

February 6, 2017

A REGULAR MEETING of the Akron Village Board was held on this date at 7:35 p.m. Present: Mayor Carl Patterson, Trustees E. Peter Forrestel, Michael R. Middaugh, Keith A. Hatswell and Brian Perry; Village Attorney Andrew Borden, Clerk Daniel P. Borchert, Treasurer Tammy Kelley, Chief of Police Richard Lauricella and Public Works Manager Jon Cummings

The Mayor led us in the pledge to the flag.

RESOLUTION duly moved by Perry and seconded by Forrestel that the Minutes of the regular meeting of January 23, 2017 be and hereby are approved by the Village Board.

ADOPTED CARL E. PATTERSON - AYE
E. PETER FORRESTEL - AYE
MICHAEL R. MIDDAUGH - AYE
KEITH A. HATSWELL - AYE
BRIAN T. PERRY - AYE

RESOLUTION, duly moved by Middaugh seconded by Hatswell that the audit of the bills is approved, and the Treasurer authorized to pay same in accordance with the following abstract of audit vouchers:

General Fund	\$	3,540.31
Electric Fund	\$	25,689.03
Water Fund	\$	6,701.63
Sewer Fund	\$	3,595.84

ADOPTED CARL E. PATTERSON - AYE
E. PETER FORRESTEL - AYE
MICHAEL R. MIDDAUGH - AYE
KEITH A. HATSWELL - AYE
BRIAN T. PERRY - AYE

RESOLUTION duly moved by Forrestel and seconded by Hatswell that the following building permit be and hereby is approved with the applications and approval of the Code Enforcement Officer:

Robert Schroder	19 Brodies Way	New House	\$6,381.50
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ADOPTED CARL E. PATTERSON - AYE
E. PETER FORRESTEL - AYE
MICHAEL R. MIDDAUGH - AYE
KEITH A. HATSWELL - AYE
BRIAN T. PERRY - AYE

RESOLUTION duly moved by Hatswell and seconded by Middaugh that the following building permit be and hereby is approved with the applications and approval of the Code Enforcement Officer:

Bank of Akron	57 Main Street	New Business	\$50.00
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ADOPTED CARL E. PATTERSON - AYE
MICHAEL R. MIDDAUGH - AYE
KEITH A. HATSWELL - AYE

Trustees Forrestel and Perry abstained from voting.

RESOLUTION duly moved by Perry and Middaugh that the following Applications for Dumpster Permits for the year 2017 be and hereby are approved in accordance with the application filed and payment of the annual permit fee:

Strippit, Inc.	12975 Clarence Ctr Rd	Renewal	\$150.00
Cold Spring Construction	3 Jackson Street	Renewal	\$50.00

ADOPTED CARL E. PATTERSON - AYE
 E. PETER FORRESTEL - AYE
 MICHAEL R. MIDDAUGH - AYE
 KEITH A. HATSWELL - AYE
 BRIAN T. PERRY - AYE

RESOLUTION duly moved by Middaugh and seconded by Perry that the following Application for a Plumbers License for the year 2017 be and hereby is approved in accordance with the application filed and payment of the annual license fee of \$75.00:

John Babcock	Corfu, NY	Renewal	\$75.00
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ADOPTED CARL E. PATTERSON - AYE
 E. PETER FORRESTEL - AYE
 MICHAEL R. MIDDAUGH - AYE
 KEITH A. HATSWELL - AYE
 BRIAN T. PERRY - AYE

PUBLIC HEARING – none

APPEARANCE – Mark Buell, a business owner on Main Street came before the Board to request a vote from the Village residents on whether there should be events held in Russell Park where alcohol is sold and served with an issued permit. Resident James Jendrowski was also present to discuss the same issue. Both Attorney Borden and Clerk Borchert stated that residents cannot petition to have a public referendum unless an action by the Village Board requires or allows a referendum under state law, apparently this issue does not meet those requirements. Trustee Hatswell and Mayor Patterson stated that the Village Board did have to research the permitted use of alcohol in Russell Park and found according to Village Code that the Board can approve the sale and consumption of alcohol for a special event at the Board’s discretion.

