

September 23, 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, Kathryn A. Capan and Keith A. Hatswell; Clerk Treasurer Daniel P. Borchert, 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 Capan seconded by Forrestel, that the Minutes of the Regular Meeting of September 9, 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 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	\$ 13,103.82
Electric Fund	\$ 125,819.81
Water Fund	\$ 35,148.94
Sewer Fund	\$ 6,787.48
Trust & Agency	\$ 351.90

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 that the following building permits be and hereby are approved with the applications and approval of the Code Enforcement Officer:

Michael Whiting	85 Cedar Street	Fence	\$25.00
Emprise Group	64 John Street	Ramp	\$25.00
Gil Samuelson	74 Wesley Drive	Deck	\$25.00
Lawrence Wilson	48 Brooklyn Street	Roof	\$25.00

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 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:

Lawrence Wilson	48 Brooklyn Street	30 day	\$20.00
-----------------	--------------------	--------	---------

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

KATHRYN A. CAPAN - AYE
KEITH A. HATSWELL - AYE

PUBLIC HEARING – none

APPEARANCES – none

PUBLIC COMMENT – Resident Doug Ceisner stated that the Village agenda was not on the website and the minutes from July, August and September need to be added to the site as well. Clerk-Treasurer Borchert stated that the Village has to go through Erie County to update our site and sometimes our email requests are not completed quickly.

PROJECT REPORTS –

Joint Facility –

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

MONTHLY REPORTS –

Departments –

CAMDEN GROUP – Representative Todd Skeet came before the Board to give the update on the Sewer Plant. He reported: Sewer Plant passed all limits; Bob Lucia has been jetting sewer lines; smoke testing will begin again this month especially after the 3.25” of rain that fell on Sept 21 and spiked the influent levels; cleaned out the digester and hauled away 22.8 tons of sludge; have continued to rototill the drying beds which helps dry them faster; requested fans to help speed the drying process even faster; need to replace this winter: chlorine lines, glass in the greenhouse, valves and a sludge pump in the basement.

CODE ENFORCEMENT OFFICER – Mayor Patterson introduced and welcomed Michael Borth as the new Code Enforcement Officer. Mr. Borth reported that he is working with interim Code Enforcement Officer Charles Reid to discuss open permits and other office procedures to ensure a smooth transition.

Elected Officials –

TRUSTEES – COORDINATORS

Trustee Capan – reported that the Celebration Committee is in the process of re-organizing with the Akron Chamber of Commerce and a few other organizations. The Committee is really working on obtaining a ride vendor back for the July 4th celebration. The New Year’s Eve celebration is ready to go and the Village should be receiving the Fire Works Permit very soon.

Trustee Middaugh – nothing new

Mayor Patterson – reminder of the joint meeting tonight with the Town of Newstead, wanted to mention that the efforts of the Chamber of Commerce should be commended for all they do during the year, lastly a thank you to Steve and Mary Jo Bedford for the lovely flower baskets hanging along Main Street

Trustee Forrestel – Water Wastewater Committee will follow up with the Sewer Plant violations

Trustee Hatswell – working with Village Attorney Shonn regarding the Local Law #2 - the Regulation of Alarms and Monitoring Devices.

Trustee Hatswell – nothing to report

OLD BUSINESS

Ron Berry Memorial Fields – nothing new

Clinton Street/Eckerson Avenue Village Land – nothing new

Public Works Facility at 43 East Avenue – demo will begin in later October or early November 2013

Niagara Label Annexation and Sewer District – none

2014-2016 Town/County Snow Plowing Contracts – Public Works Manager Cummings suggested reaching out to the County to discuss contract.

NEW BUSINESS

RESOLUTION duly moved by Hatswell and seconded by Capan to hold a Public Hearing on proposed Local Law #2 in the Village of Akron regarding the Regulation of Alarms and Monitoring Devices on Monday October 7, 2013 at 7:30 pm 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 Capan and seconded by Forrestel to hold a Public Hearing on proposed Local Law #3 in the Village of Akron regarding updates to Chapter 42 Article 1 and Article II of the Procurement Law on Monday October 7, 2013 at 7:30 pm 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 Hatswell and seconded by Middaugh to authorize the Mayor to sign the 2013-2014 Akron Fire company Service Award program Agreement 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

Time Warner Cable notification of soon to be expiring agreements with programmers and broadcasters along with channel additions and deletions

Organization of public Employer Negotiators biannual training conference on October 16, 2013 at the Millennium Hotel

Niagara Frontier Industry Education Council Fall Forum on November 7, 2013 at the Creekside Banquet Facility

Town of Amherst Central Fire Alarm Office August 2013 Operations Report

Schrock Metal products Open House Friday October 18, 2013 at 10:00 am

PUBLIC COMMENT: Resident Doug Ceisner stated that he has been at the Sewer Plant in Arcade and they have a ringer system that squeezes all the water out of the

sludge leaving it very dry and light weight saving considerable amount of money on hauling it out.

Trustee Forrestel reported meeting with Legislator Ed Rath, Charlie Sickler from the Erie County DPW, Town of Newstead Supervisor Dave Cummings, Town of Newstead Councilmen, Don York and Jim Mayrose along with several local residents at the Swift Mill Bridge to see and discuss the bridge's issues and to hear that the funding for the bridge has been moved from the year 2015 to 2014. The funding is mostly federal funds which will be distributed in June of 2014, but in the meantime Erie County will select a Consultant to design the bridge. Also discussion was held as to whether at least one lane of the bridge could be opened, the County is scheduling the Bridge Inspectors to come out and evaluate if the bridge can have one lane of traffic.

