

September 11, 2017

A REGULAR MEETING of the Akron Village Board was held on this date at 7:30 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 and Public Works Manager Jon Cummings.

The Mayor led us in the pledge to the flag.

RESOLUTION duly moved by Folger and seconded by Middaugh that the Minutes of the Special Meeting of August 21, 2017 be and hereby are approved by the Village Board.

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 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	\$	14,238.53
Electric Fund	\$	19,946.28
Water Fund	\$	14,430.02
Sewer Fund	\$	7,965.49
Trust & Agency	\$	2,471.13

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 Middaugh that the following building permits be and hereby are approved with the applications and approval of the Code Enforcement Officer:

Erin O'Brien	8 Townsend Street	Roof	\$50.00
Chris Lavocat	4 John Street	Single Home to Double	\$310.00
Mark Wilson	70 Cedar Street	Roof	\$50.00
Daniel Wood	6415 Hake Road	Shed	\$70.00
Daniel Wood	6415 Hake Road	Fence	\$50.00
Kara Meyer	13 Lewis Road	Shed	\$120.00
James Campbell	82 John Street	Driveway	\$50.00
John Hehnen	5 Shepard Avenue	Shed	\$64.00
Sandra Bernhardt	130 Main Street	Roof	\$50.00
Timothy Bell	14 Morgan Street	Kitchen Remodel	\$100.00
Michele Johnson	85 East Avenue	Fence	\$50.00
Tammy Baltzley	38 Bloomingdale Avenue	Fence/Pool	\$150.00

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 Darrin 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:

Sandra Bernhardt 130 Main Street 30 days \$50.00

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

PUBLIC HEARING – none

APPEARANCE – Richard McNamara from Northern Erie Sno-Seekers came to request use of the Bike Path for their 2017-2018 snowmobile season. The Club will mark the path with signs and barrels, cover on the bridge and maintain the path through-out the season to keep traffic on the grass shoulder as in years past. Resident Daniel Shonn asked if re-sealing the scratch points on the paved path with funds from the Bike Path State Fund. Mr. McNamara said the State does fund the club monies for the grooming of the path, signs and sealing those scratch points could possibly be included. Trustee Forrestel recommended that in the spring of 2018 the Club seal the scratch points.

RESOLUTION duly moved by Middaugh and seconded by Perry to accept agreement with the Northern Erie Sno-Seekers for the 2017-2018 winter season providing the proper paperwork is provided to the Village Office.

WHEREAS, the Village of Akron has received a request from the Northern Erie Sno-Seekers, Inc., to use a portion of the Bike Path in the Village of Akron for snowmobile use;

WHEREAS, the Northern Erie Sno-Seekers, Inc., contacted the Village Board on September 11, 2017 to renew their permission to use a portion of the Bike Path in the Village of Akron for snowmobile use;

NOW, THEREFORE, A RESOLUTION, duly moved by Middaugh, seconded by Perry, based on information submitted by the Northern Erie Sno-Seekers, Inc., and upon the Village's review, the Village Board authorizes the Northern Erie Sno-Seekers, Inc., to use the Bike Path within the Village of Akron from December 20, 2017 through April 1, 2018, subject to random enforcement of speed, unreasonable noise and DWI, be and hereby is approved by the Village Board, subject to the following:

1. That the Village Board does hereby authorize the Northern Erie Sno-Seekers, Inc., to use the Bike Path beginning at Cedar Street and running southwest to Clarence Center Road, along a route that shall be specifically marked out by the Northern Erie Sno-Seekers, Inc., and approved by the Village of Akron Superintendent of Public Works,

a. The Northern Erie Sno-Seekers must provide the Village with proof of liability coverage naming the Village of Akron as additional insured in an amount satisfactory to the Village. If such coverage is part of blanket coverage for all snowmobile clubs throughout the State of New York, the Village of Akron must be specifically named as an additional insured on such policy.

b. The Northern Erie Sno-Seekers must provide the Village with an updated copy of its certificate of incorporation and by-laws and of its rules and regulations for operation of snowmobiles on trails maintained by them.

c. The Northern Erie Sno-seekers will provide to the Village an indemnification agreement holding the Village harmless and defending the Village from all property damages and personal injuries occasioned by the activities of the Northern Erie Sno-Seekers, their members, agents, invitees or employees on any Village lands during the term of the agreement to use the Bike Path.

d. The use of the right-of-way shall begin on the last day of deer hunting season and shall terminate on April 1, 2018.

e. The Northern Erie Sno-Seekers, Inc. must cooperate with the Village to clearly mark the trail, which trail shall be located off the paved portions of the Bike Path and post speed limits and rules and regulations governing the use of the trails, satisfactory to the Village.

f. The Northern Erie Sno-Seekers, Inc., shall use the Bike Path in a manner that allows for the use of the same facilities by others including hikers and cross-country skiers.

g. The Northern Erie Sno-Seekers, Inc. shall use their best efforts to avoid damage to Village Property, injury to individuals, or excessive noise.

h. Failure to abide by all these conditions may result in the Village Board's withdrawal or rescinding of the consent of the Village to use the Bike Path.

