

April 16, 2012

A REGULAR MEETING of the Akron Village Board was held on this date at 7:31 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, Chief Richard Lauricella and Super Chief Jon Cummings.

Mayor Carl E. Patterson led us in the pledge to the flag.

RESOLUTION duly moved by Forrestel seconded by Middaugh, that the Minutes of the Regular Meeting and Annual Meeting of April 2, 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 Wittlinger seconded by Capan that the audit of bills is approved, and the Treasurer authorized to pay same in accordance with the following abstract of audit vouchers:

General Fund	\$ 32,183.34
Electric Fund	\$ 14,073.19
Water Fund	\$ 10,593.33
Sewer Fund	\$ 16,679.95
Capital Streets	\$ 139.99

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

RESOLUTIONS duly moved by Middaugh and seconded by Wittlinger that the following Building permits be and hereby are approved with the applications and approval of the Code Enforcement Officer:

Karen Borth	11 Exchange Street	Sliding Door	\$25.00
Sandra Regan	41 Wesley Drive	Roof	\$25.00

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

PUBLIC HEARING – was held at this time to hear any and all persons for the purpose of addressing the proposed 2012-2013 Village Budget. Village Clerk-Treasurer Borchert read the Proof of Publication and the 2012-2013 Budget Message which reported a 9 cent per 1000 increase in the property taxes but held Electric, Water/Sewer and Refuse rates the same. He did want to mention that the Publication stated that the Mayor and Trustee would take a 1% increase, but in consideration of the consequences of the 2% tax cap the Mayor and Trustees voted to keep their salaries the same as the 2011-2012 Budget. Clerk-Treasurer Borchert asked if anyone in attendance wished to speak. Resident Doug Ceisner had questions regarding the health Insurance, the New York State

Retirement Program in regards to part-time employees, the Village Attorneys salary, and the cost of the Safety dinner.

RESOLUTION duly moved by Capan and seconded by Middaugh to close the Public Hearing in regards to the proposed Village Budget at 7:44 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

Clerk-Treasurer Borchert mentioned that the next Budget meetings are scheduled for April 23, 2012 and if need be April 30, 2012. The Budget must be passed by May 1, 2012.

PUBLIC HEARING – was held at this time to hear any and all persons for the purpose of addressing the repeal of Section 95-7 of the Code of the Village of Akron regarding Amusement Devices. Village Clerk-Treasurer Borchert read the Proof of publication and asked if anyone wished to speak. Attorney Shonn stated that the Police Department initiated the idea. The Police Department felt that it was counter-productive to inspect these devices and charge fees that have no attachment to betting, which is the basis of the original Local Law. Clerk Treasurer Borchert added that if this law is passed it will take effect on January 1, 2013

RESOLUTION duly moved by Forrestel and seconded by Wittlinger to close the Public Hearing in regards to the repeal of Chapter 95 Section 7 of the Village Code regarding Amusement Devices at 7:46 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 Middaugh and seconded by Capan to adopt Local Law #2 for 2012 – Repeal Section 95-7 of the Code of the Village of Akron regarding Amusement Devices 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 –Resident Doug Ceisner asked if a building permit and Dumpster permit were filed for the new roof at 57 Parkview Drive. Also mentioned that he was happy that the Village Board did not take an increase in pay, but stated several will get retirement benefits.

PROJECT REPORTS –

Joint Facility – Attorney Shonn reported that he is working on report of payment to Contractors and will distribute at the next meeting. Also Attorney Shonn stated he will be working with Town of Newstead Attorney Neill on splitting the value of the Joint Facility property between the Village and Town.

Marshall Avenue Reconstruction – Super Chief Cummings reported that the project started on April 10, 2012 and is going really well. The asphalt has been stripped

and should have the water main in by this Thursday weather permitting. The next steps will be to connect the water services and then install new storm sewers.

