

April 5, 2010

A REGULAR MEETING of the Akron Village Board was held on this date at 7:35 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, Code Enforcement Officer Donnal Folger and Superintendent Robert Kowalik.

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 March 15, 2010 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	\$ 10,869.09
Electric Fund	\$ 45,258.97
Water Fund	\$ 7,429.40
Sewer Fund	\$ 6,537.84
Capital Streets	\$ 2,250.00
Capital Sewer	\$ 1,647.81

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

Mark Schmigel	44 Marshall Ave	Roof	\$25.00
Tom Schmatz	54 Eckerson Ave	Windows	\$25.00
Paul Murray	99 Skyline Drive	Garage Addition	\$96.00
Joseph Kowalik	136 Main Street	Roof	\$25.00
Dr. Todd Daigler	165 Main Street	Sign	\$18.00
Barbara Young	22 Buffalo Street	Roof	\$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 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:

John Stein	185 East Avenue	Sign	\$18.00
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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 on the above Resolution

RESOLUTION duly moved by and seconded by that the following Plumber's permit be and hereby is approved with the applications and approval of the Building Inspector:

Joel Tucciarone 202 Roosevelt Ave Tonawanda, NY \$40.00

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

PUBLIC HEARINGS: None

APPEARANCES – None

PUBLIC COMMENT – Resident Robert Scheib from Brooklyn Street came before the Board to discuss the Murder Creek Erosion, the Brooklyn Street Bridge and the Flood Maps urging the Board to pay close attention to all three issues.

Resident Doug Ceisner questioned the Board if a representative would be attending the meeting scheduled April 8th regarding the Akron Airport Expansion and drainage. Mr. Ceisner stated concern about the caves that run under the runway and also stated that you build a bigger runway you are going to get bigger planes. Mayor Patterson stated that he is attending the meeting.

Robert Kowalik a representative of Upper Eckerson Avenue had concerns of the “touch and go” maneuvers going on at the Airport which he thought were prohibited. Resident Walter Nelson stated that the “touch and go” maneuvers were happening all winter long.

ANNUAL MEETING –

Mayor Patterson wanted to review the past year highlights and challenges and projects. First and foremost he wanted to Thank the Residents and Village Employees for the support and dedication shown throughout the past year. The largest project this past year is definitely the Joint Facility which has taken much of the Board and the Public Work Employees time and effort. Mayor Patterson stated that the easy part is preparing for and building the new facility, the hard part will be working together in the effort to save money. Several challenges remain such as: Mitigation of Murder Creek, the Akron Airport Expansion/Drainage Project and finally the services provided by the Village of Akron, the challenge being to keep them of the highest quality at the lowest costs. The future of the Village of Akron is also going to be a challenge in that the public must be completely informed of the value of the Village services and utilities in light of the recent push of consolidation of governments.

The Mayor made the following appointments and designations for the year 2010-2011.

Appointments and Designations:

Deputy Mayor for ensuing year – Michael R. Middaugh

Joint Court Consolidation Representative – Brian D. Wittlinger

Akron Celebration Committee Representative – Kathryn A. Capan

Deputy Clerk-Treasurer for ensuing year - Tammy L. Kelley

Deputy Clerk for ensuing year – Elaine Frey

Budget Officer for ensuing year - Daniel P. Borchert

Acting Village Justice for ensuing year - Richard L. Campbell

Village Historian for ensuing year – Nancy Eckerson

Affirmative Action Officer for ensuing year - Daniel P. Borchert

Public Information Officer for ensuing year - Daniel P. Borchert

Records Management Officer for ensuing year – Jayne De Tine

Licensing Officer for ensuing year – Daniel P. Borchert

Village Prosecutors for ensuing year – Duane Root

Zoning Board of Appeals – David Pann (term to expire 4/1/15)

Zoning Board of Appeals Alternate - _____

Planning Board – Richard Forrestel (term to expire 4/1/15)

Planning Board – Mary Jane Shonn Alternate (term to expire 4/01/15)

Current Board Committee Appointments for the Year (April 2010 through March 2011) are as follows:

WATER AND WASTEWATER COMMITTEE

Coordinator: E. Peter Forrestel, Trustee
Assistant Coordinator: Kathryn A. Capan, Trustee
Members: Richard E. Forrestel
Brian Perry
Gregg Brown

Employee Representative: Robert Lucia, John Asmus
Jon Cummings
Staff Assistance: Daniel P. Borchert, Clerk Treasurer

BUILDING, COMPOSTING AND SOLID WASTE

Coordinator: Kathryn A. Capan, Trustee
Assistant Coordinator: Brian D. Wittlinger, Trustee
Staff Assistance: Tammy L. Kelley – Deputy Clerk Treasurer
Timothy Morgan, Chairperson,
Zoning Board of Appeals
Donnal D. Folger, Building Inspector
Robert W. Kowalik – Superintendent DPW