2. This resolution shall take effect immediately.

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

PUBLIC COMMENT – None

PROJECT REPORTS – CDBG Year 2017 Project – Marshall Avenue, Morgan Street, Cedar Street Waterline Loop – Public Works Jon Cummings reported that the project is on track. Clark Patterson Lee should have everything they need except flow data for the end of Morgan Street and Marshall Street to finalize with the Erie County Health Department.

MONTHLY REPORTS –

Departments –

VILLAGE ATTORNEY – nothing at this time.

CLERK – Reported: absent due to Fall NYCOM Training.

CHIEF OF POLICE – reported: submitted schedule for September 2017 and the August 2017 report; Super Cruise is scheduled for this weekend, will put up the signs regarding parking; down to one fill-in Crossing Guard due to a personal issue with part-time Crossing Guard Elizabeth Miller; maintenance on the vehicles is up to date.

PUBLIC WORKS MANAGER – reported: discussion in work session with Bob Lucia regarding RBC issue and with Tom Whitbeck regarding the re-routing of the electric for Route 93 due to the Mechanic Street Bridge project. Streets have been working nicely with the Town in the water line project on Cedar Street and still have a week or two of work to be completed. Working on Brooklyn Street to prepare the road for milling and paving. Also, still working on Main Street preparing for the milling and paving which is tentatively scheduled for the end of September.

CODE ENFORCEMENT OFFICER – absent

Elected Officials –

TRUSTEES – COORDINATORS

Trustee Perry – reported: spoke with Assemblyman Mike Norris regarding a \$50,000 Village Street project grant which the Village can use towards the milling and paving of Main Street. Assemblyman Mike Norris confirmed that the Village of Akron will received \$50,000 grant. Trustee Perry will find out the next steps needed regarding paperwork.

Trustee Middaugh – reported: met this evening with the Electric Committee regarding the relocation of the Utility lines for the Mechanic Street Bridge project. Trustee Middaugh asked if the Board could submit any thoughts, suggestions, or ideas regarding the Akron Fire Company Contract for next year to him or Trustee Folger before the Fire Committee sets up a meeting with Akron Fire Chief Todd Pfeiffer.

Mayor Patterson – asked Public Works Manager how the Erie County Youth Program worked this summer. Public Works Manager Jon Cummings explained that the young man that

was sent to work in the Village was a nice person but his schedule did not mesh well with the Village hours.

Trustee Forrestel – reported: A Water Wastewater Committee meeting is scheduled for next Monday September 18, 2017. Trustee Perry and Treasurer Kelley and myself did hold a Finance Committee meeting this week. Happy to report that all fund balances looked pretty good and no budget transfers are needed this month.

Trustee Folger – reported: would like to meet with Public Works Manager Cummings to revive the Building, Composting and Solid Waste Committee, more to follow.

OLD BUSINESS

Clinton Street/Eckerson Avenue Village Land – Trustee Forrestel suggested creating a Committee to come up with a basic scheme and sketch and see if any local organizations or groups would like to partner with the Village and submit a presentation to the Board.

Public Works Facility at 43 East Avenue – Trustee Folger asked what the Board expected to do with that land. Village Attorney stated that the initial thought was to have the Village Engineer submit a report of potential uses for the property for future Buyer.

Cable Contract – nothing

Corrective Action Plan – quarterly review scheduled for September 18, 2017.

Sewer Maintenance Agreement –Trustee Forrestel stated that District II is actively working on the items that we presented to them.

Grease Trap Regulations – Board will ask Code Enforcement Borth to report back at the next meeting.

NEW BUSINESS

RESOLUTION duly moved by Forrestel and seconded by Folger to approve the payment of \$10,00.00 to Drescher & Malecki for the Financial Audit of the Village as per the procurement policy 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 Perry to approve the payment of \$7,600.00 to CPE for the 2nd Installment for the Clark Patterson Lee Flow Study as per the procurement policy 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

CORRESPONDENCE

Letter from the Northern Erie Sno-Seekers requesting use of the Village portion of the bike path for the 2017-2018 snowmobiling season.

PUBLIC COMMENT: Resident Gregg Brown would like to know why the reconstruction of State Street Bridge is not on the agenda under Old Business. Trustee Perry explained that a grant application will be submitted with Bridge New York and it can go back on the agenda under Old Business.

On motion of Middaugh and seconded by Perry at 8:18 p.m. this meeting was
ADJOURNED

MAYOR

CLERK