

November 18, 2013

A REGULAR MEETING of the Akron Village Board was held on this date at 7:31 p.m. Present: Mayor Carl E. Patterson, Trustees, E. Peter Forrestel, Michael R. Middaugh and Keith A. Hatswell; Village Attorney Daniel D. Shonn, Clerk Treasurer Daniel P. Borchert, Police Chief Richard Lauricella, Public Works Manager Jon Cummings and Code Enforcement Officer Michael Borth.

Mayor Patterson led us in the pledge to the flag.

RESOLUTION duly moved by Middaugh seconded by Forrestel, that the Minutes of the Regular Meeting of November 4, 2013 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

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	\$ 22,135.25
Electric Fund	\$ 7,807.57
Water Fund	\$ 2,239.84
Sewer Fund	\$ 13,926.19
Trust & Agency	\$ 1,746.37

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

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

Countryside Apts	Knapp Road	Decks/roofs	\$754.80
Thomas Peters	5 Exchange Street	Roof	\$25.00
Frank Snyder	66 East Avenue	Roof	\$25.00
FR Management	74 Main Street	Windows	\$25.00
Robert Seifert	24 Front Street	Shed	\$25.00
Timothy Bell	14 Morgan Street	Roof	\$25.00

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

PUBLIC HEARING – was held at this time to hear any and all persons for the purpose of addressing the re-zoning of 42 Jackson Street owned by Kurt Schie from an R-3 zone to a I-2 zone. Clerk-Treasurer Borchert read the Proof of Publication and asked if anyone in attendance wished to speak. Kurt Schie as well as his attorney Robert Freidman and his engineer Michael Metzger came before the Board to explain the reason for the re-zone request. Mr. Metzger showed a site plan for the industrial park that Mr. Schie has planned and also stated that the Village Planning Board did recommend that the property be rezoned. 5.99 acres of land is proposed for the re-zone where several large buildings would be built for Mr. Schie’s proposed industrial park. Mr. Schie stated that

as the Village knows his properties are very well maintained and that would not change with this new project. Mr. Friedman interceded that the industrial park would create very little noise, traffic or debris. Mayor Patterson stated that he agreed with Mr. Schie that his properties are very well maintained, but the Village has to look down the road when or if the property changes hands and what the future could hold for that property as well as the surrounding properties. Village Attorney Shonn explained that a SEQRA needs to go to Erie County for approval before the Village can move ahead. He recommended to adjourn the hearing until December 2, 2013 at 7:30 pm

RESOLUTION duly moved by Forrestel and seconded by Middaugh to adjourn the Public Hearing regarding the re-zone of 42 Jackson Street until December 2, 2013 on the recommendation of the Village Attorney be and hereby is approved.

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

APPEARANCES – none

PUBLIC COMMENT – Resident Doug Ceisner spoke about the boat that was sitting up on East Avenue and why it took so long to remove it. Also, questioned the large amount of garbage put out on Cedar Street and stated that garbage should be paid for per bag. Lastly, asked if the Joint Facility project had been closed out yet. Clerk-Treasurer Borchert stated that it has not been closed out.

PROJECT REPORTS –

Joint Facility –

Review Inter-Municipal Agreement with Town of Newstead – on the agenda for the joint meeting scheduled this evening

MONTHLY REPORTS –

Departments –

CAMDEN GROUP – Ken Scherrieble reported that a meeting was held regarding ideas and concepts for replacing the glass in the greenhouse and a sludge storage building. Due to the clean out of the digester, the drying beds are full. The Public Works Department installed some new cement driveways to make it easier to clear out the clarifiers. Camden trained a new person at Adesa with the responsibilities associated with the Industrial Pretreatment Program. Lastly, Mr. Scherrieble hoped that the smoke testing would begin next week. Village Attorney Shonn asked Mr. Scherrieble his recommendation regarding the expiring Village Sewer Moratorium. Mr. Scherrieble recommended that the Village extend the Moratorium for 50 units for another six months.

CODE ENFORCEMENT OFFICER – Mr. Borth reported attending a luncheon meeting with the Niagara Frontier Code Enforcement Officials where he signed up for the Niagara Frontier Building Officials Education Conference scheduled for January 27-29, 2014. Village Attorney Shonn along with Code Enforcer Borth recommended holding a Public Hearing on December 2, 2013 regarding property maintenance issues at 24 Parkview Drive, 44 Cedar Street and 4 Sylvan Parkway.

RESOLUTION duly moved by Forrestel and seconded by Hatswell to hold a Public Hearing on December 2, 2013 at 7:30 pm regarding property maintenance issues at 24 Parkview Drive owned by Michael Soika, 44 Cedar Street owned by Laverne Johnson and 4 Sylvan Parkway owned by Denise Jenner be and hereby is approved.

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

Also both Village Attorney Shonn and Code Enforcer Borth would like to request a Public Hearing regarding the amendment of the Local Law changing the length of a building permit from two years to one year on December 2, 2013.

RESOLUTION duly moved by Forrestel and seconded by Middaugh to hold a Public Hearing on December 2, 2013 at 7:30 pm in regards to amending the Village Local Law to change the Building Permit length from two years to one year be and hereby is approved.

