

February 22, 2016

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, Keith A. Hatswell and Brian T. Perry; Attorney Andrew Borden, Treasurer Tammy Kelley, Clerk Daniel P. Borchert, Chief of Police 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 Middaugh seconded by Perry that the Minutes of the regular meeting of February 1, 2016 be and hereby is approved by the Village Board.

ADOPTED CARL E. PATTERSON - AYE
E. PETER FORRESTEL - AYE
MICHAEL R. MIDDAUGH - AYE
KEITH A. HATSWELL - AYE
BRIAN T. PERRY - AYE

RESOLUTION, duly moved by Forrestel seconded by Perry 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	\$ 24,351.77
Electric Fund	\$ 177,231.94
Water Fund	\$ 5,785.73
Sewer Fund	\$ 8,254.50
Capital Sewer Fund	\$ 4,075.00

ADOPTED CARL E. PATTERSON - AYE
E. PETER FORRESTEL - AYE
MICHAEL R. MIDDAUGH - AYE
KEITH A. HATSWELL - AYE
BRIAN T. PERRY - AYE

RESOLUTION duly moved by Middaugh and seconded by Hatswell that the following Renewal of Application for a Dumpster Permit for the year 2016 be and hereby is approved in accordance with the application filed and payment of the annual permit fee:

Kurt Feitshans	Lewis Road	Renewal	\$50.00
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ADOPTED CARL E. PATTERSON - AYE
E. PETER FORRESTEL - AYE
MICHAEL R. MIDDAUGH - AYE
KEITH A. HATSWELL - AYE
BRIAN T. PERRY - AYE

RESOLUTION duly moved by Hatswell and seconded by Middaugh that the following Application for a Plumber License for the year 2016 be and hereby is approved in accordance with the application filed and payment of the annual license fee of \$75.00:

John Babcock	549 Main Road, Corfu, NY	Renewal	\$75.00
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ADOPTED CARL E. PATTERSON - AYE
E. PETER FORRESTEL - AYE
MICHAEL R. MIDDAUGH - AYE
KEITH A. HATSWELL - AYE
BRIAN T. PERRY - AYE

PUBLIC HEARING – was held at this time to hear any and all persons for the purpose of addressing the Local Law #1 for 2016 – Amending Chapter 165, Section 11, Paragraph D, and Chapter 165, Attachment 1, Schedule A of the Code of the Village of Akron. Clerk Borchert read the Proof of Publication. Village Attorney Borden explained to the Board that both the Planning Board and Zoning Board of Appeals had met to discuss the amendment of Schedule A in regards to height and rear and side yard set-backs for accessory buildings with the intention to bring consistency to Schedule A. Both Boards felt that with the numerous variance requests for height and setbacks for accessory buildings presented in the past few years, a review of the code was necessary. Clerk Borchert asked if anyone wished to speak.

Retired Village Attorney Don Shonn stated that both the height and set-back issues have come before the Planning and Zoning Board far too often and by updating the code it will save time and energy and money for everyone. He also mentioned that after hearing the presentation by Williamsville Mayor Brian Kulpa regarding the changes they made to their code, it may not be so much the issue of the height of a building but how it fits into the neighborhood.

Resident Sharon Carlo from 102 John Street is very concerned about the height of accessory buildings in the Village and that many are of the pole barn design. She strongly urged the Village Board to consider her concerns.

RESOLUTION duly moved by Perry and seconded by Middaugh that the Public Hearing with regard to Local Law #1 for 2016 – Amending Chapter 165, Section 11, Paragraph D, and Chapter 165, Attachment 1, Schedule A of the Code of the Village of Akron be and hereby is closed at 7:47 pm

ADOPTED CARL E. PATTERSON - AYE
E. PETER FORRESTEL - AYE
MICHAEL R. MIDDAGH - AYE
KEITH A. HATSWELL - AYE
BRIAN T. PERRY - AYE

Mayor Patterson recommended moving the decision until the next Village Board meeting of March 7, 2016 giving the Board more time to review and discuss the proposed changes. He also wanted to remind the Board that the proposed changes were on the recommendation of both the Planning Board and the Zoning Board of Appeals.

Trustee Perry explained the variance process to the audience.

APPEARANCE – none

PUBLIC COMMENT – Resident Doug Ceisner congratulated the DPW workers Christopher Wargala and Bradley Baer for the great job on the Board Room update. Mr. Ceisner also wanted to thank the Board for getting the Planning Board and Zoning Board of Appeals minutes on the website.

