

January 24, 2011

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 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 January 3, 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 Wittlinger seconded by Forrestel 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	\$ 37,851.22
Electric Fund	\$223,962.53
Water Fund	\$ 46,030.27
Sewer Fund	\$ 21,465.78
Capital Streets	\$ 8,624.03

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 Renewal of Plumber's Licenses for the year 2011 be and hereby are approved in accordance with the applications filed and payment of the annual license fee of \$40.00:

Sean Towlson	5991 Riddle Road	Lockport, NY	\$40.00
Marvin Deahn	9590 Keller Road	Clarence Ctr, NY	\$40.00
Roy C. Perry	416 Main Road	Akron, NY	\$40.00

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 Plumber's License for the year 2011 be and hereby is approved in accordance with the applications filed and payment of the annual license fee of \$40.00:

Anthony Cellino	631 Bullis Road	Elma, NY	\$40.00
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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

APPEARANCES – none scheduled

PUBLIC COMMENT – Resident Doug Ceisner suggested to the Board that they summarize items discussed throughout the work session during the regular meeting. Also, questioned the Board about the Akron Fire Company and the need for Board approval on Fire Company purchases. Mayor Patterson responded that any Akron Fire Company purchases over \$100,000.00 need to be approved by the Village Board.

PROJECT REPORTS –

State Street Bridge – Reviewing RFP’s for engineering.

Joint Facility – Mayor Patterson reported that the project has slowed down due to concerns with the iron-workers on site.

MONTHLY REPORTS –

Departments –

Attorney – agenda items

VRI – Environmental Services – Representative Ken Scherrieble submitted his report. The December flow was higher due to snow melt and rain but definitely below the limit. Winter projects such as painting are continuing throughout the plant. Trustee Wittlinger requested the time and location of the presentation that the Sewer Plant was asked to give for the NY Chapter of Water & Environment Association this coming March. Mr. Scherrieble will get that information to the Board as soon as possible.

Super Chief of Public Works – The Board received copies of Super Chief Cummings’s report. Mr. Cummings would like to recommend a step increase for Robbie Lucia from Grade 6 Step 4 to Grade 6 Step 5.

RESOLUTION duly moved by Forrestel and seconded by Middaugh on the recommendation of Super Chief Cummings to increase Robbie Lucia from Grade 6 Step 4 to Grade 6 Step 5 as per his anniversary date 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

Mayor Patterson wanted to recognize the Public Works Dept. for using the winter months to conduct annual maintenance on equipment and preparing vehicles for sale.

Elected Officials –

JUSTICE COURT REPORT – Board received the monthly report from December 2010.

TRUSTEES – COORDINATORS

Trustee Capan – nothing to report

Trustee Middaugh – held discussion regarding the preparation of and sale of several Public Works vehicles: 2008 Highlander, 2008 Sewer Plant Ford F-250 w/plow, 2007 Electric Dept. Ford F-250 and the Electric Dept. 2001 Ford F-150. The Sewer Plant pickup and the Electric pickup will be replaced. After researching the 2008 Highlander’s worth, Clerk-Treasurer Borchert recommended the minimum bid be \$29,000.

RESOLUTION duly moved by Forrestel and seconded by Wittlinger to put out to bid the 2008 Highlander for a minimum bid of \$29,000 based on the recommendation of Super Chief Jon Cummings and the findings of Clerk-Treasurer Borchert 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

Mayor Patterson – Reported that January 20th the Village hosted the Village Officials Association Director’s Meeting at the Akron House. Ten fellow Mayors were in attendance and discussion was held regarding the proposed Property Tax Cap. This Thursday, January 27 is the Association of Erie County Governments meeting which the Mayor will not be able to attend, but he did extend the invitation to other Village Board members where the topic will also be the proposed Property Tax Cap.

Mayor Patterson also mentioned the issue of the placement of defibrators at the soccer fields during the months of April through October on behalf of the request of Annette Adamczak. Erie County Parks Dept. originally were responsible for the placement of the defibrators, but due to cut-backs, have backed out of the commitment. Mrs. Adamczak asked the Board if the Akron Police Dept would take responsibility. At this point the Village is waiting for a letter from the Erie County Parks Dept. relinquishing the responsibility for the defibrators and authorizing the Akron Police to take over the placement.

Brief discussion was held regarding a Townsend Street property claim against the Village due to sewer back-up issues.

Lastly, Mayor Patterson requested an executive session regarding the Akron Fire Company Contract.

Trustee Forrestel – Attended a Fire and Police Committee Meeting this evening.