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

Elected Officials –

TRUSTEES – COORDINATORS

Trustee Capan – absent

Trustee Middaugh – nothing

Mayor Patterson – nothing

Trustee Forrestel – distributed the Water/Wastewater Committee meeting minutes

Trustee Hatswell – attended the Emergency Service Committee meeting held last week where discussion was held regarding communication and preparedness between the Village and Town in the event of any kind of disaster, school shooting, etc. Also, discussion was held regarding the Village Fire Contract and maybe rolling with a two year contract in the future. More to follow

OLD BUSINESS

Ron Berry Memorial Fields – Engineer Paul Bowers from Wm. Schutt & Associates will be reviewing the environmental reports

Clinton Street/Eckerson Avenue Village Land – nothing new

Public Works Facility at 43 East Avenue – demo is complete, next is to lay top soil and seed.

Village Annexation/Sewer District – on agenda for the joint meeting scheduled this evening.

Sewer Moratorium – on recommendation of the Water Wastewater Committee and Ken Scherrieble from Camden Group the Board agreed to extend the Sewer Moratorium for 50 units until June 30, 2014.

Sewer Moratorium to expire December 31, 2013

Background:

In June of 2013, the Village Board extended the sewer moratorium until December 31, 2013. Based upon the monthly operation reports provided by Camden Group, the Board finds that the Waste Water Treatment Plant is running well under its rated capacity. There is, however, significant infiltration in the collection system which requires a continuation of the moratorium at 50 equivalent household units. At this time more than 95% of the Village has had camera and smoke test evaluation. The continuation of the moratorium will allow the Village to complete testing and correction work.

RESOLUTION duly moved by Forrestel and seconded by Middaugh that the present moratorium as described by local law 2005-1 as amended is extended until June 30, 2014 be and hereby is approved.

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

#### NEW BUSINESS

RESOLUTION duly moved by Hatswell and seconded by Patterson to allow Code Enforcement Officer Michael Borth to attend the Niagara Frontier Building Officials Education Conference from January 27-29, 2014 at a cost of \$275.00 be and hereby is approved.

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

#### CORRESPONDENCE

Water/Wastewater Committee Meeting Minutes from November 4, 2013

Town of Amherst Central Fire Alarm October 2013 Operations Report

Akron Chamber of Commerce Moonlight Shopping and Lighting of Christmas Lights on November 23, 2013 from 4 pm – 7 pm

Thank you note from Girl Scout Troop 30620 regarding the 5K run/walk for ALS

Thank You note from Mary Nanni at 55 East Avenue regarding Demolition of 43 East Avenue

PUBLIC COMMENT: None

The Village Board took a brief recess until the Newstead Town Board arrived to begin their joint meeting. The Village Board reconvened at 8:40 p.m. at the Akron Village Hall. Mayor Patterson welcomed all in attendance.

Murder Creek Update – Carl Klingenschmitt reported that most of the new plantings are doing very well. The project is expected to be re-bid in the spring of 2014 to see if the results are more favorable. Most of the plantings have reached the maturity stage. There is still some concern this winter with snow behind the buildings on Main Street. The Village has agreed to help remove snow so it does not get pushed over the bank. The grant has been extended until 2014 so the recommendation is to re-bid the project in the spring.

Emerald Ash Borer – Carl Klingenschmitt reported that CAC has been informed that there is a more serious disease that will affect all ash trees. The disease is called Ash Yellow and there is currently no treatment/cure. It is in the area and the discussion is to see if they want to continue to try and treat the Emerald Ash Borer. There is about 100 trees on town-owned property and 50 trees on village-owned property.

Archives – Daniel Borchert reported that he has identified items from our vault that can be transferred to the new archives room at the Town Hall.

Joint Facility Floor & Other Items – The committee is still trying to locate all the warranty information from all the work that had been completed on the floor.

Joint Facility – SOP, Staffing & Highway Departments – The committee needs to schedule their next meeting.

Joint Master Plan – Wendell Engineers has provided a proposal for the Town/Village to look over that would give them options in updating the Master Plan. There is a short term update proposal and a long term update proposal.

Electronics Recycling – The Village and Town have been notified from our recycling vendor that as of November 2013 that they will no longer be able to provide free recycling of the CRT's. They will be adding a \$0.25/lb recycling charge to all CRT's that are collected. Everyone agreed that we still need to provide this service for our residents and will be trying to adjust our refuse rates to help fund this additional recycling cost.

Court Consolidation – The committee has nothing new to report.

Emergency Services – The committee met this past week to begin looking at the disaster plans for each community and getting input from all the interested parties in the community including the Akron Fire Company, Newstead Fire Company and Akron Central School. They will be adding the Village of Akron Code Enforcement Officer to their committee as well.

Sewer – The next cycle for the grant selection is coming up in the spring of 2014. Wendell Engineers has offered that they have staff that has done this as well. The Village and Town will contract their respective grant writers.

The next scheduled joint meeting is going to be on February 24, 2014 at the Newstead Town Hall at 8:30 pm.

On motion of Forrestel and seconded by Middaugh, at 9:42 p.m. this meeting was ADJOURNED

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MAYOR

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CLERK-TREASURER