

September 14, 2020

RESOLUTION duly moved by Perry and seconded by Folger to go into an executive session regarding personnel matters at 6:01 pm be and hereby is approved.

ADOPTED	CARL E. PATTERSON	- AYE
	E. PETER FORRESTEL	- AYE
	MICHAEL R. MIDDAUGH	- AYE
	BRIAN T. PERRY	- AYE
	DARRIN L. FOLGER	- AYE

RESOLUTION duly moved by Folger and seconded by Perry to come out of the executive session regarding personnel matters at 6:31 pm be and hereby is approved.

ADOPTED	CARL E. PATTERSON	- AYE
	E. PETER FORRESTEL	- AYE
	MICHAEL R. MIDDAUGH	- AYE
	BRIAN T. PERRY	- AYE
	DARRIN L. FOLGER	- AYE

A REGULAR MEETING of the Akron Village Board was held on this date at 7:05 p.m. Present: Mayor Carl E. Patterson; Trustees E. Peter Forrestel, Michael R. Middaugh, Brian T. Perry and Darrin L. Folger; Village Attorney Andrew Borden, Clerk Jayne DeTine, Treasurer Tammy Kelley, Public Works Manager Jon Cummings, Chief Richard Lauricella and Code Enforcement Officer Michael Borth.

The Mayor led us in the pledge to the flag.

RESOLUTION duly moved by Forrestel and seconded by Perry that the Minutes of the Regular Meeting of August 17, 2020 and the Special Meeting of August 24, 2020 be and hereby are approved by the Village Board.

ADOPTED	CARL E. PATTERSON	- AYE
	E. PETER FORRESTEL	- AYE
	MICHAEL R. MIDDAUGH	- AYE
	BRIAN T. PERRY	- AYE
	DARRIN L. FOLGER	- AYE

RESOLUTION, duly moved by Folger 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	\$	48,851.15
Electric Fund	\$	68,062.36
Water Fund	\$	58,736.19
Sewer Fund	\$	11,511.11
Capital Projects	\$	3,804.05

ADOPTED	CARL E. PATTERSON	- AYE
	E. PETER FORRESTEL	- AYE
	MICHAEL R. MIDDAUGH	- AYE
	BRIAN T. PERRY	- AYE
	DARRIN L. FOLGER	- AYE

RESOLUTION duly moved by Forrestel and seconded by Perry that the following building permits be and hereby are approved with the application and approval of the Code Enforcement Officer:

Jack Grainy	11 Crittenden Rd	Remodel	\$1,260.00
Robert Dickson	16 Colony Pl	Windows	\$ 50.00

Debbie Leising	11 Indianola Ave	Roof	\$ 50.00
Courtney Flick	13 Marshall Ave	Roof	\$ 50.00
Kevin Bruce	28 Crescent Dr	Pool	\$ 50.00
Susan Murray	26 Crescent Dr	Roof	\$ 50.00
Daniel Crooks	11 Cedar St	Roof	\$ 50.00
Frank Falkowski	6 Madison Ave	Sump Pump	\$ 50.00
Dee Cannon	21 John St	Roof	\$ 50.00

ADOPTED CARL E. PATTERSON - AYE
E. PETER FORRESTEL - AYE
MICHAEL R. MIDDAUGH - AYE
BRIAN T. PERRY - AYE
DARRIN L. FOLGER - AYE

RESOLUTION duly moved by Folger and seconded by Middaugh that the following Applications for a Dumpster Permit be and hereby are approved in accordance with the application filed and payment of permit fee:

Jack Grainy	11 Crittenden Rd	30 Day	\$ 50.00
Daniel Crooks	11 Cedar St	30 Day	\$ 50.00
John Neidreuer	25 Buffalo St	30 Day	\$ 50.00
Timothy Pietrowski	36 Front St	30 Day	\$ 50.00
Dee Cannon	21 John St	30 Day	\$ 50.00
Ed Aholz	14 Franklin St	30 Day	\$ 50.00

ADOPTED CARL E. PATTERSON - AYE
E. PETER FORRESTEL - AYE
MICHAEL R. MIDDAUGH - AYE
BRIAN T. PERRY - AYE
DARRIN L. FOLGER - AYE

PUBLIC HEARING – The Clerk asked the Board to approve holding a Public Hearing regarding the 2021-2022 Community Development Block Grant (CDBG) Program on October 5, 2020 at 7:00 pm.

RESOLUTION duly moved by Forrestel and seconded by Perry to hold the 2021-2022 CDBG Public Hearing on Monday October 5, 2020 be and hereby is approved.

