

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, September 8, 2014.

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

Staff: Sergeant Joseph Geer
John Barrett
Christine Quinlan

Ryan Colvin, MRB
Reid Whiting, Attorney

Visitors: Patricia Brede – 70 Temple St.
Michael Hayes – 170 Sackett Road

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

VILLAGE BOARD MEETING MINUTES:

Upon a motion made by Trustee Zhe, the Village minutes from August 18, 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	Voting	Yes
Robert Hayes, Trustee	Voting	Yes
Timmy Batzel, Trustee	Voting	Yes

POLICE UPDATE:

Sergeant Geer updated the Board on the Police vehicle purchase. Both vehicles being looked at are on State bid. The Expedition ranges from \$29,800 to \$31,400. The Tahoe ranges from \$32,900 to \$33,400 from Van Bortel. The base price difference between the vehicles is between \$2,000 to \$3,000. A new cage, lights and light bars aren't included in the pricing. Sergeant Geer and Chief Benedict would like to purchase the Tahoe as it is more compatible with the rest of the fleet.

Upon a motion made by Trustee Zhe, the Board increases the APD Vehicle project in the amount of \$4,000 from General Fund Balance. Trustee Batzel seconded the motion and it was carried by the following vote:

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

Upon a motion made by Trustee Zhe, the Board approves the purchase of the Tahoe from Van Bortel in an amount not to exceed \$34,000. Trustee Batzel seconded the motion and it was carried by the following vote:

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

Sergeant Geer explained that he was offered a part-time teaching position at Boces I for their Criminal Justice program. Sergeant Geer will be work at Boces in the mornings. His shift at the Village will be from noon to 7 p.m. and a weekend day shift. This schedule change will have no cost to the Village. Sergeant Geer thanked Chief Benedict and Mayor Freeman for their graciousness in order to pursue this position.

Sergeant Geer discussed the St. Agnes 5K race on September 20, 2014. The expense to the Village for a 5K event such as this is approximately \$650 for the Police Department's services. The Board and Sergeant Geer discussed making a standard route for these types of events keeping safety in mind. The Police Department will inform future event organizers of the established route.

The policy for using polygraph testing for potential candidates will be reviewed and discussed in further detail at the next Board meeting.

RYAN COLVIN, MRB – DRAINAGE PROPOSAL:

Mayor Freeman met with Ryan Colvin, Bill Davis and Kurt Rappazzo at the MRB offices earlier today. MRB has developed a watershed map for the Village using USGS quad maps. The Polebridge watershed is 410 acres sending some water to the CVS area and some to the Burke pond. The Town watershed is 123 acres with one pipe coming across Polebridge Rd. in the area of Gilmore's house. Mayor Freeman stressed the importance of the Town's involvement with remediation and/or culverts.

Superintendent Barrett explained that the School's sports field project will alleviate some of the water that is now directed towards Brede's house on Temple St. Pat Brede explained that she has foiled the School District for stormwater management plans. The Halbar pond needs to be addressed as well as she doesn't feel that this was a 100 year storm, we will see this again in a few years. Mayor Freeman stated that Ryan Colvin, MRB, designed the Halbar pond which retains 1.175M gallons of water.

Mayor Freeman gave the Village easements to MRB that they will now include on this watershed map. Ryan Colvin explained the need to understand how water gets to the critical areas and how to mitigate for the greatest storm possible. The Village pushed the NYS DOT during the 5&20 reconstruction project but they wouldn't upsize the pipe across 5&20.

Pat Brede asked who maintains the ponds now. Mayor Freeman stated that the Village maintains the Masi pond, Halbar pond and the Five Lot pond. Mayor Freeman stressed that residents also need to be involved by cleaning out culverts or calling the Village for assistance.

Ryan Colvin stressed the importance of mapping all of the culvert and inlet locations digitally for future maintenance purposes.

Mayor Freeman stated that the Village needs bite in our bark with owners who don't maintain their properties. Ryan Colvin stated that other communities have used health and safety of the community as a whole with or without an easement as a tool for these situations. Mike Hayes asked if the Village has a set of plans for the Glen Apartments to see what size pipes were required.

