

January 9, 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, 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 Forrestel seconded by Capan, that the Minutes of the Regular Meeting of December 5, 2011 and the Special Meeting of December 15, 2011 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 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	\$ 59,563.89
Electric Fund	\$ 147,533.70
Water Fund	\$ 21,023.80
Sewer Fund	\$ 20,436.96
Capital Streets	\$ 81,311.53
Trust & Agency	\$ 9,281.50

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

Perry's Ice Cream	One Ice Cream Plaza	Roof	\$25.00
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ADOPTED E. PETER FORRESTEL - AYE  
MICHAEL R. MIDDAUGH - AYE  
KATHRYN A. CAPAN - AYE  
BRIAN D. WITTLINGER - AYE

Mayor Patterson abstained from voting on the above resolution

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

Harold Frey	PO Box 278	Clarence Ctr Rd, NY	\$40.00
James Frey	PO Box 278	Clarence Ctr Rd, NY	\$40.00
Richard Petschke	PO Box 234	Alden, NY 14004	\$40.00

Bradley Rehwaldt	9520 Risk Road	Akron, NY 14001	\$40.00
Salvatore Musso	8574 Sheridan Drive	Williamsville, NY 14221	\$40.00
Leonard Schie	11066 Keller Rd	Clarence, NY 14031	\$40.00
Kenneth Price	3 Main Street	Corfu, NY 14036	\$40.00
Richard J. Greene	487 Erie Street	Lancaster, NY 14086	\$40.00
Mark M. Carfley	125 Arthur Street	Buffalo, NY 14207	\$40.00
Dan Loudenslager	6065 Strickler Rd	Clarence, NY 14031	\$40.00
Anthony Cellino	631 Bullis Rd	Elma, NY 14059	\$40.00
Ronald Kimmel	5800 Seneca Street	Elma, NY 14059	\$40.00
David Twardowski	3 Hemlock Lane	Lancaster, NY 14086	\$40.00
Gerald Raduns	1439 Roberts Road	Basom, NY 14013	\$40.00
Henry Cook	3508 Rose Road	Batavia, NY 14020	\$40.00
Jeffrey Covell	1622 Ham Road	Basom, NY 14013	\$40.00
Arlan Wittlinger	4550 Gunnville Rd	Clarence, NY 14031	\$40.00
Sean Towlson	5991 Riddle Rd	Lockport, NY 14094	\$40.00
Michael O'Neil	6700 Lincoln Ave	Lockport, NY 14094	\$40.00
Timothy Harris	10040 Martin Rd	Clarence Ctr, NY 14032	\$40.00
Timothy Johnson	230 Heim Road	Williamsville, NY 14221	\$40.00

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 Wittlinger and seconded by Forrestel that the following dumpster permits be and hereby are approved with the applications and approval of the Code Enforcement Officer:

Strippet	12975 Clarence Ctr Rd	renewals	\$60.00
Pixleys Deve	81 Buell Street	renewal	\$20.00
Whiting Door	113 Cedar Street	renewals	\$60.00
United Meth	57 John Street	renewal	\$20.00
Maxx Equities Ltd.	32-42 Westgate Ave	renewal	\$20.00
Countryside Apart	Knapp Road	renewals	\$40.00
Diane's Akron House	15 Main Street	renewal	\$20.00
Ford Gum & Machine	18 Newton Ave	renewal	\$20.00
Mark Sheedy	156 Main Street	30 days	\$20.00
Akron Central School	47 Bloomingdale	renewal	\$20.00
Aakron Rule Corp	8 Indianola Ave	renewals	\$60.00
Perry's Ice Cream	One Ice Cream Plaza	renewals	\$80.00

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 Mobile Home Park License for the year 2012, be and hereby is renewed in accordance with the applications filed and payment of the annual license fee of \$125.00:

Dona M. Doll	2 Wesley Drive	Akron, NY	\$125.00
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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 for this evening. Clerk-Treasurer Borchert requested to hold a Public Hearing for proposed Local Law #1 for the year 2012 – Revision of Chapter 82 – Flood Damage Prevention on Monday January 23, 2012

RESOLUTION duly moved by Capan and seconded by Middaugh to hold a Public Hearing on proposed Local Law #1 for year 2012 – Revision of Chapter 82 Flood Damage Prevention on January 23, 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 – Resident Doug Ceisner questioned the Board if all the Municipalities with Electric Companies have the same Purchase Power Rate. Clerk-Treasurer Borchert stated the Purchase Power Rate is determined by usage so each Municipality with an Electric Company will have different usage resulting in different rates. Mr. Ceisner also wanted it to be on the record that he was right about the permit issue with Mary’s Good and Plenty needing a permit.

