

February 27, 2012

A REGULAR MEETING of the Akron Village Board was held on this date at 7:31 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, Police Chief Richard Lauricella and Code Enforcement Officer Ralph Migliaccio

Mayor Carl E. Patterson led us in the pledge to the flag.

RESOLUTION duly moved by Capan seconded by Middaugh, that the Minutes of the Regular Meeting of February 6, 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 Forrestel 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	\$ 47,496.86
Electric Fund	\$ 246,180.39
Water Fund	\$ 10,107.62
Sewer Fund	\$ 2,891.38
Trust & Agency	\$ 3,556.00

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 Middaugh that the following building permits be and hereby are approved with the applications and approval of the Code Enforcement Officer:

Richard Fisher	44 John Street	Porch	\$25.00
Dennis Remington	4 Washington Ave	Fence	\$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 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:

Dean Smith	170 Cemetery Road	Lancaster, NY 14086	\$40.00
Joseph M. Castle	10 Gooding Street	Lockport, NY 14094	\$40.00
John J. Babcock	549 Main Road	Corfu, NY 14036	\$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 Capan that the following dumpster permits be and hereby are approved with the applications and approval of the Code Enforcement Officer:

Code Spring Const.	3 Jackson Street	renewal	\$20.00
The Virchau Company	Various Locations	renewal	\$20.00

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 Middaugh and seconded by Wittlinger that the following dumpster permit be and hereby is approved with the applications and approval of the Code Enforcement Officer:

PizzaBella & Pasta	42 Main Street	renewal	\$40.00
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ADOPTED CARL E. PATTERSON - AYE  
 MICHAEL R. MIDDAUGH - AYE  
 KATHRYN A. CAPAN - AYE  
 BRIAN D. WITTLINGER - AYE

Trustee Forrestel abstained from voting

PUBLIC HEARING – none scheduled

APPEARANCES – none scheduled

PUBLIC COMMENT – none

PROJECT REPORTS –

Joint Facility – Clerk-Treasurer Borchert reported that the Village Public Works moved into the Facility last week. Phones and Computers were changed over and daily operations will now be performed at the new facility.

MONTHLY REPORTS –

Departments –

Camden Group - Representative Ken Scherrieble presented the Board with the January 2012 report. Mr. Scherrieble reported that the sludge pumps are still having issues and may have a pump lobe problem. The manufacturer is working with the Sewer Department to get the pumps working correctly. On February 8<sup>th</sup> the Sewer Crew performed smoke testing of the new Cornerstone Subdivision at Jackson Street and Hake Road. Several issues came from that testing which the developers will have to correct before the Sewer Department will ok the project. The Sewer Crew will also begin the whole process of video inspection and smoke and dye testing of the entire Village in the spring of this year.

Trustee Forrestel asked why the influent suspended solids were down during the months of December and January. Mr. Scherrieble stated that it could be that the Village industries are staying within their permit limits. The DEC has checked the IPP Program and stated the Industries in the Village have been doing great. Lastly, Mr. Scherrieble reported that the Village Sewer will soon be submitting their renewal for their DEC permit.

Elected Officials –  
TRUSTEES – COORDINATORS

Trustee Capan – reported attending a meeting with the Celebration Committee regarding the July 4<sup>th</sup> Celebration. More to follow

Trustee Middaugh –nothing to report

Mayor Patterson – requested an executive session for personnel issues. Also reported that the Village of Akron will host the next Village Officials Association meeting on March 15, 2012 at the Akron House and hoped to see many of the Board Members there. The Mayor mentioned that at the next Board meeting scheduled March 5, 2012 prep work and discussion for the budget should begin at the work session. Lastly, the Mayor extended his appreciation on behalf of his family for the kind words and comments relative to Joseph Capan who passed away last week.

Trustee Forrestel – nothing to report

Trustee Wittlinger – reported attending the Clarence Newstead Fire Chiefs Association meeting held on February 16, 2012. Reported that the Akron Fire Company received a 71,000 grant for LED lighting and generators. He extended his congratulations on the great grant writing done by the Akron Village Fire Company. Lastly Trustee Wittlinger stated that the Akron Village Fire Company is handling all the changes nicely with regards to the new 400 Megahertz Radio System being implemented.