Trustee Wittlinger – Reported attending a Fire and Police Committee Meeting this evening where discussion was held regarding the Akron Fire Company purchase of an aerial truck to replace the 1976 ladder truck which was purchased and put into service eight years ago. Discussion was also held regarding the replacement of the Akron Police cars.

OLD BUSINESS

Mitigation of Murder Creek – Nothing new to report

Village Court – Trustee Wittlinger reported that both Courts are very happy with the new office arrangement.

Main Street Traffic & Safety – Chief Lauricella received an email from NYS DOT and will have report at next Board meeting.

Akron Airport – Paul Bowers will receive report from Town of Newstead

NEW BUSINESS

RESOLUTION duly moved by Forrestel and seconded by Capan to authorize Charles Rebmann to attend the MEUA Winter Engineering Workshop on February 9 & 10, 2011 in Syracuse, NY at a cost of \$75.00 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 Middaugh and seconded by Wittlinger authorizing Robert Lucia, Robbie Lucia, Fred Bedford, Jon Cummings, John Hartz, Shaun Gloss & John Asmus to attend the Western New York Water Works Conference on February 2, 2011 at the Holiday Inn Hotel & Suites in Batavia, NY at a cost of \$20.00 per person plus travel be and hereby is approved.

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

RESOLUTION duly moved by Capan and seconded by Forrestel authorizing the Village to hold its Biennial Election on Tuesday, March 15, 2011 in the basement of the Village Hall with polls to be open from 12:00 noon until 9:00 p.m. be and hereby is approved.

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

RESOLUTION duly moved by Middaugh and seconded by Wittlinger to allow Akron Central School to use Russell Park on Friday May 20, 2011 from 4:00 p.m. to 6:00 p.m. for Prom Pictures be and hereby is approved.

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

RESOLUTION duly moved by Middaugh and seconded by Wittlinger to allow the 3rd Annual Emily Rose 5K Run to go through Akron and the use of Russell Park on Sunday, July 17, 2011 be and hereby is approved.

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

RESOLUTION duly moved by Middaugh and seconded by Wittlinger to adopt the New York State and Local Employees Retirement System Record of Activities for Elected Officials as presented by Trustee Forrestel, Trustee Middaugh and Trustee Wittlinger be and hereby is approved.

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

RESOLUTION duly moved by Wittlinger and seconded by Capan to adopt the New York State and Local Employees Retirement System Standard Work Day for Elected Officials as a six hour day be and hereby is approved.

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

CORRESPONDENCE

Erie County Department of Environment & Planning Public Review of the 2011 Annual Action Plan

Time Warner Cable Announcement of the new Interactive Technology Switched Digital Video (SDV)

Erie County Consortium Community Development Block Grant Program Approval of the Rural Transit Service and Marshall Avenue Waterline Replacement

Ty-Lin International Request of Accident Reports Associated with the Brooklyn Street Bridge.

Mayor Patterson is sending a letter to Erie County regarding the time line for the Brooklyn Bridge project so as not to have the Murder Creek project going at the same time.

Town of Amherst Central Fire Alarm Office 2010 Annual Report

Nancy Eckerson 2010 Historian Annual Report. Mayor Patterson suggested to the Board to invite Ms. Eckerson to the February 28, 2010 Village Board Meeting.

New York Power Authority Adjusted Contract Demands effective February 1, 2011

Akron Central School Budget Advisory Committee letter requesting volunteers Mayor Patterson wanted to thank Clerk-Treasurer Borchert for volunteering.

PUBLIC COMMENT – Resident Doug Ceisner asked the Board why a Village Representative did not attend the Akron Airport Meeting held Saturday, January 22, 2011 at 1 p.m. Mr. Ceisner feels very strongly that the Airport affects the Village more than the Town and members of the Village Board should be at every meeting. Mayor Patterson did not receive information about the meeting held January 22, 2011 and will immediately look into the lack of communication.

RESOLUTION duly moved by Capan and seconded by Middaugh to go into executive session regarding the Fire Contract at 8:19 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 Wittlinger to come out of executive session regarding the Fire Contract at 9:07 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 Akron Fire Company will be holding a Public Presentation regarding the proposed purchase of an aerial truck on February 7, 2011

RESOLUTION duly moved by Capan and seconded by Wittlinger to go into executive session regarding personnel issues at 9:22 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 Capan and seconded by Wittlinger to come out of executive session regarding the personnel issues at 9:42 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 Forrestel, seconded by Wittlinger, at 9:46 p.m., this meeting was
ADJOURNED

MAYOR

CLERK-TREASURER