A proposal for professional services from MRB for drainage improvements was discussed. On July 27th and 28th, the Village received a rainfall event that totaled almost six inches in approximately twelve hours. This extreme storm caused overflowing and flooding throughout the southern half of the Village, affecting many homes and commercial business. The purpose of the proposal is to investigate six potential drainage improvement areas including Alexander Crossing, Genesee Street near Spring St. and the railroad tracks, Hal-Bar Rd., Polebridge Rd., Sackett Rd. and the CVS area. MRB will perform a field investigation, base mapping and conceptual design in the amount of \$9400. Prioritizing the suggested improvements, pursuing funding assistance and informing the public will be at an hourly rate as requested.

Trustee McKeown asked what the turnaround of this proposal will be. Ryan Colvin stated that the finding will be complete within 1-2 months. Then the Board can review priorities, MRB's cost estimates for in-house vs. contractor for ponds needed, and finally implementation. Ryan Colvin stated that the Halbar pond was completed within one season.

Upon a motion made by Trustee McKeown, the Board approves MRB's professional services proposal for drainage improvements in the amount of \$9400 to be funded by Water Fund Balance. 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

EXECUTIVE SESSION:

Upon a motion made by Trustee Zhe, the Board went into executive session at 7 p.m. to discuss personnel matters. Trustee Batzel seconded the motion and the Board exited executive session at 7:10p.m. The motion was carried by a unanimous vote.

Upon a motion made by Trustee Hayes, the Board went into executive session at 7:10 p.m. to discuss contractual matters. Trustee McKeown seconded the motion and the Board exited executive session at 7:30p.m. The motion was carried by a unanimous vote.

RYAN COLVIN, MRB – WWTP PROPOSAL:

Superintendent Barrett and Bill Davis are investigating bar screens. The screen manufacturer will design the screen as it is a custom product.

A proposal for the WWTP Project was discussed. 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.

MRB has developed this fee by task and estimated efforts (hours). However, Bill Davis 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.

Upon a motion made by Trustee Zhe, the Board approves MRB's professional services proposal for the Wastewater Treatment Plant Improvements-2014 (Phase 1A) in the amount of \$385,000. 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

FAYE BESHURES – 159 EAST MAIN STREET:

An email was received by Trustee McKeown from a concerned resident that stated that the pool at 157 East Main Street was in violation of the New York State Building Code Section 3109. There is no fence, no alarm system, no safety equipment, and the ladder is left in place in the pool most of the time.

Code Enforcement Officer made a site visit and advised the Board by memorandum that the pool located at 159 East Main St. is not in violation of the NYS Building Code for swimming pools. The minimum height before a fence is required is 48". Said pool height is 53". The pool has a locking ladder which is stationary and is compliant. The pool has an alarm which is also in compliance. Trustee McKeown has responded to the concerned resident via e-mail.

OPEN PROJECTS:

Upon a motion made by Trustee Hayes, the Board resolves to open the following projects:

- Bulletproof Vests in the amount of \$1895.01 to be funded by Federal funds of \$907.09 and the remainder with state funds
- Computer software in the amount of \$60,000 to be funded by General Fund balance
- Multi-unit housing rehab in the amount of \$400,000 to be funded with NYS CDBG grant funds
- WWTP rehabilitation project in the amount of \$3,000,000 to be funded with NYS CWSRF financing

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

DPW UPDATE:

Superintendent Barrett provided the Board with floor machine quotes. Treasurer Quinlan stated that the budget for this capital project is \$2200. Mayor Freeman stated that the Town of Avon will participate in this project for ½ of the costs as they would like to use this equipment as well.

Auto Floor Scrubber with an 18" cleaning path:	Global	\$1399.00
	Clean Freak	\$2265.00
	Caliber Eqt.	\$4225.00
Floor Burnisher:	Global	\$819.00
	Clean Freak	\$899.95
	Southeastern	\$995.00

Upon a motion made by Trustee Zhe, the Board approves the auto floor scrubber and floor burnisher from Global in the respective amounts of \$1399 and \$819. 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

Superintendent Barrett provided the Board with a piggyback quote for a Harben 4018 DTK 350 E-180 Trailer Jetter per the Village of Phelps bid and award dated August 14, 2013, in the amount of \$49,863. Treasurer Quinlan stated that the budget for this capital project is \$53,000.

