

October 7, 2013

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, Michael R. Middaugh, Kathryn A. Capan and Keith A. Hatswell; Clerk Treasurer Daniel P. Borchert, Police Chief Richard Lauricella and Public Works Manager Jon Cummings.

Mayor Patterson led us in the pledge to the flag. He also asked for a moment of silence for David Eckerson a longtime resident and Akron Fireman of the Village and to keep his family in our thoughts and prayers.

RESOLUTION duly moved by Capan seconded by Hatswell, that the Minutes of the Regular Meeting of September 23, 2013 be and hereby are approved by the Village Board.

ADOPTED CARL E. PATTERSON - AYE
E. PETER FORRESTEL - AYE
MICHAEL R. MIDDAUGH - AYE
KATHRYN A. CAPAN - AYE
KEITH A. HATSWELL - AYE

RESOLUTION, duly moved by Middaugh seconded by Forrestel 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	\$ 38,088.20
Electric Fund	\$ 24,250.80
Water Fund	\$ 7,469.05
Sewer Fund	\$ 19,162.28
Trust & Agency	\$ 2,395.28

ADOPTED CARL E. PATTERSON - AYE
E. PETER FORRESTEL - AYE
MICHAEL R. MIDDAUGH - AYE
KATHRYN A. CAPAN - AYE
KEITH A. HATSWELL - AYE

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

VFW Post 3180	35 Lewis Rd	Roof	\$25.00
Thomas Peters	5 Exchange Street	Roof	\$25.00
Paul Commisso	28 Hoag Avenue	Windows	\$25.00
Norma Brunner	25 Danita Drive	Car Port	\$25.00

ADOPTED CARL E. PATTERSON - AYE
E. PETER FORRESTEL - AYE
MICHAEL R. MIDDAUGH - AYE
KATHRYN A. CAPAN - AYE
KEITH A. HATSWELL - AYE

Village Attorney Shonn entered the meeting at 7:40 pm

RESOLUTION duly moved by Forrestel and seconded by Hatswell that the following Application for a Dumpster Permit for the year 2013 be and hereby is approved in accordance with the application filed and payment of the annual permit fee:

Thomas Peters	5 Exchange Street	30 day	\$20.00
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ADOPTED CARL E. PATTERSON - AYE
E. PETER FORRESTEL - AYE
MICHAEL R. MIDDAUGH - AYE
KATHRYN A. CAPAN - AYE
KEITH A. HATSWELL - AYE

PUBLIC HEARING – was held at this time to hear any and all persons for the purpose of addressing the 2014 Community Development Block Grant Program. Clerk-Treasurer Borchert read the Proof of Publication and asked if anyone in attendance wished to speak. Clerk-Treasurer Borchert stated that the Village has had many projects granted due to the CBDG such as: sidewalks on Skyline Drive, water lines on John Street, Bloomingdale Avenue and Brooklyn Street, total reconstruction of Marshall Avenue and the Rural Transit Van Service program shared jointly with the Town of Newstead. Discussion was held regarding the wish list of projects for this coming year such as: Revamp the front entrance way to the Village Hall for handicap accessibility and install sidewalks around Russell Park.

RESOLUTION duly moved by Capan and seconded by Middaugh that the Public Hearing with regard to the 2014 Community Development Block Grant Program be and hereby is closed at 7:47 pm

ADOPTED CARL E. PATTERSON - AYE
E. PETER FORRESTEL - AYE
MICHAEL R. MIDDAUGH - AYE
KATHRYN A. CAPAN - AYE
KEITH A. HATSWELL - AYE

PUBLIC HEARING – was held at this time to hear any and all persons for the purpose of addressing Local Law #1 for the year 2013- to add Article III to Chapter 110 to Regulate Alarm Systems in order to reduce unnecessary call outs of police, fire or other emergency responders. Clerk-Treasurer Borchert read the Proof of Publication and asked if anyone in attendance wished to speak. Village Attorney Shonn stated that the Fire Company often receives numerous fire calls from the same origin due to mechanical errors causing unnecessary call outs. Incorporating this law would enable the Fire Company to request the specific caller to repair the issue or be subject to fines.

RESOLUTION duly moved by Hatswell and seconded by Forrestel that the Public Hearing with regard to Local Law #1 for the year 2013 – Regulations of Alarm systems be and hereby is closed at 7:52 pm

ADOPTED CARL E. PATTERSON - AYE
E. PETER FORRESTEL - AYE
MICHAEL R. MIDDAUGH - AYE
KATHRYN A. CAPAN - AYE
KEITH A. HATSWELL - AYE

RESOLUTION duly moved by Hatswell and seconded by Capan to adopt Local Law #1 for the year 2013 – Regulations of Alarm Systems adding Article III to Chapter 110 of the code of the Village of Akron in order to reduce unnecessary call outs of police, fire, or other emergency responders be and hereby is approved.

