

May 15, 2017

A REGULAR MEETING of the Akron Village Board was held on this date at 7:45 p.m. Present: Mayor Carl E. Patterson, Trustees E. Peter Forrestel, Michael R. Middaugh, Brian T. Perry, and Darrin L. Folger; Village Attorney Andrew Borden, 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 Perry that the Minutes of the regular meeting of May 1, 2017 be and hereby are approved by the Village Board.

ADOPTED CARL E. PATTERSON - AYE
E. PETER FORRESTEL - AYE
MICHAEL R. MIDDAGH - AYE
BRIAN T. PERRY - AYE
DARRIN L. FOLGER - AYE

RESOLUTION, duly moved by Middaugh and seconded by Folger 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	\$	28,776.36
Electric Fund	\$	116,394.28
Water Fund	\$	8,706.48
Sewer Fund	\$	3,203.74

ADOPTED CARL E. PATTERSON - AYE
E. PETER FORRESTEL - AYE
MICHAEL R. MIDDAGH - AYE
BRIAN T. PERRY - AYE
DARRIN L. FOLGER - AYE

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

Donald Kiash	53 Randy Drive	Siding	\$ 50.00
Thomas Cowan	7 Hart Street	Siding	\$ 50.00
Alice Dix	7 Danita Drive	Roof	\$ 50.00
Kara Meyer	13 Lewis Road	Demo Shed	\$ 75.00
Kurt Feitshans	48 Lewis Road	Roof	\$ 200.00

ADOPTED CARL E. PATTERSON - AYE
E. PETER FORRESTEL - AYE
MICHAEL R. MIDDAGH - AYE
BRIAN T. PERRY - AYE
DARRIN L. FOLGER - AYE

PUBLIC HEARING – Avoidable Alarm and Knox Box Local Law #3-2017 –a Public Hearing was held at this time to hear any and all persons for the purpose of addressing the proposed Local Law #3-2017 Avoidable Alarm and Knox Box. The Secretary read the Proof of Publication and asked if anyone wished to speak. Code Enforcement Borth recommended adding a Knox Box regulation to the existing Avoidable Alarm Local Law. He explained that the Knox Box enables authorized emergency personnel to enter a locked building without damaging the entryway. The Knox Box holds the key to the building which can only be opened by authorized personnel such as the Fire Chief and or the Code Enforcement Officer when signaled by the Amherst Central Fire Alarm office during an emergency situation. He also stated that order forms for the Knox Box are available at the Village Office.

RESOLUTION duly moved by Forrestel and seconded by Folger to close the Public Hearing regarding the Local Law #3 – Avoidable Alarm and Knox Box be and hereby is closed at 7:45 pm.

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

APPEARANCE – none

PUBLIC COMMENT – Kelkenberg Homes representative, Theresa, came before the Board in regards to what they feel are high building permit fees for new homes in the Village of Akron. Her main concern is the fact that the Village includes charges for the square foot of the basement where other communities such as Clarence do not. Code Enforcement Officer Michael Borth stated that the cost is in relation to the 3-4 inspections just for the basement area partially due to new regulations for egress of basement windows. He also commented that the Town of Newstead also charges for the square foot of basements. After further discussion the Board agreed to further discuss the item at the next Village Board Work Session on June 5, 2017.

PROJECT REPORTS –none

MONTHLY REPORTS –

Departments –

CLARK PATTERSON LEE – Clark Patterson Lee Representative, Steve Tanner, came before the Board to discuss the SEQR and lead agency for the proposed future improvement to the Village’s Wastewater Treatment Facility. He stated that they did send out the SEQR letters to the effected agencies for comments. He reviewed the SEQR with the Board and recommended that the Board declare itself the Lead Agency and declare a Negative Declaration SEQR for the proposed future improvements to the Wastewater Treatment Facility.

RESOLUTION duly moved by Forrestel and seconded by Folger to declare the Village of Akron Lead Agency for the proposed future improvement project of the Village Wastewater Treatment Facility be and hereby is approved.

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

RESOLUTION duly moved by Perry and seconded by Forrestel to declare a Negative Declaration for the SEQR in relation to the future improvement project of the Village Wastewater Treatment Facility be and hereby is approved.

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

Lastly, Mr. Tanner stated that he would be attending a meeting tomorrow with the NYS DEC Representatives and Wastewater Committee Member Trustee Forrestel at the Village Hall regarding the operating permit.

Trustee Forrestel also mentioned that a meeting date will be set to share the Clark Patterson Lee presentation with the Town of Newstead.

