

February 24, 2014

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, Kathryn A. Capan and Keith A. Hatswell; Village Attorney Daniel D. Shonn, Clerk Treasurer Daniel P. Borchert, Code Enforcement Officer Michael Borth

The Mayor led us in the pledge to the flag.

RESOLUTION duly moved by Capan seconded by Hatswell, that the Minutes of the Regular Meeting of February 3, 2014 be and hereby are approved by the Village Board.

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

RESOLUTION, duly moved by Forrestel 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	\$ 47,564.58
Electric Fund	\$ 387,611.91
Water Fund	\$ 17,488.37
Sewer Fund	\$ 20,785.43
Trust & Agency	\$ 1,550.29

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

RESOLUTION duly moved by Hatswell and seconded Capan that the following building permit be and hereby is approved with the applications and approval of the Code Enforcement Officer:

Dennis Remington-Extension	4 Washington St	Shed	\$25.00
Kara Meyer	13 Lewis Road	Remove deck/stairs	\$25.00

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

RESOLUTION duly moved by Forrestel and seconded by Hatswell that the following Application for a Dumpster Permit for the year 2014 be and hereby is approved with the applications and approval of the Code Enforcement Officer:

RPW Holding	15 Main Street	30 day	\$20.00
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ADOPTED CARL E. PATTERSON - AYE
E. PETER FORRESTEL - AYE
KATHRYN A. CAPAN - AYE
KEITH A. HATSWELL - AYE

RESOLUTION duly moved by Capan and seconded by Forrestel that the following Applications for a Plumbers License for the year 2014 be and hereby are approved in accordance with the application filed and payment of the annual license fee of \$40.00:

Stanley Kandefer	2247 Union Road	Renewal	\$40.00
Richard Greene	487 Erie Street	Renewal	\$40.00

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

PUBLIC HEARING – none

APPEARANCE – none

PUBLIC COMMENT – Resident Doug Ceisner wanted to thank the DPW employees, especially Jon Cummings for doing a fine job on the large water main break on East Avenue. He also stated that East Avenue does have a couple of very slippery spots due to the runoff from the hillside behind the houses. Mr. Ceisner also brought a utility bill from Wellsville that lists all the bills due on one 8 ½ X 11 size paper. Wellsville has been billing that way for more than 15 years and Mr. Ceisner is glad the Village of Akron is looking into upgrading to the 21st century. Mr. Ceisner also discussed the enormous amount of money that New York State collects as revenue that is supposed to be used for roads, but is not being spent on improving the roads. Mr. Ceisner asked if the Police car incurred any damage after sliding off the road on Crittenden Road. Lastly, he asked if there was a building permit for the old Akron House. Code Enforcer Mike Borth said he met with Brad Rehwaldt, the contractor, this afternoon to discuss the permits needed.

PROJECT REPORTS –

Joint Facility –

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

MONTHLY REPORTS –

Departments –

CAMDEN GROUP – Ken Scherrieble reported: due to the harsh winter the Sewer Plant has been busy fixing broken things; during the melt and rainfall from last weekend there was a significant flow but the Plant handled it well; water is getting into the sludge pits and will have to fix that asap; reports show that infiltration flows are climbing higher so meters will be placed around the Village to narrow down the problem areas; in the Spring visual testing and jetting will be done in the 2nd quadrant for the 2nd time which will hopefully aid in getting the climbing infiltration flows down as well.

Elected Officials –

TRUSTEES – COORDINATORS

Trustee Capan – nothing to report

Trustee Middaugh – absent

Mayor Patterson – thankful for the tremendous team of skilled employees at the DPW, they did a great job on locating the water main break and also had an Electrical call out that night as well. Manager Cummings reported to Mayor Patterson that the residents were so cooperative and supportive during the water main break. Mayor Patterson wanted to congratulate Planning Board Member Robert Anderson and his wife Coralyn on their 65th Wedding Anniversary; he also requested having an executive session regarding personnel and litigation issues; lastly discussed the property tax freeze bill and urged the Board to read the bill because there is a lot more in it than expected. Mayor Patterson did send a letter to NYCOM regarding the streamlining that the Village of Akron and Town of Newstead have accomplished trying to cut costs.

