

May 1, 2017

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

The Mayor led us in the pledge to the flag.

RESOLUTION duly moved by Forrestel and seconded by Middaugh that the Minutes of the regular meeting of April 17, 2017 be and hereby are approved by the Village Board.

ADOPTED CARL E. PATTERSON - AYE  
E. PETER FORRESTEL - AYE  
MICHAEL R. MIDDAUGH - AYE  
DARRIN L. FOLGER - AYE

RESOLUTION, duly moved by Forrestel 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	\$ 2,696.33
Electric Fund	\$ 30,537.73
Water Fund	\$ 6,356.56
Sewer Fund	\$ 2,542.21

ADOPTED CARL E. PATTERSON - AYE  
E. PETER FORRESTEL - AYE  
MICHAEL R. MIDDAUGH - AYE  
DARRIN L. FOLGER - AYE

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

Judy Winters	237 East Avenue	Shed	\$ 50.00
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ADOPTED CARL E. PATTERSON - AYE  
MICHAEL R. MIDDAUGH - AYE  
DARRIN L. FOLGER - AYE

Trustee Forrestel abstained from voting

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

Kevin Ward	58 Main Street	Replace Block Wall	\$100.00
Patrick McCann	12 Bloomingdale Ave	Fence/Pool	\$100.00
Sandra Pietrowski	22 Parkview Drive	Shed	\$160.00
Jack Keough	20 Crescent Drive	Shed	\$ 56.00
Kathleen Ville	55 Eckerson Ave	Roof	\$100.00
Timothy Brady	37 Cedar Street	Roof	\$ 50.00
Timothy Brady	37 Cedar Street	Replace Porch	\$110.00
John Mosier	18 Randy Drive	Shed	\$120.00
Jason Cory	15 Cedar Street	Roof	\$100.00
Mark Allesandro	24 Buell Street	Fence	\$100.00
Joel Gregorio	7 Cummings Ave	Windows	\$100.00

ADOPTED CARL E. PATTERSON - AYE  
E. PETER FORRESTEL - AYE  
MICHAEL R. MIDDAUGH - AYE  
DARRIN L. FOLGER - AYE

RESOLUTION duly moved by Folger and seconded by Middaugh that the following Application for a Dumpster Permit be and hereby is approved in accordance with the application filed and payment of the permit fee:

Jason Cory                      15 Cedar Street                      30 Days                      \$ 50.00

ADOPTED CARL E. PATTERSON - AYE  
E. PETER FORRESTEL - AYE  
MICHAEL R. MIDDAUGH - AYE  
DARRIN L. FOLGER - AYE

PUBLIC HEARING – none

APPEARANCE – none

PUBLIC COMMENT – none

PROJECT REPORTS – none

MONTHLY REPORTS –

Departments –

VILLAGE ATTORNEY – nothing new

CLERK – Submitted his monthly report for April 2017 and the office schedule for May 2017. He reported: Coordinated the Village of Akron/Town of Newstead Household Hazardous Waste & Electronic Recycling Event held on Saturday April 22, 2017 at the Joint Municipal Facility from 9:00 AM – Noon. 286 residents (184; 64% Town & 102; 36% Village) turned out for the event and 17,241 pounds of electronic waste was recycled; the Joint Town/Village Shredding Event is scheduled for May 6, 2017 from 9:00 am – Noon at the Joint Facility; one reportable injury with no missed days. Lastly Clerk Borchert read his letter of resignation as of Thursday May 25, 2017.

RESOLUTION duly moved by Forrestel and seconded by Middaugh to accept the resignation of Clerk Daniel P. Borchert effective May 25, 2017 be and hereby is approved by the Village Board.

ADOPTED CARL E. PATTERSON - AYE  
E. PETER FORRESTEL - AYE  
MICHAEL R. MIDDAUGH - AYE  
DARRIN L. FOLGER - AYE

Mayor Patterson, on behalf of the entire Village Board, thanked Clerk Borchert for his past services and wished him well in his future endeavors. Trustee Forrestel thanked Clerk Borchert for organizing the Electronic Recycling Program.

CHIEF OF POLICE – Submitted schedule for May 2017 and the April 2017 report. Reported: the track system at the office is down, will be fixed soon, Officer Heiderman will cover his vacation from June1-9, 2017; ordered “No Parking” signs for the upcoming Soccer Tournament and the Thursday night car shows; May 20, 2017 is the Akron Police Sponsored Bike Rodeo; School Resource Officers will be attending a “Drive Safe” program at the airbase with the Juniors and Seniors of Akron Central; regular maintenance of both cars is up to date, the patrol car will have its computer system replaced or re-flashed after all the school special events are over.