MONTHLY REPORTS –

Departments –

Camden Group – Representative Ken Scherrieble reported a light month of rain fall. He also reported that the plant is preparing for summer and prepping the filters to put them back on by May 15, 2012. Maintenance is continuing on the filter building with cleaning and painting. Trustee Forrestel questioned the affluent numbers which did not show on the report. Mr. Scherrieble reported the numbers were well within the limit.

Elected Officials –

TRUSTEES – COORDINATORS

Trustee Capan – nothing to report

Trustee Middaugh –nothing to report

Mayor Patterson – reported that he will be attending the Village Officials Association Directors Meeting on April 19, 2012 and the Association of Erie County Governments Meeting on April 26, 2012. Mayor Patterson also wanted to request an executive session regarding personnel issues.

Trustee Forrestel – nothing to report

Trustee Wittlinger – nothing to report

OLD BUSINESS

Village Court – Mayor Patterson will be contacting Town of Newstead Supervisor Dave Cummings to schedule a committee meeting within the next two weeks to draft a cost for the Village Court rent

Ron Berry Memorial Fields – Attorney Shonn is waiting for proposed costs of Phase II

John Street Reconstruction – street closed signs are in place and work has begun

Clinton Street/Eckerson Avenue Village Land – nothing new

Public Works Facility at 43 East Avenue – Village Engineers Wm. Schutt completed the final environmental review and should have a draft by the beginning of May.

Demolition of 208 East Avenue – Attorney Shonn stated that the Demolition is on hold for the 30-60 days to allow owner the opportunity to demolition the building first, if owner does not begin within 30 days, the Village can begin the process with work orders to cut utilities.

Amusement Devices – Public Hearing held this evening and a Resolution to repeal Amusement Device fees was passed.

Collective Bargaining Agreement – nothing new to report

Recycling Program – Clerk-Treasurer Borchert reported that the program has begun and after two weeks seven bins have already been filled.

NEW BUSINESS

RESOLUTION duly moved by Middaugh and seconded by Forrestel to allow the Akron Celebration Committee to hold their Annual 4th of July Celebration in the Village of Akron on July 3rd and July 4th, 2012 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 Wittlinger and seconded by Capan to adopt the New York State and Local Employees Retirement System Standard Work Day of six hours for the appointed Deputy Clerk and eight hours for the appointed Deputy Clerk-Treasurer 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 advertise in the Akron Bugle for a part-time meter reader on the recommendations of Clerk-Treasurer Borchert and Super Chief 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

RESOLUTION duly moved by Capan and seconded by Middaugh to approve the request from the 11th Annual Kick It First Soccer Tournament to have a "No Parking" zone on the North Side of Skyline Drive from Buell Street to the fist house and on the County Park entrance along the long drive/hedge row inside the park 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

Village Planning Board Minutes from meeting held March 21, 2012

Letter from Erie County Department of Public Works – Highway Dept. regarding the closing of John Street for the completion of the road reconstruction from April 16 – May 31, 2012

National Prescription Drug Drop Off Day Saturday April 28, 2012 from 10:00 am – 2:00 pm. Millard Suburban Hospital is the closest drop off site to the Village of Akron.

11th Annual Kick It First Soccer Tournament from May 4th – 6th, 2012

PUBLIC COMMENT: Resident Doug Ceisner mentioned that Income Taxes are due tomorrow.

Mayor Patterson along with Marilyn Kasperak wanted to give kudos to Village Clerk-Treasurer Borchert and Super Chief Cummings for coming to the aid of a teenager who dropped her phone into the storm sewer.

RESOLUTION duly moved by Forrestel and seconded by Capan to go into executive session regarding personnel issues at 8:16 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 personnel issues at 9:03 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 Middaugh to appoint Fred Bedford to the permanent position of Working Crew Chief – Streets Department effective April 17, 2012 at Grade 13 Step 2 be and hereby 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 Wittlinger and seconded by Capan to appoint Jon Cummings to the position of Manager of Public Works effective April 17, 2012 at a rate of \$25.00 per hour and a annual stipend of \$9,500 per year be and hereby 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 9:10 p.m., this meeting was ADJOURNED

MAYOR

CLERK-TREASURER