

January 7, 2013

A REGULAR MEETING of the Akron Village Board was held on this date at 7:30 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.

RESOLUTION duly moved by Forrestel seconded by Wittlinger, that the Minutes of the Regular Meeting of December 3, 2012 and the Special Meeting of December 10, 2012 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 Middaugh seconded by Capan 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	\$ 31,649.38
Electric Fund	\$ 52,511.29
Water Fund	\$ 47,886.53
Sewer Fund	\$ 44,997.71
Capital Streets	\$ 4,643.95
Trust & Agency	\$ 198.00

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

Perry's Ice Cream	One Ice Cream Plaza	Interior Renovation	\$340.00
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ADOPTED E. PETER FORRESTEL - AYE
MICHAEL R. MIDDAUGH - AYE
KATHRYN A. CAPAN - AYE
BRIAN D. WITTLINGER - AYE

Mayor Patterson abstained from voting on the above Resolution.

RESOLUTION duly moved by Capan and seconded by Middaugh that the following building permits be and hereby are approved with the applications and approval of the Code Enforcement Officer:

Jack Keough	20 Crescent Drive	Roof	\$25.00
Jillian Yaeger	38 Mechanic Street	Addition	\$141.00
Herm Clouse	68 Main Street	Sign	\$25.00

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 Middaugh 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:

John Gaunder	8734 Stahley Rd	E. Amherst, NY	\$40.00
William Izydorczak	637 Burrough Rd	Attica, NY	\$40.00
William Penepent	7182 Kenyon Ave	Basom, NY	\$40.00
Kenneth Price	PO Box 365	Corfu, NY	\$40.00
Bradley Rehwaltd	9520 Fisk Rd	Akron, NY	\$40.00
Dean Smith	170 Cemetery Rd	Lancaster, NY	\$40.00
James Frey	PO Box 278	Clarence Ct, NY	\$40.00
Harold Frey	PO Box 278	Clarence Ct, NY	\$40.00
Salvatore Musso	8574 Sheridan Dr	Williamsville, NY	\$40.00
Gerald Raduns	1439 Roberts Rd	Basom, NY	\$40.00
Richard Petschke	PO Box 234	Alden, NY	\$40.00
Leonard Schie	11066 Keller Rd	Clarence, NY	\$40.00
Arlan Wittlinger	4550 Gunnville Rd	Clarence, NY	\$40.00
Ricky Hale	28 Swan Street	Batavia, NY	\$40.00
Dan Loudenslager	6065 Strickler Rd	Clarence, NY	\$40.00
Mark Gfroerer	61 Fillmore Ave	Tonawanda, NY	\$40.00
Ronald Kimmel	5800 Seneca Street	Elma, NY	\$40.00
Timothy Harris	10040 Martin Rd	Clarence Ct, NY	\$40.00
Bruce Ceisner	PO Box 280	E. Pembroke, NY	\$40.00
Anthony Cellino	631 Bullis Rd	Elma, NY	\$40.00
Michael O'Neil	6700 Lincoln Ave	Lockport, NY	\$40.00
Joseph Castle	10 Gooding Street	Lockport, NY	\$40.00
David Twardowski	3 Hemlock Lane	Lancaster, NY	\$40.00
Stanley Kandefer	2247 Union Rd	W. Seneca, 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 Capan and seconded by Forrestel 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:

Allen Thomas	20 Mechanic Street	Renewal	\$20.00
Emprise Group	32 Main Street	Renewal	\$20.00
Akron Pharmacy	58 Main Street	Renewal	\$20.00
First United Methodist	57 John Street	Renewal	\$20.00
Candy Apple Café	81 Buell Street	Renewal	\$20.00
Kurt Feitshans	Lewis Road	Renewal	\$20.00
Michael Schmidt	Knapp Road	Renewal	\$40.00
Strippit	12975 Clarence Ctr	Renewal	\$60.00
Maxx Equities	32-42 Westgate Ave	Renewal	\$20.00
Aakron Rule	8 Indianola Ave	Renewal	\$60.00
Whiting Door	113 Cedar Street	Renewal	\$60.00
Pixley's Development	81 Buell Street	Renewal	\$20.00

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 from 100 East Avenue came before the Board to address the issue of a newspaper article that appeared in The Bee from an Erie County Legislature regarding the maintenance of Bloomingdale Avenue, John Street and East Avenue. The Legislator will continue to push to fund these projects so the County and transfer ownership to the Village of Akron. Mr. Ceisner is firmly opposed to this as the County is transferring the future maintenance cost to repair these roads to the Village and the Village will therefore lose the revenue generated by the Village clearing snow from these County Roads in future years.