PUBLIC WORKS MANAGER – reported: issues with flooding on Cedar Street across from Bistro 93, Inc., Manager Cummings spoke with a State Representative who will refer the issue to their Engineering Department for possible resolutions; Buell Street has drainage issues across from the Sutton Horse Farm as well; State requested to move overhead wires on the Mechanic Street bridge in anticipation of the upcoming bridge restoration; currently waiting for truck bids to come in

CODE ENFORCEMENT OFFICER – reported: busy with the projects at Whiting Door and Aakron Rule as well as; informed the Board that the Village Building Department is now able to share the Code Enforcement Officer daily schedule with the Town of Newstead.

AKRON FIRE COMPANY – nothing

TREASURER – nothing new

Elected Officials –

TRUSTEES – COORDINATORS

Trustee Folger – Wished Clerk Borchert the best. Working with Trustee Middaugh on familiarizing himself with the Police, Fire, and Emergency Services Committee

Trustee Forrestel – reported: the fertilizing season is in full swing with the Village fertilizer vendor out and about; had discussions with residents about tree planting for this season; lastly will view a website regarding “Tough Trees in a difficult Urban Development” this Thursday, along with Public Works Manager Cummings and Village Tree Arborist Baer weather permitting.

Mayor Patterson – reported: attended the Erie County Government Association meeting last Thursday where the focus was about the displeasure regarding the Countywide Shared Services initiative. An information meeting regarding the Countywide Shared Services is scheduled for May 4, 2017 in Fredonia, NY, several more information meetings will be scheduled in the future; recommended appointing Jayne DeTine as the Village Clerk effective May 26 2017.

RESOLUTION duly moved by Forrestel and seconded by Folger to appoint Jayne DeTine as Village Clerk effective May 26, 2017 be and hereby is approved.

ADOPTED	CARL E. PATTERSON	- AYE
	E. PETER FORRESTEL	- AYE
	MICHAEL R. MIDDAUGH	- AYE
	DARRIN L. FOLGER	- AYE

Trustee Middaugh – reported: Thanked Clerk Borchert for his services to the Village of Akron as well as the Village Board and wished him well.

Trustee Perry – absent

OLD BUSINESS

Clinton Street/Eckerson Avenue Village Land –nothing

Public Works Facility at 43 East Avenue – nothing

Cable Contract – letter to Spectrum regarding the quality of the signal in our area

Budget Transfers – nothing

Corrective Action Plan – Finance Committee will be updating quarterly

Food Trucks – discussed during work session, a draft to amend the Peddlers and Solicitors Local Law to include a section regarding Food Trucks will be distributed soon.

Handicapped Parking – Chief Lauricella distributed regulations to the Board, discussion held regarding positioning handicap spots on Main Street.

Knox Box Law – Clerk Borchert requested to hold a public hearing on Monday, May 15, 2017 at 7:30 pm on the proposed amendment to the Avoidable Alarm Local Law by adding Knox Box requirements.

RESOLUTION duly moved by Forrestel and seconded by Folger to hold a public hearing on May 15, 2017 at 7:30 pm on the proposed amendment of the Avoidable Alarm Local Law to add Knox Box requirements be and hereby is approved.

ADOPTED	CARL E. PATTERSON	- AYE
	E. PETER FORRESTEL	- AYE
	MICHAEL R. MIDDAUGH	- AYE
	DARRIN L. FOLGER	- AYE

### NEW BUSINESS

RESOLUTION duly moved by Folger and seconded by Middaugh to adopt Local Law #2 authorizing to Override the Tax Cap for the year 2017-2018 Village Fiscal Year be and hereby is approved.

ADOPTED	CARL E. PATTERSON	- AYE
	E. PETER FORRESTEL	- AYE
	MICHAEL R. MIDDAUGH	- AYE
	DARRIN L. FOLGER	- AYE

RESOLUTION duly moved Middaugh and seconded by Forrestel to adopt the 2017-2018 Village budget as modified by the Board for the fiscal year beginning June 1, 2017 and ending May 31, 2018 as follows:

Total expenditures of \$6,619,548; Total revenues of \$6,619,548; Total taxable assessed valuation \$139,483,430; Village tax rate of \$6.89 per thousand;

Water rates as follows:

Residential Regular Rate:

Water - 1st 2,000 gallons = \$16.75 per month; Additional usage billed at \$8.20/1,000 gallons

Residential Low Usage Rate:

Water – 2,000-gallon minimum = \$13.75 per month; Additional 1,000 gallons billed at \$16.40; Additional usage after that billed at \$8.20/1,000 gallons

Industrial Rates

Water – 1st 34,000 gallons = \$264.75 per month; Additional 1,000 gallons billed at \$8.20/1,000 gallons

Easement Customers:

Water – 2,000-gallon minimum = \$20.87 per month; Additional 1,000 gallons billed at \$10.25/1,000 gallons

Easement Low Usage Rate:

Water – 2,000 – gallon minimum = \$17.25 per month; Additional 1,000 gallons billed at \$20.50; Additional usage after that billed at \$10.25/1,000 gallons.

