

August 5, 2013

A REGULAR MEETING of the Akron Village Board was held on this date at 7:34 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, Police Chief Richard Lauricella, Public Works Manager Jon Cummings and Akron Fire Department Representative Keith Hawes.

Mayor Patterson led us in the pledge to the flag.

RESOLUTION duly moved by Capan seconded by Hatswell, that the Minutes of the Regular Meeting of July 8, 2013 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 Hatswell 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	\$ 227,967.19
Electric Fund	\$ 166,014.50
Water Fund	\$ 18,345.08
Sewer Fund	\$ 16,214.44
Trust & Agency	\$ 4,073.48
Capital Streets	\$ 8,200.00

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 building permit be and hereby is approved with the applications and approval of the Code Enforcement Officer:

Carl Patterson	72 Parkview Drive	Roof	\$25.00
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ADOPTED E. PETER FORRESTEL - AYE
KATHRYN A. CAPAN - AYE
KEITH A. HATSWELL - AYE

Mayor Patterson abstained from voting

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

Laurie Mozee	6 Clinton Street	Roof	\$50.00
Henry Ciurzynski	64 Bloomingdale Ave	Roof	\$25.00
Ray Rodland	126 East Avenue	Roof	\$25.00
Dennis Smith	12 Clinton Street	Partial Garage Replacement	\$25.00
Ronald Lobur	29 Clinton Street	Roof	\$25.00
Tracy Oakes	20 Clinton Street	Roof	\$25.00
Susan Zeliff	51 Main Street	Change of Use	\$25.00
Jayne Little	83 Main Street	Change of Use	\$25.00

Gerald Summe	97 Main Street	Change of Use	\$25.00
Gerald Summe	99 Main Street	Change of Use	\$25.00
Daniel Senko	64 East Avenue	Roof	\$25.00
Thomas Brady	27 Front Street	Fence	\$25.00
Betty George	9 Marshall Avenue	Fire/repair	\$25.00

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 that the following Applications for a Dumpster Permit for the year 2013 be and hereby are approved in accordance with the application filed and payment of the annual permit fee:

Tracy Oakes	20 Clinton Street	30 day	\$20.00
Daniel Senko	64 East Avenue	30 day	\$20.00
Betty George	9 Marshall Avenue	30 day	\$20.00

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

PUBLIC HEARING – none scheduled

APPEARANCES – William Peronne from the Northern Erie Sno-Seekers came before the Board to request the use of the Village portion of the bike path. Mr. Peronne stated that he requested permission early this year due to the State requiring paperwork by August this year. Discussion was held regarding re-sealing patches of the path that have worn spots such as both ends of the bridge.

RESOLUTION duly moved by Forrestel and seconded by Hatswell to accept agreement with the Northern Erie Sno-Seekers for the 2013-2014 winter season.

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 August 5, 2013 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 Forrestel, seconded by Hatswell, 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 15, 2013 through April 1, 2014, 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, 2014.
- 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
	KATHRYN A. CAPAN	- AYE
	KEITH HATSWELL	- AYE

PUBLIC COMMENT –

Kurt Schie came before the Village Board with his Engineer Michael Metzger to request a rezoning of his property at 42 Jackson Street from an R3 zone to an I2 zone. Mr. Metzger explained that Mr. Schie would like to build another large pole barn to use as a storage warehouse for his Distribution Company's inventory of tractor parts. He currently ships tractor parts all over the world and employs seven people at this time. The rezoning would enable him to build one or two more pole barns and create a small business park.

RESOLUTION duly moved by Hatswell and seconded by Capan to forward the Rezoning of 42 Jackson Street from R-3 to I-2 as requested by property owner Kurt Schie to the Planning Board be and hereby is approved.

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

Resident Doug Ceisner questioned the Board why they do not want to use grant money jointly with the Town of Newstead to have a study done to see if consolidation of the Village and Town is a practical idea. He feels the study should be done so the people can decide.

PROJECT REPORTS –

Joint Facility –

Review Inter-Municipal Agreement with Town of Newstead – a joint meeting with the Town of Newstead is scheduled for September 23, 2013.

MONTHLY REPORTS –

Departments –

Attorney – nothing new to report

Clerk-Treasurer – The Board received the Clerk’s report for July 2013 along with the August 2013 office schedule. Clerk-Treasurer Borchert reported: the Village conducted a bid opening for the 2012 John Deere Gator, 2011 F-250 & 2008 John Deere Zero Turn Mower at 2:00 PM on July 31, 2013. The highest bidder for the 2012 Gator was Joe Sabrakinas from Meahl Road in the Town of Newstead with a bid of \$4,251.01.

RESOLUTION duly moved by Forrestel and seconded by Capan to sell the 2012 Gator to Joe Sabrakinas from Meahl Road in the Town of Newstead for \$4,251.01 be and hereby is approved.

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

Clerk Treasurer also reported: meeting with Dawn Kuras from USDA Rural Development to Complete a Risk Assessment for the Akron Water Plant; attended the Human Resource Committee Code Enforcement Officers Interviews with Trustee E. Peter Forrestel on Tuesday July 30, 2013; commented that interim Code Enforcement Officer Charles Reid has done a very nice job; coordinating with Ken Lombardo to upgrade the Mayors laptop computer and the Code Enforcement Officers computer; request to attend the 58th Annual NYCOM Fall Training School from September 9th – September 13th, 2013 in Saratoga Springs, NY at a cost of \$1,408.00 plus travel; Request to attend the IEEP Annual Meeting on Thursday September 26, 2013 in East Syracuse, NY. The Annual Meeting is at no cost to the Village except for travel

RESOLUTION duly moved by Forrestel and seconded by Capan to allow Clerk-Treasurer Borchert to attend the 58th Annual NYCOM Fall Training School from September 9th – September 13th, 2013 in Saratoga Springs, NY at a cost of \$1,408.00 plus travel be and hereby is approved.