The meeting moved to the Akron Village Hall where Legislator Rath went through the other numerous points from the last public meeting held at the Village Hall on June 26, 2013. East Avenue capital Project – no news. Bloomingdale Avenue-looking for the County to come forth with some maintenance money for the Town and Village workforce to fix the two soft spots that need to be excavated to at least make the road tolerable. Legislator Rath reported that the County Highway Department completed 10 projects this year. He is also going to request that East Avenue and Bloomingdale Avenue be included in the 2014 Capital budget. Discussion was held of direct funding for the East Avenue and or State Street Bridge projects. Lastly discussion was held regarding Akron Falls Park. There are several collapsed culverts that need to be replaced. Also the issue of swimmers by the actual falls who need to be rescued by Akron Fire Company has been discussed in that the rescues can be very costly for the Fire Department. Checking into the possibility of having the Court system add the cost of replacing equipment on to the offender's fine, this could then be sent back to the Fire Department. The bridge in the lower park will be completed by the end of this week. Legislator Rath will ask the State to move the Mechanic Street Bridge on Buell Street up on the project list so we can remove the weighted cones. The State responded that the Mechanic Street Bridge is not on their list of things to be done. The Board will suggest to Ed Rath's office to have a letter drawn up addressing all the above points.

Mayor Patterson re-introduced and welcomed employee Bradley Baer back to the Village. Mr. Baer has a strong background as a tree arborist and is fully trained and licensed applicator for the issue of the Emerald Ash Borer inflicting surrounding Ash Trees. Mr. Baer is in the process of setting up a schedule to treat the 25-30 Village Ash Trees starting at the end of May 2014. He will need to purchase about \$2,200.00 worth of equipment and supplies to complete this project or double that amount if the Town of Newstead would like to partake in the project. Mr. Baer also questioned if he could treat residents personal trees providing resident pays for labor and materials. More discussion to follow

Lastly, Mr. Baer stated that he is grateful and excited for the opportunity to come back and work for the Village again.

The Village Board took a brief recess to travel to the Town of Newstead for a joint meeting with the Newstead Town Board. The Village Board reconvened at 9:05 p.m. at the Newstead Town Hall. Supervisor Cummings welcomed all in attendance.

Murder Creek Update – Carl Klingenschmitt reported that most of the new plantings are doing very well. There is a section behind 41 Main Street that might need some attention. There were only two bidders for the next section and they were both extremely high. The grant has been extended until 2014 so the recommendation is to re-bid the project in the spring. We might be able to do work in the creek since the base is solid bedrock and this should help to reduce the cost of the project.

Emerald Ash Borer – Carl Klingenschmitt reported that the borer has been confirmed in Lancaster and Youngstown. It has not been confirmed yet in Newstead. They are currently doing a tree inventory and the thought is that within 20 years, all the ash trees will be gone in WNY. He believes that the borer is already in Newstead, but just not confirmed. There are three possible avenues to take: (1) do nothing and let all the trees die; (2) wait until we see an infection and then treat; (3) begin treating all the trees on a three year treatment cycle. The CAC will come back with a recommendation to

both boards to discuss. The Village of Akron now has a certified arborist on staff, Brad Baer, and he will provide support to the committee as well.

Archives – The Town has room in their new archives room for items from the Village to be stored. Clerk Borchert will be going through the items in the Village to see what could be transferred to the Town storage room.

Joint Facility Floor & Other Items – There is still a concern over the finish on the concrete floor. There continues to be sporadic areas that continue to show wear and flaking. Town Attorney Neill & Village Attorney Shonn will get together to put Sherwin-Williams on notice regarding the warranty on the flooring product. They were the ones that recommended that the product would work. The committee is Mayor Patterson, Supervisor Cummings, Trustee Forrestel & Councilman Mayrose. Councilman Mayrose will be the lead person on this committee.

Joint Facility – SOP, Staffing & Highway Departments – The Village and Town SOP's have been completed. They need to be combined into one document so there is a standard operation of work flow at the facility. The committee will be putting together a job description for position of office manager. Both highway departments need to sit down and put together an equipment plan so we can better manage the equipment at the facility. The committee is Mayor Patterson, Supervisor Cummings, Trustee Forrestel & Councilman Mayrose. Supervisor Cummings will be the lead person on this committee.

Joint Master Plan - The committee is Mayor Patterson, Supervisor Cummings, Trustee Capan & Councilman Mayrose. Supervisor Cummings will be the lead person on this committee.

Household Hazardous Waste Event – Clerk Borchert reported that the next event is scheduled for Saturday October 5, 2013 from 9:00 a.m. to noon at the joint facility on Clarence Center Road. Haz-Man will be providing this service again for the communities.

Court Consolidation – The Village and Town are still trying to work out an agreement regarding revenue sharing since the Village of Akron Police Department issues a number of tickets to the court. Councilman Mayrose will head this committee with Trustee Forrestel.

Emergency Services - The committee is Mayor Patterson, Supervisor Cummings, Trustee Hatswell & Councilman Rooney. Councilman Rooney will be the lead person on this committee.

Town Sewer District – Trustee Forrestel will lead the discussion through the Water Wastewater Committee. Public Works Manager Jon Cummings has completed the concept and survey for the proposed district.

The next meeting was set to be held on Monday November 18, 2013 at 8:30 p.m. at the Village Hall.

On motion of Forrestel and seconded by Middaugh, at 10:40 p.m. this meeting was ADJOURNED

MAYOR

CLERK-TREASURER