OLD BUSINESS

Village Court – Clerk-Treasurer Borchert stated that a Resolution to abolish the Village Court was passed on February 6<sup>th</sup>, 2012. Postings have been placed in six public locations in regards to the 30 day referendum which will expire March 7<sup>th</sup>, 2012. No petitions have been received as of yet. More information to come after the expiration date

Ron Berry Memorial Fields – Attorney Shonn circulated the Phase I report from William Schutt & Associates who recommended having further testing done in the areas where garbage activities have taken place in past years.

John Street Reconstruction – nothing new until spring 2012

Clinton Street/Eckerson Avenue Village Land – Trustee Middaugh reported meeting with Jon Cummings to discuss parking and recreational uses for the property. Also he stated that the excess fill from John Street reconstruction may be utilized for this property.

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

Demolition of 208 East Avenue - Attorney Shonn recommended having a Public Hearing on March 19, 2012 regarding the Demolition of 208 East Avenue

RESOLUTION duly moved by Middaugh and seconded by Capan to hold a Public Hearing on March 19, 2012 at 7:30 p.m. in regards to the demolition of 208 East 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

NEW BUSINESS

RESOLUTION duly moved by Forrestel and seconded by Wittlinger to approve the budget transfer to raise revenue in account F 2770 and raise appropriation in account

F 8340.42 in the amount \$51,866.41 for the Akron Mobile Home Park Water Master Meter Installation 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 Forrestel to approve the 2012 Akron Fire Company Firematic Line Officers – Chief Daniel Kowalik, 1<sup>st</sup> Assistant Chief Gary Baehr, 2<sup>nd</sup> Assistant Chief Richard Lobur, 3<sup>rd</sup> Assistant Chief Peter West, 4<sup>th</sup> Assistant Chief Todd Pfeiffer & EMS Captain Donna Miller 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 Daniel Borchert to attend the International Institute of Municipal Clerks Region 1 Annual Meeting on Thursday March 15, 2012 in Albany, New York with all expenses including travel covered by the NYSACVC 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 Forrestel to allow Bob Lucia to attend the 13<sup>th</sup> Annual Greater Buffalo Environmental Conference on Tuesday March 27, 2012 in Depew, New York at a cost of \$65.00 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

Association of Erie County Governments Supporting Resolution of the South Cascade/Miller Road Bridge Repair, FHWA Traffic Control Standards and New York State to provide significant Mandate Relief of Medicaid. Mayor Patterson asked the Board to look over these resolutions so action can be taken at the next meeting.

RESOLUTION duly moved by Wittlinger and seconded by Capan to accept the resignation of Crossing Guard Nanette Reinard as of February 20, 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

Chief Lauricella recommended looking at applications for another part-time Crossing Guard.

CORRESPONDENCE

Letter from Village Resident Julie Brady regarding the property maintenance at 208 East Avenue

Letter from Richard F. Mann 5982 Crittenden Rd, Akron requesting to disconnect from the Village Water and connect to Erie County Water.

Attorney Shonn stated that Mr. Mann has a choice so a Resolution is not necessary

PUBLIC COMMENT: Resident Doug Ceisner asked if the Installation of the Master Meter for the water for the Akron Mobile Home Park will be paid by the Village. Clerk-Treasurer responded that the Akron Mobile Home Park was billed for the installation. Mr. Ceisner questioned the dumpster permit for the The Virchau Company who list their dumpster location as “various locations”. Mr. Ceisner’s concern is whether they pay for more than one permit if they have more than one project going on using more than one dumpster. Clerk-Treasurer Borchert stated that they pay for each dumpster at each specific project. Lastly, Mr. Ceisner wanted to close out the meeting in the memory of Joseph Capan. Mr. Capan was a fireman for over 50 years and a member of the Legion for 55 years as well as a Village Trustee and a Town of Newstead Zoning Board Member. Mr. Capan was a tremendous community leader and will certainly be missed. Mayor Patterson asked for a moment of silence in memory of Joseph Capan

RESOLUTION duly moved by Capan and seconded by Wittlinger to go into executive session regarding personnel issues at 8:07 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

RESOLUTION duly moved by Capan and seconded by Middaugh to come out of executive session regarding the personnel issues at 8:35 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 Capan and seconded by Wittlinger, at 8:37 p.m., this meeting was ADJOURNED

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MAYOR

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CLERK-TREASURER