PROJECT REPORTS –

Joint Facility – Committee is working on a “move-in plan”

MONTHLY REPORTS –

Departments –

Attorney – items on the agenda

Clerk-Treasurer – The Board received the Clerk’s report for December 2011, together with the January 2012 office schedule. Clerk-Treasurer Borchert recommended to the Board to allow Jayne De Tine and Tammy Anderson to attend the Office of the State Comptroller Basic Accounting School on March 20-22, 2012 in Pittsford, New York at a cost of \$85.00 per person

RESOLUTION duly moved by Forrestel and seconded by Capan to allow Jayne De Tine and Tammy Anderson to attend the Office of the State Comptroller Basic Accounting School on March 20-22, 2012 in Pittsford, New York at a cost of \$85.00 per person 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 also took employee photos of Police Officer Michael Dalfonzo and Martin Bronisz for their Village ID card. Lastly, Clerk-Treasurer Borchert stated that over 20 residents signed up for the Authorized Utility Payment in the month of December.

Chief of Police – Chief Lauricella submitted to the Board the report for December 2011 and the schedule for January 2012. Chief Lauricella reported the following: New Year’s Eve went very well with no problems to report. Also, recommended to move part-time Police Officers James Bauer and Martin Bronisz from Grade 3 hire rate to Grade 3 Step 1 for the next pay period.

RESOLUTION duly moved by Wittlinger and seconded Middaugh to move part-time Police Officers James Bauer and Martin Bronisz from Grade 3 hire rate to Grade 3 Step 1 as per the next pay period as recommended by 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

Public Works – Board received copy of Super Chief Cummings report. Mr. Cummings remarked on the easy winter we have experienced and the barn full of salt. Also, would like to recommend to the Board to look into the possibility of selling the Skid Loader at the plant and replace with new one.

Code Enforcement Officer – spoke with the Board regarding his report during the Work Session.

Elected Officials –

JUSTICE COURT REPORT – Board received the monthly report from December 2011.

TRUSTEES – COORDINATORS

Trustee Capan – reported on the success of the New Year’s Eve Celebration on behalf of the Celebration Committee and wanted to Thank everyone involved. Trustee Capan noted how the weather cooperated and that the event was well attended. This celebration is made possible by many Volunteers and donations and is a wonderful event to offer the Community.

Trustee Middaugh –nothing to report

Mayor Patterson – reported that the Village Officials will meet for the first meeting of the year in Depew next Thursday January 19, 2012. The agenda will be a round table of State Officials to discuss the direction of the 2012 legislative agenda. Everyone is welcome. Lastly, Mayor Patterson requested an executive session regarding a personnel issue.

Trustee Forrestel – reported that along with Mayor Patterson, Clerk Treasurer Borchert and our Consultants they have been working on new Health Care proposals. The Committee will be meeting with the Union Representative in the near future. The Committee is making progress with looking into alternatives for the Village employees. Nothing new to report from the Water Wastewater Committee

Trustee Wittlinger – nothing to report

OLD BUSINESS

Village Court – nothing new to report

Ron Berry Memorial Fields – discussed in work session held this evening

John Street Reconstruction – nothing new until spring 2012

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

Public Works Facility at 43 East Avenue – Village Attorney Shonn recommended accepting the proposal from William Schutt and Associates for request for qualifications for development leaving out the Phase 1 Environmental Study

RESOLUTION duly moved Middaugh and seconded by Wittlinger to accept the proposal from William Schutt and Associates for a request for qualifications for development with the exception of the Phase I Environmental Study 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 Forrestel and seconded by Capan to allow Robert Lucia and Robbie Lucia to attend the Western New York Water Works Conference on Wednesday February 1, 2012 in Batavia, NY at a cost of \$20.00 per person 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 allow the 2012 Ride for Roswell Fundraiser to come through the Village of Akron on Saturday June 23, 2012 for it 44- mile Akron Ride, 62.6 mile Alabama Ride and the 100 mile Century Ride 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 allow Cub Scout Pack 531 Tiger Cub Troop to tour the Village Hall on Monday January 30, 2012 at 6:30 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

RESOLUTION duly moved by Forrestel and seconded by Wittlinger to allow Charles Rebmann to attend the engineering workshop held by the MEUA on February 7<sup>th</sup> & 8<sup>th</sup> in Syracuse, NY at \$80.00 per person 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 allow the Mayor to sign the approval to borrow \$200,000 to finance the Pierce Ladder Fire Truck and related equipment by the Akron Fire Company 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

William Schutt & Associates December 2011 Monthly Project Summary

Receipt of Diane's Akron House d/b/a/ The Akron House renewal application for their Liquor License

Time Warner Cable's soon to be expiring agreements with programmers and broadcasters

Thank You note from the Akron Celebration Committee for the use of Russell Park for the New Year's Eve Ball Drop

Erie County Farmland Protection Plan Public Forum on Thursday January 12<sup>th</sup> at 6:00 pm at the Newstead Town Hall or Tuesday January 24<sup>th</sup> at 6:00 pm at the Concord Town Hall

PUBLIC COMMENT: Resident Doug Ceisner questioned the Board about the interest rate on the Bond for the new truck purchased by the Akron Fire Company. Attorney Shonn stated that the interest rate is not known until the bond closing.

RESOLUTION duly moved by Capan and seconded by Forrestel to go into executive session regarding personnel issues at 8:01 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 come out of executive session regarding the personnel issues at 8:15 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 Wittlinger and seconded by Capan, at 8:17 p.m., this meeting was ADJOURNED

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MAYOR

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CLERK-TREASURER