TREASURER – submitted the Treasurer Report for April 2017. Treasurer Kelley apologized for sending out a Public Notice regarding the proposed electric rate increase which was

not broken down into layman terms for the average customer to understand. Corrections have been sent to the Akron Bugle for publication. Treasurer Kelley recommended to create three reserve funds in the General Fund, one for equipment with a cap of \$300,000, one for Street Repair with a cap of \$200,000 and one for the Joint Facility with a cap of \$100,000.

RESOLUTION duly moved by Forrestel and seconded by Folger to authorize the creation of an Equipment Reserve Fund in the General Fund with a cap of \$300,000 be and hereby is approved.

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

RESOLUTION duly moved by Folger and seconded by Middaugh to authorize the creation of a Street Repair fund in the General Fund with a cap of \$200,000 be and hereby is approved.

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

RESOLUTION duly moved by Forrestel and seconded by Folger to authorize the creation of a Joint Facility fund in the General Fund with a cap of \$100,000 be and hereby is approved.

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

Treasurer Kelley also requested a resolution to approve the General Fund Reserve Transfers associated with the above requested three new reserve funds.

RESOLUTION duly moved by Perry and seconded by Folger to approve the General Fund Reserve Transfers on the recommendation of Treasurer Kelley be and hereby are approved:

A5110.0200 Streets Equipment	TO	Equipment Reserves \$17,295.00
A51110.0405 Storm Sewer Expense	TO	Equipment Reserves \$4,500.00
A5110.0417 Machine Rental	TO	Equipment Reserves \$1,000.00
A5110.0461 Streets Automotive Repairs	TO	Equipment Reserves \$7,000.00
A5110.0481 Streets Equipment Repairs	TO	Equipment Reserves \$2,000.00
A5142.0479 Salt	TO	Equipment Reserves \$6,000.00
A5110.0460 Fuel	TO	Equipment Reserves \$7,000.00
A5410.0000 Sidewalks	TO	Equipment Reserves \$12,000.00

Total Equipment Reserve Transfer		\$56,795.00
A5110.0478 Stone and Asphalt	TO	Street Repair Reserve \$19,250.00
A5110.0414 Street Repair Reserve Expense	TO	Street Repair Reserve \$25,000.00
Total Street Repair Reserve Transfer		\$44,250.00
A5110.0401 Street Joint Facility Expense	TO	Joint Facility Reserve \$ 9,000.00
Total Joint Facility Reserve Transfer		\$9,000.00

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

Lastly, Treasurer Kelley requested a resolution to authorize the April 2017 budget transfers.

RESOLUTION duly moved by Perry and seconded by Folger to approve the following April 2017 budget transfers on the recommendation of the Finance Committee and Treasurer Kelley be and hereby are approved:

General Fund:

Raise Revenues:

A3501 Consolidated Highway Fund	\$109,157.88
A5031 Inter-Fund Transfers	9,762.05
A2262 Fire Protection Services	5,773.00
A2590 Miscellaneous Permits	1,300.00
A3089 Other Government Aid	27,486.00

Raise Expenses:

A3410.0473 Town of Newstead Fire Contract	\$5,773.00
A3410.0482 Avoidable Alarms	1,300.00
A9950.0900 Inter-Fund Transfers	146,406.53

Transfers:

A1325.0400 Clerk-Treasurer Expenses	to	A1325.0410 Clerk-Treasurer Dues	\$125.00
A1325.0400 Clerk-Treasurer Expenses	to	A1325.0443 Clerk-Treasurer Computer Fees	\$608.57
A1010.0410 Board of Trustees Training	to	A1010.1000 Board of Trustee Salaries	\$295.00
A1210.0400 Mayor Expenses	to	A1210.0100 Mayor Salaries	\$77.28
A1325.0400 Clerk-Treasurer Expenses	to	A1325.0408 Clerk-Treasurer Dues Fees	\$200.00
A3120.0100 Police Salaries	to	A3120.0142 ACS Events Wages	\$600.00

A3120.0400 Police Expenses	to	A3120.0415 Police Advertising	\$100.00
A5110.0415 Streets Advertising	to	A5110.0400 Streets Expense	\$575.00
A5110.0495 Streets Tools	to	A5110.0428 Streets Signs	\$982.80
A8160.0400 Refuse Collection Expense	to	A8160.0415 Refuse Advertising	\$39.90
A3620.0420 CEO Engineering Expense	to	A9730.0600 BAN Principal	\$17,500.00

Water Fund:

Transfers:

