

TOM SALVISKI:2
DPW UPDATE:.....3
BILL DAVIS, MRB. – WWTP PROPOSAL:.....4
JAN ROGERS, LIVINGSTON NSURANCE AGENCY:.....4
PAT BREDE:.....7
POLICE UPDATE:.....8
 CODE ENFORCEMENT;.....8
VILLAGE BOARD MEETING MINUTES:9
VOUCHERS AND MANUAL CHECKS:.....10
OPEN PROJECTS:.....12
TRUSTEE UPDATES:.....13
 BANK RECONCILIATIONS:13
 CROWN CASTLE PROPOSAL:13
 SEPTEMBER BOARD MEETING DATES:13
 FAIR HOUSING PLAN:.....14
 FAIR HOUSING OFFICER:.....14
 CODE ENFORCEMENT POSITION:.....15
 FIRE DEPARTMENT APPLICATIONS:15
EXECUTIVE SESSION:.....16

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 18, 2014.

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

Staff: Chief Gary Benedict
John Barrett
Tony Cappello
Christine Quinlan

Bill Davis, MRB

Visitors: Jan Rogers, Livingston Insurance Agency, Inc.
Pat Brede
Tom Salviski, 90 West Main Street

Mayor Freeman called the meeting to order at 6:00 p.m.

TOM SALVISKI:

Mr. Salviski is the owner of 90 West Main Street. He introduced himself to the Board and informed them that he and his brother had bought the building a year ago. His brother and he are investors that own apartments, and industrial buildings in upstate New York. They took part in a couple of grants that helped clean up the building.

Mr. Salviski had some concerns regarding the drainage for Avon on the Green because they get a lot of water coming off their property and stated that the lowest manhole continues to overflow. He would like to sit down with Mayor Freeman to discuss it further.

Mayor Freeman suggested that a header curb might divert some water coming from Prospect Street. The building is beautiful.

Both Tom and his brother Jim are interested in acquiring more property; commercial, residential/commercial. We have an interest to grow in this community. We are trying to light up the corner and keep it safe.

DPW UPDATE:

- Got James Gilmore done today. We installed and ran a 12" pipe out to the ditch.

Mayor Freeman – If we can get the town to participate that would help the situation, and stop the water before it comes to Pole Bridge Road.

- We'll be at Pat Brede's tomorrow.
- All the ditches in the Village have been cleaned out except for the one by Scott Sutherland.
- Tomorrow we'll be up to the school to finish up.
- The DOT will give us a contact list.

Mayor Freeman suggested that the Village try to obtain an Intermunicipal Agreement from the County so the Village can go and clean out culverts. If there is a problem we can go in and fix it.

- There is a little bit more of work at 307 West Main Street to do.
- As time allows we will continue to work on the sidewalks on River Street.
- Cleaned ditch between Tom Wahl's and CVS.

Superintendent Barrett informed the Board that the bar screen plugged twice over the weekend. I will talk with Bill Davis. It is semi functioning.

A memo was received from Attorney Whiting explaining that the title search over the last 60 years produced 45 easements. Attorney Whiting suggested that John Barrett determine which ones will be most beneficial to the Village and its homeowners and businesses. Have Kevin O'Donoghue review them to see which ones he can plot out.

Superintendent Barrett suggested that he get a cost analysis from Kevin O'Donoghue and John would determine which ones to go out and survey.

Superintendent Barrett reported that while he was on vacation, his guys had a big week. There was a water main break, a sewer break in the cemetery, and they went down to Voros's resident at 307 West Main Street for a sewer backup.

John met with Steve Morsch who has special equipment for this operation regarding Dick and Elaine Neth's property. Apparently the drainage pipe which belongs to the Village is broken and non functional.

Trustee McKeown mentioned the pot hole on Genesee Street. Trustee Batzel added that there is also a pot hole on Clinton Street near the Kellen's house.

Mayor Freeman asked Bill Davis to schedule a time to come out and talk about the bar screen with Superintendent Barrett.

