

October 6, 2014

A REGULAR MEETING of the Akron Village Board was held on this date at 7:30 p.m. Present: Deputy Mayor Michael R. Middaugh, Trustees, E. Peter Forrestel, Kathryn A. Capan and Keith A. Hatswell; Village Attorney Daniel D. Shonn, Clerk Treasurer Daniel P. Borchert, Chief of Police Richard Lauricella, Public Works Manager Jon Cummings and Code Enforcement Officer Michael Borth.

The Deputy Mayor led us in the pledge to the flag.

RESOLUTION duly moved by Hatswell seconded by Capan, that the Minutes of the Regular Meeting of September 22, 2014 be and hereby is approved by the Village Board.

ADOPTED 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	\$	16,675.85
Electric Fund	\$	19,552.19
Water Fund	\$	13,542.37
Sewer Fund	\$	9,767.66
Trust & Agency	\$	2,493.15

ADOPTED 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:

Robert Seifert	24 Front Street	Garage Extension	\$260.00
Eileen Griffin	57 Wesley Drive	Windows	\$100.00
Gloria Rembas	63 Buell Street	Roof	\$50.00
Kailey Zobel	18 Shepard Ave	Roof	\$50.00
Joe Capan	10 Shepard Ave	patio/pool rehab	\$100.00
LL Tillman Post	9 Eckerson Ave	Windows	\$100.00
Judy Sescil	44 Eckerson Ave	Roof	\$50.00
Cloisters 80 Apts	Westgate Ave	Rehab Apartments	\$17,796.00
Cloisters 10 Bldgs	Westgate Ave	Windows, Siding	\$4,500.00
Cloisters 40 Decks	Westgate Ave	Decks	\$2,000.00
Cloisters 1 Patio	Westgate Ave	Replace Patio	\$50.00
Meadows 32 Apts	Westgate Ave	Rehab Apartments	\$6,684.00

ADOPTED E. PETER FORRESTEL - AYE  
MICHAEL R. MIDDAUGH - AYE  
KATHRYN A. CAPAN - AYE  
KEITH A. HATSWELL - AYE

RESOLUTION duly moved by Hatswell and seconded by Forrestel that the following Dumpster Permits be and hereby are approved with the applications and approval of the Code Enforcement Officer:

Rev David Weidman	55 Parkview Dr	30 Day	\$50.00
Nancy Smith	80 John Street	30 Day	\$50.00

ADOPTED E. PETER FORRESTEL - AYE  
MICHAEL R. MIDDAUGH - AYE  
KATHRYN A. CAPAN - AYE  
KEITH A. HATSWELL - AYE

PUBLIC HEARING – was held at this time to hear any and all persons for the purpose of addressing the 2015 Community Development Block Grant Program. Clerk-Treasurer Borchert read the Proof of Publication and asked if anyone in attendance wished to speak. Clerk-Treasurer Borchert stated that the Village has had many projects granted from the CDBG such as: numerous sidewalks including the recent one on Skyline Drive, water lines on John Street, Bloomingdale Avenue, and Brooklyn Street, total reconstruction of Marshall Avenue, and the Rural Transit Van Service Program shared jointly with the Town of Newstead. Clerk-Treasurer Borchert stated that several ideas for next year would include revamping the front entrance way to the Village Hall for handicap accessibility, new waterline and curbing on Hoag Avenue and to continue the Rural Transit Van Service Program jointly with the Town of Newstead. Requests are due by October 27, 2014.

RESOLUTION duly moved by Middaugh and seconded by Hatswell that the Public Hearing with regard to the 2015 Community Development Block Grant Program be and hereby is closed at 7:45 pm

ADOPTED E. PETER FORRESTEL - AYE  
MICHAEL R. MIDDAUGH - AYE  
KATHRYN A. CAPAN - AYE  
KEITH A. HATSWELL - AYE

APPEARANCE – 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 apologized for missing the last scheduled meeting. Discussion was held regarding re-sealing patches of the path that have worn spots such as both ends of the bridge. Mr. Peronne stated that they will put the mats down on the bridge and place the barrels on the paved path to keep sled traffic off of it and lastly will place a garbage container by Jackson Street and Cedar Street

RESOLUTION duly moved by Hatswell and seconded by Capan to accept agreement with the Northern Erie Sno-Seekers for the 2014-2015 winter season providing the proper paperwork is provided to the Village Office.

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 October 6, 2014 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 Hatswell, seconded by Capan, 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 16, 2014 through April 1, 2015, 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, 2015.
  - 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	E. PETER FORRESTEL	- AYE
	MICHAEL R. MIDDAUGH	- AYE
	KATHRYN A. CAPAN	- AYE
	KEITH HATSWELL	- AYE

PUBLIC COMMENT – Resident Doug Ceisner stated that the pallet truck is once again parking on Bloomingdale Avenue which he thinks is a safety issue. Mr. Ceisner asked if crime has gone up this year. He heard about two bikes stolen from East Avenue and another East Avenue resident lost their mailbox. He also wanted to know if the Board has talked about purchasing a cop cam for the Police Department. Chief Lauricella stated the issue was with the Police Committee at this time. Lastly Mr. Ceisner questioned why there were 6 Police Officers, 2 Akron Police, 2 State Troopers and 2 Erie County Sheriff, at the Akron Central Football game on Friday, October 3. Chief Lauricella stated that someone was threatening violence at the game so extra police support was requested.

#### PROJECT REPORTS –

Joint Facility – Review Inter-Municipal Agreement with Town of Newstead – Attorney Shonn stated that he would have a draft ready to submit to the proper committee by the next scheduled Village Board meeting.