CABLE TV AND ELECTRIC

Coordinator: Kathryn A. Capan, Trustee
Assistant Coordinator: Michael R. Middaugh, Trustee
Staff Assistance: Daniel P. Borchert, Clerk-Treasurer
Robert W. Kowalik, Superintendent DPW
Employee Representative: Bryan Sugg
Alternate: Dale Mecklenburg

POLICE AND FIRE SERVICES

Coordinator: Brian D. Wittlinger, Trustee
Associate Coordinator: E. Peter Forrestel, Trustee
Staff Assistance: Daniel P. Borchert, Clerk-Treasurer
Donald Roth, Chief, Akron Fire Co.
Richard C. Lauricella, Chief of Police

HUMAN RESOURCE AND LABOR RELATIONS

Coordinator: Carl E. Patterson, Mayor
Associate Coordinator: E. Peter Forrestel, Trustee
Staff Assistance: Daniel P. Borchert, Clerk-Treasurer
Robert W. Kowalik, Superintendent DPW
Richard C. Lauricella, Chief of Police
Norman J. Stocker, Labor Relations Consultant

STREETS, PARKS AND COMMUNITY RELATIONS

Coordinator: Michael R. Middaugh, Trustee
Associate Coordinator: Kathryn A. Capan, Trustee
Staff Assistance: Daniel P. Borchert, Clerk-Treasurer
Village Engineer
Robert W. Kowalik, Superintendent DPW

RESOLUTION, duly moved by Capan seconded by Middaugh, that the Regular Meetings of the Akron Village Board of Trustees will generally be held on the first and third Mondays of each month at 7:30 P.M., with work sessions to be held at 6:30 P.M. each first meeting of the month, as follows:

April 19 th , 2010	September 13 th , 2010	January 3 rd , 2011
May 3 rd , 2010	September 20 th , 2010	January 24 th , 2011
May 17 th , 2010	October 4 th , 2010	February 7 th , 2011
June 7 th , 2010	October 18 th , 2010	February 28 th , 2011
June 21 st , 2010	November 1 st , 2010	March 7 th , 2011
July 12 th , 2010	November 15 th , 2010	March 21 st , 2011
August 9 th , 2010	December 6 th , 2010	April 4 th , 2011
		Annual Meeting

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 Wittlinger, that the appointment of Nancy Eckerson as Village Historian for the ensuing year be and hereby is 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 appointment of Daniel P. Borchert, as Affirmative Action Officer for the ensuing year be and hereby is 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 Capan, that the appointment of Daniel P. Borchert, as Public Information Officer for the ensuing year be and hereby is 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 Capan, seconded by Forrestel, that the appointment of Jayne De Tine, as Records Management Officer for the ensuing year be and hereby is 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 Wittlinger, that the appointment of Daniel P. Borchert, as Licensing Officer for the ensuing year be and hereby is 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 appointment of Duane Root as Village Prosecutor for the ensuing year be and hereby is 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 Capan, seconded by Middaugh, that the Clerk-Treasurer be and hereby is directed to pay all full-time and regularly scheduled part-time employees of the Village of Akron bi-weekly.

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 appointment of Tammy L. Kelley, as Deputy Clerk-Treasurer for the ensuing year be and hereby is 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 Capan, seconded by Middaugh, that the appointment of Elaine Frey, as Deputy Clerk for the ensuing year be and hereby is 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 Wittlinger, that the appointment of Richard L. Campbell, as Acting Village Justice for the ensuing year be and hereby is 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 Capan, seconded by Middaugh, that Richard Forrestel be and hereby is appointed to the Akron Village Planning Board, with a term expiring April 1st, 2015.

ADOPTED	CARL E. PATTERSON	- AYE
	MICHAEL R. MIDDAUGH	- AYE
	KATHRYN A. CAPAN	- AYE
	BRIAN D. WITTLINGER	- AYE

Trustee Forrestel abstained from voting on the above Resolution

RESOLUTION, duly moved by Forrestel, seconded by Capan, that Mary Jane Shonn be and hereby is appointed to the Akron Village Planning Board, with a term expiring April 1st, 2015.

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 Middaugh, that David Pann be and hereby is appointed to the Akron Village Zoning Board, with a term expiring April 1st, 2015.

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, seconded by Wittlinger, authorizing the attendance, at Village expense, of the Mayor, Trustees and Department Heads at the bi-monthly meetings of the Erie County Village Officials Association and the Association of Erie County Governments, and the attendance, at Village expense, of the Clerk-Treasurer and a representative of the Clerk-Treasurer's Office at the monthly meetings of the Erie County Village Administrative Officials Association and the Western Region New York State Government Finance Officers Association meetings.

