

January 28, 2013

A REGULAR MEETING of the Akron Village Board was held on this date at 7:34 p.m. Present: Mayor Carl E. Patterson, Trustees, E. Peter Forrestel, Michael R. Middaugh, Kathryn A. Capan and Brian D. Wittlinger; Village Attorney Daniel D. Shonn, Clerk Treasurer Daniel P. Borchert and Public Works Manager Jon Cummings.

Mayor Patterson led us in the pledge to the flag. Mayor Patterson asked everyone to keep Harold Johnson a lifelong resident and Village and Town Board member in their prayers as he fights cancer and systems of a stroke. Also, asked for a moment of silence for the family and friends of Sylvia Hake Ross who died last week.

RESOLUTION duly moved by Forrestel seconded by Capan, that the Minutes of the Regular Meeting of January 7, 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  
BRIAN D. WITTLINGER - AYE

RESOLUTION duly moved by Wittlinger and seconded by Middaugh to amend the December 10, 2012 minutes as per the Village Attorney to add the following to the traffic order resolution: "John Street from west terminus at west line of Mechanic Street to the east line of Church Street extended to its terminus" needs to be added to the Resolution be and hereby is approved

ADOPTED CARL E. PATTERSON - AYE  
E. PETER FORRESTEL - AYE  
MICHAEL R. MIDDAUGH - AYE  
KATHRYN A. CAPAN - AYE  
BRIAN D. WITTLINGER - AYE

RESOLUTION duly moved by Capan 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	\$ 32,889.66
Electric Fund	\$ 200,332.83
Water Fund	\$ 12,874.90
Sewer Fund	\$ 70,363.88
Capital Streets	\$ 1,103.41

ADOPTED CARL E. PATTERSON - AYE  
E. PETER FORRESTEL - AYE  
MICHAEL R. MIDDAUGH - AYE  
KATHRYN A. CAPAN - AYE  
BRIAN D. WITTLINGER - AYE

RESOLUTION duly moved by Wittlinger and seconded by Capan that the following building permit be and hereby is approved with the applications and approval of the Code Enforcement Officer:

Charles Graver	60 Jackson Street	Cover Porch	\$34.00
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ADOPTED E. PETER FORRESTEL - AYE  
MICHAEL R. MIDDAUGH - AYE  
KATHRYN A. CAPAN - AYE

BRIAN D. WITTLINGER - AYE

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

Roy C Perry	416 Main Rd.	Akron, NY	\$40.00
Henry Cook	3508 Rose Rd	Batavia, NY	\$40.00
Jeffrey Covell	1622 Ham Rd	Basom, NY	\$40.00

ADOPTED CARL E. PATTERSON - AYE  
E. PETER FORRESTEL - AYE  
MICHAEL R. MIDDAUGH - AYE  
KATHRYN A. CAPAN - AYE  
BRIAN D. WITTLINGER - AYE

RESOLUTION duly moved by Forrestel and seconded by Wittlinger that the following Applications for a Dumpster Permit for the year 2013 be and hereby are approved in accordance with the application filed and payment of the annual permit fee:

Ford Gum & Machine	20 Mechanic Street	Renewal	\$20.00
The Virchau Co	Various Locations	Renewal	\$20.00

ADOPTED CARL E. PATTERSON - AYE  
E. PETER FORRESTEL - AYE  
MICHAEL R. MIDDAUGH - AYE  
KATHRYN A. CAPAN - AYE  
BRIAN D. WITTLINGER - AYE

RESOLUTION duly moved by Middaugh and seconded by Wittlinger that the following Mobile Home Park License for the year 2013, be and hereby is renewed in accordance with the applications filed and payment of the annual license fee of \$125.50:

Dona M. Doll	2 Wesley Drive	Akron, NY	\$125.50
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ADOPTED CARL E. PATTERSON - AYE  
E. PETER FORRESTEL - AYE  
MICHAEL R. MIDDAUGH - AYE  
KATHRYN A. CAPAN - AYE  
BRIAN D. WITTLINGER - AYE

PUBLIC HEARING – none scheduled

APPEARANCES – none scheduled

PUBLIC COMMENT – Doug Ceisner asked for the cost of the Safety Dinner and the cost of cleaning the snow off Main Street on December 12, 2012. Clerk-Treasurer Borchert stated he would get those numbers together and forward to Mr. Ceisner.

