

February 25, 2013

A REGULAR MEETING of the Akron Village Board was held on this date at 7:32 p.m. Present: Deputy Mayor Michael R. Middaugh, Trustees, E. Peter Forrestel, and Kathryn A. Capan; Village Attorney Daniel D. Shonn, Clerk Treasurer Daniel P. Borchert and Public Works Manager Jon Cummings.

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

RESOLUTION duly moved by Forrestel seconded by Capan, that the Minutes of the Regular Meeting of February 4, 2013 be and hereby are approved by the Village Board.

ADOPTED E. PETER FORRESTEL - AYE  
MICHAEL R. MIDDAUGH - AYE  
KATHRYN A. CAPAN - 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	\$ 24,338.91
Electric Fund	\$ 281,886.99
Water Fund	\$ 18,114.53
Sewer Fund	\$ 16,147.62
Capital Streets	\$ 369.80
Trust & Agency	\$ 1,657.01

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

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

John Babcock	549 Main Road	Corfu, NY	\$40.00
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ADOPTED E. PETER FORRESTEL - AYE  
MICHAEL R. MIDDAUGH - AYE  
KATHRYN A. CAPAN - AYE

RESOLUTION duly moved by Forrestel and seconded by Capan that the following Application for a Dumpster Permit for the year 2013 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

RESOLUTION duly moved by Middaugh and seconded by Capan that the following Application for a Dumpster Permit for the year 2013 be and hereby is approved in accordance with the application filed and payment of the annual permit fee:

Cold Spring Const.	3 Jackson Street	Renewal	\$20.00
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ADOPTED E. PETER FORRESTEL - AYE  
MICHAEL R. MIDDAUGH - AYE  
KATHRYN A. CAPAN - AYE

PUBLIC HEARING – Local Law #1 for 2013 possible override of the 2% Tax Cap. The Clerk-Treasurer read the publication. He explained that New York State has implied a State wide 2% Tax Cap on increases of property tax. With the commencement of payments for the Joint Facility loan beginning this year, the Village may need to override the cap. Clerk-Treasurer asked if anyone in attendance wished to speak. Resident Doug Ceisner stated that he is against the possible override and excessive spending.

RESOLUTION duly moved by Forrestel and seconded by Capan that the Public Hearing with regard to the Local Law #1 for 2013 – Possible override of the 2% Tax Cap be and hereby is closed at 7:45 pm

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

APPEARANCES – Water Plant Operator John Asmus came before the Board to report that the water plant went over the maximum contaminated limits by approximately .05 within the last four quarters. The issue is due to the very warm spring and a reaction of the chlorination system with the high levels of organics. Mr. Asmus did mention that there is a higher standard than years past in which the Plant has to maintain. Due to the overage a notice is required be published in the Akron Bugle.

To report that the water plant went over the maximum contaminated limits by approximately .005 within the last four quarters.

PUBLIC COMMENT – None

PROJECT REPORTS –

Joint Facility – nothing new

Sidewalk on Skyline Drive/Clarence Center Road – Spring 2013

MONTHLY REPORTS –

Departments –

Camden Group – Representative Ken Scherrieble came before the Board with the January monthly report. He reported that the Annual DEC report has been completed. He reported that the boilers are doing very well. Lastly, they are working on budget ideas for Capital Projects.

Elected Officials –

TRUSTEES – COORDINATORS

Trustee Capan – nothing new to report

Trustee Middaugh – nothing to report

Mayor Patterson – absent

Trustee Forrestel – nothing new to report

OLD BUSINESS

Village Court – Clerk-Treasurer Borchert sent notification to all the appropriate authorities regarding the transfer of all the Village Court cases to the Town of Newstead as of April 1, 2013.

Ron Berry Memorial Fields – Nature’s Way would like to wait for Spring 2013 to complete report

Clinton Street/Eckerson Avenue Village Land – received recently updated survey

Public Works Facility at 43 East Avenue – Public Works Manager Cummings reported that the bays in the garage are all cleaned out and received a fair amount for scrap value. Two bids have come in for the asbestos removal, one is for \$9,200.00 and the other is for \$19,000.00. Manager Cummings is presently waiting for the response from the last bid.

Collective Bargaining Agreement – Clerk-Treasurer Borchert reported that Union Representative Scott Chismar will be submitting a new proposal

50 Bloomingdale Avenue – Public Works Manager Cummings reported that the DPW did use a backhoe to push the wall of the garage to be demolished on its side for safety reasons.

Akron Fire Company Contract – Clerk-Treasurer Borchert distributed copies of the updated excel sheet which Mayor Patterson would like to discuss at the work session scheduled for March 4, 2013.

Association of Erie County Governments Amend NY SAFE Act Resolution - the Board did hold discussion regarding the above Resolution and decided to support it.

RESOLUTION duly moved by Forrestel and seconded by Middaugh to approve the repealing and amending of the “Safe Act” legislation, a Resolution brought forth by the Association of Erie County Governments be and hereby is approved.

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

NEW BUSINESS

RESOLUTION duly moved by Middaugh and seconded by Capan to appoint the 2013 Akron Fire Company Firematic Line Officers as follows: Chief Gary Baehr, 1<sup>st</sup> Asst Chief Peter West, 2<sup>nd</sup> Asst Chief Todd Pfeiffer, 3<sup>rd</sup> Asst Chief Dean Hyder, 4<sup>th</sup> Asst Chief Charles Haist, EMS Captain Donna Miller be and hereby are approved.

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

RESOLUTION duly moved by Forrestel and seconded by Capan to appoint the 2013 Elected Officials: President William Murray, Vice President Thomas Lederhouse, Corporate Secretary C. Keith Hockreiter, Treasurer Brian Murray, Member at Large Joshua Haist, Director at Large W. Keith Hawes, Donnal Folger, Joshua Haist, Jennifer Kempstan, Fire Warden Kenneth Pagels, David DeYoung, Communication Officer Thomas Lobur be and are approved.

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

CORRESPONDENCE

Time Warner Cable Notification of new rates going into effect March 1, 2013

HomeServe notification of solicitation of water service line coverage's

County of Erie notification to seek transfer of a portion of Akron Falls Park to the Town of Newstead

Letter from Robert Scheib regarding snowmobile traffic on Brooklyn Street

Letter from National Fuel pertaining to planned/proposed projects in your Municipality

PUBLIC COMMENT: Doug Ceisner stated that regarding the snowmobiles, he has had them quite frequently run right through his property. Lastly, recommended that the Akron Central School be charged for a user fee for the coverage provided by the Akron Fire Company

On motion of Capan and seconded by Forrestel, at 8:17 p.m. this meeting was ADJOURNED

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DEPUTY MAYOR

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CLERK-TREASURER