ADOPTED CARL E. PATTERSON - AYE
E. PETER FORRESTEL - AYE
MICHAEL R. MIDDAUGH - AYE
KATHRYN A. CAPAN - AYE
KEITH A. HATSWELL - AYE

PUBLIC HEARING: was held at this time to hear any and all persons for the purpose of addressing the Local Law #2 for the year 2013 – Best Value Standards of Procurement and to update the procurement policies of the Village of Akron to be consistent with amendments made in the New York State Finance Law. Clerk-Treasurer Borchert read the Proof of Publication and asked if anyone in attendance wished to speak. Discussion was held regarding the Village procurement policy and how this in amended

law if the State raises the ceilings on limits the Village automatically follows the State limits.

RESOLUTION duly moved by Middaugh and seconded by Capan that the Public Hearing with regard to Local Law #2 for the year 2013 – Best Value Standards of Procurement and updating the procurement policies of the Village of Akron to be consistent with amendments made in the new York State Finance Law be and hereby is closed at 7:56 pm

ADOPTED CARL E. PATTERSON - AYE
 E. PETER FORRESTEL - AYE
 MICHAEL R. MIDDAUGH - AYE
 KATHRYN A. CAPAN - AYE
 KEITH A. HATSWELL - AYE

RESOLUTION duly moved by Middaugh and seconded by Forrestel to adopt Local Law #2 for the year 2013 – Best Value Standards of Procurement and updating the procurement policies of the Village of Akron to be consistent with amendments made in the New York State Finance Law be and hereby is approved.

ADOPTED CARL E. PATTERSON - AYE
 E. PETER FORRESTEL - AYE
 MICHAEL R. MIDDAUGH - AYE
 KATHRYN A. CAPAN - AYE
 KEITH A. HATSWELL - AYE

APPEARANCES – none

PUBLIC COMMENT – Residents Mark and Debra Valente from 56 Parkview Drive came before the Board to speak about the excessive speed that people use when going through the Akron Falls Park and on Parkview Drive. Mr. Valente stated that he has had two road rage incidents with motorist speeding around the curve as he was backing out of his driveway. They both are very concerned that someone will get hurt either in the park or on Parkview Drive due to the narrow road and no sidewalks. They recommended installing speed bumps to curb the speed. Mayor Patterson thanked them for coming to the Board meeting and sharing their concerns. He stated that Parkview Drive is a County Road so the Village would not have authorization to install speed bumps, but the Akron Police could place the speed display sign in that area more often and provide more police presence. Possibly installing more actual speed signs is another option.

Dale Cheavacci came before the Board to warn the Board that the Deposit Depot may be starting a second shift at the Cedar Street location.

Village Employee Thomas Whitbeck spoke about the scheduled Electric Shut Down completed on October 5 and October 6, 2013. He explained the updates completed at the Substation and reported no complications. Mr. Whitbeck thanked his fellow DPW employees and everyone involved. The Board thanked Mr. Whitbeck for a job well done.

Resident Doug Ceisner brought to the Board pictures and a sample of the final product from the ringer machine or press at the Sewer Plant in Arcade. He highly recommended that the Village Board consider this process to treat the sludge at the Sewer Plant. Also he asked if the Joint Facility project had been closed out yet. Clerk-Treasurer Borchert stated that it has not been closed out yet.

PROJECT REPORTS –

Joint Facility –

Review Inter-Municipal Agreement with Town of Newstead – nothing new

MONTHLY REPORTS –

Departments –

Attorney – Attorney Shonn reported that he is working on several local laws such as a re-zone for Kurt Schie’s property on Jackson Street, and a re-zone for the property around John Street and Church Street.

Clerk-Treasurer – The Board received the Clerk’s report for September 2013 along with the October 2013 office schedule. Reported: Attended NYS Conference of Mayors Annual Fall training from September 9-13 in Saratoga Springs, NY; Held household hazard waste drop off jointly with the Town of Newstead on October 5, 2013, hosted 130 vehicles; Tami Burns-DiCioccio from Erie County Civil Service came to fix the civil service reporting issues the Village had and conducted a payroll certification; Deputy Clerk Treasurer Tammy Kelley will be out of the office for 6-8 weeks after having hip replacement surgery; scheduled a meeting for this Thursday with Falcone Electric regarding replacing Russell Park light bulbs with LED which use 53% less electric sponsored by IEEP; working with Village IT Manager Ken Lombardo regarding security of our server based on findings from the NYCOM FTS

Police Chief – Chief Lauricella submitted to the Board the schedule for October 2013 and his report for September 2013. Reported: Side arm qualifications will be held next week for the Village Officers who do not work for another agency and only carry their weapon while working for the Village; would like to recommend that Trick or Treating hours be from 6:00 pm – 8:00 pm with Amherst Fire Control blowing the siren to begin and to end the event, extra Officers will be scheduled for duty.