PUBLIC COMMENT – Resident Keith Bordonaro came before the Board to discuss Food Trucks and Car Shows, both of which he believes do not help the Village businesses. Resident Justin Rooney stated that the Food Trucks and Car Shows bring people into the Village.

Resident Steve Pautler came before the Board with concerns of the plowing on Monroe Street, he stated that the snow plow goes down the street both ways on a one-way street and is concerned with the safety of pedestrians and the general traffic flow. Public Works Manager Jon Cummings and Chief of Police Lauricella both stated that a municipal vehicle in performance of plowing can go down a one-way street the wrong way.

Resident Melissa Babiarz had questions regarding the trees that were taken down on Cedar Street, one being right in front of her house. She asked, if when the trees are taken down, do they replace them. Trustee Forrestel stated that the trees are usually replaced with a tree suitable for that area and during the appropriate planting time.

Clinton Street Resident Dennis Smith came before the Board to comment on the blowing garbage on his lawn and into Russell Park resulting from the PizzaBella Dumpster not having the top secured. The Board stated that they would have Code Enforcement Borth look into the issue immediately.

Resident Doug Ceisner questioned the Board regarding the proposed industrial waste that will be coming into the Village sewer and how that will benefit Village tax payers.

Also, asked where the Employees working in the newly remodeled bank offices at 57 Main Street park. Trustee Forrestel stated that the Bank owns parking lots for their employees.

PROJECT REPORTS – none

MONTHLY REPORTS –

Departments –

VILLAGE ATTORNEY – reported at the earlier work session

CLERK – Submitted his monthly report for January 2017 and the office schedule for February 2017.

CHIEF OF POLICE – Submitted schedule for February 2017 and the January 2017 report. Reported: started the Student ride along; having the emergency light switch worked on in the Police Car

PUBLIC WORKS MANAGER – reported at the earlier work session

CODE ENFORCEMENT OFFICER – reported: nothing

AKRON FIRE COMPANY – nothing

TREASURER – nothing

Elected Officials –

TRUSTEES – COORDINATORS

Trustee Hatswell – reported: nothing

Trustee Forrestel – reported: met with DPW employee and Village Arborist Brad Baer along with Public Works Manager Jon Cummings regarding Cedar Street water line project and how it will impact several of the trees, luckily many of those trees have come to the end of their useful life and will be removed and replaced

Mayor Patterson – reported: Village Officials Association meeting is scheduled for February 16, 2017; Erie County Government Association meeting is scheduled for February 23, 2017; requested a brief executive session regarding a personnel issue

Michael Middaugh – reported: reviewing the Natural Gas usage at the Water Plant and tenant house to date we have used one third of our annual allotment from the US Gypsum Company; reviewing the rental agreement of the tenant home for the upcoming budget year; along with Trustee Hatswell will continue to reach out to the Akron Fire Company to set up a meeting to work on the fire contract

Trustee Perry – reported: later this month will be attending an Operational meeting with the heads of the Department of Public Works to work on the budget needs

Code Enforcement Officer Borth entered the meeting

OLD BUSINESS

Clinton Street/Eckerson Avenue Village Land –nothing

Public Works Facility at 43 East Avenue – nothing

Cable Contract – nothing

Sewer Meter Maintenance Agreement – nothing

Budget Transfers – nothing

Corrective Action Plan - nothing

NEW BUSINESS

RESOLUTION duly moved by Hatswell and seconded by Middaugh to appoint Hylene Shearman, Rita Whalen, Linda Wiltberger, Gerard Pascua and Don Stock as Election Inspectors for the Village Election on Tuesday, March 21, 2017 from 12:00 pm to 9:00 pm be and hereby is approved.

ADOPTED CARL E. PATTERSON - AYE
E. PETER FORRESTEL - AYE
MICHAEL R. MIDDAUGH - AYE
KEITH A. HATSWELL - AYE
BRIAN T. PERRY - AYE

RESOLUTION duly moved by Forrestel and seconded by Perry to approve Wendel to complete the update to the Village of Akron/Town of Newstead Joint Comprehensive Plan Update be and hereby is approved.

