

August 6, 2012

A REGULAR MEETING of the Akron Village Board was held on this date at 7:33 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 and Chief Richard Lauricella.

Mayor Patterson led us in the pledge to the flag. Mayor Patterson took a moment to congratulate Annette Adamczak for her recognition as July 2012 Erie County Citizen of the month named by Legislator Edward A. Rath III. The Mayor also wanted to welcome back Chief Richard Lauricella after his motorcycle/deer accident and to thank Officer Christopher Heiderman for his efforts during Chief Lauricella's absence.

Mayor Patterson requested a moment of silence in honor of Gary Fogal who passed away last week. He was a life-long resident of Akron, a Fireman for over 50 years as well as a County and Town Employee. Please keep Gary and his family in your thoughts and prayers.

RESOLUTION duly moved by Wittlinger seconded by Capan, that the Minutes of the Regular Meeting of July 9, 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 Middaugh seconded by Forrestel 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	\$ 90,843.13
Electric Fund	\$ 63,847.25
Water Fund	\$ 20,667.46
Sewer Fund	\$ 23,603.68
Capital Streets	\$ 101,206.59
Capital Sewer	\$ 6,682.02

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

Clayton Humphreys	39 Eckerson Ave	Roof	\$25.00
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ADOPTED CARL E. PATTERSON - AYE
E. PETER FORRESTEL - AYE
KATHRYN A. CAPAN - AYE
BRIAN D. WITTLINGER - AYE

Trustee Middaugh abstained from voting

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

Phillip Sokolofsky	51 Buell St	Addition	\$253.60
Robert Mast	63 Parkview Drive	Roof/windows	\$25.00
Joseph Palizay	34 John Street	Roof	\$25.00
Eugene Schuler	24 Brooklyn St	Roof	\$25.00
James Bower Jr.	6 Indianola Ave	Pool	\$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 Forrestel and seconded by Capan that the following dumpster permits be and hereby are approved with the applications and approval of the Code Enforcement Officer:

Robert Mast	63 Parkview Drive	30 Days	\$20.00
Eugene Schuler	24 Brooklyn 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 – Clerk-Treasurer Borchert asked for a motion to open the Public Hearing for 50 Bloomingdale Ave.

RESOLUTION duly moved by Wittlinger and seconded by Capan to open the Public Hearing regarding Public Maintenance issues at 50 Bloomingdale Avenue 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

Village Attorney Shonn requested an Adjournment of the Public Hearing until September 10, 2012 at 7:30 pm due to new information from the Village Chief of Police regarding inside structural issues. Attorney Shonn stated that the adjournment will provide ample time to investigate the allegations of any inside structural issues.

RESOLUTION duly moved by Forrestel and seconded by Middaugh to close the Public Hearing and adjourned it to September 10, 2012 at 7:30 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

APPEARANCES – none scheduled

PUBLIC COMMENT – Annette Adamczak came before the Board with a request regarding the annual Emily Rose 5K run scheduled for August 18, 2012. Due to the time frame of the event, start time of 7:30 pm, Mrs. Adamczak asked permission to use luminary bags lite by a LED light which would not conduct any heat eliminating any fire issues for lighting the route. The Board all agreed that would be a fine idea and gave

Mrs. Adamczak permission to use them. Mrs. Adamczak stated that any funds raised from the purchase of the luminaries will go to the purchase of training manikins for use at the Akron Central School.

Resident Walter Hetrick of 57 Jackson Street came before the Board to ask if the ditch in front of his property could be filled in with a storm pipe and fill to eliminate the hardship of mowing his lawn. He did say he would pay for the pipe if the Village could do the work. He mentioned that his neighbor at 54 Jackson Street recently had their ditch filled in and would love the opportunity to have the same service done at his property. Mayor Patterson stated that the Board would discuss the request with the Public Works Manager Jon Cummings and get back to Mr. Hetrick with their decision.

