

June 18, 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, Kathryn A. Capan and Brian D. Wittlinger; Village Attorney Daniel D. Shonn, Clerk Treasurer Daniel P. Borchert, Officer Christopher Heiderman and Public Works Manager 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 of June 4, 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 Capan seconded by Wittlinger 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	\$ 33,742.03
Electric Fund	\$ 25,324.11
Water Fund	\$ 13,012.88
Sewer Fund	\$ 16,537.77
Capital Water	\$ 9,858.80
Capital Sewer	\$ 163.88
Trust & Agency	\$ 1,980.00

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 Capan that the following building permit be and hereby is approved with the applications and approval of the Code Enforcement Officer:

Sage Family	15 Brodies Way	New Build	\$1,544.80
Frey Family	17 Brodies Way	New Build	\$1,523.20
Dennis Bernhardt	130 Main Street	Roof	\$ 25.00
Patricia Damon	70 Wesley Drive	Roof	\$ 25.00
Frank Buscaglia	52 Eckerson Avenue	Roof	\$ 25.00
William Anderson	90 East Avenue	Roof	\$ 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 Forrestel that the following Dumpster Permit is approved in accordance with the permit filed and payment of the fee of \$20.00:

William Anderson      90 East Avenue      30 Days      \$20.00

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

PUBLIC COMMENT – Resident Doug Ceisner commented that you can drop off the compost during the week at the facility so why can't you pick up compost at the facility during the week? Jon Cummings noted that during business hours we allow residents to pick up compost during the week and that we do not turn them away. The dumpster that is placed at 90 East Avenue does not have any reflective devices on it and is concerned that someone might hit it coming down the hill. The Village will make sure that there are some cones around the dumpster for increased visibility and traffic safety.

Resident Julie Brady commented on the status of the proposed demolition of 208 East Avenue. Attorney Shonn noted that the house was inspected to see if any asbestos was present. A clean report must be filed with the New York State Department of Labor before the Village can legally demolish the house. The report should be back within the week. Jon Cummings is prepared to mobilize equipment once the approval is granted to remove the home.

#### PROJECT REPORTS –

Joint Facility – Will be discussed at the Joint Meeting with the Town of Newstead later this evening.

Marshall Avenue – Public Works Manager Cummings reported that the curbs and driveway approaches on the west side of the street were completed last week and the curbs and driveway approaches on the east side are scheduled to be done on Wednesday.

#### MONTHLY REPORTS –

##### Departments –

Camden Group – Ken Scherrieble from Camden Group was present and reviewed the May 2012 operations report with the Board. As of June 1<sup>st</sup> the summertime flow limits are now in effect. The filters are running smoothly and effectively. They have been completing camera work around Jackson Street in conjunction with the Cornerstone Subdivision. The only issue that they have noted is that the control panel for the screw pump has failed and they are trying to work with the manufacturer to discuss this as a warranty claim.

##### Elected Officials –

JUSTICE COURT REPORT – May 2012 report

#### TRUSTEES – COORDINATORS

Trustee Capan – reported that the Celebration Committee is finalizing plans for the July 4<sup>th</sup> Celebration. Fireworks will be on July 3<sup>rd</sup> and the parade will be on July 4<sup>th</sup>. The committee is meeting weekly and the Akron Police Department and Akron Fire Company have been attending as well. There will be a celebration tent at the VFW on Lewis Road on July 2<sup>nd</sup> and 3<sup>rd</sup>.

Trustee Middaugh – Nothing new to report

Mayor Patterson – Commented on the open house at the Village of Akron Water Plant that was held on Saturday June 16, 2012. He thanked everyone who was involved in making it a huge success. He would like to request a brief executive session to discuss the collective bargaining agreement. Lastly, he wanted to take a moment of silence in honor of the passing of Reverend Albert Damon who was a longtime resident in the Village of Akron.

Trustee Forrestel – Water Wastewater Committee met this evening prior to the meeting and the topics of discussion included the operations at the water plant and at the wastewater plant, possible grant funding opportunities and the current moratorium. The Committee recommended to the Board to extend the Sewer Moratorium for six months to December 31, 2012 for 50 units.

#### Sewer Moratorium to Expire June 30, 2012

#### Background:

In December of 2011, the Village Board extended the sewer moratorium until June 30, 2012. Based upon the monthly operation reports provided by Camden Group, the Board finds that the Waste Water Treatment Plant is running well under its rated capacity. There is, however, significant infiltration in the collection system which requires a continuation of the moratorium at 50 equivalent household units. At this time more than 95% of the Village has had camera and smoke test evaluation. The continuation of the moratorium will allow the Village to complete testing and correction work.

RESOLUTION duly moved by Forrestel and seconded by Middaugh that the present moratorium as described by local law 2005-1 as amended is extended until December 31, 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

Trustee Wittlinger – The Police & Fire Committee met this week and they have set up quarterly meeting dates with the Village Board in August 2012, November 2012 and February 2013. The first session is scheduled for August 6<sup>th</sup>. The next committee meeting is scheduled for August 2, 2012. The EMS Contract is also starting to be worked on by the Fire Chiefs Association.