BILL DAVIS, MRB. – WWTP PROPOSAL:

A proposal for the WWTP Project was distributed. For comparison purposes, the budget contained a 20% conservative estimate for engineering which was \$423,000 total. We are currently at \$385,000 for this budget line item. The difference will go back into contingency in the project budget. Bill Davis explained that this needs to be approved so it can be forwarded on to NYS EFC.

We have developed this fee by task and estimated efforts (hours). However, I have also compared the fee by traditional methods to % construction. The design fee represents about 8% of construction, the design, bidding, and construction represents about 16 ½% construction, and the overall fee represents about 18% construction. 18% may seem high, but much of this has to do with our need to meet MWBE goals and hire women/minority businesses as part of our scope of services.

Mayor Freeman informed Mr. Davis that the Board will continue to review the proposal, but they are not ready to approve it. They also want to get input from Attorney Whiting.

Bill Davis – For the next meeting, I will bring a map of the Sackett Road property with the proposed detention pond. We need to determine how big the pond needs to be. I will sit down with Kurt Rappazzo to discuss.

JAN ROGERS, LIVINGSTON NSURANCE AGENCY:

Jan Rogers, Insurance Agent for the Village of Avon submitted the Renewal Proposal which will become effective September 1, 2014. The policy is a special comprehensive program for municipalities underwritten by Selective Insurance Company.

Trustee Batzel commented that on the Industrial Appraisal Inventory the 2004 Ford Rescue truck is listed but not on the insurance policy. We also need to add the Fire Department's electronic sign, cargo trailer, and ATV Bobcat.

Jan Rogers suggested that the Board go through the policy and make any changes you want and to also review last year's email with recommendations. You currently do not have insurance coverage on the grinder building and Clinton Street Pump Station.

Trustee Zhe – The new playground should be added, and the barbecue pits should be removed.

Jan Rogers - You can clean up a lot of items that you don't want insured. For instance, the skate house is valued at \$2,100 and we have a deductible of \$5,000.

Mayor Freeman suggested that each Board member take a category to review such as; Trustee Zhe do parks; Trustee Batzel, fire; Trustee Hayes, general items; Trustee McKeown, water and the Mayor will do sewer.

Mayor Freeman - How did the cost come about?

Jan Rogers – The Statement of Values is inflated 4%. It is based on your budget, what is spent on water/sewer department and exposure. Population has an impact, inland marine things and the Village’s claim history is a positive thing. If it’s ten years or less we go by actual cost, if ten years or more it is replacement cost.

Mayor Freeman – In the past we had Brian Baty as our Insurance Consultant, at times he would require our insurance to be put out for bid. What else can we do, should we require that the insurance be put out for bid next year?

Jan Rogers - I would be happy to.

At this time Mr. Rogers pointed out different options that the Board might want to consider.

VILLAGE OF AVON

Coverage Options and Additional Premiums or Credits:

Property Section

- 1) Difference in Conditions (DIC) -Earthquake & Flood
 \$1,000,000 Occurrence Limit/\$9,000,000 Catastrophe Limit \$3,215.00
 All locations must be in Flood Zone C
- 2) Terrorism \$ 277.00

Inland Marine Section

- 1) Contractors Equipment
 - a) Leased/Rented Equipment limit of \$250,000/\$250,000 \$ 250.00
 - b) R e n t a l Expense \$5,000 per day/\$50,000 maximum \$ 150.00

General Liability Section

- 1) Failure to Supply - \$1,000,000/\$1,000,000 \$ 750.00

Commercial Auto Section

- 1) \$1,000 Collision Deductible on all vehicles (currently \$500) (\$ 96.00)
- 2) DELETE 2002 Ford (C49788) (\$ 513.00)

Public Officials Liability Section

- 1) Provide name(s) of Code Enforcement Officer(s) to add as Additional Insured

Commercial Umbrella Section

NO Charge

1) \$6M	\$ 500.00
2) \$8M	\$1,500.00
3) \$10M	\$2,500.00

RECOMMENDATIONS/SUGGESTIONS

If the Village of Avon does not already have the following, Selective requires implementation of:

- 1) Written contracts in force with ***ALL*** Contractors and/or Subcontractors (e.g. office cleaning contractor, building/renovating contractors, service/maintenance contractors, vehicle repair contractors, technology consultants, etc., etc.).
- 2) All written contracts must contain acceptable Additional Insured-Primary and Non-Contributory, Indemnification, Hold Harmless, Waiver of Subrogation and Insurance Procurement Clauses, all in favor of the Village of Avon.
- 1) Review SOY compared to 06/10/2013 Industrial Appraisal and make any necessary changes per my email to Patty Baker dated 10/24/2013.
- 2) Maintain an updated schedule of equipment by department (e.g. Village Office, Highway Department, Sewer Department, Fire Department, Police Department, etc.). Self-insure any item(s) whose value is less than a specified dollar amount. This amount should be determined by the Village Board.
- 3) Confirm Crime Section limits are adequate and the proper Specified Positions are included.
- 4) Has the Village acquired and/or sold any real property?
- 5) Has the Village constructed and/or demolished any owned structures?

6) During the coming year, are there any plans for expanded activities and/or capital projects?

Mr. Rogers suggested that when the Village receives a Certificate of Insurance, we need to fax it over to him for review. The Village should always be listed as an additional insured.

Treasurer Quinlan questioned the Greenway Trail and if that should be covered under the Village's insurance. The bridge was donated to NYS Parks, but the Village is offering a parking lot plus there is one big retention pond.

Jan Rogers – You are covered currently for the ponds.

Mayor Freeman – What about adding an additional parking lot for free parking?

Jan Rogers will check on both parking lots.

After careful evaluation of the Village's property, assets, and liability exposures, and if there are any questions, or coverages which need clarification, the Village will contact you. Mayor Freeman suggested that Mr. Rogers return in two months to go over the Board's findings.

Jan Rogers – I will get back to Patty on the rescue truck.

Mayor Freeman – Is there a policy that the Village could buy that protects people from flooding from our pipes and culverts.

Jan Rogers – No, unless the Village was negligible. You can't insure someone else's property. You have no insurable interest. The individual has to buy flood insurance and it may never happen. The flood insurance in the proposal is for Village property.

Mr. Rogers advised Mrs. Brede to check into backup systems and drains coverage and get the highest amount. It's a lot less expensive than flood insurance.

PAT BREDE:

Mrs. Brede submitted maps to Mayor Freeman of her property which was seriously damaged in the July 28th rain storm.

Maybe enlarging the Hal Bar Road pond would help Mrs. Brede added.

Pat Brede - I would like to see if I can pay a normal sewer hookup charge. My mother-in-law lived there for 13 years and then passed away and it remained empty for 10 years. I would like to keep my two family status but pay for one sewer charge. My husband lost his truck with the storm, and my daughter had \$2,000 worth of damage to her car. I don't think I should be

penalized. It's only fair. Through no fault of my own I shouldn't have to lose my 2 family status and I think my assessment should be changed since it is no longer a 2 family. I'm worried about the foundation also. I would gladly grant you an easement onto my property.

Mayor Freeman - We'll start a conversation with Attorney Whiting. We are going to pursue detention facilities.

POLICE UPDATE:

- Submitted a six month crime status.
- We increased our cars and set up speed trailer on Pole Bridge Road. Most speeding vehicles are in the north bound lane and technically out of our jurisdiction.
- Everything went off smoothly for Corn Fest.

Mayor Freeman – Is it as simple as an intermunicipal agreement for the Village to issue tickets on Pole Bridge Road?

Chief Benedict – It could be.

Mayor Freeman – We'll ask the Supervisor what he thinks.

Chief Benedict - The 5k cost the Village \$500 for Officers. I would like St. Agnes to move theirs down where the Girl Scouts have theirs. It is not safe along Routes 5 & 20.

Mayor Freeman suggested sending a letter telling them they have to change their route.

Chief Benedict reported that it has been four months since talking with Henderson Ford regarding their new vehicle, and have not received a call back from them.

Trustee Batzel knows Randy Henderson and will make a phone call.

