

January 6, 2014

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; Village Attorney Daniel D. Shonn, Clerk Treasurer Daniel P. Borchert and Code Enforcement Officer Michael Borth.

The Mayor led us in the pledge to the flag.

RESOLUTION duly moved by Hatswell seconded by Middaugh, that the Minutes of the Regular Meeting of December 2, 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 Hatswell seconded by Forrestel 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	\$ 29,622.73
Electric Fund	\$ 57,331.18
Water Fund	\$ 56,959.82
Sewer Fund	\$ 14,696.34
Trust & Agency	\$ 7,749.53

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

Tracy Oakes	20 Clinton Street	Repair Garage	\$25.00
David Harrington	8 Hart Street	Repair Porch Beam	\$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 Forrestel and seconded by Hatswell that the following Application for a Dumpster Permit for the year 2014 be and hereby is approved in accordance with the application filed and payment of the annual permit fee:

Perry's Ice Cream	One Ice Cream Plaza	Renewal	\$100.00
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ADOPTED E. PETER FORRESTEL - AYE  
MICHAEL R. MIDDAUGH - AYE  
KATHRYN A. CAPAN - AYE  
KEITH A. HATSWELL - AYE

Mayor Patterson abstained from voting

RESOLUTION duly moved by Forrestel and seconded by Middaugh that the following Application for a Dumpster Permit for the year 2014 be and hereby is approved in accordance with the application filed and payment of the annual permit fee:

Pizzabella & Pasta	42 Main Street	Renewal	\$40.00
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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 Hatswell and seconded by Forrestel that the following Applications for Dumpster Permits for the year 2014 be and hereby are approved in accordance with the application filed and payment of the annual permit fee:

Allen Thomas	20 Mechanic Street	Renewal	\$20.00
Akron Pharmacy	58 Main Street	Renewal	\$20.00
Whiting Door	113 Cedar Street	Renewal	\$60.00
First United Meth.	57 John Street	Renewal	\$20.00
Candy Apple Café'	81 Buell Street	Renewal	\$20.00
Kurt Feitshans	Lewis Rd Apartments	Renewal	\$20.00
Maxx Equities	32-42 Westgate Ave	Renewal	\$20.00
Ford Gum & Mach	18 Newton Avenue	Renewal	\$20.00
Aakron Rule	8 Indianola Avenue	Renewal	\$60.00

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 Middaugh and seconded by Capan that the following Applications for a Plumbers License for the year 2014 be and hereby are approved in accordance with the application filed and payment of the annual license fee of \$40.00:

John Gaunder	8734 Stahley Road	E. Amherst, NY	\$40.00
Gerald Raduns	1439 Roberts Road	Basom, NY	\$40.00
William Izydorczak	637 Burrough Road	Attica, NY	\$40.00
William Penepent	7182 Kenyon Avenue	Basom, NY	\$40.00
Timothy Harris	10040 Martin Road	Clarence Center, NY	\$40.00
Joseph Castle	10 Gooding Street	Lockport, NY	\$40.00
Joseph Marchitte	19 Ransier Drive	West Seneca, NY	\$40.00
Henry Cook	3508 Rose Road	Batavia, NY	\$40.00
Dean Smith	170 Cemetery Road	Lancaster, NY	\$40.00
Bruce Ceisner	PO Box 280	E. Pembroke, NY	\$40.00
Charles Douglas Lett	12 E. Garfield Street	Lancaster, NY	\$40.00
Dan Loudenslager	6065 Strickler Road	Clarence, NY	\$40.00
Arlan Wittlinger	4550 Gunnville Road	Clarence, NY	\$40.00
Leonard G. Schie	11066 Keller Road	Clarence, NY	\$40.00
Harold K. Frey Sr	PO Box 278	Clarence Center, NY	\$40.00
James H. Frey	PO Box 278	Clarence Center, NY	\$40.00
Richard Petschke	PO Box 234	Alden, NY	\$40.00
Ronald Kimmel	5800 Seneca Street	Elma, NY	\$40.00
Salvatore Musso	8574 Sheridan Dr	Williamsville, NY	\$40.00
Bradley Rehwaltd	9520 Fisk Road	Akron, NY	\$40.00
Anthony Cellino	631 Bullis Road	Elma, NY	\$40.00
Kenneth price	3 Main Street	Corfu, NY	\$40.00
Michael O'Neil	6700 Lincoln Avenue	Lockport, NY	\$40.00
David Twardowski	3 Hemlock Lane	Lockport, NY	\$40.00
Ricky Hale	28 Swan Street	Batavia, NY	\$40.00

Jeffrey Covel                      1622 Ham Road                      Basom, NY                      \$40.00

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 Forrestel and seconded by Hatswell that the following Mobile Home Park License for the year 2014, be and hereby is renewed in accordance with the applications filed and payment of the annual license fee of \$125.00:

Dona M. Doll                      2 Wesley Drive                      Renewal                      \$125.00

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

PUBLIC HEARING – reopen the Public Hearing regarding the rezoning of 42 Jackson Street. Attorney Shonn stated that Mr. Schie has decided to withdraw his initial request to rezone 5.99 acres to I-2 and will re-apply with the Planning Board to rezone the entire 18 acre parcel to an I-1 zone. Attorney Shonn recommended to close the Public Hearing and to refer the matter back to the Planning Board for the January 21, 2014 meeting.