Trustee Forrestel –attended the quarterly Water Wastewater Committee meeting this afternoon where discussion was held regarding the recent water main break on East Avenue; Village crews worked from 7 am to 5 pm of the following day. Also reported that the Timber Management Program has been completed, the restoration work is all done, only a little bit of on-site work left to do with our own staff. Lastly, discussed the capital projects for this year such as: changing layers of sand and charcoal in filters at the Water Plant which have not been changed since 1992; jetting and camera inspection will begin in the 2nd quadrant of the Village for the second time starting this spring; at the Sewer Plant - new doors on east end of the drying beds; building a sludge storage building; and replacement of the glass in the drying beds.

Trustee Hatswell – nothing

OLD BUSINESS

Ron Berry Memorial Fields – Village Engineer Paul Bowers is working on a proposal

Clinton Street/Eckerson Avenue Village Land – nothing

Public Works Facility at 43 East Avenue – waiting on information from one more resident regarding right-of-way information regarding 43 East Avenue

Village Annexation/Sewer District – item is on the agenda for this evening’s joint meeting with the Town of Newstead

42 Jackson Street Rezoning – Kurt Schie and his legal representative Mark Romanowski came before the Board to explain the new re-zone application. Mr. Romanowski explained that Mr. Schie scaled back the project considerably in direct response to Village concerns. His application now seeks to re-zone the 18 acres from an R-3 to an I-1 zone. The proposed rezoning would permit only limited industrial use which would be governed by a Special Use Permit which gives the Village some control over future development. Mr. Schie attended the Planning Board Meeting held February 10, 2014 where approval of the rezone concept was passed. Mr. Romanowski stated that he received a petition against the rezone at the recent Planning Board Meeting and has written a response letter in reference to the petition issues. Lastly Mr. Romanowski requested from the Board to hold a Public Hearing with regards to the new re-zoning application and the SEQRA on March 17, 2014. Village Attorney Shonn also recommended approving a Public Hearing on the re-zone and SEQRA

RESOLUTION duly moved by Hatswell and seconded by Forrestel to hold a Public Hearing regarding Local Law #1 for 2014 - Re-zoning of 42 Jackson Street and SEQRA Review on March 17, 2014 at 7:30 pm be and hereby is approved.

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

NEW BUSINESS

RESOLUTION duly moved by Capan and seconded by Forrestel to approve the 2013 Firefighter Records and authorize the Mayor to sign the sponsor approval from for the 2013 LOSAP Program be and hereby is approved.

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

Notice of Intention to abandon property of the Estate at 241 East Avenue where at least 3 years of back taxes are due and the property is not worth the money owned on it

RESOLUTION duly moved by Hatswell and seconded by Capan to approved the membership application of Jason Ladd to the Akron Fire Company be and hereby is approved.

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

Clerk-Treasurer Borchert gave a Summary of the Dramatic Increase in the NYMPA Billing for February & March 2014:

January 2014 saw electricity prices soar to near all-time highs due to the extreme and extended cold weather coupled with natural gas prices increasing 20 times the rate it was in early December. Natural gas fuels most generators in New York State and that resulted in record levels for electricity prices. On January 6th, natural gas prices exceeded oil prices.

The cold spell caused a new record to be set in New York State for winter peaking load for electricity. On the evening of January 6th, PJM lost 3,000 Mw of Western Pa. & Ohio generation and Indian Point tripped bringing total generation unavailable in New York to 1,373 Mw. On January 7th, the NYISO set an all-time winter peaking load of 25,738 Mw breaking the 2004 record of 25,541 Mw.

NYMPA was faced with purchasing all of their supplemental energy in a dramatic supply and demand market. NYMPA had to take out a \$15 million line of credit to immediately cover their electricity cost to supply its members. Their weekly went from roughly \$1 million in the second & third weeks of January to \$7.9 million in week two and \$7.6 million in week three.

The Village of Akron NYMPA bill invoiced in January was \$129,046. Our February invoiced bill for supplemental power is \$290,764. This is an increase of \$161,718. The Village of Akron all-time high demand for supplemental power occurred in February 2009 with an 11,772 KW and a cost of \$183,186. Our January 2014 peak demand was 11,729 at the cost of \$290,764.

Today, Tammy Anderson just received the final electric bill used to calculate the PPA for the March electric bills and the rate is \$0.058, up from the \$0.036 rate billed in February 2014. Therefore, our customers will see an increase in cost of their electric by \$0.022 per KWH. This is roughly a 39% increase. We have been told that this might remain this high for another month.