Upon a motion made by Trustee Zhe, the Board approves the trailer jetter in the amount of \$49,863. 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

Superintendent Barrett stated that his estimate for proceeds for the old machine is \$4K-\$5K.

Superintendent Barrett updated the Board that the crew has paved sections of Reed St., Cemetery St., and Collins Drive from McDonalds to Tops. They are working on River St. sidewalks and patching.

CLOSED PROJECTS:

Upon a motion made by Trustee Zhe, the following projects are completed and the remaining monies are hereby returned to their original sources as follows:

<u>Project Name</u>	<u>Balance Remaining</u>	<u>Original Source</u>
H48-Grind & Repave Lacy	\$7037.95	HR24-Streets Reserve
H51-Slurry Seal Commerce	\$0	
H56-Hydrant Paint Stripper	\$272.70	HR31-Water Lines Reserve
H71-AFD Air Dryer	\$1477.70	HR21-Fire Eq. Reserve
H72-Replace 2 VFD's	\$0	
H73-Replace Act. Carbon	\$3014.97	HR33-Water Filt. Plant

Trustee McKeown seconded the motion and it is 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:

Fund #1 General Fund	\$ 12,843.69
Fund #4 Schedule C Fund	\$ 88,774.49
Fund #5 Water Fund	\$ 1,799.55
Fund #6 Sewer Fund	\$ 7,260.45
Fund #17 Trust & Agency Fund	\$ 1,348.64
Fund #93 Capital Fund	\$ 1,046.21
Total	\$113,073.03

Manual Checks:

NYS Child Support	Ferrara & Holtz	\$1023.00
Nationwide Retirement	Deferred Comp.	\$ 950.00
Law Enforcement Officer Union	Police Union Dues	\$ 369.92
SEIU	DPW Union Dues	\$ 226.74
Harbor Town River Boat	Dep. For Boat Cruise	<u>\$ 135.00</u>
	Total	\$2704.66

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

JUSTICE COURT ASSISTANCE PROGRAM:

A letter was submitted by Court Clerk Janis Cole. The resolution is needed to be adopted by the Board in order to apply for a Justice Court Assistance grant. The application is due by October 1, 2014.

Whereas, the State of New York has enacted a law established the Justice Court Assistance Program that will enable communities to apply to the Chief Administrative Judge for a grant of State funds, to assist in the operation of the Justice Courts; and

Whereas, the availability of grant funding would enhance the ability of the Village Justice Court to provide suitable and sufficient services to the Avon Community; and

Whereas, this joint application with the Town of Avon Court would allow for joint sharing of equipment and materials thereby providing efficiencies to the Avon Community,

Now therefore it be resolved that the Village Board of Trustees hereby authorizes the Mayor to file an application for a Justice Court Assistance Program grant in an amount not to exceed \$30,000.

A motion was made by Trustee Zhe and seconded by Trustee Hayes to adopt the resolution for a Justice Court grant 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

CDBG FINAL IMPLEMENTATION PLAN:

The final implementation plan for the Fiscal Year 2013 CDBG program as developed by Thoma Associates was reviewed by the Board.

I. OVERALL ADMINISTRATION PLAN

The Village of Avon will follow the following Implementation Plan to assure integration of grant management with the Village's existing organizational structure.

A. Role of Chief Elected Official and Governing Body

The Village of Avon has contracted with Thoma Development Consultants (Thoma) to provide project management services for its fiscal year 2013 Housing Rehabilitation Program (the "Program"). The firm has extensive experience managing Community Development Block Grant (CDBG) homeownership and housing rehabilitation programs, similar in design to the Village of Avon's Program. Thoma was selected through a competitive Request for Proposals procurement process (RFP) and will work with the Mayor, Village Board, Village Clerk, Village Treasurer, and other Village staff, as appropriate, to manage the CDBG program.

It will be the role of the Mayor to develop an informal system of contact and coordination with key Thoma staff during the life of the grant. This will include, but not be limited to email and phone contact with a designated Thoma staff member. Thoma staff will also attend Village Board meetings, when necessary or requested by the Village, or when any Community Development related issue is on the Board's agenda. The Mayor and the Village Board are responsible for approving all applications for participation after review and preliminary qualification by Thoma. The Board is also responsible for finalizing program guidelines and approving participation of program participants. The Mayor will provide approval of agreements with program participants and will be responsible for the approval of the required environmental review record, semi-annual and annual reports, and other reports as required by the CDBG Program. Finally, the Mayor will have oversight of all Village staff that is involved with the subject Community Development Program.