#### OLD BUSINESS

Village Court – Nothing new to report

Ron Berry Memorial Fields – Nothing new to report

John Street Reconstruction – DPW Manager Cummings reported that he received a fax notification that John Street has been re-opened as of June 16, 2012 from Wayne Scribor from Erie County Department of Public Works.

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

Public Works Facility at 43 East Avenue – Nothing new to report

208 East Avenue – Discussed earlier in the meeting

Collective Bargaining Agreement – Executive session requested by Mayor Patterson

Attorney Shonn would like to see “Litter Law” and “Dog Control Law” be added to old

NEW BUSINESS

RESOLUTION duly moved by Forrestel and seconded by Middaugh to appoint Officer Christopher Heiderman as Acting Police Chief effective Saturday June 9, 2012 until further notice and to authorize his pay to be 6.0 hours of additional overtime per week to handle the duties of the Chief of Police in the absence of Police Chief Richard Lauricella 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

Background: Emily Rose Adamczak, a student at Akron Central School prior to her death, will again be remembered in Akron at the Emily Rose 5K Memorial Run on August 18, 2012. This is the 4th annual fund-raising event in support of the scholarship which honors a graduating Akron high school senior. In addition to this annual event the Adamczak family is working towards a goal that training in "hands only CPR" be a graduation requirement for all high school students in New York.

Be it resolved by the Board of Trustees of the Village of Akron duly moved by Wittlinger, seconded by Capan:

That the Village Board recognizes the tireless and outstanding work of Annette Adamczak in her efforts to have all graduating high school students trained in "hands only CPR".

That, further, the Village Board urges those public officials who have the authority to create a policy for such lifesaving training to act with all due deliberate speed. Such training has a proven capability of increasing the chances of survival for persons who have sudden, life-threatening, cardiac event. Such training would require little or no cost to school districts and provide a great benefit to the citizens of our State.

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

CORRESPONDENCE

Accadia Site Contracting Fax Dated June 6<sup>th</sup> & June 8<sup>th</sup>, 2012

PUBLIC COMMENT: Resident Doug Ceisner asked if Police Chief Richard Lauricella will still be getting paid while is off from his accident and it was noted that he is not as it is a workers compensation case with his Erie County Sheriff's Department.

RESOLUTION duly moved by Forrestel and seconded by Capan to go into executive session regarding the collective bargaining agreement at 8:20 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 Wittlinger and seconded by Patterson to come out of executive session regarding the collective bargaining agreement at 8:36 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 reconvened with the Newstead Town Board at 8:40 PM to hold our quarterly joint meeting. Mayor Carl Patterson welcomed the Newstead Town Board to the table.

Dog Control – Town Clerk Dawn Izydorczak noted to the Board that the Dog Control Officer has had a lot of complaints with foster dog homes in the Village. The new Dog Control Law will need to address this issue.

Court Consolidation – Supervisor Cummings presented Mayor Patterson with some ideas and Mayor Patterson will distribute to the Board for discussion.

Joint Facility – The committee met on Friday. The Village and Town have come to an agreement for the value of the property that was used to build the facility.

RESOLUTION duly moved by Forrestel and seconded by Middaugh to authorize the mayor to sign the agreement between the Village and the Town for payment of the Town's share of cost attributable to the land owned by the Village of Akron and incorporated into the new joint municipal facility hereby is approved.

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

Joint Master Plan – The Village and Town both agreed that they need to sit down and get a meeting scheduled to start the process. Mayor Patterson and Trustee Capan will be the Village representatives along with Supervisor Cummings and Councilman Mayrose for the Town.

Emergency Service Committee - The Village and Town both agreed that they need to sit down and get a meeting scheduled to start the process. Mayor Patterson and Trustee Wittlinger will be the Village representatives along with Councilman Mayrose and Councilman Baran for the Town.

Truck Purchase - The Town is going to be selling their 2001 Dakota extended cab pick-up and wanted to let the Village know in case they might be interested in purchasing it be for it goes out to bid.

Sewer Expansion – They will ask grant writer Anne Sisk about submitting a grant application for an engineering study for expansion of the wastewater treatment plant.

Murder Creek Update – The second grant application has been approved and will be between the Village Hall and the Mechanic Street Bridge.

Refuse Contract – The Village and Town refuse contracts both expire on December 31, 2012. It was discussed to see if it would be beneficial for the Village & Town to bid the refuse contracts together. Town Attorney Nathan Neill will e-mail Village Clerk Daniel Borchert with information regarding the Town contracts.

CEO Services Consolidation – Code Enforcement Officer Ralph Migliaccio and Christine Falkowski presented both Boards with a fact sheet that they would like each of them to discuss regarding the direction of the Village and the Town. The Boards will discuss at a future meeting.

Road Signs – It was noted that there are a lot of road signs that need to have tree branch trimming to make the signs more visible. The Village & Town will work together to see which signs need to be addressed.

Joint Purchasing – It was noted that the Village and Town should looking the possibility of combining purchasing opportunities to help save the communities money.

The next meeting date is scheduled for Monday September 17, 2012 at the Newstead Town at 8:30 PM.

On motion of Capan and seconded by Forrestel, at 9:44 p.m. this meeting was ADJOURNED

---

MAYOR

---

CLERK-TREASURER