into executive session 8:00 p.m. to discuss personnel matters. Trustee Hayes seconded the motion and the Board exited executive session at 8:40 p.m. The motion was carried by a unanimous vote.

Upon a motion the meeting was adjourned at 8:40 p.m.

Respectfully submitted,



Patricia E. Baker
Village Clerk