It will be the role of the Mayor to develop an informal system of contact and coordination with the project manager during the grant process. The formal duties of the Mayor and the Board with respect to the CDBG Program will be conducted at regularly scheduled Board meetings. The duties of the municipality will include, but not be limited to: finalizing program guidelines, approval of agreements with program participants, and approval of the expenditure of funds. The Mayor will also be responsible for the approval of the required environmental review and the status reports, annual reports, federal assistance expenditure reports, and any other report as required under the CDBG Program by the New York State Office of Community Renewal.

After the completion of an applicant's intake the program manager will provide information with respect to the applicant and the pertinent application information to the Village Board. The Board will either approve or deny participation. If the project/applicant is approved for participation in the Program, Thoma's Housing Rehabilitation Specialist(s) (HRS) will conduct a housing assessment and prepare a work scope, then assist with the contractor bidding process before a final budget is determined. Once the final budget is in place, the program manager/assistant will prepare the necessary documents for signature by the Village.

As incurred project costs become due for payment, the program manager will prepare all payment documentation including Request for Funds Forms 1-4 and 1-4a, as well as Village vouchers. The Village will prepare the checks based on the information provided in Forms 1-4 and 1-4a. Payment documentation will be presented to the Village, which will approve all expenditures and the requests for funds. Checks will be cut and held until funds are available. The Village's Chief Fiscal Officer, the Village Treasurer, will review all documentation and approve all Program payments in tandem with the Village Board.

B. The Village Attorney will prepare and/or review all proposed agreements for the CDBG Program and will be involved in determining the need for conflict of interest waivers and issuing legal opinions with respect to conflicts, if necessary.

C. Program Manager:

Refer to II following.

D. Identification of key CDBG Program Administrators

Chief Elected Official:

Name: Thomas Freeman

Title: Mayor

E-mail address: tfreeman@avon-ny.org

Telephone: 585-226-3493

Fax: 585-226-6284

Duties: Oversee CDBG program including all expenditures and oversight of project management firm.

Chief Financial Officer:

Name: Christine Quinlan

Title: Treasurer

E-mail address: cquinlan@avon-ny.org

Telephone: 585-226-8118

Fax: 585-226-6284

Duties: Incorporate all financial transactions in Village's accounting system; review all drawdown requests; sign drawdown requests; approve payments and payment documentation; establish system to incorporate CDBG financial transactions in accounting system and Village budget; oversee financial staff in preparation of all CDBG related financial reports and accounting.

Authorized Signatures:

Name: Christine Quinlan

Telephone: 585-226-8118

Title: Treasurer

Fax: 585-226-6284

E-mail address: cquinlan@avon-ny.org

Name: Patricia E. Baker

Telephone: 585-226-8118

Title: Village Clerk

Fax: 585-226-6384

E-mail address: pbaker@avon-ny.org

Duties: Approve and/or sign request for funds.

Project Manager:

Name: Bernie Thoma

Telephone: 607-753-1433

Thoma Development Consultants

Fax: 607-753-6818

Title: President

E-mail address: bernie@thomadevelopment.com

Duties: The Project Manager of Program Administrator is Thoma Development Consultants. Thoma will use the services of Program Manager Annette Huskins and Housing Rehabilitation Specialists Harold Peck, Steve Triolo, and/or Phil Connery in the administration and delivery of grant services and activities. Other Thoma staff will be involved in the overall management and program delivery of this grant including, but not limited to Ann Hotchkin and Linda Armstrong, Program Managers, Tina Hall, Administrative Assistant, and Pam LeFever, Bookkeeper. The Thoma staff will be responsible for overall project management including but not limited to financial management, marketing, intake and activity management, documentation preparation, and report preparation.