#### MONTHLY REPORTS –

##### Departments –

VILLAGE ATTORNEY – Attorney Shonn reported working on the contract for the School Resource Officer for Akron Central School District

CLERK-TREASURER – Submitted his monthly report for September 2014 and the office schedule for October 2014. Reported: new 8 ½ x 11 bills for the water/sewer

billing will be going out October 15, 2014 as well as the electric billing at the end of October; Ads will be placed in the Akron Bugle and PennySaver showing the new billing; hosted the second Shred-It event of the year on Saturday September 27, 2014 and will host the second hazardous waste event on Saturday October 11, 2014, placed an advertisement and collected application for the part-time Crossing Guard position; Deputy Clerk-Treasurer Tammy Kelley will be out for 4-6 weeks for shoulder surgery starting October 17, 2014; installed a new wireless router in Village Attorney Shonn's office to improve Internet Connection

CHIEF OF POLICE – Chief Lauricella presented the schedule for October 2014 and his report for September 2014. Reported: Officer Chris Heiderman completed a three week Supervisor Training Course; vehicle maintenance is up to date; installed new computers in the police station. The Village only had to pay for the monitors. Discussion was held regarding Halloween night and the Board decided to continue with the Trick or Treating hours of 6 pm – 8 pm and asking the Amherst Control Center/Akron Fire Company activate the siren to open and close the event. Extra Officers will be on duty that evening.

RESOLUTION duly moved by Forrestel and seconded by Capan to schedule Halloween Trick-or-Treating hours from 6:00 pm – 8:00 pm with the Amherst Control Center/Akron Fire Company sounding the fire siren to start and end Trick-or-Treating activities be and hereby is approved.

ADOPTED	E. PETER FORRESTEL	- AYE
	MICHAEL R. MIDDAUGH	- AYE
	KATHRYN A. CAPAN	- AYE
	KEITH HATSWELL	- AYE

PUBLIC WORKS MANAGER – Jon Cummings reported: Main Street project almost complete; Electric Department working on the underground electric for Cloisters project; Streets Working Crew Chief Fred Bedford will be assisting the Town of Newstead DPW with a waterline project in the Town; rented a crack sealer machine for the week to be used on various Village Streets; would like to continue working on replacing sidewalks in problem areas in the Village

CODE ENFORCEMENT OFFICER – Mr. Borth reported: working with the large rehab of the Cloisters/Meadows properties.

AKRON FIRE COMPANY – absent

Elected Officials –

TRUSTEES – COORDINATORS

Trustee Capan – Nothing to report

Trustee Middaugh – attended the C Dee Wright Center Open House on October 5, 2014 which was well attended and nicely done; met with the Police and Fire Committee regarding the SRO for the Akron Central School District

Mayor Patterson – absent

Trustee Forrestel – reported reviewing the five proposals from the Engineering firms that submitted bids to help with engineering assistance and overall operations over site of the Sewer Plant, then held interviews and plant visits and will have recommendations for the Board very soon. Trustee Forrestel also attended the C Dee Wright Center Open House and noted the fine quality work that was done to the entryway and restrooms.

Trustee Hatswell – reported that the Police and Fire Committee met regarding the agreement for the School Resource Officer at Akron Central School District. The

Committee recommended to the Board to support and enter into an agreement with Akron Central School District. Village Attorney Shonn stated the agreement would be revenue neutral and would cover patrol car availability, mileage, officer's compensation and administrative costs.

RESOLUTION duly moved by Hatswell and seconded by Middaugh to support and enter into an agreement with Akron Central Schools for a School Resource Officer be and hereby is approved.

ADOPTED E. PETER FORRESTEL - AYE  
MICHAEL R. MIDDAUGH - AYE  
KATHRYN A. CAPAN - AYE  
KEITH A. HATSWELL - AYE

#### OLD BUSINESS

Ron Berry Memorial Fields – Attorney Shonn stated that he received information from Wm. Schutt & Associates in regards to possible assistance of site clean-up from New York State

Clinton Street/Eckerson Avenue Village Land – nothing new

Public Works Facility at 43 East Avenue – Attorney Shonn stated that he received information from Wm. Schutt & Associates in regards to possible assistance of site clean-up from New York State

Cable Contract – Attorney Shonn reported having conversation today with the Cable Company and has the information needed to get started with the contract

#### NEW BUSINESS

RESOLUTION duly moved by Forrestel and seconded by Middaugh to allow Deputy Clerk-Treasurer to attend the MEUA Accounting and Finance Workshop on October 29-30 in East Syracuse, NY at a cost of \$80.00 plus travel.

ADOPTED E. PETER FORRESTEL - AYE  
MICHAEL R. MIDDAUGH - AYE  
KATHRYN A. CAPAN - AYE  
KEITH A. HATSWELL - AYE

#### CORRESPONDENCE

Wm. Schutt & Associates September 2014 Monthly Summary Report

C. Dee Wright Community Center Open House Sunday October 5, 2014

Time Warner Cable Notification of soon to be expiring agreements with Programmers and Broadcasters and changes in Services

PUBLIC COMMENT: Resident Doug Ceisner asked the Board why the State Police are not supporting the School Resource Officer at Akron Central. Attorney Shonn stated the State did not fund it again. Trustee Hatswell reported that the Village will not be financially responsible for the SRO at Akron Central with the new proposed agreement.

Resident Dale Cheavacci questioned why after all the money was raised to put the track in at Akron Central School, why the Police cars are allowed to park on it. Chief Lauricella stated the school requested it due to the threat of violence at the game on Friday night.

On motion of Capan and seconded by Forrestel at 8:18 p.m. this meeting was  
ADJOURNED

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DEPUTY MAYOR

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CLERK-TREASURER