F8310.0419 Administration Office Supply	to	F8310.0400 Administration General Expense	\$50.00
F8310.0420 Administration Engineering	to	F8310.0415 Administration Advertising	\$500.00
F8320.0443 Crittenden Rd Well Computer Fees	to	F8310.0425 Administration Professional Fees	\$550.00
F8320.0443 Crittenden Rd Well Computer Fees	to	F8310.0443 Administrative Computer Fees	\$608.58
F8330.0447 Plant Ground Maintenance	to	F.8330.0438 Plant Refuse services	\$500.00
F8330.0447 Plant Ground Maintenance	to	F8330.0467 Plant Outside Equipment	\$250.00
F8320.0461 Crittenden Rd Well Auto Repairs	to	F8340.0409 Trans & Dist. Emergency Repairs	\$2,062.83
F8320.0443 Crittenden Rd Well Computer Fees	to	F8340.0419 Trans & Dist. Office Supplies	\$ 100.00
F8320.0443 Crittenden Rd Well Computer Fees	to	F8340.0443 Trans & Dist. Computer Fees	\$ 73.33
F8320.0443 Crittenden Rd Well Computer Fees	to	F8340.0445 Trans & Dist. Postage & Billing	\$ 800.00
F8320.0461 Crittenden Rd Well Auto Repair	to	F8340.0445 Trans & Dist. Postage & Billing	\$2,200.00
F1990.0400 Contingency	to	F8340.0481 Trans & Dist Equip Repairs & Maint	\$ 400.00
F8330.0498 Water Plant Paint	to	F8340.04181 Trans & Dist Equip Repair & Maint	\$1,00.00
F8320.0461 Crittenden Rd Well Auto Repair	to	F9730.0700 BAN Interest	\$1,000.0
F8330.0488	to	F9730.0700	\$2,325.00

Water Plant Lab Testing		BAN Interest	
F8330.0490	to	F8320.0200	\$3,018.43
Water Plant Chemicals		Crittenden Road Well Equipment	

Sewer Fund:

Transfers:

G8130.0100	to	G8110.0100	\$7,500.00
Sewer Plant Salaries		Administrative Salaries	
G1990.0400	to	G8110.0400	\$ 200.00
Contingency Fund		Administrative Expenses	
G1990.0400	to	G8110.0443	\$ 675.00
Contingency Fund		Administrative Computer Fees	
G8130.0100	to	G8120.0100	\$7,000.00
Sewer Plant Salaries		Sanitary Sewer Salaries	
G1990.0400	to	G8120.010	\$3000.00
Contingency Account		Sanitary Sewer Salaries	
G8130.0400	to	G8130.0410	\$200.00
Sewer Plant Expenses		Sewer Plant Training	
G8130.0400	to	G8130.0446	\$ 45.94
Sewer Plant Expenses		Sewer Plant Lab Expenses	
G8130.0200	to	G9950.0900	\$10,000.00
Sewer Plant Equipment		Inter-Fund Transfers	
G8130.0400	to	G9950.090	\$6,500.00
Sewer Plant Expenses		Inter-Fund Transfers	

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

Trustee Forrestel thanked Treasurer Kelley for the nice job on the multitude of transfers.

AKRON FIRE COMPANY – met with the Village Board during the work session held earlier.

Elected Officials –

TRUSTEES – COORDINATORS

Trustee Folger – working with Trustee Middaugh on the Akron Fire Company Contract and working with Trustee Perry on the joint Code Enforcement Officer position. Lastly, will contact Public Works Manager Cummings for a tour of the Joint Facility.

Trustee Forrestel – reported: stated that quite a few people are looking forward to participating in and learning about the process regarding the Comprehensive Plan; He will attend along with Clark Patterson Lee Representative, Steve Tanner, a meeting with the NYSDEC regarding the Wastewater Treatment Plant permit and new requirements requested. Lastly, would like to comment again on the nice job Treasurer Kelley did on all the lengthy transfers and budget amendments done this month.

Mayor Patterson – reported: Reminder to everyone to attend the Joint Comprehensive Plan Public Informational Meeting scheduled for tomorrow evening; Mayor Patterson, Trustee Middaugh, Retired Village Attorney Shonn, Planning Board Chairman Brian Murray and several from the Town of Newstead are on the Comprehensive Plan Committee; Mayor Patterson asked Public Works Manager Cummings and Code Enforcement Borth to explain the issue at the Akron Ale House which generated the Invoice #11817. Public Works Manager Cummings explained that the grease trap at the Akron Ale House had excessive build-up and needed to be cleaned out. Further discussion was held regarding the man hours, wear on equipment and the fact that the excessive build up quite possibly could have contributed to sewer issues at the Akron Fire Hall. Treasurer Kelley had created an invoice for the time and materials for the clean- up of the cooking waste out of the collection system for the Boards review. The Board agreed to send the invoice.

Trustee Middaugh – reported: he also reminded everyone to attend the Joint Comprehensive Plan Public Hearing scheduled for tomorrow evening at the Town of Newstead; welcomed Jayne to the table.

