

September 9, 2013

A REGULAR MEETING of the Akron Village Board was held on this date at 7:33 p.m. Present: Mayor Carl E. Patterson, Trustees, E. Peter Forrestel, Michael R. Middaugh, Kathryn A. Capan and Keith A. Hatswell; Village Attorney Daniel D. Shonn, Deputy Clerk Treasurer Tammy L. Kelley, Police Chief Richard Lauricella and Public Works Manager Jon Cummings.

Mayor Patterson led us in the pledge to the flag. He also asked for a moment of silence for Joyce Ceisner and to keep her family in our thoughts and prayers.

RESOLUTION duly moved by Middaugh seconded by Capan, that the Minutes of the Regular Meeting of August 5, 2013 and the Special Meeting of August 16, 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 Forrestel seconded by Middaugh 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	\$ 54,808.13
Electric Fund	\$ 23,024.30
Water Fund	\$ 71,159.66
Sewer Fund	\$ 28,626.11
Trust & Agency	\$ 4,031.96
Capital Streets	\$ 11,663.79

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

Ronald Warren	56 Skyline Drive	Porch/Overhang	\$25.00
Frank Voll	58 Skyline Drive	Shed	\$25.00
Todd Lotz	12 Sylvan Pkwy	Roof	\$25.00
Dick Litfin	7 Washington St	Roof	\$25.00
Charles Marina	7 Shepard Avenue	Patio Enclosure	\$25.00
Erin O'Brien	8 Townsend Street	Front Porch	\$25.00
Charles Carter	6 Marshall Avenue	Shed	\$25.00
Bill Hochwater	72 Bloomingdale Ave	Roof	\$25.00
Jason Cory	173 Skyline Drive	Shed	\$25.00
Martha Griffin	39 Randy Drive	Roof	\$25.00
Robert J. Lucia	225 East Avenue	Roof	\$25.00

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

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

Kelkco LLC                      66 Main Street                      Restaurant/apartments                      \$998.00

The above building permit was referred back to the Code Enforcement Officer and Fire Department for more information.

RESOLUTION duly moved by Middaugh and seconded by Capan 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:

Gil Samuelson                      74 Wesley Drive                      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

RESOLUTION duly moved by Hatswell and seconded by Middaugh that the following Application for a Plumbers License for the year 2013 be and hereby is approved in accordance with the application filed and payment of the annual license fee of \$40.00:

John Smith                      201 Naramore Dr, Batavia                      1 Year                      \$40.00

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 suggested again to the Board 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. Mayor Patterson stated that the Village is concentrating on completing the consolidations that have been done such as with the Joint Facility and the Courts where many details have yet to be finalized. Mr. Ceisner also asked if all the Municipalities that have Electric Companies pay the same rate per kilowatt hour. Village Attorney Shonn stated that they do pay the same rate for each kilowatt hour.

Bloomington Avenue Residents, John Nyquist and Mary Jane Shonn came before the Board to discuss the traditional Akron Central School Homecoming celebration event of toilet papering Bloomington Avenue. Both residents have tolerated and even enjoyed it in the beginning but now feel it has become more of a nuisance and a mess than it is worth. Mayor Patterson stated that this has been a major concern for the Village for many years and that it is not sponsored by the Village in any way. The Board met with the Akron Central High School Principal Joseph Lucenti and Akron Central District Superintendent Kevin Shanley this evening at the work session. The discussion was regarding the toilet paper event. The meeting concluded with all in agreement to control the event as much as possible this year and to have a two day clean-up afterwards. The group did discuss ways to eliminate this tradition and build new safer ways to celebrate. In the Spring of 2014 School Representatives really want to get the students involved in coming up with suggestions on how to build new traditions that work for everyone.

Resident Daniel Kowalik came before the Board to discuss the trees that the Village had planted on Main Street, especially in front of his house. He stated that the

trees have grown quite large and are full of bees and also drip black sap-like residue all over the ground or on any vehicle that is parked under one. He wondered if there was anything the Village could do either replace them or control the bees and sap. Public Works Manager Cummings stated that he would have the Village's new employee Bradley Baer who is a certified arborist check on the situation. Resident Mary Jane Shonn stated that several homes on Bloomingdale Avenue lost trees during the past few years and wondered if they would ever be replaced. Trustee Forrestel stated that the Village DPW including new employee Certified Arborist Bradley Baer have developed a Tree Planting Master Plan which will be accomplished over the next two years starting this Fall.

#### PROJECT REPORTS –

Joint Facility –

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

#### MONTHLY REPORTS –

Departments –

Attorney – Attorney Shonn reported that he is working on several local laws such as a Re-zone for Kurt Schie's property on Jackson Street, a Procurement Policy and a law for unnecessary police and fire calls.