ADOPTED CARL E. PATTERSON - AYE
E. PETER FORRESTEL - AYE
MICHAEL R. MIDDAUGH - AYE
BRIAN T. PERRY - AYE
DARRIN L. FOLGER - AYE

APPEARANCE – Mayor Patterson presented Akron-Newstead Food Pantry Volunteers, Lani Jendrowski, Jean Dolph and Sharon Waff, with a Proclamation proclaiming October 10-17, 2020 as Akron-Newstead Food Pantry Week. The Mayor thanked all the Volunteers for their time and effort towards such a great cause. The Akron-Newstead Food Pantry Committee decided to sponsor a food and money drop-off at the American Legion during the week of October 10-17, 2020 instead of holding their annual food drive held in November due to the current Covid-19 pandemic.

PUBLIC COMMENT – Annette Komroy from Jackson Street came before the Board with her concern regarding speeding on Jackson Street. She asked if the Village could add more speed signs to the street. Richard Komroy also from Jackson Street added that the Dump trucks are the main speeders going down Jackson Street. He also added that he does not support the idea of chickens in the Village.

Janet Lindquist from Cedar Street came before the Board to state her concern again about the traffic speed on Cedar Street. She mentioned that the Akron Police do monitor the street occasionally but not during the early morning traffic. She is also against chickens in the Village; Lastly, she asked about the Water Notice included in the monthly insert and what is being done regarding the taste and smell of the water. Water Plant Operator, John Asmus, explained that the notice was in regard to trihalomethanes that were over the permitted limit three quarters ago, but

is required to be posted for a full four quarters. The water taste and smell has been an issue they have been working very hard to correct, due to the very warm reservoir temperatures this summer, organics have grown causing the taste and smell issues. The crew has been adjusting chlorine and potassium permanganate levels and adding aeration to the bottom of the reservoir.

Martin Schuman of Jackson Street also came before the Board with concerns regarding the speed on Jackson Street, sidewalks on Jackson Street and the storm water retention pond conditions. He thanked the Village DPW for cleaning out the pond outlets but still believes the vegetation growth around the pond has become overgrown. Also inquired why the Village does not contract with Erie County Water Authority. Lastly, he does not support the possibility of allowing chickens in the Village.

Trustee Folger stated a summary of facts regarding Erie County Water.

Michael Knop also from Jackson Street would really like the sidewalks along Jackson Street and is totally against chickens in the Village.

PROJECT REPORTS –

Village Hall ADA Front Entrance Project – Still working with Brian Stamm from the Stamm Law Firm regarding water damage during the project.

CDBG – ADA Sidewalk Aprons/Crosswalks – Nothing new.

Wastewater Treatment Plant Upgrade – Trustee Forrestel reported that Phase I is almost completed. Phase II proposals will be approved later this evening.

MONTHLY REPORTS –

Departments –

VILLAGE ATTORNEY – reported at the earlier work session.

CLERK – submitted report for August 2020. Reported receiving several quotes for the Village Hall roof repair and roof sealing and for replacement of three exterior doors at the rear of the Village Hall. After reviewing the quotes by both the Clerk and Code Enforcement Officer, Michael Borth, the following quotes were recommended: Jos. A. Sanders & Sons, Inc. for the roof repair and roof sealing at a cost not to exceed \$30,000 and Grosso Door & Hardware for the replacement of the three exterior doors at a cost of \$6,573.00.

RESOLUTION duly moved by Folger and seconded by Middaugh to approve the quote from Jos. A. Sanders & Sons, Inc to repair the Village Hall roof and apply roof seal to the entire roof in the amount not to exceed \$30,000 as per the recommendation of the Village Clerk and Code Enforcement Officer be and hereby is approved.

ADOPTED	CARL E. PATTERSON	- AYE
	E. PETER FORRESTEL	- AYE
	MICHAEL R. MIDDAUGH	- AYE
	BRIAN T. PERRY	- AYE
	DARRIN L. FOLGER	- AYE

RESOLUTION duly moved by Forrestel and seconded by Perry to approve the quote from Grosso Door & Hardware to replace the three exterior doors at the rear of the Village Hall in the amount of \$6,573.00 as per the recommendation of the Village Clerk and Code Enforcement Officer be and hereby is approved.

ADOPTED	CARL E. PATTERSON	- AYE
	E. PETER FORRESTEL	- AYE
	MICHAEL R. MIDDAUGH	- AYE
	BRIAN T. PERRY	- AYE
	DARRIN L. FOLGER	- AYE

CHIEF OF POLICE – submitted report for August 2020 and schedule for September 2020. Reported: SRO's, Security and Crossing Guards are all in place; The new traffic pattern for student drop-off is going well; Still looking for a back-up part-time Crossing Guard; Maintenance is up to date on vehicles; Received letter regarding Retirement from Officer Christopher Heiderman; Requested an Executive Session regarding Personnel; took note of

complaint of speeding on Jackson Street and Cedar Street; will try to add more foot patrols as per the request of Trustee Middaugh. Request to move Crossing Guard Robert Fiorello from Grade 2 Step 3 to Grade 2 Step 5 effective at the beginning of the school year.

