

December 2, 2013

A REGULAR MEETING of the Akron Village Board was held on this date at 7:38 p.m. Present: Mayor Carl E. Patterson, Trustees, E. Peter Forrestel, Michael R. Middaugh and Kathryn A. Capan; 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.

The Mayor led us in the pledge to the flag.

RESOLUTION duly moved by Forrestel seconded by Middaugh, that the Minutes of the Regular Meeting of November 18, 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

RESOLUTION, duly moved by Middaugh seconded by Capan 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	\$ 24,890.18
Electric Fund	\$ 138,808.49
Water Fund	\$ 18,444.70
Sewer Fund	\$ 14,744.14
Trust & Agency	\$ 2,388.76

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

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

Amy Hopkins	82 Skyline Drive	Windows	\$25.00
Michele Blum	20 Bloomingdale Ave	Siding	\$25.00
Walter Greiner	7 Colony Place	Roof	\$25.00
Ronald Hatcher	2 Sylvan Pkwy	Roof	\$25.00
Thomas Bates	52 East Avenue	Chimney	\$50.00
Tammy Whiting	72 John Street	Roof	\$25.00
Kent Huth	7 Parkview Drive	Pellet Stove	\$50.00
Robin Yaeger	38 Mechanic Street	Repair Porch	\$25.00

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

RESOLUTION duly moved by Forrestel and seconded by Middaugh 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:

Tammy Whiting	72 John 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

PUBLIC HEARING – reopen the Public Hearing regarding the rezoning of 42 Jackson Street. Attorney Shonn received the SEQR for the record and the next step is to submit notices for Lead Agency which were done by Village Engineer Wm. Schutt & Associates. Submission was made already to Erie County Planning Board. Attorney Shonn will report on the updates with the Village Planning Board which has a scheduled meeting on December 3, 2013. He recommended adjourning this hearing until January 6, 2014

RESOLUTION duly moved by Middaugh and seconded by Capan to adjourn the Public Hearing in regards to Re-zoning the property at 42 Jackson Street until the Village Board meeting scheduled for January 6, 2014 be and hereby is approved

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

PUBLIC HEARING was held at this time to hear any and all persons for the purpose of addressing Local Law #3 for the year 2013 amending Chapter 71 Section 3 Paragraph B of the Village of Akron to shorten the expiration date for building permits. Clerk-Treasurer Borchert read the Proof of Publication and asked if anyone in attendance wished to speak. Clerk-Treasurer stated that the current building permit allows 2 years to complete the permitted work. The Village would like to reduce that to one year with the option of an extension of six months which would include an extension fee of up to the original fee but not to exceed \$50.00.

RESOLUTION duly moved by Forrestel and seconded by Capan that the Public hearing with regard to amendment of Local Law #3 amending Chapter 71 Section 3 Paragraph B of the Code of the Village of Akron be and hereby is closed at 7:55 pm

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

RESOLUTION duly moved by Forrestel and seconded by Capan to adopt Local Law #3 for the year 2013 – Amending Chapter 71, Section 3 Paragraph B to shorten the expiration date for Building Permits from two years to one year be and hereby is approved.

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

RESOLUTION duly moved by Middaugh and seconded by Forrestel to allow a six month extension on building permits with a fee equal to the original amount of the permit fee not to exceed \$50.00 be and hereby is approved.

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

PUBLIC HEARING – was held at this time to hear any and all persons for the purpose of addressing the determination of certain conditions alleged by the Village of Akron to be in violation of Local Law Property Maintenance Section 117-2A & B, 177-

4A, 117-6 and 117-6C of the Code of the Village of Akron are a public nuisance. The properties in question are: 24 Parkview Drive, 44 Cedar Street and 4 Sylvan Parkway. Clerk-Treasurer Borchert read the publication and asked if anyone in attendance wished to speak. No one appeared from any of the properties in question, however, two interested neighbors appeared and noted a marked improvement. Code Enforcement Officer Michael Borth distributed pictures of all the properties in question. Mr. Borth stated that the properties all show signs of improvement towards compliance and felt that a possible extension of 30 days would be warranted for complete compliance. Both Village Attorney Shonn and Code Enforcement Officer Borth recommended an adjournment of findings until the scheduled Village Board meeting of January 27, 2013.

RESOLUTION duly moved by Capan and seconded by Middaugh to close the Public Hearing at 8:04 pm with regard to the Local Law Property Maintenance issues at 24 Parkview Drive, 44 Cedar Street and 2 Sylvan Parkway and to adjourn the Hearing on January 27, 2013 be and hereby is approved.