RESOLUTION duly moved by Forrestel and seconded by Capan to close the Public Hearing in regards to Re-zoning the property at 42 Jackson Street at 7:39 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 Middaugh and seconded by Capan to refer the rezoning of 42 Jackson Street back to the Planning Board for the meeting scheduled January 21, 2014 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

APPEARANCE - none

PUBLIC COMMENT – Richard Komroy from 54 Jackson Street came before the Board with signatures from 20 neighbors all who are against the re-zoning of 42 Jackson Street. Truck traffic is a large factor for the conflict as well as the thought of any industrial zones moving back within their residential zone. John Noce from 59 Jackson Street came before the Board to state his opposition to the re-zone as well.

PROJECT REPORTS –

Joint Facility – Clerk Treasurer Borchert is still waiting for the information regarding the floors of the garage before closing out the project.

Review Inter-Municipal Agreement with Town of Newstead – Village Attorney still working on with Village Committee and Town Attorney

MONTHLY REPORTS –

Departments –

Attorney – items on agenda

Clerk-Treasurer – The Board received the Clerk’s report for December 2013 along with the January 2014 office schedule.

Police Chief – Chief Lauricella was absent but did have the schedule for January 2014 and his report for December 2013 distributed to the Board.

Public Works – absent

Code Enforcement Officer – Mr. Borth submitted his report for December 2013. Reported: working on closing out old permits, updating building permit applications, and handed in his training schedule for the next six months.

Akron Fire Company – no Representative present

Elected Officials –

TRUSTEES – COORDINATORS

Trustee Capan – nothing to report

Trustee Middaugh – just wanted to remind Village residents that there is no overnight parking and to make sure to clear their sidewalks of snow. Also, working with Public Works Manager Cummings on alternate parking for the removal of excess snow on Clinton Street.

Mayor Patterson – reported that he is staying on top of the weather situation and will initiate a driving ban if necessary

Trustee Forrestel – communicating with DPW employee Brad Baer regarding the tree list. Brad reported that there is only one tree remaining for the Village crew to take down and several that will require the use of an outside contractor because their height exceeds what our bucket trucks can handle. Brad is procuring bids for the removal at this time. In the spring a committee will be gathered to put together a forward thinking tree plan and landscaping for Wilder Park.

Trustee Hatswell – nothing

OLD BUSINESS

Ron Berry Memorial Fields – Village Attorney Shonn is working with Village Engineer Paul Bowers and will hopefully have a report for the next Village Board meeting.

Clinton Street/Eckerson Avenue Village Land – along with Wilder Park this property will be added to the Committee to discuss a tree and landscaping plan

Public Works Facility at 43 East Avenue – discussion was held regarding easements in light of future developments

Village Annexation/Sewer District – waiting on the Town of Newstead

NEW BUSINESS

RESOLUTION duly moved by Middaugh and seconded by Capan to hold a Public Hearing on January 27, 2014 at 7:30 pm regarding an amendment to the Akron Fire Company Contract 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 Forrestel to allow Akron Central School to use the Russell Park Gazebo for the 2014 Prom Pictures from 4:00 – 6:00 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 Capan to authorize the Village Clerk-Treasurer to pay \$1,409.89 to the Akron Fire Company as an addition to the 2013-2014 contract 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 Forrestel and seconded by Hatswell to increase the appropriation for line item A3410.0474 in the amount of \$1,409.89 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

William Schutt & Associates November 2013 Project Summary Report

William Schutt & Associates December 2013 Project Summary Report

Electronics & Christmas tree recycling on Saturday January 18, 2014 from 9:00 am – 2:00 pm at Honeywell Specialty Materials, 20 Peabody Street, Buffalo

Erie County Department of Health regarding designation of lead Agency regarding the re-zoning of 42 Jackson Street

Letter from Kristen Cummings of 240 East Avenue commending the Village of Akron snow removal team

Time Warner Cable Notification of soon to be expiring Agreements with Programmers and Broadcasters

Town of Newstead SEQR/Coordinated Review regarding Green Kangaroo Self Storage Expansion at 13399 Main Road

Town of Amherst Central Fire Alarm November and December 2013 Operations reports

PUBLIC COMMENT: none

On motion of Capan and seconded by Hatswell, at 7:59 p.m. this meeting was ADJOURNED

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MAYOR

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CLERK-TREASURER