Resident Dale Cheavacci came before the Board to discuss the Akron Airport. He stated that he had emailed the Board regarding the new addition to the runway at the airport and was disappointed that no one had responded to his email. Also on July 17th there was a meeting regarding the Akron Airport expansion at the Newstead Town Hall and not one of the Village Board Members were present to represent the Village residents. Fortunately no action was taken at that meeting and it has been postponed until the end of September. He urged the Board to please have someone present at the new meeting date.

Resident Doug Ceisner came before the Board to discuss yet another burglary on Cedar Street. He stated that within the last three months four burglaries have been committed on Cedar Street after the hours of 2 am. He questioned the Board as to why there is not police coverage during the wee hours when these crimes seem to always take place. Chief Lauricella stated that the schedule is moved around to provide coverage during the late night hours but it is not a frequent occurrence.

PROJECT REPORTS –

Joint Facility – Mayor Patterson stated that the Village is in the process of wrapping up the summary of the cost of the project and still sourcing out bids for the building of the salt barn. With the decision of the Town of Newstead to purchase straight salt just as the Village does, the design and construction of the salt barn will be easier and more cost effective.

Marshall Avenue – Clerk-Treasurer Borchert will give the Board a Summary Report after final bills have been received and paid

Sidewalk on Skyline Drive - Clerk-Treasurer Borchert reported that the CDBG Program contacted the Village and stated that after mid-year adjustments the Village has been granted the monies for the Skyline Drive sidewalk project. The project may begin any time after September 12, but needs to be completed by the end of the year.

MONTHLY REPORTS –

Departments –

Attorney – all items on the agenda

Clerk-Treasurer – The Board received the Clerk's report for July 2012, together with the August 2012 office schedule. Clerk-Treasurer Borchert reported: over 96% of the Village tax bills have been collected, Ken Lombardo has set up the computer down at the Sub-station and is still working on getting a color printer to accompany it, only received 4 credit card transactions this month for utility payments. Mayor Patterson questioned Clerk-Treasurer Borchert on the status of the Recycling Program now that the drop off location is at the new Joint Facility. Clerk-Treasurer stated that the recycling company comes about every three weeks to pick up all the recycling.

Chief of Police – Chief Lauricella did submit to the Board the report for July 2012 and the schedule for August 2012. Chief Lauricella reported: Continuing to remove swimmers from Akron Falls Park, Officer Baron will need four weeks off in the near future for personal reasons, Officer Heiderman requested permission to carry over 15

hours of personal time and 36 hours of unused vacation time for 60 days from his anniversary date of August 1, 2012 and Anthony Sicurella requested permission to do a ride-along with the Akron Police force for an 8 week period, one to two days a week.

RESOLUTION duly moved by Forrestel and seconded by Capan to allow Officer Christopher Heiderman to carry over 15 hours of personal time and 36 hours of unused vacation time for 60 days from his anniversary date of August 1, 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 Forrestel and seconded by Wittlinger to allow Anthony Sicurella to do a ride-along with the Akron Police for an 8 week period, one to two days per week 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

Public Works – Manager Jon Cummings was absent from the regular meeting this evening but did distribute a report for July 2012.

Camden Group – Representative Ken Scherrieble presented the Board with the June and July 2012 report. He reported that June was very quiet with very little rain and July was a little more exciting. The sludge pumps are being repaired by the manufacturer after pressure from the Camden Group to fix them. Another project for this summer is bringing down the digesters and cleaning everything out and replacing valves that are not working. Mr. Scherrieble stated that it would be a costly fix but very necessary. Also a list is forming for ideas for the upcoming budget year. Lastly round two of the video inspection and smoke and dye testing of the Village sewer system has begun.

Elected Officials –

JUSTICE COURT REPORT – July 2012 Report

TRUSTEES – COORDINATORS

Trustee Capan – nothing new to report

Trustee Middaugh – reported that while the DPW has to wait until after September 12 to begin the CDBG sidewalk project, the Village DPW has been repairing sidewalks throughout the Village that have been on the repair list.

