

February 4, 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 Middaugh seconded by Capan, that the Minutes of the Regular Meeting of January 28, 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 Forrestel 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	\$ 19,170.69
Electric Fund	\$ 17,176.46
Water Fund	\$ 4,073.71
Sewer Fund	\$ 3,805.59
Trust & Agency	\$ 1,654.06

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 Application 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:

Joel Tucciarone	202 Roosevelt Ave	Tonawanda, NY	\$40.00
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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. Mayor Patterson requested to hold a Public Hearing regarding the possible override of the 2% Tax Cap on February 25, 2013.

RESOLUTION duly moved by Capan and seconded by Middaugh to hold a Public Hearing regarding the possible override of the 2% Tax Cap 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

APPEARANCES – none scheduled

PUBLIC COMMENT – Doug Ceisner from 100 East Avenue commented on the Akron Fire Contract in regards to the coverage they provide for many buildings that do not contribute to the tax base. He stated that the firemen are there 24 hours a day, 365 days a year and expressed his support for their efforts.

PROJECT REPORTS –

Joint Facility – Village IT Representative Ken Lombardo completed changes at the facility by creating a new email domain for both the Village and Town of Newstead public works employees.

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. Also still waiting on New York State to respond regarding the crosswalk over Buell Street

MONTHLY REPORTS –

Departments –

Attorney – all items are on the agenda

Clerk-Treasurer – The Board received the Clerk's report for January 2013, together with the February 2013 office schedule. He reported that Public Works Manager Cummings, Electric Foreman Whitbeck and Representatives from Constellation Energy held the follow up meetings with the seven or eight top electric users regarding the load sharing program. Letters were sent out to residents who have placed garbage in the recycling totes. Hosted an American Red Cross CPR/AED training course for employees on Friday, January 25, 2013 and February 1, 2013 at the Village Hall

Public Works – Manager Jon Cummings submitted a report to the Board for the month of January 2013. As of February 1, 2013 all DPW staff has had CPR/AED training. All Village safety programs have been updated & approved by PESH such as Confined Space, Lock Out tag out, Hazardous Materials, Emergency action Plan, hazardous Communication, Hazardous Materials Plan, PPE. Attended a training seminar on January 15, 2013 - Public Officials workshop, and lastly, attended training sessions put on by PESH, topics were Emergency action Plan, Confined Space, Lock out Tag Out.

Code Enforcement Officer – Code Enforcer Migliaccio provided a written report for January 2013 for the Board and asked if anyone had any questions. Village Attorney Shonn asked about the situation with the fire at 52 Eckerson Avenue. Code Enforcer Migliaccio reported that Clarence Code Enforcer Dave Metzger covered the call and will send any information as soon as possible.

Elected Officials –

JUSTICE COURT REPORT – January 2013 Report

TRUSTEES – COORDINATORS

Trustee Capan – Gave an update on the electronics recycling program held jointly with the Town of Newstead. In 2012 49,000 pounds of recycling was collected, 30,000 of those pounds were from televisions. The Joint Facility still accepts electronic recycling during business hours during the week.

Trustee Middaugh – nothing new to report

Mayor Patterson – Received a resignation notice from Trustee Wittlinger and Mayor Patterson thanked Trustee Wittlinger for all his effort, knowledge and participation.

RESOLUTION duly moved by Forrestel and seconded by Middaugh to accept the resignation of Brian D. Wittlinger from his position as Trustee effective February 5, 2013 be and hereby is approved.

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

Trustee Wittlinger abstained from voting

Mayor Patterson wanted to remind the Board that the Village Officials Association and the Erie County Government Association meet on the third and fourth Thursdays of the month; requested Clerk-Treasurer Borchert to send out the Budget memo to Department heads with dates for future budget meetings and budget requests; received a memo letter from Time Warner regarding a cost increase in the future; reported that a grant writer met with the Village Board at the work session this evening; and reported that Village and Town of Newstead will meet for a joint meeting right after this evenings meeting; lastly would like to request an executive session regarding the employee contract.

Trustee Forrestel – along with Trustee Capan attended a Water Wastewater Committee meeting this evening. Discussion was held focusing on both plant operations regarding capital projects for this year and future years. Trustee Forrestel reported that Camden Representative Ken Scherrieble stated that an updated seven year plan would be forth coming, which could be turned over to the new grant writer to look for funding for an engineering study of the Sewer Plant. Lastly, reported that through the Timber Management Program the Water Plant did receive funds from the removal of poor quality trees, leaving room for the planting of good quality timber such as Maple and Cherry.

Trustee Wittlinger – Reported what an honor and privilege it was to serve on the Village Board

OLD BUSINESS

Village Court – Clerk-Treasurer Borchert met with Court Clerk Bonnie Pafk regarding court records. The required shredding has been completed and all required records have been archived. Current records will be converted to the Town of Newstead Court computers when the Village Court is abolished.

Ron Berry Memorial Fields – nothing new

Clinton Street/Eckerson Avenue Village Land – During last month’s work session the Lions Club gave a presentation regarding plans they would like to implement with the above land. Still need a current survey for property

Public Works Facility at 43 East Avenue – Public Works Manager Cummings reported that the interior is almost cleared out. Manager Cummings is soliciting three bids for Asbestos Abatement Firms.

Collective Bargaining Agreement – executive session

50 Bloomingdale Avenue – Public Works Manager Cummings is still deciding whether to secure the building and wait for it to collapse or hire an Asbestos Abatement Company to clear away all asbestos contamination before the Public Works can demolish the rest of the building.

Akron Fire Company Contract – Clerk-Treasurer Borchert is still collecting data from request at previous meeting.

NEW BUSINESS

RESOLUTION duly moved by Wittlinger and seconded by Capan to appoint Judith Bell, Hylene Shearman, Nancy Tordy, Roberta Lobur, Linda Wiltberger and Gerard Pascua as Village of Akron Election Inspectors for the March 19, 2013 Village Election from Noon – 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

Village Board received a petition from the owners of 12715 Lewis requesting annexation into the Village of Akron.

CORRESPONDENCE

William Schutt & Associates January 2013 Monthly Project Report

Time Warner Cable February 2013 Notice of soon to be expiring agreements with Programmers and Broadcasters

2013 Conservation Tree & Scrub Seedling Program

PUBLIC COMMENT: Trustee Middaugh wanted to request that the Akron Police force continue to check for snow plow permits in the Village. Clerk-Treasurer Borchert will be submitting a reminder ad to the Akron Bugle regarding the need for snowplowing permits.

RESOLUTION duly moved by Forrestel and seconded by Capan to go into executive session regarding the collective bargaining agreement and contractual issues at 8:32 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 and contractual issues at 9:13 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

The Village Board met with the Newstead Town Board following the executive session regarding the current contract with the Town of Newstead for Code Enforcement Services.

RESOLUTION, duly moved by Wittlinger and seconded by Capan to authorize the Mayor to send a letter to the Town of Newstead to give notice and terminate the current contract for Code Enforcement Services 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 Wittlinger and seconded by Forrestel, at 9:25 p.m. this meeting was
ADJOURNED

MAYOR

CLERK-TREASURER