

June 4, 2012

A REGULAR MEETING of the Akron Village Board was held on this date at 7:31 p.m. Present: Deputy Mayor Michael Middaugh; Trustees, E. Peter Forrestel, Kathryn A. Capan and Brian D. Wittlinger; Village Attorney Daniel D. Shonn, Clerk Treasurer Daniel P. Borchert, Chief Richard Lauricella and Public Works Manager Jon Cummings and Code Enforcement Officer Ralph Migliaccio

Deputy Mayor Michael R. Middaugh led us in the pledge to the flag.

RESOLUTION duly moved by Capan seconded by Forrestel, that the Minutes of the Regular Meeting of May 21, 2012 be and hereby are approved by the Village Board.

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

RESOLUTION, duly moved by Middaugh 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	\$ 10,891.41
Electric Fund	\$ 31,950.48
Water Fund	\$ 2,040.28
Sewer Fund	\$ 7,591.92
Capital Water	\$ 590.20
Capital Sewer	\$ 6,127.20

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

Anthony Brandi	29 Brooklyn Street	Pool	\$25.00
----------------	--------------------	------	---------

ADOPTED MICHAEL R. MIDDAUGH - AYE  
KATHRYN A. CAPAN - AYE  
BRIAN D. WITTLINGER - AYE

Trustee Forrestel abstained from voting

RESOLUTION duly moved by Forrestel and seconded by Middaugh that the following building permits be and hereby are approved with the applications and approval of the Code Enforcement Officer:

Kailey Zobel	18 Shepard Avenue	Fence	\$25.00
Ryan Ciurzynski	33 Parkview Drive	Shed	\$25.00
Russell Ormsby	48 Cedar Street	Shed	\$25.00
C. Douglas Whelan	28 Crescent Drive	Shed	\$25.00

ADOPTED 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 that the following Public Improvement Permits be and hereby are conditionally approved providing maintenance bonds, easement maps and descriptions, and record drawings are received from the developer and approved by the Village as well as the applications and approval of the Code Enforcement Officer and the Village Engineer:

Public Improvement	Cornerstone Subdivision	Sanitary Sewer	#2011-02
Public Improvement	Cornerstone Subdivision	Storm Sewer	#2011-03
Public Improvement	Cornerstone Subdivision	Water System	#2011-04
Public Improvement	Cornerstone Subdivision	Electrical System	#2011-05

ADOPTED E. PETER FORRESTEL - AYE

MICHAEL R. MIDDAUGH - AYE

KATHRYN A. CAPAN - AYE

BRIAN D. WITTLINGER - AYE

Discussion was held regarding the granting of Building Permits for the Cornerstone Subdivision new builds. Village Engineer Bowers stated that Building Permits could be granted with a conditional CO that the above conditions be met before the home was occupied. Developer Charles Kelkenberg was present and stated that he fully intended to have the conditions met by September, but hopefully much sooner.

RESOLUTION duly moved by Forrestel and seconded by Middaugh that the following Application for a Plumbers License for the year 2012 be and hereby is approved in accordance with the application filed and payment of the annual license fee of \$40.00:

Bruce Ceisner	PO Box 280	E. Pembroke, NY	\$40.00
---------------	------------	-----------------	---------

ADOPTED 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 Akron Fire Company Contract. Village Clerk-Treasurer Borchert read the Proof of Publication and asked if anyone wished to speak. Trustee Wittlinger stated that quarterly meetings will be scheduled to insure future communications between the Akron Fire Company and the Village of Akron. Deputy Mayor Middaugh stated that the Village's intention was to move forward on the new contract and Trustee Forrestel stated that a multiple year contract is the intention in future contracts. Fire Chief Kowalik stated that the Fire Company has agreed to the contract providing certain wording is changed. Village Attorney Shonn looked over the changes and agreed to the changes.

RESOLUTION duly moved by Wittlinger and seconded by Capan to close the Public Hearing in regards to the proposed Akron Fire Company Contract at 7:53 pm be and hereby is approved.

