

March 19, 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 and Super Chief Jon Cummings.

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

RESOLUTION duly moved by Capan seconded by Wittlinger, that the Minutes of the Regular Meeting of March 5, 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 bills is approved, and the Treasurer authorized to pay same in accordance with the following abstract of audit vouchers:

General Fund	\$ 32,102.85
Electric Fund	\$ 128,162.00
Water Fund	\$ 4,025.85
Sewer Fund	\$ 1,695.24

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 Public Improvement permit be and hereby is approved with the applications and approval of the Code Enforcement Officer and the Village Engineer:

Public Improvement	Cornerstone Subdivision	Electric	\$443.00
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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

RESOLUTION duly moved by Capan and seconded by Forrestel that the following Sidewalk Café' Permit for the Year 2012 be and hereby is granted in accordance with the application filed and payment of the permit fee of \$50.00:

Akron Pastry Shoppe	47 Main Street	Renewal	\$50.00
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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

RESOLUTION duly moved by Forrestel and seconded by Wittlinger that the following Amusement Device Licenses for the Year 2012 be and hereby are received in accordance with the applications approved by Chief of Police Richard C. Lauricella:

The Village Inn	15 Cedar Street	Juke Box	\$20.00
The Village Inn	15 Cedar Street	Pool Table	\$20.00
Gail & Rick's	15 Monroe Street	Juke Box	\$20.00
Gail & Rick's	15 Monroe Street	Pool Table	\$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 – none scheduled this evening but Attorney Shonn requested a Public Hearing for repeal of Chapter 95 Section 7 of the Village Code regarding Amusement Devices

RESOLUTION duly moved by Middaugh and seconded by Capan to hold a Public Hearing in regards to the repeal of Chapter 95 Section 7 of the Village Code regarding Amusement Devices on April 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

APPEARANCES – none scheduled

PUBLIC COMMENT –Resident Doug Ceisner recommended doing away with the Winter Parking Ban for this year as other local municipalities are doing. Mr. Ceisner also requested the cost for snow removal in the Central Business District along Main Street where he stated that 12 Public figures own properties and are getting the snow removal for free. Lastly, Mr. Ceisner asked if the Village requested a permit for new sewer connections or replacements and if the Plumbers needed a Village License to do the work. Super Chief Jon Cummings stated he would speak to Robert Lucia from the Sewer Plant regarding that issue.

PROJECT REPORTS –

Joint Facility – Mayor Patterson stated that on April 5, 2012 there will be a training session for both the Village and Town DPW employees and he would like to meet before that session to discuss with both the Village and Town employees the rules, conduct and expectations of working in the new joint facility.

Marshall Avenue Reconstruction – After discussion Super Chief Cummings stated that the project would start on April 9th giving time to communicate to the residents of the pending start date. Mr. Cummings stated that the project would be done with as little inconvenience to the residents as possible.

MONTHLY REPORTS –

Departments –

Camden Group – Ken Scherrieble was absent this evening. Trustee Forrestel stated that he is very interested in seeing the flows after this very mild winter.

Elected Officials –

VILLAGE JUSTICE – February 2012 Report

TRUSTEES – COORDINATORS

Trustee Capan – attended a Celebration Committee meeting last week. Trustee Capan reported that the Celebration will be for two days and will include rides and the parade. The Celebration Committee will also be holding a Chicken BBQ fund raiser in April. More information to follow

Trustee Middaugh –attended the Village Officials Association meeting hosted by the Village of Akron on Thursday March 15, 2012. Also Trustee Middaugh reported receiving a request to do repairs and maintenance in Russell Park from a Boy Scout from Troop 559 as an Eagle Scout project.

Mayor Patterson – reported hosting the Village Officials Association meeting on March 15th where Legislator Rath was a guest speaker as well as a Representative from the State Comptroller’s Office spoke about the new Tier 6 and the state of the pension system. Legislator Rath also spoke with Mayor Patterson regarding the funding for the Bloomingdale Reconstruction project.

Mayor Patterson reported that he will attend the Association of Erie County Government’s meeting scheduled for March 22, 2012 in East Aurora.

In regards to the Winter Parking Ban, the Mayor recommended lifting the ban for the remainder of 2012.

RESOLUTION duly moved by Forrestel and seconded by Middaugh to lift the remainder of the 2012 Winter Parking Ban effective March 19th, 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

Lastly, the Mayor requested a budget meeting on Monday, March 26, 2012 at 6:30 pm.