CODE ENFORCEMENT;

David Tomasetti was released on Monday from the hospital. Social Services said they would help him clean up his home. He has been throwing stuff outside and he is not allowed to live in the home on Wadsworth Avenue. Chief Benedict stated that after the hospital's evaluation he is ok to be on his own.

Code Officer Cappello stated that the neighbors are concerned and that he is going to call Social Services and Catholic Charities.

Babcock's are continuing to clean up the property on Prospect Street.

Turnbull's sign is not in compliance and Jean Schoenthal will be sent a letter from the Village.

VILLAGE BOARD MEETING MINUTES:

Upon a motion made by Trustee McKeown the Village minutes from July 24, 2014, 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	Absent	
Robert Hayes, Trustee	Voting	Yes
Timmy Batzel, Trustee	Voting	Yes

Upon a motion made by Trustee Hayes the minutes from the joint meeting held on July 24, 2014, are hereby approved as submitted. Trustee McKeown 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

Upon a motion made by Trustee Zhe the minutes from meeting held on August 4, 2014, are hereby approved as submitted. Trustee Batzel 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 vouchers and manual checks were approved for payment:

General Fund	\$ 28,945.72
Schedule C Fund	\$ 8,371.48
Water Fund	\$ 569.39
Sewer Fund	\$ 8,681.30
Fund #10	\$
Fund #11	\$
Fund #17	\$ 2,281.35
Fund #44	\$
Fund #45	\$
Fund #47	\$
Fund #48	\$
Fund #49	\$
Fund #50	\$
Fund #51	\$
Fund #52	\$
Fund #53	\$
Fund #54	\$
Fund #55	\$
Fund #56	\$
Fund #57	\$ 3,216.00
Fund #58	\$
Fund #59	\$
Fund #60	\$
Fund #61	\$

Fund #62	\$
Fund #63	\$
Fund #64	\$ 70.13
Fund #65	\$ 972.75
Fund #66	\$
Fund #67	\$
Fund #68	\$
Fund #69	\$
Fund #70	\$
Fund #71	\$
Fund #72	\$ 4,149.00
Fund #73	\$ 31,955.00
Fund #74	\$
Fund #75	\$
Fund #76	\$
Fund #77	\$
Fund #78	\$
Fund #79	\$
Fund #80	\$
Fund #81	\$
Fund #82	\$
Fund #83	\$ 635.08
Fund #84	\$
Fund #85	\$
Fund #86	\$
Fund #87	\$
Fund #88	\$
Fund #91	\$
Fund #92	\$
Fund #93	\$
Fund #94	\$

Fund #95	\$
Fund #96	\$
Fund #97	\$
Fund #98	\$
Fund #99	\$
TOTAL	\$ 89,847.20

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

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

OPEN PROJECTS:

Treasurer Quinlan requested that the Board resolve to open the following project:

- STEP (Speed & Alcohol) in the amount of \$2795 fully funded by a NYS GTSC grant

A motion was made by Trustee Hayes and seconded by Trustee Zhe to open the project. It was carried by the following vote:

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

Treasurer Quinlan reported that the Village of Avon has been chosen as a participant for consulting services to conduct the Regional Walkability Improvement Program. The maximum contract amount for this project is \$100,000. The purpose of this study is develop action plans to improve pedestrian safety, accessibility, convenience, and comfort in downtowns, on main

streets, and to and from activity centers in up to ten cities, villages, and hamlets throughout the Genesee Finger Lakes Region.

TRUSTEE UPDATES:

Mayor Freeman reported that down at King Cole Bean the old mill building is not used and they do not pay a water charge, but continue to pay a sewer fee. The Board agreed to further investigate the situation.

Mayor Freeman met with Keith Herman of Tom Wahl's and Dick Martin and talked about Dream Valley Blvd. and having it go around the back of CVS and Tom Wahl's. The Mayor said the Village wouldn't participate in the cost.

Mayor Freeman noted that future sub-divisions need to be reviewed for storm water management and needs to be sent to the Planning Board.

Kevin O'Donohue surveyed the vacant property next to Salvatore's Pizza and found that the zoning line goes through the middle of the property so we need to clean that up, do we want it to be commercial or residential?