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

APPEARANCE - none

PUBLIC COMMENT – Resident Doug Ceisner asked the Board why it took so long to get the boat parked in front of 116 East Avenue off the street and what can be done about the contractors trucks parked in front of 119 East Avenue. With the winter snow upon us and limited parking on East Avenue something should be done.

PROJECT REPORTS –

Joint Facility –

Review Inter-Municipal Agreement with Town of Newstead – Village Attorney still working on with Village Committee and Town Attorney

MONTHLY REPORTS –

Departments –

Attorney – items on agenda

Clerk-Treasurer – The Board received the Clerk’s report for November 2013 along with the December 2013 office schedule. Clerk-Treasurer Borchert was pleased to announce the return of Tammy Kelley today after her hip surgery; she is scheduled to have the other hip replaced February 12, 2013. Reported: Met with Dave Wilson from Allstate regarding a supplemental insurance benefit option to offer Village employees; continuing his Dale Carnegie training on Wednesday mornings; met with IT representative Ken Lombardo regarding the server battery back-up and due to the power outage of November 1, installed surge protectors on all the work stations in the office.

Police Chief – Chief Lauricella submitted to the Board the schedule for December 2013 and his report for November 2013. Reported: Officers are scheduled to cover all upcoming holiday events; 3M will be re-stripping the new Ford Explorer Police car at no charge due to faulty tape; Officers are rotating the use of the Explorer with the use of the Crown Victoria.

Public Works – Manager Cummings reported: issues at substation due to the outage of November 1, National Grid did some testing to make sure everything was satisfactory before the second transformer was powered up; Streets Dept. was busy with leaf pick-up and snow; both plow trucks have been outfitted to track salt distribution which should help the DPW control salt purchases and track usage between Town and Village; demolition of 43 East Avenue is complete with grading and seeding the only thing left to do. Scrap revenue from the old DPW paid for the rental equipment needed for the demo.

Akron Fire Company – no Representative present

Elected Officials –

TRUSTEES – COORDINATORS

Trustee Capan – nothing to report

Trustee Middaugh – nothing to report

Mayor Patterson – wanted to thank the Village Office Staff for covering Tammy Kelley’s duties during her absence. He also expressed gratitude for the team effort involved in the success of the Lighting of Main Street and Moonlight Shopping event held November 23, 2013. He urged everyone to check out the lights and the local businesses during this holiday season.

Trustee Forrestel – Along with Trustee Hatswell Trustee Forrestel met with the Fire Company a few times regarding the contract. After discussion Trustee Forrestel recommended to amend the current Akron Fire Company contract to add an additional 1% to the contract and to extend the contract for one year with an additional 3% increase. In amending the contract this way, the Akron Fire Company will know the revenue they will be working with while working on their budget process instead of after the process is complete.

RESOLUTION duly moved by Forrestel and seconded by Middaugh to amend the current contract with Akron Fire Company to add an additional 1% to the contract and to extend the contract for one year with an additional 3% increase be and hereby is approved.

Trustee Hatswell – absent

OLD BUSINESS

Ron Berry Memorial Fields – environmental information was sent to Village Engineer Wm. Schutt & Association for review

Clinton Street/Eckerson Avenue Village Land – nothing new

Public Works Facility at 43 East Avenue –demolition completed

Village Annexation/Sewer District – waiting on the Town of Newstead

NEW BUSINESS

RESOLUTION duly moved by Forrestel and seconded by Capan to allow the use of Russell Park for the Akron Community Christmas Parade and Celebration on Saturday December 14, 2013 at 11:30 a.m. be and hereby is approved.

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

RESOLUTION duly moved by Middaugh and seconded by Capan to allow the use of Russell Park for the Akron Celebration Committee Annual New Year’s Eve ball drop celebration on Tuesday December 31, 2013 from 10:30 pm – 12.30 pm be and hereby is approved.

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

CORRESPONDENCE

Time Warner Cable Notification of soon to be expiring Agreements with Programmers and Broadcasters

PUBLIC COMMENT: Mayor Patterson wanted to hold a moment of silence for the memory of Mrs. Bea McGee, James “Whity” Kumpf and Mrs. Beverly Pixley and asked everyone to keep their friends and families in our thoughts and prayers.

On motion of Capan and seconded by Forrestel, at 8:35 p.m. this meeting was ADJOURNED

MAYOR

CLERK-TREASURER