

March 20, 2017

A REGULAR MEETING of the Akron Village Board was held on this date at 7:38 p.m. Present: Mayor Carl E. Patterson, Trustees E. Peter Forrestel, Michael R. Middaugh, Keith A. Hatswell, and Brian T. Perry; 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. He also asked for a moment of silence for John Ciammetti a long-time resident and owner of Ciammetti Barber Shop for over forty years. John was a good friend and great person and will be missed.

Mayor Patterson also wanted to take a moment to recognize Trustee Keith Hatswell as this was his last meeting as a Trustee. The Mayor wanted to thank Keith for being a good friend and a great Trustee especially in his leadership involving the Finance Committee and Operations Committee as well as the Indigenous Day Celebrations.

Trustee Hatswell wanted to thank everyone for the privilege to serve the Village residents and was amazed at how much he learned during his term.

RESOLUTION duly moved by Forrestel and seconded by Middaugh that the Minutes of the regular meeting of March 6, 2017 and the Special Meeting of March 13, 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

Village Attorney Borden entered the meeting at 7:41 pm

RESOLUTION, duly moved by Perry seconded by Middaugh 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	\$	29,414.62
Electric Fund	\$	211,110.18
Water Fund	\$	13,613.11
Sewer Fund	\$	9,639.12
Capital Water Fund	\$	181.68

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 Hatswell that the following building permit be and hereby is approved with the applications and approval of the Code Enforcement Officer:

Bank of Akron	46 Main Street	Remodel	\$ 3,651.60
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ADOPTED	CARL E. PATTERSON	- AYE
	MICHAEL R. MIDDAUGH	- AYE
	KEITH A. HATSWELL	- AYE

Trustee Forrestel and Perry abstained from voting

RESOLUTION duly moved by Hatswell and seconded by Perry that the following building permits be and hereby are approved with the applications and approval of the Code Enforcement Officer:

Whiting Door Manuf.	113 Cedar Street	Addition	\$4,910.00
Thomas & Max Brady	208 East Avenue	Shed	\$90.00

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 Perry and seconded by Middaugh that the following application for an Outdoor Dining License for the year 2017 be and hereby is approved in accordance with the application filed and payment of the annual license fee:

Akron Hometown Pastry Shoppe	47 Main Street	Renewal	\$50.00
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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

Code Enforcement Officer Borth entered the meeting at 8:54 pm

PUBLIC HEARING –

RESOLUTION duly moved by Hatswell and seconded by Perry to hold a Public Hearing for the Tax Cap Override on April 3, 2017 at 7:30 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 Hatswell to hold a Public Hearing for the proposed Village Code Changes to Sections 165-36(1), 165-38 and 131-7 on April 3, 2017 at 7:30 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

APPEARANCE – Erie County Legislator Ed Rath and his Assistant Brian Poliner came before the Board with several updates at the County level such as: changes in Zombie Properties process; changes in the Cultural Funding allocation process; process in which ECMC’s new emergency room will obtain financing through Control Board; Opioid Epidemic’s 320 deaths from last year and how County Executive Poloncarz is doing a great job in trying to bring that number down; In regards to Streets and Bridges, Legislator Rath suggested the Village Board send a letter to the Erie County Public Works requesting consideration of the reconstruction of East Avenue. Also, Legislator Rath was happy to report that the Brooklyn Street Bridge and the Swift Mills Bridge have been completed.

PUBLIC COMMENT – Retired Village Attorney Shonn stated with it being the first day of Spring he wanted to say that he was very thankful for the Streets Crew in the removal of all the snow during the recent snow event.

Resident Doug Ceisner asked that the minutes from February 27, 2017 be amended to state that he suggested that the Village buy their water through Erie County Water Authority, not

to turn over the water plant to Erie County. Lastly he asked if the Village Bond Rating went back up yet.

Mayor Patterson stated that the Bond Rating has not changed yet, but NYS sent a letter stating the State “fiscal stress report” came back with no designation for the Village, meaning that our Village is out of “fiscal stress”, as defined by the State.

PROJECT REPORTS – Treasurer Kelley distributed to the Board a quarterly update on the Village Capital Projects.

MONTHLY REPORTS –
Departments –

CLARK PATTERSON LEE – absent no report

TREASURER – distributed her monthly report and a summary on the Leisurewood Lift Station as well as a summary of the Village Board Room Project. Reported that due to an unfunded State Mandate from Governor Cuomo, the April 1, 2017 electric billing will include an increase in the PPA rate for the next 12 months.

Elected Officials –

TRUSTEES – COORDINATORS

Trustee Hatswell – reported: attended a Finance Committee meeting this month and plans to attend one more Operations Committee meeting next week to continue work on the budget. On Saturday March 18th held interviews for the joint Code Enforcement Officer position along with Trustee Perry and Town Councilmen Jendrowski and Dugan. Interviewed four applicants and narrowed it down to two candidates. Once again he wanted to Thank everyone for the great opportunity to work with the Board and the residents.

Trustee Forrestel – reported: was absent for the Water Wastewater Committee meeting held today, so will have Trustee Perry share his report; Village Board team looking forward to the 2017 Capital Project – Cedar Street waterline.

Mayor Patterson – reported: will start joint Comprehensive Master Plan meetings with the Town of Newstead this Monday; attended Village Officials Meeting March 16, 2017 where discussion was held regarding the NYCOM legislative priorities as well as proposed State Budget where funding for CDBG is being pulled; He stated that the Village is sending out letters to our State Senators and Local Congressman regarding our position on the lack of CDBG funding; Received a response from our letter to the State regarding the re-routing of truck traffic on Route 93; lastly wanted to thank the DPW employees for doing a great job during our last storm event.