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 Clerk-Treasurer be and hereby is authorized to advertise for sealed bids for the Village of Akron's annual requirements for supplies and equipment for the fiscal year ending May 31st, 2011.

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 Middaugh, that the Bank of Akron be and hereby is designated the Official Depository for the ensuing year.

ADOPTED	CARL E. PATTERSON	- AYE
	MICHAEL R. MIDDAUGH	- AYE
	KATHRYN A. CAPAN	- AYE
	BRIAN D. WITTLINGER	- AYE

Trustee Forrestel abstained from voting on the above Resolution.

RESOLUTION, duly moved by Forrestel, seconded by Capan, that the Akron Bugle be and hereby is designated as the official newspaper for the Village of Akron.

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 all regularly-scheduled part-time employees of the Police Department be and hereby shall be entitled to receive up to a \$200 clothing allowance, and that newly hired employees of the Police Department shall be entitled to receive the appropriate clothing allowance on a pro-rated basis as determined by the Department Head. Also, all part-time employees shall be paid their daily rate of pay for any holiday that falls on their scheduled work days, and all eligible part-time employees shall be covered by the benefits of the New York State Disability Insurance Law with employee contributions being deducted from the employee's pay.

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 above Resolution for clothing allowance be and hereby is amended to include that the Court Bailiff and Crossing Guards shall be entitled to receive up to a \$100 clothing allowance.

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, seconded by Wittlinger, that the mileage rate for the Village of Akron be and hereby is determined to be the same as the IRS rate.

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 appointment of Daniel P. Borchert, as Budget Officer for the ensuing year be and hereby is 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 Middaugh, that the rates of pay commencing June 1st, 2010 are hereby established for the following persons, including Village officials, the Village Attorneys, Building Inspector, and/or other non-bargaining unit Village employees; full time; part-time; and seasonal:

PART TIME
SALARY PLAN STEPS
AS OF JUNE 1, 2010

<u>GRADE</u>	<u>HIRE RATE</u>	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>
1A	14.56	16.29	16.61	16.96	17.29	17.66
1B	8.05	8.43	8.79	9.16	9.53	10.00
1C	8.76					
2	11.23	11.73	12.27	12.79	13.31	13.84
3	15.67	18.38				
4	17.95	18.62	19.32	19.97	20.67	21.31
5	19.20	19.87	20.56	21.19	21.90	22.54

<u>GRADE</u>		<u>STEPS</u>
1A	SECOND DEPUTY CLERK SECRETARY TO THE MAYOR	VARIOUS VARIOUS
1B	COMPOST ATTENDANT METER READERS	VARIOUS
1C	ELECTION INSPECTORS	HIRE RATE
2	BAILIFF CROSSING GUARD COURT CLERK	VARIOUS VARIOUS VARIOUS
3	PATROL PERSON	VARIOUS
4	MGR. OF LABORATORIES	VARIOUS
5	CHIEF OF POLICE	VARIOUS
	BUILDING INSPECTOR	\$ 6,658.
	CLERK-TREASURER	\$63,335.
	DEPUTY CLERK-TREASURER	\$46,722.

VILLAGE JUSTICE	\$ 7,775.
ACTING VILLAGE JUSTICE	\$ 250.
MAYOR	\$ 8,537.
SUPT. OF PUBLIC WORKS	\$68,202.
TRUSTEES	\$ 5,830. EACH
VILLAGE ATTORNEY	\$29,816.

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 close the Annual Meeting at 8:25 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

PROJECT REPORTS –

State Street Bridge – Superintendent Kowalik and Village Engineer Paul Bowers met with NYSDOT Representative Paul Galvin regarding the Federal grant monies provided by the (HBRRP) highway bridge rehabilitation and replacement program on Thursday, March 18, 2010 and should have some answers in about 5-6 weeks.

Joint Facility – Consultant Thomas George met with Town of Newstead Officials and Village Superintendent Robert Kowalik to discuss the Facility and the bids should go out the first week of May for construction.

MONTHLY REPORTS –

Departments –

Attorney – waiting for draft of the DPW Construction Contract

Clerk-Treasurer – The Board received the Clerk’s report for March 2010, together with the April 2010 office schedule. The Clerk reported that Secretary to the Mayor, Jayne DeTine attended the New York State Archives Records Retention Seminar on Friday, March 26, 2010 in the Town of Evans.

Chief of Police – The Board received the Police Report for March 2010, and the schedule for April 2010. Chief Lauricella requested an Executive Session to discuss personnel issues. He reported that Officer Robert Farrington is back on duty. Also reported that during the nice weather several car larcenies have been reported. Chief Lauricella urged everyone to keep their vehicles locked. Trustee Middaugh noticed that the Foot Patrols were down and urged an increase in frequency. Discussion was held regarding the lights and camera in Russell Park and Mayor Patterson suggested finding a grant that may help to increase the number of cameras in the park and upgrade the lighting.