ADOPTED 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 approve the Mayor to sign the 2012-2013 Akron Fire Company Contract subject to changes discussed by Fire Chief Daniel Kowalik and Village Attorney Shonn be and hereby is approved.

ADOPTED E. PETER FORRESTEL - AYE

MICHAEL R. MIDDAUGH - AYE

KATHRYN A. CAPAN - AYE  
BRIAN D. WITTLINGER - AYE

APPEARANCES – Boy Scout Andrew Grant came before the Board to discuss his Eagle Scout Project involving Russell Park. His plan is to scrap and sand down playground equipment and repaint with oil based paint specifically made for metal. He also plans to plant six green shrubs in the area of the playground entrances. Lastly he will build two picnic tables for that area as well. Deputy Mayor Middaugh has had conversations with Andrew and is pleased with the preliminary plan. Andrew will need to have a formal presentation for review and approval by the Boy Scout Council as well as the Village of Akron.

RESOLUTION duly moved by Capan and seconded by Middaugh to approve the Eagle Scout Project by Boy Scout Andrew Grant to refurbish Russell Park playground equipment, plant 6 green shrubs and build two picnic tables providing the project is approved by the Boy Scout Council be and hereby is approved.

ADOPTED E. PETER FORRESTEL - AYE  
MICHAEL R. MIDDAGH - AYE  
KATHRYN A. CAPAN - AYE  
BRIAN D. WITTLINGER - AYE

Modern Disposal Sales and Municipality Account Manager, Joe Hickman, came before the Board to speak about the new recycling program offered to Municipalities. The Village contract with Modern Disposal expires December 31, 2012 so Mr. Hickman wanted to give an update to the new programs Modern Disposal offers. Mr. Hickman spoke about how the recycling program has grown and how the new sorting system allows more garbage to be recycled. In support of this theory, he presented a new recycling bin with wheels and a lid resembling a regular 65 gallon garbage bin which can hold approximately two weeks' worth of an average homes recycling. Mr. Hickman stated that there are different size bins, but a larger one would enable Modern Disposal to collect recyclables every two weeks as opposed to every week. The Village would have the option to have the Village Seal on each one and also a recycling information sheet attached as well. With less actual garbage being collected the Village would see a cost savings. Mr. Hickman also stated that there are grants available to help defray the cost of the program implementation. Clerk-Treasurer Borchert stated that he is looking into a grant through the DEC.

PUBLIC COMMENT – Resident Norma Bluhm came before the Board to speak about the skateboarders who fly down Skyline Drive and turn onto Buell Street. She wanted to know if there was anything to be done before a fatal accident happens. Village Attorney Shonn stated that there is a provision in the Village Code about skateboarders in the Central Business District but not for the other areas of the Village. Police Chief Lauricella stated that most of the time the skateboarders are under 16 years old which prevents the Police from doing anything other than warn them.

Resident Doug Ceisner also has issues with skateboarders on East Avenue. He also stated that he was broken into again for the fifth time between May 21 and May 23, 2012.

Emily Rose 5K Run founder, Annette Adamczak, came before the Board to confirm with the Village that August 18, 2012 is open to schedule the Annual Emily Rose 5K run through the Village. Clerk-Treasurer Borchert confirmed the date.

#### PROJECT REPORTS –

Joint Facility – Public Works Manager Cummings reported that the parking lot has been sealed and striped.

Marshall Avenue – Public Works Manager Cummings reported that the project is going very well. The storm lines have been completed and a bulldozer will be rented for use in excavation of the sub-base for the street reconstruction phase of the project.

#### MONTHLY REPORTS –

Departments –

Attorney – Nothing new to report

Clerk-Treasurer – The Board received the Clerk’s report for May 2012, together with the June 2012 office schedule. Clerk-Treasurer Borchert reported that the tax bills, electric bills, and refuse bills were all sent out May 31, 2012. The Village Office also received 6 credit card transactions within the last month.