Michael Middaugh – reported: will be attending the meetings along with Mayor Patterson regarding the joint Comprehensive Master Plan; wanted to give the DPW crew kudos for the great job in keeping up with clearing the roads during our last snow event; would like to request an Executive Session with regards to Police personnel issues; lastly thanked Trustee Hatswell for his services and wished him well going forward.

Trustee Perry – reported: attended the interviews along with Trustee Hatswell and Councilmen Jendrowski and Dugan for the joint Code Enforcement Officer position, will hold another interview for the final two candidates in the next week or so; mentioned the good support from both the Village and Town Building Department staff during this process; attended an Operations Committee meeting where work continued on building and reviewing the budgets for the different departments. He attended Water Wastewater Committee meeting this evening where discussion was held regarding the capital project- Cedar Street Waterline – an RFP will be sent out in April; the Sewer Department will continue working with the flow meters to locate I & I leakage; SEQR and bonding work continues for the Capital Project -Cedar Street Waterline; discussion held to possibly add maintaining grease traps to the Village Code with the help of Clark Patterson Lee. Will meet with Clark Patterson Lee in April in regards to the State Street Bridge study. Lastly thanked Trustee Hatswell for all his work especially on the Operations Committee.

OLD BUSINESS

Clinton Street/Eckerson Avenue Village Land –nothing

Public Works Facility at 43 East Avenue – nothing

Cable Contract – nothing

Budget Transfers – on the recommendation of Treasurer Kelley the following budget transfers were approved.

RESOLUTION duly moved by Hatswell and seconded by Forrestel to approve the following budget transfers on the recommendation of the Finance Committee and Treasurer Kelley be and hereby are approved:

General Fund:

A5110.0400	to	A5110.0499	\$2,862.50
Streets Maint. & Cleaning		Streets JF Insurance	

Water Fund:

F1950.0483	to	F1950.0485	\$ 101.85
Taxes Water plant		Taxes Transmission Line	
F1990.040	to	F8310.0400	\$1,005.20
Contingency Account		Administration Expense	
F1990.0400	to	F8310.0415	\$ 250.00
Contingency Account		Administration Advertising Expense	
F8320.0400	to	F8320.0200	\$ 11.99
Crittenden Rd Well Expense		Crittenden Rd Well Equipment	
F8340.0400	to	F8340.0419	\$ 45.63
Water Distribution Expense		Water Distribution Office Supplies	
F9730.0600	to	F9770.0600	\$25,000.00
BAN Principal		RAN Principal	
F9730.0700	to	F9770.0700	\$ 1,410.85
BAN Interest		RAN Interest	

Sewer Fund:

G1990.0400	to	G8110.0400	\$ 881.87
Contingency Account		Sewer Administration Expense	
G1990.0400	to	G8110.0420	\$ 285.00
Contingency Account		Sewer Administration Engineering Expense	
G8130.0200	to	G8130.0246	\$1,100.00
Sewer Plant Equipment		Sewer Plant Lab Equipment	
G1990.0400	to	G8130.0446	\$ 300.00
Contingency Account		Sewer Plant Lab Expense	
G9710.0600	to	G9770.0600	\$50,000.00
Serial Bond Principal		RAN Principal	
G9710.0700	to	G9770.0700	\$ 4,200.00
Serial Bond Interest		RAN Interest	
G9730.0600	to	G9770.0600	\$50,000.00
BAN Principal		BAN Principal	
G9730.0700	to	G9770.0700	\$ 1,693.00
BAN Interest		Ban Interest	

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

Corrective Action Plan – nothing

Food Trucks – Clerk Borchert distributed a summary of Food Truck Legislation from other Communities.

Handicapped Parking - nothing

NEW BUSINESS

Public Works Manager Jon Cummings \$5,000 increased stipend beginning with the March 31, 2017 pay period.

RESOLUTION duly moved by Hatswell and seconded by Forrestel to move Deputy Clerk/Treasurer Sarah Kyre from Grade 1A step 1 to Grade 1A step 2, as of March 14, 2017 as per the recommendation of Treasurer Kelley 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 Middaugh to write of 11 electric accounts to our collection agency in the amount of \$2,423.83 per the recommendation of Treasurer Kelley 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 Hatswell to write off 7 electric accounts as bad debt in the amount of \$56.75 per the recommendation of Treasurer Kelley 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

Clark Patterson Lee SEQRA letters sent to Town of Newstead/NYS Environmental Facilities Corporation/NYS Office of Parks, Recreation & Historic Preservation/NYS Department of Environmental Conservation.

February 2017 NYS Justice Court Distribution Statement

Village Board Room Project Summary

NYCOM 2017 Legislative Program

Letter from NYSDOT notifying the Village of a traffic investigation in response to the March 2, 2017 correspondence from the Village requesting to alter the Rt. 93 truck traffic.

PUBLIC COMMENT: Resident Doug Ceisner suggested that only Village properties receive Village Utilities.

RESOLUTION duly moved by Perry and seconded by Forrestel to go into executive session regarding personnel issues at 8:51 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 Middaugh and seconded by Perry to approve the increase to the stipend for Public Works Manager Jon Cummings an additional \$5,000 per year beginning with the March 31, 2017 pay period 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 Middaugh to hire Mitchell Schultz and sponsor him through the police training academy and his 160 hours of field training upon completion of the academy

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 to come out of executive session regarding personnel issues at 10:02 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 Hatswell and seconded by Perry at 10:03 p.m. this meeting was ADJOURNED

MAYOR

CLERK