RESOLUTION duly moved by Capan and seconded by Hatswell approve the 2014 Elected Chief Officers of the Akron Fire Company as: Chief – Gary Baehr; 1st Assistant Chief – Peter West; 2nd Assistant Chief – Todd Pfeiffer; 3rd Assistant Chief – Charles Haist be and hereby are approved.

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

CORRESPONDENCE

Reserve Gas Company 2014 Contact List and Emergency Contacts

NYSDEC SEQR Lead Agency Solicitation regarding 42 Jackson Street

Trident Insurance notification regarding 11 & 13 Colony Place

Town of Amherst Central Fire Alarm 2013 Annual Operations Report

Town of Amherst Central Fire Alarm January 2014 Operations Report

Town of Newstead CAC Ash Tree Report

Time Warner Cable notification of Rate Changes for March 2014

2014 Association of Erie County Governments Membership listing

Thank you letter from resident Edwin Sutton for the help from Jon Cummings and Fred Bedford with his ruptured water line which was flowing out onto Buell Street

PUBLIC COMMENT: Doug Ceisner asked how the Trident Insurance Company responded regarding 11 & 13 Colony Place. Clerk-Treasurer Borchert stated that the Insurance Company indicated that the Village was not responsible for the damage.

RESOLUTION duly moved by Capan and seconded by Forrestel to go into executive session regarding personnel, contractual and litigation issues at 8:32 pm be and hereby is approved.

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

RESOLUTION duly moved by Capan and seconded by Hatswell to come out of executive session regarding personnel, contractual and litigation issues at 9:03 pm be and hereby is approved.

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

The Village Board took a brief recess and reconvened at the Newstead Town Hall at 9:15 pm to meet with the Newstead Town Board. Supervisor Cummings welcomed the Village Board.

Emerald Ash Borer – Dr. Burke reported that the recommendation to both boards is not to do anything at this time since there is not a great deal of ash trees that can be saved. The other two illnesses that are affecting ash trees (Ash Decline & Ash Yellow) currently have no curable treatment.

Murder Creek Update – Dr. Burke reported that the embankment on the north side of Murder Creek has held up fairly well this winter. With the heavy snowfall this year, the Village of Akron has helped clear away the snow piled up behind the buildings. There have not been any complaints registered with the Village.

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. He also reported that he has a grant application in to the NYS Archives for scanning and imaging equipment and software.

Joint Facility – Hamburg Overhead Door was out and they have fixed and inspected all the overhead doors and the Village and Town will be entering into a maintenance agreement going forward with Hamburg Overhead Door. The continued flooring issues were discussed and it was decided that notice letters should sent to all parties that had any involvement with the decisions on the flooring. The natural gas pressure problems have been identified and they are working on different ideas that can be used to help boost the pressure to help the flow throughout the facility.

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. Depending on the scope of the update the estimate ranges from \$25,000 to \$60,000. Both boards agree that it is time that the document needs to be looked at. The original document will be sent to those who have not seen it.

Recycling – Daniel Borchert reported to the Village and Town that we have been notified from our recycling vendor that the \$0.25/lb. recycling charge for all CRT's collected at our recycling site has been waived. They have found a new revenue stream to help off-set the cost of recycling the CRT's. Mr. Borchert also noted that he is having a meeting with Sarah Hrywnak from Hazman regarding the possible 2014 Household Hazardous Waste Recycling dates.

Court Consolidation – The committee reported that they are still collecting data and once the 2013 reports have been completed they will have a better picture of the operations.

Joint Emergency Services – The committee will be trying to schedule a committee meeting in the next month.

Sewer/Wastewater – The next step is for an engineering study to be created on the future expansion of the wastewater treatment plant. Grant opportunities will be extended to each grant writer to find possible funding streams for the study. The expansion of the sewer district on Lewis Road is still in the discussion stages. The interested parties will be contacting the Town Engineer for estimates to move this project forward.

Other Business – It was mentioned what the status was of the Town of Newstead taking ownership of the soccer complex from Erie County on the south side of Skyline Drive on the east end of Akron Falls Park. The process is still moving forward and looks like it will be finalized soon. The subject of the 4th of July Celebration was briefly discussed and the committee knows that the Village and Town need to have a schedule of events so they can finalize the needs as to what is happening in the Village and what events are happening in the Town.

The next meeting is tentatively scheduled for Monday June 2, 2014 at the Akron Village Hall at 8:45 PM.

On motion of Forrestel and seconded by Hatswell, at 10:08 pm this meeting was ADJOURNED

MAYOR

CLERK-TREASURER