BANK RECONCILIATIONS:

The Board reviewed bank reconciliations and noted that they were all up-to-date.

CROWN CASTLE PROPOSAL:

A proposal was submitted from Crown Castle for the (Sprint) cell tower located on Farmers Road. The existing agreement for the Farmers Road tower site does not currently reflect terms that allow the Village to capitalize on the financial opportunities presently available.

The Board agreed to get Attorney Whiting involved and get his input.

SEPTEMBER BOARD MEETING DATES:

Since Labor Day falls on the first Monday of the month, the Board unanimously agreed to hold their Board meetings in September on the 8th & 22nd. A notice will be placed in the Penny Saver informing

FAIR HOUSING PLAN:

A Fair Housing Implementation Plan was presented to the Board from THOMA Development Consultants for the Community Development Block Grant. This document outlines the Village's plan. All Fair Housing Plans have four activities: (1) Educational Activities; (2) Local Compliance Activities; (3) Assistance to Minority Families; and (4) Special Programs.

A motion was made by Trustee Zhe to approve the Fair Housing Plan as submitted. The motion was seconded by Trustee McKeown and carried by the following vote:

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

FAIR HOUSING OFFICER:

The Village's Fair Housing Officer may, from time-to-time, receive some telephone calls regarding Fair Housing. The Village is only required to field questions related to discrimination in the sale, rental, or financing of housing based on race, color, religion, sex, national origin, handicap, or familial status.

WHEREAS, the Village of Avon is committed to the provision of equal access and equal housing opportunities for all its residents, and

WHEREAS, discrimination in the sale, rental or financing of dwellings on the basis of race, color, religion, sex, national origin, handicap, or familial status is prohibited by the federal Fair Housing Law of Title VIII of the 1968 Civil Rights Act and the Fair Housing Amendment Act of 1988, and

WHEREAS, the Village of Avon wishes to further Fair Housing in the Village and,

WHEREAS, the Village of Avon has been operating pursuant to a Fair Housing Plan, which is attached hereto,

NOW, THEREFORE BE IT RESOLVED that the Village of Avon does hereby adopt the attached Fair Housing Plan by resolution and does designate Christine Quinlan to act as Fair Housing Officer for the Village of Avon to carry out the activities of the attached Plan and deal with complaints related to the issue of Fair Housing in the Village.

A motion was made by Trustee McKeown and seconded by Trustee Hayes naming Treasurer Quinlan Fair Housing Officer. The motion was carried by the following vote:

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

CODE ENFORCEMENT POSITION:

A New Position Duties Statement was received from Livingston County Government Center. The title given to Brian Glise was determined to be Code Enforcement Officer.

A motion was made by Trustee Zhe to create the position of Code Enforcement Officer for recently employed Brian Glise. The motion was seconded by Trustee McKeown and carried by the following vote:

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

FIRE DEPARTMENT APPLICATIONS:

Applications were submitted for active membership in the Avon Pumper Company for the following individuals:

Tim Caudle
 Kerry Murray
 Steve D'Angelo
 Raymond Tompkins

Upon a motion made by Trustee Zhe, the applications are hereby accepted to the Avon Pumper Company. Said motion was seconded by Trustee McKeown and carried by the following vote:

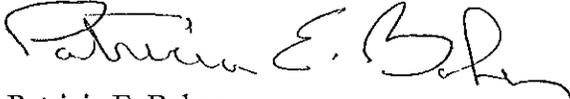
Mayor Thomas Freeman	Voting	Yes
Trustee Mark McKeown	Voting	Yes
Trustee William Zhe	Voting	Yes
Trustee Robert Hayes	Voting	Yes
Trustee Timmy Batzel	Voting	Yes

EXECUTIVE SESSION:

Upon a motion made by Trustee Zhe, the Board went into executive session at 9:10 p.m. to discuss personnel matters. Trustee McKeown seconded the motion and the Board exited executive session at 9:50 p.m. The motion was carried by a unanimous vote.

Upon a unanimous motion, the meeting was adjourned at 9:50 p.m.

Respectfully submitted,



Patricia E. Baker
Village Clerk