Annette Huskins, Harold Peck, Steve Triolo, Phil Connery, and Tina Hall will be responsible for the day-to-day overall management of this Program. Duties for the rehabilitation activity will include, but not be limited to marketing, intake and applicant assessment/qualification; qualification of contractors and MWBE contractor solicitation; conflict of interest determination and preparation of request for waivers when necessary; scheduling and coordination of the housing assessment and lead risk assessment by the HRS; SHPO and flood plain reviews; coordination of other required testing such as energy audits and asbestos testing; preparation of drawdowns; preparation of status reports, annual reports and other CDBG required reports; reconciliation of the activity budgets, and oversight of other Thoma staff involved in the rehabilitation activity of the Program.

Village Attorney:

Name: Reid Whiting

Telephone: 585-768-6550

E-mail address: reidawhiting@frontiernet.net

Fax: 585-226-6284

Duties: Preparation and/or review of agreements and program documentation. Advise Mayor and Village Board in other legal matters relating to CDBG project. See also I.B. above

E. Conflict of Interest Policy

The Village of Avon will follow federal regulations at 24CFR 85.36 and guidance provided by NYS OCR as outlined in the Grants Administrative Manual with respect to conflicts of interest, to determine possible conflicts of interest and submission of waiver requests. All Program applicants must complete a conflict of interest form (see attached). Any potential participant that has or had a contractual relationship with the Village, and/or has or had business or family ties to the Village government, and/or is or was an appointed and/or elected official or associate of the Village may be deemed to have a potential conflict or perception of a conflict of interest. In some cases, the Village Board may decide to seek a waiver of conflict of interest for participants or contractors if such waiver and subsequent participation does not violate State or local law and if the waiver will serve to further the interests of the CDBG Program. This waiver request must be discussed openly at a Board meeting and the Village Attorney must conclude in a written Opinion of Counsel letter that the applicant's participation does not violate State or local law. Requests for waivers will be submitted to the NYS OCR for review and determination. Thoma will seek the input of the Village Attorney with respect to issues that must be satisfied with a waiver request.

II. PROJECT MANAGEMENT

As noted above, the Village of Avon has retained Thoma Development to provide comprehensive management for the above noted CDBG Program. Although the Village is ultimately responsible for compliance with all applicable State and federal laws, Thoma will facilitate the Village's compliance with applicable laws, regulations, and contractual requirements that relate to the CDBG grant and the CDBG Program, in general. Thoma's duties will include, but will not be limited to the preparation of the environmental review record and guiding the Village through the environmental review process; acting as liaison with NYS OCR staff; all activities related to housing rehabilitation processes as described above in I. D. under "Project Manager" and as detailed more fully by heading below; insuring timely completion of the grant; trouble shooting issues; coordination of accounting for the program with the Village's financial staff; reporting to the Mayor and Village Board on progress under the Program; and closeout of the grant.

Thoma has a number of staff members that will be involved in the grant administrative process based on their expertise and what is required during the life of the grant, such as preparation of the environmental review record, preparation of closing documents, accounting and financial processes, report preparation, housing conditions assessment, etc. Annette Huskins has been designated as the lead manager for the housing rehabilitation activity.

Ms. Huskins major responsibilities are to provide intake and applicant qualification; to coordinate the activities of the HRS as they relate to the assessment of the subject home to insure the participant's house qualifies under the Program; coordinate all testing; and work with the HRS in the bidding and awarding of contracts. She will also oversee all other staff that works with the rehabilitation component of the Program. Her duties are also discussed in I.D. above.

As project costs are incurred and become due for payment, Ms. Huskins and Thoma staff will prepare all payment documentation including Request for Funds Forms 1-4 and 1-4a, as well as Village vouchers. Payment documentation will be presented to the Village's financial staff, which will approve all expenditures and the request for funds. The Village will audit requests for payments, and the Village will prepare checks.

A. Housing Rehabilitation Advisory Board

The Village of Avon Board has decided not to create a separate advisory board to provide oversight for the housing rehabilitation program. The Village Board will fill that role. It will be their responsibility to approve all participants in the program and to develop and amend program guidelines. The Board will consider participants based upon the recommendation of the project manager.

B. Marketing

Thoma staff will market the program to potential applicants through various means. The goal of the marketing program will be to assure every potential participant has received notice and that a waiting list of future participants is identified.

