

May 7, 2012

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 and Kathryn A. Capan; Village Attorney Daniel D. Shonn, Clerk Treasurer Daniel P. Borchert, Chief Richard Lauricella and Public Works Super Chief Jon Cummings

Mayor Carl E. 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 April 16, 2012 and Special Meeting of April 30, 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 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	\$ 13,713.55
Electric Fund	\$ 158,836.05
Water Fund	\$ 6,177.37
Sewer Fund	\$ 13,785.26
Capital Water	\$ 3,076.79
Trust & Agency	\$ 726.00

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 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:

Stanley Victor	57 Parkview Drive	Roof	\$25.00
Christine Mecklenburg	9 Wesley Drive	Roof	\$25.00
Laurie Fox	60 Wesley Drive	Roof	\$25.00
Dennis Remington	4 Washington St	Shed	\$25.00
Stephan Stefarski	77 Eckerson Ave	Roof	\$25.00
Rory Reichenberg	67 Cedar Street	Roof	\$25.00
Jason Farrell	37 Eckerson Ave	Fence	\$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 Wittlinger and seconded by Capan that the following dumpster permits be and hereby are approved with the applications and approval of the Code Enforcement Officer:

Stephan Stefarski	77 Eckerson Ave	30 days	\$20.00
Rory Reichenberg	67 Cedar Street	30 days	\$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 – Resident Doug Ceisner stated that he was still awaiting the cost to remove snow on Main Street in the Business District and the cost of the Safety Meeting held annually in December. He also wanted know if you need a Plumber's License to put in a sewer hook-up.

PROJECT REPORTS –

Joint Facility – Public Works Manager Cummings stated that the Town is now punching in at the new facility but still moving equipment in.

Marshall Avenue – Public Works Manager Cummings reported that the project is going very well. Currently they are working on connecting water services and then they will move on to installing new storm sewers

MONTHLY REPORTS –

Departments –

Attorney – Requested an Executive Session regarding personnel and litigation issues.

Clerk-Treasurer – The Board received the Clerk's report for April 2012, together with the May 2012 office schedule. Clerk-Treasurer Borchert reported attending a Southern Tier West Local Government Conference where he and the Village Clerk from Black River held a workshop regarding items affecting the Clerks in New York State. He will be on vacation from May 18 – May 21, 2012. Deputy Clerk-Treasurer Kelley will be running the Village Board Meeting scheduled May 21, 2012.

Chief of Police – Chief Lauricella did submit to the Board the report for April 2012 and the schedule for May 2012. He reported: Annual "Kick it First" Soccer Tournament went really well, Police force is ready for cruise nights, Crossing Guard Cindy Totten is going to be out for the rest of the year, and the Police equipment is fine. Trustee Middaugh was concerned about having the cruise night start next week during all the John Street construction. Discussion was held regarding the safety and fire concerns of having both John Street and Main Street closed at the same time and the added parking and traffic on Eckerson Avenue. After the discussion the Board recommended having the cruise nights begin on May 24, 2012 instead of May 17, 2012. Clerk-Treasurer Borchert will reach out to the Akron Chamber of Commerce with the postponement of the first cruise night. Officer Michael Lute appeared before the Board to thank the Board for the opportunity they have given him. He also wrote a letter to the Board regarding his employment with the Village.

Public Works – Manager Cummings reported a "hot spot" on one of the Village's transformers which Village Crews fixed. He mentioned that more and more work is being completed "in-house" and wanted to give kudos to the Village Crew. Lastly, reported that the Explorer was sold and the new owner was shipping it to Africa.