Trustee Perry – reported: met with Trustee Forrestel and Legislator Ed Rath regarding East Avenue, hoping to obtain funding through Pave-NY to help with the installation of the infrastructure before the actual street reconstruction; Spent a couple of hours as a ride along with part time Akron Police Officer Johnston last Saturday night; thanked Trustee Forrestel and Treasurer Kelley of the Finance Committee for all the helpful information learned at his first meeting as part of the Committee; will meet this Monday with Trustee Middaugh, Public Works Manager Jon Cummings and Clark Patterson Lee Representative, Dan Dupree, regarding the Study for the State Street Bridge.

OLD BUSINESS

Clinton Street/Eckerson Avenue Village Land –nothing

Public Works Facility at 43 East Avenue – nothing

Cable Contract – nothing

Corrective Action Plan – Finance Committee will be updating quarterly

Food Trucks – scheduled to discuss at the June 5, 2017 Work Session

Handicapped Parking – Chief of Police Lauricella, Public Works Manager Cummings and Code Enforcement Officer Borth will meet to review the options for handicap parking spots in the Central Business District and provide the Board a recommended diagram.

Knox Box Law – held Public Hearing this evening and will have further discussion at the next scheduled work session on June 5, 2017.

Sewer Maintenance Fees –nothing

NEW BUSINESS

Authorize the 2nd Annual BNAC Peace & Love Run on Sunday June 25, 2017 through the Village of Akron starting and ending at Cummings Lodge on Skyline Drive – will discuss in Executive Session.

RESOLUTION duly moved by Forrestel and seconded by Folger to authorize the Village of Akron to relevel all unpaid water/sewer and refuse bills as of Monday May 22, 2017 onto the 2017-2018 Village taxes be and hereby is approved.

ADOPTED	CARL E. PATTERSON	- AYE
	E. PETER FORRESTEL	- AYE
	MICHAEL R. MIDDAGH	- AYE
	BRIAN T. PERRY	- AYE
	DARRIN L. FOLGER	- AYE

RESOLUTION duly moved by Forrestel and seconded by Middaugh to authorize the Mayor to sign the 2017-2018 Village Tax Warrant be and hereby is approved.

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

RESOLUTION duly moved by Forrestel and seconded by Folger to authorize the Akron Chamber of Commerce to hold their Thursday Night Cruise Nights on Main Street at 6:00 pm from May 25- August 31, 2017 be and hereby is approved.

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

RESOLUTION duly moved by Middaugh and seconded by Perry to authorize the Akron Chamber of Commerce to hold their 36th Annual Sidewalk Sale on Main Street Saturday June 10, 2017 from 8:00 am – 3:00 pm be and hereby is approved.

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

RESOLUTION duly moved by Forrestel and seconded by Middaugh to authorize the Akron Chamber of Commerce to hold their Super Cruise and Craft Show on Saturday September 16, 2017 from 8:00 am – 3:00 pm be and hereby is approved.

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

RESOLUTION duly moved by Middaugh and seconded by Folger to approve the active membership applications of Dominic Stutz, William Jared Hawes and Justin Laude into the Akron Fire Company be and hereby is approved.

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

RESOLUTION duly moved by Forrestel and seconded by Perry to approve the payment to Drescher & Malecki for services beyond the scope of the annual audit in the amount of \$6,225.00 be and hereby is approved.

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

RESOLUTION duly moved by Perry and seconded by Forrestel to approve the payment to BST Accounting for the Progress Bill #2 (prep work for the Electric rate filing with the PSC) in the amount of \$7,500.00 be and hereby is approved.

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

Authorize the payment to Northeast Mechanical for Village Hall Replacement of Boiler parts (water source heat pump) in the amount of \$5,350.00 - tabled

CORRESPONDENCE

Central Fire Alarm Office April 2017 Operations Report

PUBLIC COMMENT: Mayor Patterson thanked Secretary DeTine for running the meeting.

RESOLUTION duly moved by Perry and seconded by Middaugh to go into an executive session to discuss personnel matters at 8:54 pm be and hereby is approved.

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

RESOLUTION duly moved by Forrestel and seconded by Middaugh to come out of the executive session to discuss personnel matters at 9:53 pm be and hereby is approved.

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

RESOLUTION duly moved by Forrestel and seconded by Folger to approve the 2nd Annual BNAC Peace and Love Run on Sunday June 25, 2017 through the Village of Akron starting and ending at Cummings Lodge on Skyline Drive be and hereby is approved.

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

On motion of Middaugh and seconded by Folger at 10:03 p.m. this meeting was ADJOURNED

MAYOR

CLERK