Clerk-Treasurer – The Board received the Clerk's report for August 2013 along with the September 2013 office schedule. Clerk-Treasurer Borchert was absent due to attendance at the NYCOM Fall Training School in Saratoga Springs, NY. Trustee Capan had a question regarding the Clerks report about the Clerk attending the Dale Carnegie Leadership Training with Public Works Manager Jon Cummings and Water Plant Chief Operator John Asmus; she wondered how long the program ran and the cost. Mayor Patterson explained that it was Wednesday mornings from 7:00 am until 11:30 am for a 12 week period at \$1500.00 per person.

Police Chief – Chief Lauricella submitted to the Board the schedule for August 2013 and his report for September 2013. He reported that the Thursday night car shows have ended; the Super Cruise and Craft Show is scheduled for this Saturday from 9:00 – 4:00 pm. and the police will control parking in Russell Park and in front of the Post Office; the Akron Central School football games have begun; Crossing Guards are in place; the new patrol car is in and hopefully will be delivered next week and some scheduling issues have come up for Sunday afternoon due to the part-time Officers working the Buffalo Bills Football games.

Public Works – Manager Cummings submitted his report for August 2013. He reported: Electric Service will be interrupted on Saturday October 5, 2013 starting at 11:45 pm through 3:30 pm Sunday October 6, 2013 for approximately 4 hours. The interruption is intended to facilitate our preventative maintenance program at our Electric substation. This interruption will impact all residential, commercial and industrial customers. Notification will be sent to all impacted. Mr. Cummings also reported signing a quarterly agreement with the Occupational Safety Environmental Associates for required basic safety training costing \$575.00 a quarter and will possibly be sharing with the Town of Newstead. Lastly Mr. Cummings recommended moving John Asmus from Grade 13 Step 4 to Grade 13 Step 5 effective as of August 3<sup>rd</sup>.

RESOLUTION duly moved by Forrestel and seconded by Capan to move Water Plant Chief Operator John Asmus from Grade 13 Step 4 to Grade 13 Step 5 effective August 3, 2013 on the recommendation of the Public Works Manager Jon Cummings 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

Akron Fire Company – no Representative present

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. More to follow

Trustee Middaugh – reported that he will be scheduling a follow-up meeting with Legislator Ed Rath regarding the Erie County Snow Plowing Contract as well as conversation on the yet to be completed road work on Bloomingdale Avenue and East Avenue.

Mayor Patterson – will be attending the Village Officials meeting on September 19, 2013 at the Bradford Ale House in Depew, NY and the Association of Erie County Government meeting on September 26, 2013 hosted by the City of Tonawanda.

Trustee Forrestel – reported that the Human Resource Committee held 2 sets of interviews for the Code Enforcement position and agreed to hire Michael Borth. Mr. Borth would average around 15 hours per week and will have established office hours. Mr. Reid the Village interim Code Enforcement Officer will be working with Mr. Borth on the building permits that are still open to encourage a smooth transition.

RESOLUTION duly moved by Forrestel and seconded by Middaugh to hire Michael Borth to the part-time Code Enforcement Officer effective immediately 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

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 – asbestos abatement has been completed and demo will begin in later October or early November 2013

Niagara Label Annexation – preliminary work has been done for sewer line placement, but an agreement is needed between the Village of Akron and Niagara Label

NEW BUSINESS

RESOLUTION duly moved by Middaugh and seconded by Capan to hold a Public Hearing on October 7, 2013 for the 2014-2015 Erie County Community Development Block Grant Program 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 Middaugh and seconded by Capan to waive the Zoning Board fee as per the request of the First United Methodist Church for a proposed sign permit be and hereby is approved.

ADOPTED CARL E. PATTERSON - AYE  
MICHAEL R. MIDDAUGH - AYE  
KATHRYN A. CAPAN - AYE  
KEITH A. HATSWELL - AYE

Trustee Forrestel abstained from voting

RESOLUTION duly moved by Forrestel and seconded by Middaugh to approve the following Budget adjustments: (1) Raise Revenue A3389 and Raise Appropriation A3120.0200 for \$6,365.00 for an Erie County Police Grand Received, (2) Raise Revenue A2665 and Raise Appropriation A5110.0200 for \$4,251.01 for the sale of the John Deere Mower 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

2014-2016 Town/County Snow Plowing Contracts

CORRESPONDENCE

Complaint from Resident at 135 Main Street regarding smoke and odor from a bon-fire at 141 Main Street, Violation Notice attached

Zoning Board of Appeals Minutes from meeting held August 26, 2013

Erie County Department of Environment and Planning notification for three public forums to determine the needs of 100,000 low and moderate income residents

Erie County CDBG Rural Transit Service Advisory Board meeting agenda for Thursday September 26, 2013 at the City of Tonawanda Niawanda Park Pavilion

Buffalo Erie Niagara Land Improvement Corporation regarding 2014 request for foreclosure process

William Schutt & Associates August 2013 Monthly Project Report

PUBLIC COMMENT: none

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

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MAYOR

\_\_\_\_\_  
DEPUTY CLERK-TREASURER