PROJECT REPORTS –

Joint Facility – Public Manager Cummings and Clerk-Treasurer Borchert will meet tomorrow with Town of Newstead Clerk Izydorczak and Town Superintendent Bassanello along with Secretaries Sydney Shepard and Debbie Forrestel to discuss office procedures and back up duties for each of the office staff up at the Joint Facility.

Sidewalk on Skyline Drive/Clarence Center Road – Skyline Drive portion is completed but the Clarence Center Road portion will have to wait until spring 2013.

MONTHLY REPORTS –

Departments –

Camden Group – Representative Ken Scherrieble came before the Board with the November and December 2012 monthly reports. Mr. Scherrieble reported that 100 tons or 16 loads of dry sludge was removed the plant. In December the Sewer Plant broiler broke and a new two-stage broiler was installed.

Elected Officials –

TRUSTEES – COORDINATORS

Trustee Capan – reported that the recycling tote is for recycling only not garbage

Trustee Middaugh – nothing to report

Mayor Patterson – reported: the siren for the Akron Fire Company has been ordered and is now in the building process; attended a meeting of the Village Officials Association on January 17, 2013 and the Erie County Government Association on January 24, 2013; Steven Walters Supervisor of the Town of Hamburg was elected President and Mayor Patterson was elected Vice President for the Erie County Government Association; at the Erie County Government Association meeting discussion was held regarding the proposed Budget and the new Gun Control Law. The Mayor would like to have a Resolution to support the appeal of the new Gun Law due to the process in which it was passed; also at that meeting discussion was held regarding adding a \$80.00 service charge to moving violations, more to follow; a reminder that the April 25, 2013 Erie County Government Associations meeting will be hosted by the Village of Akron and held at the Arrowhead Golf Course; Mayor Patterson reported that the Sheriff's Office has a new liaison, Daniel Centinello, who will be invited to an upcoming meeting; would like to have some kind of written notice to New York State regarding the poor condition of the asphalt on Route 93; will send another letter to the State suggesting no parking on the north and south side of John Street between Cedar Street and Buffalo Street to alleviate issues with all the truck traffic that travels that route; would like to schedule budget meetings in the near future to keep ahead of schedule; lastly consideration of dates for another Household Hazardous Waste event.

Trustee Forrestel – reported a Water Wastewater Committee meeting is scheduled for Monday February 4, 2013.

Trustee Wittlinger – nothing new to report

OLD BUSINESS

Village Court – Mayor Patterson asked Clerk-Treasurer Borchert to send a message to the Court Clerks regarding the organization of the court records before turning them over to the Town Court.

Ron Berry Memorial Fields – nothing new

Clinton Street/Eckerson Avenue Village Land – Trustee Middaugh stated that Lions Club Representative, David Parzych, came before the Board during the work session to share with the Board the Lions idea for the property.

RESOLUTION duly moved by Middaugh and seconded by Capan to approve the Lions Club concept for the Clinton Street/Eckerson Avenue Land be and hereby is approved.

ADOPTED	CARL E. PATTERSON	- AYE
	E. PETER FORRESTEL	- AYE
	MICHAEL R. MIDDAUGH	- AYE
	KATHRYN A. CAPAN	- AYE
	BRIAN D. WITTLINGER	- AYE

Public Works Facility at 43 East Avenue – Public Works Manager Cummings reported that the Asbestos Survey has been completed and are now awaiting the

Abatement Company to remove the asbestos. After the asbestos is removed the Public Works employees will continue to demolish the building.

Collective Bargaining Agreement – Mayor Patterson requested an Executive Session

50 Bloomingdale Avenue – ready for demolition  
Akron Fire Company Contract – discussed in work session

NEW BUSINESS

RESOLUTION duly moved by Forrestel and seconded by Wittlinger allow the Roswell Park Cancer Institute to have the 2013 Ride for Roswell come through the Village of Akron on Saturday June 22, 2013 be and hereby is approved.