PROJECT REPORTS – none

MONTHLY REPORTS –

Departments –

CLARK PATTERSON LEE - none

TREASURER – requested the Board to approve the following budget adjustments:

General Fund:

A1010.0410 Board of Trustee Training	to A1010.0400 Board of Trustees Expenses	\$ 50.00
A1210.0410 Mayor Training	to A1210.0400 Mayor Expense	\$ 50.00
A1325.0443 Clerk-Treas Computer fees	to A1325.0425 Clerk Treas Professional Fee	\$675.00
A1420.0100 Attorney Salaries	to A1420.0111 Outside Attorney Fees	\$2,687.79
A1990.0400 Contingency	to A1910.0499 Insurance	\$2,236.92
A3120.0400 Police Expense	to A3120.0443 Police Computer Fees	\$ 75.00
A3620.0400 Code Enforcement Expense	to A3620.0415 Code Enforcement Advertising	\$200.00
A5110.0400 Streets Expense	to A5110.0443 Streets Computer Expense	\$175.00
A5110.0400 Streets Expense	to A5110.0481 Streets Equipment repair	\$1,500.00
A8160.0400 Refuse Expense	to A8160.0445 Refuse Postage	\$1,050.00

A9030.0800 Benefits Fica Expense to A9040.0800 Workmen's Comp Ins. Exp \$375.00

Water Fund:

F8320.0436 Crittenden Rd Well Phone Service to F8320.0400Crittenden RD Well Expenses \$100.00
F8320.0443 Crittenden Rd Well Computer Serv to F8320.0437Crittenden Rd Well Electric \$500.00
F8340.0400 Distribution Expense to F8340.0478 Distribution Stone & Asphalt \$200.00
F8340.0400 Distribution Expense to F8340.0481 Dist Equipment repairs/maint. \$1,500.00
F8340.0400 Distribution Expense to F8340.0492 Distribution meter expense \$50.00

Sewer Fund:

G8130.0400 General Expenses to G8130.0419 Office Supplies \$150.00

RESOLUTION duly moved by Forrestel and seconded by Hatswell to approve the above budget adjustments as submitted by Treasurer Kelley be and hereby are approved.

ADOPTED CARL E. PATTERSON - AYE
E. PETER FORRESTEL - AYE
MICHAEL R. MIDDAUGH - AYE
KEITH A. HATSWELL - AYE
BRIAN T. PERRY - AYE

Elected Officials –

TRUSTEES – COORDINATORS

Trustee Perry – reported: gave credit to the DPW employees for doing a nice job on the Board room update; spoke with Village Engineer Donald Hoefler and asked for an engineering proposal for the rehabilitation of State Street Bridge. The Board would like to get several bids to better recognize the funds needed to fix the bridge which would better enable the search for grant monies to help fund the project. Trustee Perry also recommended using a grant writer that he has used before in the private sector who has agreed to come on board on a per project basis.

Trustee Middaugh – reported: Police, Fire and Emergency Services Committee met with two potential candidates to fill the in gaps with coverage due to the recent retirees and availability issues in the Police Department. The Committee will forward recommendations to the Board at the next Village Board meeting. He also thanked Treasurer Tammy Kelley for the improvement to the Year to Date Report which is now much easier to read. Lastly, Trustee Middaugh questioned the expenditures for bulk salt and the remaining amount of salt at the DPW.

Mayor Patterson – reported: a Grant Committee headed by Trustee Perry will be formally announced at the Annual Meeting held April 4, 2016; on behalf of the HR Committee, final interviews will be conducted for the replacement of the Deputy Clerk; also looking to fill the vacant part-time position available at the Joint DPW Facility just need to clarify the job description first. Received information about a Hearts and Hands event scheduled for May 21, 2016 as well as the Meals on Wheels Celebrity Delivery Event scheduled for May 21-25, 2016. In reference to a request from Martin Schuman from 74 Jackson Street a letter was sent to Erie County from the Village of Akron and the Town of Newstead requesting the County to consider lowering the speed limit on Hake Road; attended a Village Officials Association meeting held February 18, 2016 in Williamsville. Mayor Patterson asked Code Enforcement Officer Michael Borth for an update on the proposed apartment project at 168 Main Street. Code Enforcement Officer Borth replied that the project is on hold at this time due to unexpected amounts of asbestos located in the building.

Trustee Forrestel – reported: attended a Finance Committee meeting last week which recommended the budget transfers spoken about earlier; also from that meeting the Committee recommended hiring a new Accounting Services Company for the yearly scheduled audit. In doing so the Committee recommended hiring consultant Lucernoni, Schulz & Co to help prepare the RFPs and to present the three most qualified Accounting Service candidates for the Board to review at a cost not to exceed \$2500.00.