Chief of Police – Chief Lauricella did submit to the Board the report for May 2012 and the schedule for June 2012. Chief Lauricella reported that the Cruise Nights have been going well and preparation for the sidewalk sale is under way. He also reported that May was a busy month for ejections from the Akron Falls Park. Routine maintenance is all up to date on all vehicles. One of the Crossing Guards was out for several days with a broken wrist, but she is back and all positions are covered. In July and or August Chief Lauricella is trying to schedule with the New York State DOT a truck road check using Akron patrols and help from the DOT.

Public Works – Public Works Manager Cummings recommended moving Robbie Lucia from grade 10 Hire Rate to Grade 10 Step 1 as of his anniversary date of May 23.

RESOLUTION duly moved by Middaugh and seconded by Wittlinger to move Robert Lucia from Grade 10 Hire Rate to Grade 10 Step 1 effective on his anniversary date of May 23 as recommended by Public Works Manager Jon Cummings be and hereby is approved.

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

Public Works Manager Cummings reported that the Town of Newstead has the Dog Control Red Pick-up truck for sale and thought it may be an option for the Village to purchase for the Water Plant. Lastly, the cannon wheels from Russell Park are done and are waiting to be shipped out.

Code Enforcement Officer – absent

Elected Officials –

JUSTICE COURT REPORT – May 2012 report will be distributed at the next scheduled Village Board Meeting.

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>. Trustee Capan will be attending another Celebration Committee meeting this week.

Trustee Middaugh – wanted to mention how great it has been to work with the different Boy Scouts with their Eagle Scout Projects and to utilize the talents of these young men in different areas of the Village. The Cupola on the shelter in Russell Park has been rebuilt and special thanks go out to Don Buckley from Crittenden Road for rebuilding it, the Streets and Electric Departments for installing it and the Lions Club for underwriting the cost. Lastly a thank you to John Asmus for reinstalling the Russell Park drinking fountain and fixing the light.

Mayor Patterson – absent

Trustee Forrestel – Water Wastewater Committee will meet in two weeks

Trustee Wittlinger – nothing to report

OLD BUSINESS

Village Court – nothing new to report

Ron Berry Memorial Fields – nothing new to report

John Street Reconstruction – DPW Manager Cummings reported that the binder is down and may have the final top down by this Friday. Fire Chief Kowalik mentioned the fire lane in Russell Park has been blocked. Clerk-Treasurer Borchert reported that the issue is being looked into and will be corrected.

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

Public Works Facility at 43 East Avenue – waiting for Phase II to be completed

208 East Avenue – need to have the house checked for asbestos, then file the findings to New York State.

Collective Bargaining Agreement – nothing new to report

Proclamation for CPR Training in High School – Discussion was held regarding the bill to mandate high school students to take CPR training as part of the requirements to receive a diploma.

RESOLUTION duly moved by Forrestel and seconded by Middaugh to support the proclamation to require CPR Training for High School Students to receive a diploma be and hereby is approved.

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

NEW BUSINESS

No New Business

CORRESPONDENCE

Village Zoning Board Minutes from meeting held May 22, 2012

William Schutt & Associates May 2012 Monthly Project Summary

Time Warner Cable Notification of soon to be expiring agreements with Programmers and Broadcasters

Erie County Notification of a Household Hazardous Waste drop-off on June 16, 2012 from 9:00 am to 2:00 pm. at ECC South Campus.

Faxes from Anthony Milone from Accadia Construction in regards to residents moving the “Road Closed” signs and disturbing the project site on John Street.

Letter from resident Robert Scheib concerning the lack of coverage for the Village of Akron/Town of Newstead in the Buffalo News.

Letter of concern from resident Charles Carter regarding the drainage plans on Marshall Avenue.

PUBLIC COMMENT: Deputy Mayor Middaugh wanted to welcome the students from Akron Central School who attended this evenings meeting for a “Participation in Government” Class at school.

On motion of Capan and seconded by Forrestel, at 8:55 p.m. this meeting was  
ADJOURNED

---

DEPUTY MAYOR

---

CLERK-TREASURER