ADOPTED CARL E. PATTERSON - AYE
E. PETER FORRESTEL - AYE
MICHAEL R. MIDDAUGH - AYE
KEITH A. HATSWELL - AYE
BRIAN T. PERRY - AYE

RESOLUTION duly moved by Perry and seconded by Forrestel to approve Jon Cummings, Fred Bedford, John Hartz, Shawn Gloss, and John Asmus to attend Western New York Water Works conference on Wednesday February 15, 2017 in Batavia, NY at a cost of \$10.00 per person be and hereby is approved.

ADOPTED CARL E. PATTERSON - AYE
E. PETER FORRESTEL - AYE
MICHAEL R. MIDDAUGH - AYE
KEITH A. HATSWELL - AYE
BRIAN T. PERRY - AYE

RESOLUTION duly moved by Hatswell and seconded by Forrestel to allow the Village Treasurer to issue a refund check to Ford Gum & Machine Company for an overpayment of their water/sewer bill of \$5,867.65 for water and \$4353.75 for sewer from the July 1, 2016 billing be and hereby is approved.

ADOPTED CARL E. PATTERSON - AYE
E. PETER FORRESTEL - AYE
MICHAEL R. MIDDAUGH - AYE
KEITH A. HATSWELL - AYE
BRIAN T. PERRY - AYE

CORRESPONDENCE

Charter Communications notification of programming changes

Erie County Department of Environment & Planning Environment Management Council

2017 Reserve Gas Company after hour's emergency notification list

PUBLIC COMMENT: Resident Melissa Babiarz asked when the proposed waterline project on Cedar Street will begin. Public Works Manager stated that the project will probably be done in two phases, one year will be services and the next year will be replacing the main. Melissa questioned the project due to her concerns of her sidewalk and driveway sinking from the work done prior by the gas company.

Treasurer Kelley stated that when calling the cable company, Spectrum, she was told to speak to an operator it would cost \$5.00.

Sandy from Mary's Good and Plenty had concerns regarding the Food Trucks relative to her restaurant.

RESOLUTION duly moved by Patterson and seconded by Perry to rescind the one year Peddlers Permit issued for Three Sisters & Little D Corp issued at the January 23, 2017 Board Meeting until further review of the Village Peddlers Code be and hereby is approved.

ADOPTED CARL E. PATTERSON - AYE
E. PETER FORRESTEL - AYE
MICHAEL R. MIDDAUGH - AYE
KEITH A. HATSWELL - AYE
BRIAN T. PERRY - AYE

Trustee Middaugh wanted to revisit the issue of the blowing garbage from the Pizzabella dumpster as told earlier by resident Dennis Smith to the now present Code Enforcement Officer.

Mayor Patterson appreciated the good conversation and discussion held this evening.

Jon Cummings spoke on behalf of Akron Parents Children with Special Needs Group to discuss financing for the Buddy Bench for Russell Park. Trustee Hatswell and Middaugh both recommended going through a club like the Lion's or Rotary.

RESOLUTION duly moved by Hatswell and seconded by Forrestel to go into executive session regarding personnel issues at 8:57 p.m. be and hereby is approved.

ADOPTED CARL E. PATTERSON - AYE
E. PETER FORRESTEL - AYE
MICHAEL R. MIDDAUGH - AYE
KEITH A. HATSWELL - AYE
BRIAN T. PERRY - AYE

RESOLUTION duly moved by Hatswell and seconded by Forrestel to come out of executive session regarding personnel issues at 10:10 p.m. be and hereby is approved.

ADOPTED CARL E. PATTERSON - AYE
E. PETER FORRESTEL - AYE
MICHAEL R. MIDDAUGH - AYE
KEITH A. HATSWELL - AYE
BRIAN T. PERRY - AYE

On motion of Middaugh and seconded by Perry at 10:11 p.m. this meeting was ADJOURNED

MAYOR

CLERK