RESOLUTION duly moved by Forrestel and seconded by Folger to move Crossing Guard Robert Fiorello from Grade 2 Step 3 to Grade 2 Step 5 effective beginning of the school year as per the recommendation of Police Chief Richard Lauricella be and hereby is approved.

ADOPTED	CARL E. PATTERSON	- AYE
	E. PETER FORRESTEL	- AYE
	MICHAEL R. MIDDAUGH	- AYE
	BRIAN T. PERRY	- AYE
	DARRIN L. FOLGER	- AYE

PUBLIC WORKS MANAGER – reported: Upper John Street drainage project is complete, working on drainage project on Lewis Road; Micro paving scheduled to begin this Friday September 18, 2020 and should take 2-3 days; Yard waste and brush pick-up way busier than ever; request to allow Lineman Bradley Baer to carry-over 40 additional vacation hours to be used by December 3, 2020.

RESOLUTION duly moved by Forrestel and seconded by Folger to allow Electric Lineman, Bradley Baer, to carry over 40 additional vacation hours to be used by December 3, 2020 on the recommendation of Public Works Manager Jon Cummings be and hereby is approved.

ADOPTED	CARL E. PATTERSON	- AYE
	E. PETER FORRESTEL	- AYE
	MICHAEL R. MIDDAUGH	- AYE
	BRIAN T. PERRY	- AYE
	DARRIN L. FOLGER	- AYE

CODE ENFORCEMENT OFFICER – reported: Have received many building permits lately; completed at least 12 Fire Inspections now that access to properties has opened after being closed due to the Coronavirus; Will issue another Violation notice to property on Skyline Drive as per the Mayor’s request.

AKRON FIRE COMPANY – Board Members received report from Chief Haist for August 2020. Chief Haist reviewed the report during the earlier Work Session.

Elected Officials –

TRUSTEES – COORDINATORS

Trustee Perry – reported: Continuing to look for grant funding for the replacement or repair of State Street Bridge; Village Engineer Clark Patterson Lee reported that the Federal funding called BridgeNY and PaveNY will be open again for applications late this year and early next year, more to follow; Will schedule an Electric Committee meeting within the next two weeks to discuss the Substation upgrade.

Trustee Middaugh – reported: attended a meeting with the Akron Fire Company regarding the contract for this upcoming year and will plan another meeting with the Town of Newstead and their representation to discuss the potential contact negotiations with our Fire Department; requested an Executive Session regarding Personnel.

Mayor Patterson – reported: Thanked all the residents present this evening for coming in to share their concerns; Appreciate all the work done to correct the Village water taste and smell issues by John Asmus and John Cummings; Kudos to Trustee Folger for presenting the summary of Erie County Water Authority facts; Mentioned that the State of Emergency for the Village has been extended until October 8, 2020; Received the 2019 Annual Report from Erie County Clerk Mickey Kearns; Lastly reminded everyone that the Household Hazardous/Electronic Waste/Shred it Event is scheduled for Saturday September 26, 2020 from 9:00 am – noon at the Akron/Newstead Joint Facility.

Trustee Forrestel – reported: Reported earlier on the Wastewater Treatment Plant Upgrade.

Trustee Folger – reported: Attended the meeting with the Akron Fire Company along with Trustee Middaugh.

OLD BUSINESS

Clinton Street/Eckerson Avenue/ 43 East Avenue Village Land – Nothing New.

Corrective Action Plan – Nothing New.

Gas Well – Joint Facility – Mayor Patterson reported to the Town the Village’s wish to proceed with the purchase. Now waiting on Town Council.

Splash Pad – Nothing New.

Cedar Street – Electrical/Trees/Sidewalks – discussed the mapping of the tree replacement spots along Cedar Street, noting the possibility of planting some with the permission and a resolution on a resident’s property if it is in the best interest of the Village. The Village has completed the pole replacement project.

Chicken Law – The Board will continue to review the possibility to allow chickens in the Village. The Board will hold a Public Hearing before any changes are made.

NEW BUSINESS

RESOLUTION duly moved by Folger and seconded by Perry to appoint Public Works Manager Jon Cummings as the Village voting delegate for the Annual MEUA Conference scheduled for September 17, 2020 be and hereby is approved.