ADOPTED CARL E. PATTERSON - AYE  
E. PETER FORRESTEL - AYE  
MICHAEL R. MIDDAUGH - AYE  
KATHRYN A. CAPAN - AYE  
BRIAN D. WITTLINGER - AYE

RESOLUTION duly moved by Middaugh and seconded by Forrestel to allow Robert J. Lucia, Robert C. Lucia, John Asmus, Shawn Gloss and Fred Bedford to attend the Western New York Water Works Conference on Wednesday February 13, 2013 at the Clarion Inn in Batavia, NY at a cost of \$25.00 per person be and hereby is approved.

ADOPTED CARL E. PATTERSON - AYE  
E. PETER FORRESTEL - AYE  
MICHAEL R. MIDDAUGH - AYE  
KATHRYN A. CAPAN - AYE  
BRIAN D. WITTLINGER - AYE

RESOLUTION duly moved by Capan and seconded by Middaugh to hold the Village of Akron Bi-Annual Election on Tuesday March 19, 2013 at the Village Hall with polls to be open from 12:00 noon until 9:00 pm be and hereby is approved.

ADOPTED CARL E. PATTERSON - AYE  
E. PETER FORRESTEL - AYE  
MICHAEL R. MIDDAUGH - AYE  
KATHRYN A. CAPAN - AYE  
BRIAN D. WITTLINGER - AYE

RESOLUTION duly moved by Forrestel and seconded by Wittlinger to not hold a separate Village Voter Registration Day prior to the Village Election be and hereby is approved.

ADOPTED CARL E. PATTERSON - AYE  
E. PETER FORRESTEL - AYE  
MICHAEL R. MIDDAUGH - AYE  
KATHRYN A. CAPAN - AYE  
BRIAN D. WITTLINGER - AYE

RESOLUTION duly moved by Middaugh and seconded by Capan to propose to rezone properties adjacent to Church Street, Main Street, John Street and Franklin Street into a new zoning district which will be a public service district. The Village Board refers this matter of the creation of a new zoning designation in the Code of the Village, determine appropriate uses within the district, and determine the tax parcels which would be included within the district to the Village Planning Board be and hereby is approved.

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

BRIAN D. WITTLINGER - AYE

RESOLUTION duly moved by Middaugh and seconded by Wittlinger to move Robert C. Lucia from Grade 10 Step 1 to Grade 10 Step 2 as per his anniversary date of January 23, 2013 and 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  
KATHRYN A. CAPAN - AYE  
BRIAN D. WITTLINGER - AYE

CORRESPONDENCE

Erie County Consortium Community Development Block Grant Program Rural Transit Service Funding Approval for \$265,532

Municipal Electric Utilities Association News & Views January 2013 Newsletter

Reserve Gas Company Emergency – After Hours Emergency Notification List

PUBLIC COMMENT: Resident Doug Ceisner questioned how much it cost to haul 16 loads of dry sludge from the Sewer Plant. Public Works Manager Cummings stated that the cost to drop it off was \$4,700.00. The manpower and trucking were supplied by the Village employees.

Mr. Ceisner also asked if the Board could have the State change the route of 93 to go on Hake Road instead of through the Village. Mayor Patterson stated that the Village has tried to change the route to no avail.

RESOLUTION duly moved by Forrestel and seconded by Capan to go into executive session regarding the collective bargaining agreement at 8:21 p.m. be and hereby is approved.

ADOPTED CARL E. PATTERSON - AYE  
E. PETER FORRESTEL - AYE  
MICHAEL R. MIDDAUGH - AYE  
KATHRYN A. CAPAN - AYE  
BRIAN D. WITTLINGER - AYE

RESOLUTION duly moved by Forrestel and seconded by Capan to come out of executive session regarding the collective bargaining agreement at 8:50 p.m. be and hereby is approved.

ADOPTED CARL E. PATTERSON - AYE  
E. PETER FORRESTEL - AYE  
MICHAEL R. MIDDAUGH - AYE  
KATHRYN A. CAPAN - AYE  
BRIAN D. WITTLINGER - AYE

On motion of Capan and seconded by Middaugh, at 8:52 p.m. this meeting was ADJOURNED

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MAYOR

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CLERK-TREASURER