Mayor Patterson – reported that he will be attending the Village Officials Association meeting on August 16th and the Association of Erie County Governments meeting on August 23, 2012. As to the point made by Trustee Middaugh regarding the repair of sidewalks, the Village DPW identified 45 areas where tree roots and such have created tripping hazards and the DPW is working to repair those sidewalks very aggressively. Mayor Patterson wanted thank the DPW for a nice job on the filling of the ditch at 54 Jackson Street and thank DPW employee Tom Whitbeck for his work on updating the SCADA system at the sub-station and lastly thank the DPW for watering the hanging baskets on Main Street.

Trustee Forrestel – to the point that the Mayor had about the hanging baskets on Main Street, Trustee Forrestel added that because the summer has been so hot the DPW has had to water sometimes twice a day and wanted to thank the DPW for the extra effort to keep the plants looking beautiful. He also reported that on behalf of the Streets and

Parks Committee he inspected a tree on Churchill Street and Eckerson Avenue that needed trimming only to find it was hollow inside and needed emergency removal.

Trustee Wittlinger – reported that he met with the Akron Fire Company on the 2nd of August and began conversations with them regarding next year’s budget. Also he will be attending the Clarence/Newstead Fire Chiefs Association meeting scheduled for August 16, 2012. More to follow

OLD BUSINESS

Village Court – Mayor Patterson reported that the Committee met last month and are working on finalizing the revenue sharing plan. More to follow

Ron Berry Memorial Fields – Attorney Shonn will invite Village Engineer Paul Bowers and Mark Hannah, who did the SEQR reports, to a phone conference to discuss the reports and the next steps. Village Attorney Shonn will also contact Al Thomas and Dan Caprio to plan a meeting with the new Superintendent of Akron Central School to bring him up to date on the situation.

Clinton Street/Eckerson Avenue Village Land – nothing new

Public Works Facility at 43 East Avenue – Attorney Shonn will invite Village Engineer Paul Bowers and Mark Hannah, who did the SEQR reports, to a phone conference to discuss the reports and the next steps.

208 East Avenue – Village Attorney Shonn stated that due to the asbestos found in parts of the home, a licensed asbestos removal company will have to remove those sections of the home. The Village has two bids at this point and are waiting for a third bid.

Collective Bargaining Agreement – Clerk-Treasurer Borchert reported having a phone conversation with Union Representative Scott Chismar and is now waiting for a written proposal from the Teamsters.

Litter Law – scheduled a public hearing for September 17, 2012 at 7:30 pm

RESOLUTION duly moved by Wittlinger and seconded by Capan to hold a Public Hearing for proposed Local Law #3 for the year 2012 – Litter Law on Monday, September 17 at 7:30 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

Dog Control Law – scheduled a public hearing for September 17, 2012 at 7:30 pm

RESOLUTION duly moved by Forrestel and seconded by Middaugh to hold a Public Hearing regarding Local Law #4 for the year 2012 - Dog Control Law on September 17, 2012 at 7:30 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

NEW BUSINESS

RESOLUTION duly moved by Middaugh and seconded by Wittlinger to waive the Zoning Board Appeals fee of \$125.00 for the Application of the First United

Methodist Church on Church Street to build a deck and community restrooms in the former Newstead Town Hall 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 authorize the mayor to sign the Contract for the New Year's Eve Fireworks Display 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 authorize the Village Attorney Daniel D. Shonn to attend the NYCOM 2012 Regional Seminar in Rochester, NY on Thursday August 16, 2012 at a cost of \$40.00 plus travel 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 allow Village Clerk-Treasurer Daniel P. Borchert to attend the 57th Annual NYCOM Fall Training School from September 10 – September 14, 2012 in Lake Placid, NY at a cost of \$1,380.00 plus travel 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 the meeting held June 19, 2012

Village Zoning Board of Appeals minutes from the meeting held June 28, 2012

Time Warner Cable Notification of Soon to be Expiring Agreements with Programmers and Broadcasters

William Schutt & Associates July 2012 Monthly Project Summary

PUBLIC COMMENT: none

On motion of Capan and seconded by Middaugh, at 8:32 p.m. this meeting was ADJOURNED

MAYOR

CLERK-TREASURER