After completion of the environmental review record, all pre-applicants on the waiting list were sent a notice of grant award and were encouraged to complete a final application. Marketing, however, is and will not be limited to the waiting list since it is the Village's intent to make the Program as inclusive as possible. An advertisement was placed in the local newspaper upon award and will be placed in the media periodically in the future until all funds are committed; and a notice of funds availability will be placed on the Village's and Thoma's website, and in Village Hall. Village Board Members are encouraged to share the program details with constituents and will be provided copies of applications for their constituents' use upon request.

C. Applicant Intake

Thoma staff, specifically Annette Huskins, will be responsible for the intake and qualification process. Based upon a verbal or written request from a potential participant, a full application package is sent. The applicant is responsible for completing all required forms and for providing all required information to determine income eligibility. Upon the completion of

an eligibility review by the program manager, the Village Board will make and determination of eligibility. If information is incomplete, the applicant will receive a notice. Every effort will be made to provide technical assistance in completing the application and supplying the needed information, especially with lenders.

Once the applicant has been deemed eligible, a commitment issued, and the house assessed for eligibility, the participants will enter into the work write-up and contractor selection phase of the process. The HRS will work with the participant to determine the work scope to be completed, the selection of contractors to provide bids for the work, and the final selection of the contractors. Once the bidding process is complete, Thoma staff will prepare the necessary contracts and agreements for the Village's, participant's, and contractors' signatures. Once all documents are signed, a Notice to Proceed will be sent to the contractors.

The Rehabilitation Specialist(s) assigned to the project will oversee the work in progress, which includes working with the homeowner and overseeing the work of the contractor from project start to completion. As bills for work are submitted for payment, the HRS and participant will review work undertaken. Upon the approval by the participant, an authorization for payment will be made and provided to the Village. After all work in a project is complete, the project manager will closeout each participant's file and provide information to the Village so they can tag the property and enter the participant in the Village's database-monitoring program.

D. Financial Management

Financial management is coordinated between Thomas's bookkeeper and the Village's Clerk. Thoma will prepare the necessary NYS OCR forms for payment and will provide (1) requests for payment for signatures, (2) drawdown forms, and (3) all back up from contractors and vendors (vouchers and invoices). The NYS OCR forms and back up will be provided to the Village, which will prepare the checks and authorize the payments. Both the Village and Thoma maintain accounting of Program costs. Thoma also maintains a status of funds to insure the grant is not overspent.

E. Program Schedule

The program schedule, as included in the application for grant funds, is attached.

F. Program Income

It is possible that income may be generated as a result of the recapture of deferred payment loans or through direct loans. If income is received, the Village Board will determine its status as miscellaneous income or program income and budget its use in accordance with HUD regulations, based on its designation.

A motion was made by Trustee Hayes and seconded by Trustee Zhe to adopt the final CDBG implementation plan 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

CDBG GRIEVANCE PROCEDURE:

The Section 504 Grievance Procedure as developed by Thoma Associates was reviewed by the Board.

WHEREAS, Section 504 of the Rehabilitation Act of 1973 prohibits discrimination on the basis of disability in programs and activities conducted by the U.S. Department of Housing and Urban Development (HUD) or by grantees that receive financial assistance from HUD, and

WHEREAS, Part 8 of Title 24 of the Code of Federal Regulations (24 CFR) requires adoption of grievance procedures to address complaints of those who feel they may have been discriminated against on the basis of disability and also requires the provision of notice of said grievance procedures, and

WHEREAS, it is the policy of the Village of Avon not to discriminate against any individual, person or group on the basis of disability and the intent of the Village to address any complaints that may arise pursuant to Section 504,

NOW, THEREFORE, BE IT RESOLVED that the Village of Avon does hereby adopt by resolution internal grievance procedures (the "Procedure") providing for the prompt and equitable resolution of complaints alleging any action prohibited by Section 504 of the Rehabilitation Act of 1973 of the U.S. Department of Health and Human Services regulations implementing the Act, and

BE IT FURTHER RESOLVED, that the Village of Avon does hereby designate the Mayor, Thomas Freeman, as the Grievance Coordinator who shall be responsible for receiving and addressing complaints pursuant to the Procedure adopted hereby and attached hereto, and

BE IT FINALLY RESOLVED, that the Village of Avon will place its employee, the public, and potential beneficiaries of certain federal public programs on notice by undertaking certain actions that will include, but may not be limited to (1) providing a copy of the grievance procedure to its employees, (2) putting the public on notice by placing a notice in the Village's official newspaper subsequent to adoption of this Procedure, (3) placing copies of the Procedure in the Village Hall, 74 Genesee St., Avon, New York, 14414, for review and dissemination, and

(4) adding language to federal program brochures to insure all potential program beneficiaries are aware of the Village's adopted grievance procedures.