RESOLUTION duly moved by Forrestel and seconded by Hatswell to approve the recommendation to employ Lucernoni, Schulz & Co LLP to help the Village hire an Accounting Services firm by preparing the Request for Proposals and recommending the top three qualified companies for the Boards review with a cost not to exceed \$2500.00 be and hereby is approved.

ADOPTED	CARL E. PATTERSON	- AYE
	E. PETER FORRESTEL	- AYE
	MICHAEL R. MIDDAUGH	- AYE
	KEITH A. HATSWELL	- AYE
	BRIAN T. PERRY	- AYE

Earlier at the Water Wastewater Committee meeting Steve Tanner from Clark Patterson Lee stated that they are almost done with the Phase I Proposal of the needed updates for the Sewer Collection System and Water Treatment Plant and Phase II which includes the scope of work to enlarge the facility. Also at the meeting the Committee reviewed the operations of the Water Plant, Waste Water Plant, Distribution and Collection Systems. They also discussed the Hoag Avenue Capital Project scheduled for this year and the additional work scheduled for the Spillway at the Water Plant. Lastly, the Departments are working on their requests for the budget year of 2016-2017.

Trustee Hatswell – reported: nothing new

OLD BUSINESS

Clinton Street/Eckerson Avenue Village Land –none

Public Works Facility at 43 East Avenue – none

Cable Contract – none

Employee Contract – discussion held in executive session

Criteria for waived building permits – none

Verizon Joint Pole Agreement – discussions are in process and also waiting on Labor Attorney

NEW BUSINESS

RESOLUTION duly moved by Forrestel and seconded by Hatswell to allow Treasurer Tammy Kelley to attend the Government Accounting School from March 15 – March 17, 2016 in Canandaigua, NY at a cost of \$85.00 plus travel be and hereby is approved.

ADOPTED	CARL E. PATTERSON	- AYE
	E. PETER FORRESTEL	- AYE
	MICHAEL R. MIDDAUGH	- AYE
	KEITH A. HATSWELL	- AYE
	BRIAN T. PERRY	- AYE

RESOLUTION duly moved by Middaugh and seconded by Hatswell to approve the 2015 Akron Fire Company Service Award Program Firefighter record as provided by the Akron Fire Company be and hereby is approved.

ADOPTED	CARL E. PATTERSON	- AYE
	E. PETER FORRESTEL	- AYE
	MICHAEL R. MIDDAUGH	- AYE
	KEITH A. HATSWELL	- AYE
	BRIAN T. PERRY	- AYE

RESOLUTION duly moved by Forrestel and seconded by Perry to authorize the Hearts and Hands to hold their annual fundraiser in Russell Park on Saturday May 21, 2016 be and hereby is approved.

ADOPTED CARL E. PATTERSON - AYE
E. PETER FORRESTEL - AYE
MICHAEL R. MIDDAUGH - AYE
KEITH A. HATSWELL - AYE
BRIAN T. PERRY - AYE

RESOLUTION duly moved by Middaugh and seconded by Perry to move part-time Officer Scott Johnston from hire rate to Grade 3 Step 1 effective Friday February 26, 2016 as per the recommendation of Chief of Police Richard Lauricella be and hereby is approved.

ADOPTED CARL E. PATTERSON - AYE
E. PETER FORRESTEL - AYE
MICHAEL R. MIDDAUGH - AYE
KEITH A. HATSWELL - AYE
BRIAN T. PERRY - AYE

CORRESPONDENCE

Planning Board Minutes of meeting held January 19, 2016

Time Warner Cable notification of soon to be expiring agreements with programmers and broadcasters

Town of Amherst Central Fire Alarm January 2016 Operation Report

PUBLIC COMMENT: Resident Doug Ceisner suggested that the Board move forward on the criteria for waived building permits before another non-profit organization submits a building permit.

RESOLUTION duly moved by Perry and seconded by Middaugh to go into executive session regarding contractual and personnel issues at 8:16 pm be and hereby is approved.

ADOPTED CARL E. PATTERSON - AYE
E. PETER FORRESTEL - AYE
MICHAEL R. MIDDAUGH - AYE
KEITH A. HATSWELL - AYE
BRIAN T. PERRY - AYE

RESOLUTION duly moved by Perry and seconded by Middaugh to come out of executive session regarding contractual and personnel issues at 9:05 pm be and hereby is approved.

ADOPTED CARL E. PATTERSON - AYE
E. PETER FORRESTEL - AYE
MICHAEL R. MIDDAUGH - AYE
KEITH A. HATSWELL - AYE
BRIAN T. PERRY - AYE

On motion of Forrestel and seconded by Middaugh at 9:08 p.m. this meeting was ADJOURNED

MAYOR

CLERK