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

RESOLUTION duly moved by Hatswell and seconded by Forrestel to allow Clerk-Treasurer Borchert to attend the Annual IEEP meeting on Thursday September 26, 2013 at no cost except for travel be and hereby is approved.

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

Police Chief – Chief Lauricella submitted to the Board the schedule for August 2013 and his report for July 2013. He reported: the car shows and the July 4th Celebration have gone well; Part-time Officer Michael Lute is still seeking a full time position with the Akron Police Department; the Akron Police Department has continued to patrol the Akron Falls Park and lastly met with the Akron Central School Superintendent Kevin Shanley regarding the possibility of the Akron Police Department helping with emergency issues due to the lack of a Resource Officer on premises.

Public Works – Public Works Manager Cummings stated that he did not have a report this month but reported: investigated sewer connection possibilities for the Hake Road/Jackson Street/Lewis Road extension; received final report for Ron Berry Memorial Fields and depending on the use of the property more consulting work may need to be done; reported that asbestos removal at 43 East Avenue is complete and the rest of the demolition is scheduled for this Fall; continue to work on replacing sidewalks in the Village; the Electric Department installed a new transformer over at Aakron Rule; informed the Board that the electrical maintenance contract with Ferguson Electric has expired and recommended looking at O’Connell Electric as a replacement; recommended

updating the salt spreader to a new unit that could monitor how much salt is used and where it is used, which would help determine how much the Town of Newstead uses compared to the Village of Akron

Akron Fire Company – recommended approving the new membership application for Lance Skidmore. Also, working on cost for emergency rescues in the Akron Falls Park

RESOLUTION duly moved Patterson and Capan to approve the Membership Application of Lance Skidmore 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

Camden Group – Representative Ken Scherrieble presented a copy of the July 2013 monthly report to the Board. He reported: Smoke testing will begin the week of August 12, 2013; regular maintenance is continuing; DPW Department helped with removal of sludge; one big project coming up is replacing the valves in the basement which requires pumping out everything in the digester.

Elected Officials –

TRUSTEES – COORDINATORS

Trustee Capan – nothing new to report

Trustee Middaugh – absent

Mayor Patterson – reported: the next joint meeting with the Town of Newstead is scheduled for September 23, 2013 directly after the regular Board meeting; attended the 100th Year Anniversary for Ford Gum and was impressed with the great turn out; also reminding everyone that the Association of Erie County Government meeting is August 22, 2013 and the Village Officials Association meetings will begin again in September 2013.

Trustee Forrestel – reported that the Water Wastewater Committee met this evening and discussed the Sewer Plant operations with smoke testing to begin next week and the Water Plant where discussion was held regarding spillway repairs and site restoration due to logging.

Trustee Hatswell – nothing new to report

OLD BUSINESS

Ron Berry Memorial Fields – received final report from Nature’s Way

Clinton Street/Eckerson Avenue Village Land – working on ideas for parking and other future uses of the land

Public Works Facility at 43 East Avenue – final demolition is scheduled for Fall 2013.

Niagara Label Annexation – Attorney Shonn reported that a meeting was held July 29, 2013 where discussion was held regarding the sewer line and the need for the Village of Akron, Town of Newstead and Niagara Label to all work together to get this done. Public Works Manager Cummings visited the site to check out the best way to run the sewer line.

NEW BUSINESS

RESOLUTION duly moved by Hatswell and seconded by Capan to waive the Zoning Board of Appeals fee for the land separation variance at 60 Bloomingdale Avenue on the recommendation of the Village Attorney 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 Forrestel and seconded by Patterson to approve John Asmus to attend the Wastewater Treatment Operators Class September 9th – 20th, 2013 at a cost of \$2,305.00 plus travel in Morrisville, NY 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 authorize the mayor to sign the Temporary Easement for the Murder Creek Stabilization Project be and hereby is approved.

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

Police Chief Richard Lauricella has taken and passed the Civil Service Test for Police Chiefs. More to follow at the September 9, 2013 Village Board Meeting

RESOLUTION duly moved by Capan and seconded by Hatswell to authorize the Akron Police Department to patrol the Akron Central School Varsity & Junior Varsity Football Games in September and October 2013 be and hereby is approved.

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

CORRESPONDENCE

William Schutt & Associates July 2013 Monthly Project Report

New York State Police letter of Recognition to Akron Police Department recognizing Officers Christopher Heiderman and Peter Scanio during a two day search for a missing person.

Email from Skyline Drive resident Debra Darling regarding airport traffic

July 2013 Central Fire Alarm Operations Report

Time Warner Cable notification of soon to be expiring agreements with Programmers and Broadcasters

Notice from Ride for Roswell that June 28, 2014 has been slated for the event next year

PUBLIC COMMENT: Resident Doug Ceisner asked if the Joint Facility Project has been closed out. Clerk-Treasurer Borchert stated that it has not been closed out

On motion of Capan and seconded by Hatswell, at 9:10 p.m. this meeting was ADJOURNED

MAYOR

CLERK-TREASURER