ADOPTED	CARL E. PATTERSON	- AYE
	E. PETER FORRESTEL	- AYE
	MICHAEL R. MIDDAUGH	- AYE
	BRIAN T. PERRY	- AYE
	DARRIN L. FOLGER	- AYE

RESOLUTION duly moved by Forrestel and seconded by Perry to accept the Wastewater Treatment Plant Upgrade Capital Project – Phase II bids for the following: STC Construction, Inc. for the General Construction in the amount of \$3,248,000.00; MLP Plumbing and Mechanical, Inc. for Mechanical Construction in the amount of \$240,650.00 and CIR Electrical Construction Corporation for the Electrical Construction in the amount of \$516,975.00 on the recommendation of the project engineering firm Clark Patterson Lee and the Water Wastewater Committee be and hereby are approved.

ADOPTED	CARL E. PATTERSON	- AYE
	E. PETER FORRESTEL	- AYE
	MICHAEL R. MIDDAUGH	- AYE
	BRIAN T. PERRY	- AYE
	DARRIN L. FOLGER	- AYE

Trustee Forrestel added that STC Construction, Inc was awarded the bid for the Phase I portion of the project and did a great job removing and replacing the five RBC’s (Rotating Biological Contactors). STC Construction developed a good working relationship with our crew which enabled our crew to do several things to assist in the project and saved the Village costs associated with change orders. He added that he was very happy to hear that they won the bid again for Phase II.

RESOLUTION duly moved by Folger and seconded by Forrestel to adopt the updated Retention and Disposition Schedule for New York Local Government Records issued pursuant to Article 57-A of the Arts and Cultural Affairs Law and containing legal minimum retention periods for local government records be and hereby is approved.

ADOPTED	CARL E. PATTERSON	- AYE
	E. PETER FORRESTEL	- AYE
	MICHAEL R. MIDDAUGH	- AYE
	BRIAN T. PERRY	- AYE
	DARRIN L. FOLGER	- AYE

CORRESPONDENCE –

Rural Transit Services Volunteer Newsletter.

Letter from George Miller owner of 25 Buffalo Street regarding electric bill.

NYCOM Advocacy Update dated August 19th, September 3rd, 8th, and 10th, 2020.

Letter from Erie County Legislator Ed Rath regarding the Reconstruction of Bloomingdale Avenue and East Avenue.

Letter from full time Police Officer Christopher Heiderman regarding retirement.

Letter from the Akron Chamber of Commerce requesting permission to hold “Cruise thru Akron II” through the streets of Akron on October 10, 2020 beginning at 3:00 pm and assistance by the Akron Police following the parade route approved by Akron Police Chief Richard Lauricella.

RESOLUTION duly moved by Perry and seconded by Middaugh to allow the Akron Chamber of Commerce to use Police assistance and Village streets to hold the “Cruise Thru Akron II” vintage car parade scheduled for October 10, 2020 beginning at 3:00 pm with the approval of the parade route by Village Chief of Police Lauricella be and hereby is approved.

ADOPTED	CARL E. PATTERSON	- AYE
	E. PETER FORRESTEL	- AYE
	MICHAEL R. MIDDAUGH	- AYE
	BRIAN T. PERRY	- AYE
	DARRIN L. FOLGER	- AYE

PUBLIC COMMENT – Annette Komroy from Jackson Street stated that they have lived in the Village for 13 years and love the Village, but she has noticed that many businesses along Main Street have done some updates to their buildings which look very nice, but a few buildings in the Business District need some property maintenance. Code Enforcement Officer Michael Borth stated that all properties Mrs. Komroy mentioned are already being addressed.

Richard Komroy also from Jackson Street asked the Board if the Fire Siren could be moved to the Fire Hall or have the siren turned down.

Martin Schuman from Jackson Street also mentioned that he has lived in the Village for five years and does love it.

Treasurer Tammy Kelley mentioned using the speed sign on those Village Streets spoken about earlier tonight for speed control. Chief Lauricella added the Village’s speed sign is down and out and will need to be replaced. He will look into a replacement.

EXECUTIVE SESSION –

RESOLUTION duly moved by Forrestel and seconded by Folger to go into an executive session regarding personnel matters at 8:35 pm be and hereby is approved.

ADOPTED	CARL E. PATTERSON	- AYE
	E. PETER FORRESTEL	- AYE
	MICHAEL R. MIDDAUGH	- AYE
	BRIAN T. PERRY	- AYE
	DARRIN L. FOLGER	- AYE

RESOLUTION duly moved by Middaugh and seconded by Perry to come out of the executive session regarding personnel matters at 9:21 pm be and hereby is approved.

ADOPTED	CARL E. PATTERSON	- AYE
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E. PETER FORRESTEL	- AYE
MICHAEL R. MIDDAUGH	- AYE
BRIAN T. PERRY	- AYE
DARRIN L. FOLGER	- AYE

On motion of Middaugh and seconded by Perry at 9:22 pm this meeting was ADJOURNED.

MAYOR

CLERK