Sydnee Shephard appeared in front of the Board to discuss the delivering of the new recycling totes from Modern Disposal. She made a comment that the newsletter that was delivered by Modern Disposal was delivered to the home owner instead of the actual tenant. The main question was why if they have a two family home that they were receiving one bin? Clerk Borchert clarified that we decided to only deliver one tote to begin with at these locations because of space. The Village has a 90 day window to make any changes or adjustments to the program. If we receive a call and the multi-unit home would like another tote we will gladly get them a second tote.

PROJECT REPORTS –

Joint Facility – Clerk Borchert met with Town Clerk Dawn Izydorzak regarding the joint purchasing of the consumable items for the facility and will be setting up a meeting regarding office responsibilities with both Jon Cummings and Mike Bassanello.

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 –

Attorney – Working on the environmental work at 43 East Avenue, John Street rezoning around the Wright Center and the old Denio Library and Masonic Lodge and creating a garbage district within the Village of Akron. .

Clerk-Treasurer – The Board received the Clerk’s report for December 2012, together with the January 2013 office schedule. Looking at a document storage program that will allow the office to go paperless and save items out on the “cloud”. He has been working with Jon Cummings and Mark Joachimiak to finalize the Work Place Violence Program. Also Tammy Kelley is still on a 5hr work day.

Chief of Police – Chief Lauricella was not in attendance but copies of his report were distributed to the Trustees at their spots at the table this evening. New Year’s Eve activities went well with any major incidents.

Trustee Middaugh inquired about how many snow plowing permits that have been distributed in the Village.

Public Works – Manager Jon Cummings submitted a report to the Board for the month of December 2012. He stated that he is working with the environmental reports at 43 East Avenue getting it ready for demolition. We updated the culvert at the end of Marshall Avenue to a 30” pipe with the help of the Town of Newstead.

Code Enforcement Officer – Mr. Migliaccio provided a written report for December 2012 for the Board.

Elected Officials –

JUSTICE COURT REPORT – December 2012 Report

TRUSTEES – COORDINATORS

Trustee Capan – Attended the New Year’s Eve Ball Drop and Fireworks Celebration. Thought everything went well and the weather cooperated.

Trustee Middaugh – Acknowledging the Streets and Parks crew for the clean-up of Russell Park so the New Year’s Eve Ball Drop and Fireworks could be enjoyed by all as well as the clean-up of Main Street Business District from the heavy snowfall.

Mayor Patterson – Would like to request a brief executive session regarding the collective bargaining agreement and a personnel issue.

Trustee Forrestel – nothing new to report

Trustee Wittlinger – nothing new to report

OLD BUSINESS

Village Court – nothing new

Ron Berry Memorial Fields – nothing new

Clinton Street/Eckerson Avenue Village Land – nothing new

Public Works Facility at 43 East Avenue – Received a letter from resident Mary Nanni at 55 East Avenue regarding the property at 43 East Avenue

Collective Bargaining Agreement – executive session

50 Bloomingdale Avenue – Ready for demolition of the garage at 50 Bloomingdale Avenue

Akron Fire Company Contract - Clerk-Treasurer Borchert sent the information gathered to the Police & Fire Committee and will now send it to the entire Village Board for discussion

NEW BUSINESS

RESOLUTION duly moved by Middaugh and seconded by Forrestel to sponsor Jordan Cryan as he goes through the police academy based on 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
 KATHRYN A. CAPAN - AYE
 BRIAN D. WITTLINGER - AYE

RESOLUTION duly moved by Capan and seconded by Middaugh to approve the Village of Akron updated Workplace Violence Prevention Statement 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 adjust the Village of Akron Refuse rate to \$42.00 per unit effective with the next refuse billing dated March 1, 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

CORRESPONDENCE

William Schutt & Associates December 2012 Monthly Project Report

Time Warner Cable Soon To Be Expiring Agreements with Programmers and Broadcasters

Water/Wastewater Committee Meeting Minutes From 12/3/12

Letter from Mary Nanni regarding 43 East Avenue

2013 MEUA Salary & Wage Survey

NIMS Elected Officials Workshop on Tuesday January 15, 2013

PUBLIC COMMENT:

Doug Ceisner again stated that the taxpayers should not have to pay for the snow removal from the Main Street Business District when they do not do it for the entire Village.

RESOLUTION duly moved by Capan and seconded by Middaugh to go into executive session regarding the collective bargaining agreement and contractual issues at 8:36 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 Capan and seconded by Forrestel to come out of executive session regarding the collective bargaining agreement and contractual issues at 9:10 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 Middaugh and seconded by Capan, at 9:11 p.m. this meeting was ADJOURNED

MAYOR

CLERK-TREASURER