Code Enforcement Officer – absent

Elected Officials –

JUSTICE COURT REPORT – April 2012 report

TRUSTEES – COORDINATORS

Trustee Capan – nothing to report

Trustee Middaugh –nothing to report

Mayor Patterson – nothing to report

Trustee Forrestel – nothing to report

Trustee Wittlinger – reported that the next Police and Fire Department Committee meeting regarding the fire contract is scheduled for June 12, 2012. Also Trustee Wittlinger stated that there is a draft contract which will extend the expiring contract from May 31, 2012 to August 31, 2012

OLD BUSINESS

Village Court – Town Councilmen are looking into the schedules and work load of the court clerk. More to follow

Ron Berry Memorial Fields – Attorney Shonn reported more news next meeting

John Street Reconstruction – fax from Accadia Site Contracting, Inc. concerning the “Street Closed” signs being moved after working hours.

Clinton Street/Eckerson Avenue Village Land – nothing new to report

Public Works Facility at 43 East Avenue – Attorney Shonn reported that discussion was held regarding 43 East Avenue at the May 2, 2012 Planning Board meeting. Each member received an email with the draft RFP/RFQ and the Phase I Environmental Executive Summary. Also the Phase I Report recommended that a Phase II report be completed due to the previous land use.

208 East Avenue – Attorney Shonn reported that the first 30 day time frame has been reached and the property owner has not communicated with the Village or started any kind of clean up or tear down at the property, therefore, Attorney Shonn recommended to have the utilities disconnected from the house. Trustee Middaugh questioned the next steps. Attorney Shonn stated that the property owner has a full 30-60 days to complete the task, so after the next 30 days the Board can authorize the tear down of the house.

Collective Bargaining Agreement – Clerk-Treasurer Borchert reported speaking with Teamster Representative Scott Chismar regarding dates for a meeting during the 3rd or 4th week of May 2012.

Recycling Program –

NEW BUSINESS

RESOLUTION duly moved by Wittlinger and seconded by Forrestel to support the North American Safe boating Week May 19-25, 2012 be and hereby is approved.

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

RESOLUTION duly moved by Middaugh and seconded by Capan to allow the Akron Chamber of Commerce to hold the Akron Cruise Nights on Thursday’s starting

May 24th thru September 15th, 2012 from 6:00 pm – 9:00 pm and to allow them to use the lower end of Russell Park to park cars as an overflow only be and hereby is approved.

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

RESOLUTION duly moved by Forrestel and seconded by Middaugh to designate Code Enforcement Officer Ralph Migliaccio to be the designee authorized and directed to enforce the Code of the Village of Akron be and hereby is approved.

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

CORRESPONDENCE

Village Zoning Board Minutes from meeting held April 10, 2012

William Schutt & Associates April 2012 Monthly Project Summary

2012 Akron Community Band Schedule

Time Warner Cable Notification of soon to be expiring agreements with programmers and broadcasters

Town of Bennington Notification of a Special Use Permit Application to be heard on May 9, 2012 at 7:30 PM

Hazman Hazardous Waste Management for your Home and Community

Fax from Accadia Site Contracting, Inc. regarding movement of “Street Closed” signs.

Erie County notice stating that May is National Foster Care Month

PUBLIC COMMENT: Fire Chief Dan Kowalik stated that the Fire Company does not have access to the new joint facility due to the gate. Public Works Manager Cummings will make sure the Fire Chief receives a card to enter gate.

Mayor Patterson commented on the number of dog owners that do not clean up after their animal in Russell Park. The Mayor suggested a reminder in the paper of animal owner’s responsibilities while walking their pets.

RESOLUTION duly moved by Forrestel and seconded by Capan to go into executive session regarding personnel and litigation issues at 8:25 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 Middaugh and seconded by Wittlinger to move Don Kreher from Grade 12 Step 3 to Grade 12 Step 4 effective with his anniversary date of April 28th 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 Wittlinger to authorize the Mayor to sign the retainer agreement with Zdarsky, Sawicki & Agostinelli, LLP regarding pending litigation for the Village of Akron 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 and litigation issues at 9:45 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 Capan and seconded by Middaugh, at 9:47 p.m. this meeting was ADJOURNED

MAYOR

CLERK-TREASURER