Trustee Forrestel – reported working with Mayor Patterson on Human Resource matters and requested an executive session in regards to personnel issues. Also, he reported working with Trustee Middaugh regarding the Village tree program and stated that only about 4 trees needed to be removed. Clerk-Treasurer Borchert requested that they look at the tree closest to Main Street on the Village Hall property to see if it too should be replaced.

Trustee Wittlinger – nothing to report

OLD BUSINESS

Village Court – no petitions have been filed in the Village Office. Attorney Shonn would like to publish the Certificate of the Resolution to abolish the Village Justice.

Ron Berry Memorial Fields – Attorney Shonn reported that Phase I is done. Limited soil testing will be done after depth measurements are completed.

John Street Reconstruction – have not had any direct communications regarding the date to resume the project, but Super Chief Cummings did note that equipment had been delivered in the last few days.

Clinton Street/Eckerson Avenue Village Land – nothing new

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

Demolition of 208 East Avenue – Public Hearing scheduled for April 2, 2012 at 7:30 pm. Attorney Shonn sent certified paperwork to owner

Amusement Devices – Public Hearing scheduled for April 17, 2012 at 7:30 pm

Trustee Capan wanted to revisit the issue with the Company that has a dumpster permit for various locations in the Village. The Board would like to discuss that further and will be added to Old Business

Clerk-Treasurer Borchert stated that the Recycling Program has not been finalized yet. It will be a joint venture with the Town of Newstead and may possibly have drop off times Monday through Friday and on Saturday during the Village compost time.

NEW BUSINESS

RESOLUTION duly moved by Wittlinger and seconded by Capan to accept the resignation of Electrical Lineman Crew Chief Charles Rebmann effective March 23, 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

Mayor Patterson wanted to take a moment to appreciate Charles Rebmann's efforts and contributions to the Village and to wish him the best of luck with his future position at National Grid. Trustee Forrestel wanted to mention that when an employee moves on it gives us a moment to reflect on the opportunity that the Village gave with the credentials gained by going to Lineman school and the skill set learned while employed by the Village. The employee has more credentials and skill sets than when he was hired, which is a good thing even though we hate to lose employees.

RESOLUTION duly moved by Forrestel and seconded by Middaugh to accept the New York State Department of Transportation's Utility Work Agreement for the proposed project of the milling and paving of State Rt 93 from Cedar Street to State Rt 5 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

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

Town of Newstead Proposed Local Law No 3 of 2012 regarding Rezoning of Real Property & Zoning Map Amendment

Notice of employee Donald Kreher's address change

PUBLIC COMMENT: Resident Doug Ceisner requested the snow removal cost of Main Street during the winter of 2010-2011.

Super Chief Cummings wanted to reiterate to the Board that the Marshall Street Project will be done as cleanly and orderly as possible with as little inconvenience to the residents as possible. The project will begin with the waterline, then storm sewer, drainage and lastly the paving.

RESOLUTION duly moved by Forrestel and seconded by Capan to go into executive session regarding personnel and litigation issues at 8:13 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 Capan to come out of executive session regarding the personnel issues at 8: 56 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

Jon Cummings noted that Electric Lineman Thomas Whitbeck was in line for his annual step increase and recommended based on satisfactory performance that he be moved from step 4 to step 5.

RESOLUTION duly moved by Middaugh and seconded by Wittlinger to move Electric Lineman Thomas Whitbeck from Grade 12 Step 4 to Grade 12 Step 5 effective with his anniversary date of March 18th.

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 and seconded by Wittlinger, at 9:25 p.m., this meeting was ADJOURNED

MAYOR

CLERK-TREASURER

March 20, 2012

A SPECIAL MEETING of the Akron Village Board was held on this date at 4:45 p.m. Present: Deputy Mayor E. Peter Forrestel, Trustees Michael R. Middaugh and Brian D. Wittlinger.

The Village of Akron Police & Fire Committee met this afternoon and interviewed candidates for a part-time crossing guard position to fill the vacancy left from the resignation of Nanette Reinard.

RESOLUTION duly moved by Wittlinger and seconded by Middaugh to appoint Dawn Borchert as a part-time crossing guard to fill the position left vacant from the resignation of Nanette Reinard.

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

On motion of Middaugh and seconded by Wittlinger, at 4:55 p.m., this meeting was ADJOURNED

DEPUTY MAYOR

CLERK-TREASURER