A motion was made by Trustee Zhe and seconded by Trustee Batzel to adopt the grievance procedure 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

ERIE-ATTICA SUPPLEMENTAL AGREEMENT:

Mayor Freeman solicited additional funds for the Erie-Attica Bridge and Trail Project in a letter dated April 26, 2013. This additional funding in the amount of \$92,500 assisted in relocating a gas main and for utility company legal and on-site inspection services associated with project oversight. The Genesee Transportation Council identified the source of additional Federal funds through the STP-Flex program, and amended the 2014-2017 TIP via Resolution 13-159.

After reviewing the Supplemental Agreement #3 to the Master State-Local Agreement prepared by NYS Department of Transportation, Trustee Zhe offered the following resolution and moved for its adoption:

Authorizing the implementation, and funding in the first instance 100 percent of the federal-aid and State "Marchiselli" Program-aid eligible costs, of a transportation federal-aid project, and appropriating funds therefore.

WHEREAS, a Project for the Erie-Attica Trail from the Genesee Valley Greenway to the Village of Avon, P.I.N. 4754.92 (the Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 80 percent Federal funds and 20 percent non-federal funds; and

WHEREAS, the Village of Avon desires to advance the Project by making a commitment of 100 percent of the non-federal share of the costs of the preliminary engineering and design phases, and construction, construction support and construction inspection phases.

NOW, THEREFORE, the Village Board of Trustees, duly convened does hereby

RESOLVE, that the Village Board of Trustees hereby approves the above-subject project; and it is hereby further

RESOLVED, that the Village Board of Trustees hereby authorizes the Mayor of the Village of Avon to pay in the first instance 100 percent of the federal and non-federal share of

the cost of preliminary engineering and design work, and construction, construction support and construction inspection, for the Project or portions thereof; and it is further

RESOLVED, that the sum of \$1,285,000 is hereby appropriated from the Village Board of Trustees and made available to cover the cost of participation in the above phases of the Project; and it is further

RESOLVED, that in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the Village Board of Trustees shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof, and it is further

RESOLVED, that the Mayor of the Village of Avon be and is hereby authorized to execute all necessary Agreements, certifications, or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the Village Board of Trustees with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and it is further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project, and it is further

RESOLVED, this Resolution shall take effect immediately

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

Mayor Thomas Freeman	Voting	Yes
Trustee William Zhe	Voting	Yes
Trustee Mark McKeown	Voting	No
Trustee Philip Swanson	Voting	Yes
Trustee Robert Hayes	Voting	Yes

ATTORNEY REID WHITING:

A proposal was received from Crown Castle in regard to the cell tower located on Farmers Road. Crown Castle desires to operate the towers well into the future and is highly focused on managing our sites to their fullest potential. 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. A \$10k bonus with the 20 year lease extension proposal so that the Village of Avon may realize additional future rent with a long term lease.

The Village Board reviewed the proposal with Attorney Whiting and doesn't wish to proceed with Crown Castle at this time.

TRUSTEES UPDATE:

Trustee Zhe was asked by a resident if lighting was on the original plans for Avon Commons for the area near the Community Center to Amalfi Drive. Superintendent Barrett will check the drawings and report back.

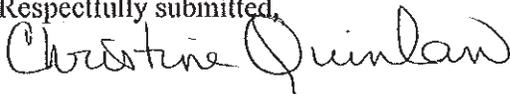
A letter was received from ISO who periodically evaluates all communities and areas that have public fire protection to establish a fire insurance classification number. Trustee Batzel stated that the ISO representative and Chief Snyder have been in contact and will be meeting within the week.

EXECUTIVE SESSION:

Upon a motion made by Trustee Zhe, the Board went into executive session at 8:15 p.m. to discuss contractual and personnel matters. Trustee Hayes seconded the motion and the Board exited executive session at 8:45 p.m. The motion was carried by a unanimous vote.

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

Respectfully submitted,



Christine Quinlan
Treasurer