Outside Village Water Customers:

Water – 1st 2,000 gallons = \$25.00 per month; Additional 1,000 gallons billed at \$12.30/1,000 gallons

Outside Village Water Customers Low Usage Rate:

Water – 2,000-gallon minimum = \$20.25 per month; Additional 1,000 gallons billed at \$24.60; Additional usage after that billed at \$12.30/1,000 gallons

Sewer rates as follows:

Residential Regular Rate:

Sewer – 1st 2,000 gallons = \$12.50 per month; Additional usage billed at \$6.25/1,000 gallons

Residential Low User Rate:

Sewer – 2,000-gallon minimum = \$10.00 per month; Additional 1,000 gallons billed at \$12.50; Additional usage after that billed at \$6.25/1,000 gallons

Industrial Rates:

Sewer -1st 2,000 gallons = \$12.50 per month; Additional 1,000 gallons billed at \$6.25/1,000 gallons

Electric rates:

A rate case has been filed with the Public Service Commission on April 20, 2017. Pending approval proposed increase would go into effect as of September 1, 2017. This is the first increase proposed to the Public Service Commission since 2008.

be and hereby is adopted.

ADOPTED	CARL E. PATTERSON	- AYE
	E. PETER FORRESTEL	- AYE
	MICHAEL R. MIDDAUGH	- AYE
	DARRIN L. FOLGER	- AYE

RESOLUTION duly moved by Middaugh and seconded by Forrestel to authorize the issuance of \$215,000 Revenue Anticipation Note in Anticipation of Receipt of Electrical Utility Revenue to become due and payable in Fiscal Year 2016-2017,

WHEREAS, the Village of Akron operates a Village Electrical Utility; and

WHEREAS, the Village of Akron Village Electrical Utility has experienced shortfalls in receiving anticipated electrical utility payments; and

WHEREAS, it is necessary to issue a revenue anticipation note in anticipation of the collection of electrical utility payments due and payable in the fiscal year 2016-2017.

WHEREAS, no other Revenue Notes have been issued by the Obligor based upon these anticipated revenues; and

WHEREAS, there have been no other funds allocated by the Village to offset this Expense, and

WHEREAS, the amount of uncollected revenues against which such notes are authorized to be issued is \$215,000.

WHEREAS, the proceeds of this note shall be used for purposes stated herein, and

WHEREAS, the Revenue Anticipation Note will mature within one (1) year of the date of the Note and may be renewed from time to time but shall not extend beyond the close of the second fiscal year succeeding the present fiscal year.

NOW, THEREFORE be it

RESOLVED, by the Village Board of Trustees of the Village of Akron, Erie County, New York, as follows:

Section 1. For the purpose of paying the Expense, there is hereby authorized \$215,000 Revenue Anticipation Notes of said Village, pursuant to the provisions of the Local Finance Law.

Section 2. At a meeting of the Village Board, Village of Akron, Erie County, New York held at the Village Hall, 21 Main Street, Akron, New York 14001-0180 on May 1, 2017, the following resolution was duly adopted.

Section 3. It is determined the maximum maturity of the Revenue Anticipation Note herein authorized shall not exceed two (2) years.

Section 4. Subject to the provisions of the Local Finance law, the power to authorize the issuance of and to sell revenue anticipation notes in anticipation of the collection of revenue herein authorized, including renewals of such notes, is hereby delegated to the Village Treasurer, the chief fiscal officer. Such notes shall be of such terms, form and contents and shall be sold in such manner, as may be prescribed by said Village Treasurer, consistent with the provisions of the local Finance Law

Section 5. The full faith and credit of said Village of Akron, Erie County, New York, are hereby irrevocably pledged to the payment of the principal of and interest on such obligations as the same respectively become due and payable.

The question of adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

ADOPTED	CARL E. PATTERSON	- AYE
	E. PETER FORRESTEL	- AYE
	MICHAEL R. MIDDAUGH	- AYE
	DARRIN L. FOLGER	- AYE

RESOLUTION duly moved by Forrestel and seconded by Folger to adjust the rate of pay for Michael Borth, Code Enforcement Officer, to \$26.45 per hour as of April 21, 2017 based on the recommendation of Trustee Brian Perry be and hereby is approved.

ADOPTED	CARL E. PATTERSON	- AYE
	E. PETER FORRESTEL	- AYE
	MICHAEL R. MIDDAUGH	- AYE
	DARRIN L. FOLGER	- AYE

#### CORRESPONDENCE

Spring 2017 Aquafacts publication spotlighting the Village of Akron WWTP

PUBLIC COMMENT: Retired Village Attorney Don Shonn asked how much the Village exceeded the tax cap. Mayor Patterson stated the Village exceeded the tax cap by approximately 6.5%. He asked what the borrowing rate was on the RAN and Treasurer Kelley stated that it will be going out for bid. He also thanked Clerk Borchert for his services and wished him well.

On motion of Folger and seconded by Forrestel at 8:23 p.m. this meeting was ADJOURNED

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MAYOR

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CLERK