

April 15, 2013

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

Mayor Patterson asked Resident Doug Ceisner to lead us in the pledge to the flag. Mayor Patterson requested a moment of silence for all involved in the Boston Marathon bombings.

RESOLUTION duly moved by Middaugh seconded by Capan, that the Minutes of the Regular Meeting of April 8, 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
KEITH A. HATSWELL - AYE

RESOLUTION duly moved by Forrestel 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	\$ 18,167.76
Electric Fund	\$ 19,190.38
Water Fund	\$ 17,225.72
Sewer Fund	\$ 16,743.98
Trust & Agency	\$ 1,644.61

ADOPTED CAREL E. PATTERSON - AYE
E. PETER FORRESTEL - AYE
MICHAEL R. MIDDAUGH - AYE
KATHRYN A. CAPAN - AYE
KEITH A. HATSWELL - AYE

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

Thomas Hallett	61 Buell Street	Addition	\$38.81
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ADOPTED CARL E. PATTERSON - AYE
E. PETER FORRESTEL - AYE
MICHAEL R. MIDDAUGH - AYE
KATHRYN A. CAPAN - AYE
KEITH A. HATSWELL - AYE

PUBLIC HEARING – was held at this time to hear any and all persons for the purpose of addressing the proposed 2013-2014 Village Budget. Village Clerk-Treasurer Borchert read the Proof of Publication and the 2013-2014 Budget message which states that the \$5.97 per \$1,000.00 tax rate will stay the same as 2012-2013 budget. The budget is over the 2% tax cap by \$21,000 due to the first payment of the Joint Facility and the cost of Health care which was budgeted the last two years for a lower rate, but due to the unsettled Collective Bargaining Agreement the Village has had to pay the higher Health Care cost and also a 2% increase for the Fire Contract. Mayor Patterson stated that the goal is to stay under the 2% tax cap and still provide the high quality of services to the residents. Clerk-Treasurer Borchert asked if anyone wished to speak. Resident Doug

Ceisner wondered why the Firemen's Workers Compensation was listed separately and the Police Department was not. Mr. Ceisner also stated that the Annual Safety Dinner and Snow Removal on Main Street could be some of the areas that the Village could save money.

RESOLUTION duly moved by Capan and seconded by Middaugh to close the Public Hearing in regards to the proposed Village Budget at 7:51 pm be and hereby is approved.

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

APPEARANCES – None

PUBLIC COMMENT – Resident Doug Ceisner stated that residents on East Avenue are still getting drainage from the Akron Airport.

PROJECT REPORTS –

Joint Facility –

Review Inter-Municipal Agreement with the Town of Newstead – nothing new

Sidewalk on Skyline Drive/Clarence Center Road – nothing new

MONTHLY REPORTS –

Departments –

Camden Group – Representative Ken Scherrieble presented a copy of the March 2013 monthly report to the Board. Mr. Scherrieble reported hosting a joint tour of the Sewer Plant with the Board Members of the Village of Akron and the Town of Newstead. He reported that they will begin to smoke test again to look for breaks and illegal sump pumps. He also reported that the crew is doing some cleaning and painting to spruce up the Plant.

Elected Officials –

TRUSTEES – COORDINATORS

Trustee Capan – nothing new to report

Trustee Middaugh – nothing to report

Mayor Patterson – reminded the Board that the Village of Akron jointly with the Town of Newstead will be hosting the Erie County Government Association meeting on Thursday, April 25, 2013 at the Timberlodge Restaurant at Arrowhead Golf Course. Also that budget meetings are scheduled for April 22, 24, 29 and possibly April 30 if needed.

Trustee Forrestel – nothing to report

Trustee Hatswell – nothing to report

OLD BUSINESS

Ron Berry Memorial Fields – nothing new

Clinton Street/Eckerson Avenue Village Land – nothing new

Public Works Facility at 43 East Avenue – Public Manager Cummings reported receiving the cost of air monitoring at \$250.00 per day and has all three quotes for asbestos removal.

Collective Bargaining Agreement – nothing new

Akron Fire Company Contract – continuing to work on it

Local Law # 1 for 2013 – Possible Override of the 2% tax cap – nothing new

Niagara Label Annexation – Chris Whitmarsh from Niagara Label came before the Board to get an update on the proposed annexation. Attorney Shonn stated that the problem is that Niagara Label property is not touching any Village property, which is one of the conditions for annexation. Secondly the Village and Town are looking into setting up a Sewer District, but Niagara Label would have to work with Ken Scherrieble from Camden Group and the Town of Newstead for that to proceed. Attorney Shonn stated that if Mr. Whitmarsh consulted neighbors who do touch Village property and together they came before the Village to discuss annexation, the Village would be able to consider it.

NEW BUSINESS

RESOLUTION duly moved by Forrestel and seconded by Capan to Move Tammy Anderson from Grade 1A Step 2 to Grade 1A Step 3 effective her anniversary date of April 4, 2013 be and hereby is approved.

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

RESOLUTION duly moved by Capan and seconded by Forrestel to approve the Standard work day for elected officials at 6 hours and for appointed officials at 6 hours and to recognize that tier one employees are not covered by the Standard work day be and hereby is approved.