RESOLUTION duly moved by Capan and seconded by Middaugh to schedule Halloween Trick-or-Treating hours from 6:00 pm – 8:00 pm with the Amherst Control Center/Akron Fire Company sounding the fire whistle to start and end Trick-or-Treating activities be and hereby is approved.

ADOPTED	CARL E. PATTERSON	- AYE
	E. PETER FORRESTEL	- AYE
	MICHAEL R. MIDDAUGH	- AYE
	KATHRYN A. CAPAN	- AYE
	KEITH A. HATSWELL	- AYE

Chief Lauricella also reported that Homecoming went very well and there were no issues with the scheduled Electric Shut down; lastly the new patrol unit was well accepted by the Officers.

Public Works – Manager Cummings submitted his report for September 2013. He reported: that the Electric Shut down done on October 5-6, 2013 went very well, he stated that it was extremely well organized and handled very professionally. Kudos to all involved and a thank you to DPW Electrical Crew, Village of Bergen, Village of Little Valley and O’Connell Electric for their participation; Water Plant Manager John Asmus started his second round of schooling for Sewer Plant Management.

Code Enforcement Officer – working with interim Village Code Enforcement Officer Charlie Reid to close out building permits; attending the Storm Water Conference on October 17, 2013 providing Board approval; recommended to the Board to shorten the length of a building permit from two years to one year due to frequent changes in state codes.

Mayor Patterson stated that he has heard several favorable comments already about our new Code Enforcer Michael Borth. Clerk-Treasurer Borchert stated that the Akron Bugle and the PennySaver will be running a notification of Mr. Borth’s hours, cell number and email address.

Akron Fire Company – no Representative present

Elected Officials –

TRUSTEES – COORDINATORS

Trustee Capan – nothing to report

Trustee Middaugh – nothing to report

Mayor Patterson – stated that Homecoming was uneventful with the lack of toilet papering Bloomingdale Avenue, good for the Food Pantry that collected the toilet paper money and also the money that the Bloomingdale Residents matched

Trustee Forrestel – nothing to report

Trustee Hatswell – nothing to report

OLD BUSINESS

Ron Berry Memorial Fields – Village Attorney Shonn reported that Nature’s Way will submit recommendations for the site

Clinton Street/Eckerson Avenue Village Land – nothing new

Public Works Facility at 43 East Avenue – nothing new

Village Annexation/Sewer District – Town of Newstead to take lead and obtain engineering plans for sewer district

2014-2016 Town/County Snow Plowing Contract – Village Attorney will reach out to County Attorney to discuss contract issues

NEW BUSINESS

RESOLUTION duly moved by Middaugh and seconded by Capan to allow Code Enforcement Officer Michael Borth to attend the Storm Water Management Seminar on October 17, 2013 in Ellicottville, NY at a cost of \$25.00 be and hereby is approved.

ADOPTED	CARL E. PATTERSON	- AYE
	E. PETER FORRESTEL	- AYE
	MICHAEL R. MIDDAUGH	- AYE
	KATHRYN A. CAPAN	- AYE
	KEITH A. HATSWELL	- AYE

RESOLUTION duly moved by Forrestel and seconded by Hatswell to approve the limited membership application of Trent Barszcz to the Akron Fire Company be and hereby is approved.

ADOPTED	CARL E. PATTERSON	- AYE
	E. PETER FORRESTEL	- AYE
	MICHAEL R. MIDDAUGH	- AYE
	KATHRYN A. CAPAN	- AYE
	KEITH A. HATSWELL	- AYE

CORRESPONDENCE

William Schutt & Associates September 2013 Monthly Project Report

Town of Amherst Central Fire Alarm September 2013 Operations Report

Time Warner Cable Notification of Soon to be Expiring Agreements with programmers and Broadcasters

Akron Central School Thank You for assistance with trouble shooting football field electric malfunctions

Fresh water future regarding keeping Asian carp out of the Great Lakes

PUBLIC COMMENT: Resident Doug Ceisner stated that the Village Department of Public Works has done a fantastic job and is impressed with this group of employees

On motion of Forrestel and seconded by Capan, at 9:03 p.m. this meeting was ADJOURNED

MAYOR

DEPUTY CLERK-TREASURER