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

CORRESPONDENCE

Central Police Services Tour of the Public Safety Campus on April 15, 2013

Letter from Erie County Executive Mark Poloncarz regarding the Erie County Environmental Management Council

Child and Family Services 5th Annual Leadership Dialogue Thursday May 2, 2013.

Letter from Erie County Legislature Edward A. Rath, III to the NYSDOT regarding designation of several roadways in the Village of Akron as access highways

Letter from the NYSDOT regarding access to the Qualifying Highway System as designated in 15 NYCRR

E-mail from Village Resident Debra Darling regarding the Akron Airport. Trustee Forrestel stated that accusations implied in the e-mail regarding the purchase of the ad in the Akron Bugle are false.

PUBLIC COMMENT: Resident Doug Ceisner wanted to thank Public Works Manager Jon Cummings for aiding Harold Johnson who had an electrical box issue.

After a brief recess, the Village Board welcomed the Newstead Town Board at 8:30 p.m. to hold another joint meeting of the both the Village of Akron and the Town of Newstead.

Mayor Patterson welcomed the Newstead Town Board and before we started asked if everyone in attendance would keep former Village Trustee Barbara Burke in their thoughts as she will be having surgery on Thursday.

Dog Control – Supervisor Cummings brought it to the attention of the Village that even though the dog control falls under the Town of Newstead which includes the Village of Akron, the Village still needs to appoint the Dog Control Officer every year just like the position of Village Historian. The Village has adopted the Town Dog Law but only will be allowing 3 dogs per home. Attorney Shonn will sit down and discuss with the dog control officers to manage the other issues going forward.

Emerald Ash Borer – Carl Klingenschmitt from the Town of Newstead CAC Advisory Committee briefed the board on the steps that they are taking to do a tree inventory on what the total number of ash trees that are located in the Village/Town and putting a rating number that is associated with each tree. There is a NYSDEC grant that is available to help us with the mapping of each tree through the GIS system.

Fire Companies – Mayor Patterson noted that the Joint Emergency Services Committee will need to get together soon to kick off the discussion. Mayor Patterson and Trustee Hatswell will represent the Village and Councilmen Rooney and Mayrose will represent the Town.

Sewer – The Village and Town Board toured the wastewater plant this evening and Camden Group leading the discussion on the plant operations. Niagara Label is possibly looking into creating a sewer district so they can get services to their facility. The Village is also looking into getting grant funds to do an engineering study on the expansion of the plant.

Community Recycling Events – Clerk Daniel Borchert reported that the Saturday morning electronic recycling collection started back up on April 6th. There are also two household hazardous waste recycling events that have been scheduled for Saturday May 11th and Saturday October 5th from 9:00 am to Noon. There will be a first time community shredding program that is scheduled for Saturday June 1, 2013 from 9:00 am to Noon. These events will all be located at the Joint Municipal Facility located at 12707 Clarence Center Road.

Consolidation Study – Grant applications are due on the 8th of every month for submissions of these funds. There would be approximately \$3,000 of upfront cost that would be incurred in putting the application together and submitted. The Village will need to discuss this further and will get back to the Town if there is any interest to move forward in this study.

Joint Facility – Floor, Picone & Audit – Jon Cummings noted that there have been a few representatives out to look at the floor regarding the bonding issue that has occurred. The Board will discuss the Picone litigation in executive session. Supervisor Cummings updated the Board on the follow-up from the Office of the State Comptroller Audit.

Water – Mayor Patterson expressed an interest if the Town has any issues this year with pressure or supply that the Village is willing to help them resolve their issues. Supervisor Cummings noted that he thinks that the concerns from 2012 have been effectively addressed and resolved. He noted that he hopes that the Village would be able to partner with the Town and help install a few short pieces of water main in a few sections of the Town this year similar to what they did on Rte. 93 last summer.

Court Consolidation – Completed as of April 1, 2013

Master Plan – Mayor Patterson and Trustee Capan are on this committee and Supervisor Cummings and Councilman Mayrose for the Town. There will also be members of our community on the committee as well. They will set-up a kick off meeting in the future.

Trustee Capan left the meeting at 9:45 p.m.

RESOLUTION duly moved by Forrestel and seconded by Middaugh to go into executive session regarding current litigation at 9:58 p.m. be and hereby is approved.

ADOPTED CARL E. PATTERSON - AYE
E. PETER FORRESTEL - AYE
MICHAEL R. MIDDAUGH - AYE
KEITH A. HATSWELL - AYE

RESOLUTION duly moved by Forrestel and seconded by Hatswell to come out of executive session regarding personnel issues at 10:10 p.m. be and hereby is approved.

ADOPTED CARL E. PATTERSON - AYE
E. PETER FORRESTEL - AYE
MICHAEL R. MIDDAUGH - AYE
KEITH A. HATSWELL - AYE

RESOLUTION duly moved by Middaugh and seconded by Forrestel that the Village of Akron is authorized to settle the outstanding litigation with Picone Construction Corporation in the amount of \$67,269.26 subject to the approval of the settlement agreement by the attorneys of the Village of Akron and Town of Newstead.

ADOPTED CARL E. PATTERSON - AYE
E. PETER FORRESTEL - AYE
MICHAEL R. MIDDAUGH - AYE
KEITH A. HATSWELL - AYE

On motion of Middaugh and seconded by Forrestel, at 10:15 p.m. this meeting was ADJOURNED

MAYOR

CLERK-TREASURER