Supt. of Public Works – The Board received copies of Superintendent Kowalik’s March 2010 report. Trustee Forrestel asked how much road salt was used this past winter season. 500 tons of salt was used thus far.

Code Enforcement Officer – Donnal Folger reported that on April 22, 2010 a new Federal Law will go into effect regarding repair and painting laws (lead paint) which would be enforced by the County.

The Planning Board approved the Preliminary Plat for the Cornerstone Subdivision. The Final Plat should be ready to approve in about two months. Mr. Folger attended the Flood Zone meeting held at the Clarence Town Hall. The Town of Newstead sent notices to Residents and Business Owners notifying them if they are in a flood zone. The Banks have the authority to demand flood insurance but are not consistent with fees. The Village Board will have to amend the flood code and appoint a Flood Plan Administrator who usually is the Code Enforcement Officer.

Elected Officials –

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

TRUSTEES – COORDINATORS

Trustee Capan – Reported that the Compost site opened April 3, 2010 from 9:00 am to 12:00 pm. Curbside pickup started today. Plans are being finalized for the July 4th Celebration.

Trustee Middaugh – Nothing New to Report

Mayor Patterson – Nothing New to Report

Trustee Forrestel – Water Wastewater Committee met on March 15, 2010 to review Capital Projects. Trustee Forrestel will distribute the minutes as soon as possible.

Trustee Wittlinger – Nothing new to report

OLD BUSINESS

Mitigation of Murder Creek – In anticipation of grant approval, notices were sent out from the Town of Newstead to the Residents and Business Owners of the properties lining Murder Creek regarding easement privileges for workers and equipment during the mitigation of Murder Creek.

Village Court – Nothing new to report

Code Enforcement Officer – Nothing new to report

Akron Mobile Home Park – on the work session agenda for May 3, 2010.

Akron Airport Expansion/Drainage – Mayor Patterson spoke with Town of Newstead Supervisor David Cummings regarding the lack of and need of communications with the Akron Airport and the Town of Newstead because of the impact the Airport has on the Village.

Draft Resolution for amendment to the Bond regarding the Joint Facility – After discussion;

THE FOLLOWING RESOLUTION WAS OFFERED BY TRUSTEE FORRESTEL, WHO MOVED ITS ADOPTION, SECONDED BY TRUSTEE CAPAN

BOND RESOLUTION OF THE VILLAGE OF AKRON, NEW YORK, ADOPTED APRIL 5, 2010, AUTHORIZING THE CONSTRUCTION OF A HIGHWAY FACILITY TO BE JOINTLY CONSTRUCTED, OWNED AND OPERATED BY THE VILLAGE OF AKRON AND THE TOWN OF NEWSTEAD, INCLUDING SITE IMPROVEMENTS, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$4,250,000, APPROPRIATING \$2,125,000 TO PAY THE VILLAGE'S SHARE OF

SUCH COST, AND AUTHORIZING THE ISSUANCE OF \$2,125,000 BONDS OF THE VILLAGE TO FINANCE SAID APPROPRIATION

THE BOARD OF TRUSTEES OF THE VILLAGE OF AKRON, IN THE COUNTY OF ERIE, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Board of Trustees) AS FOLLOWS:

Section 1. The Village of Akron, in the County of Erie, New York (herein called the "Village"), is hereby authorized to construct a highway facility to be jointly constructed, owned and operated by the Village of Akron and Town of Newstead, consisting of a main building, cold storage building and salt barn, including site improvements and paving. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$4,250,000 and \$2,125,000 is hereby appropriated to pay the Village's share of such cost. The plan of financing includes the issuance of \$2,125,000 bonds of the Village to finance the Village's share of such cost, and the levy and collection of taxes on all the taxable real property in the Village to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Serial bonds of the Village in the principal amount of \$2,125,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), to finance said appropriation.

Section 3. The following additional matters are hereby determined and declared:

(a) The building to be constructed is of at least Class "B" construction as defined by Section 11.00 a. 11(b) of the Law and the period of probable usefulness applicable to the project, pursuant to Section 11.00 a. 11 (b) of the Law, is twenty-five (25) years.

(b) The proceeds of the bonds herein authorized, and any bond anticipation notes issued in anticipation of said bonds, may be applied to reimburse the Village for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized, or for such expenditures made on or prior to the effective date hereof if a prior declaration of intent to issue bonds has been made. The

foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution, and any bond anticipation notes issued in anticipation of the sale of said bonds, shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds, and any notes issued in anticipation of said bonds, shall be general obligations of the Village, payable as to both principal and interest by general tax upon all the taxable real property within the Village without limitation of rate or amount. The faith and credit of the Village are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds, and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the Village by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 relative to the authorization of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and Section 168.00 of the Law, the powers and duties of the Board of Trustees relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and as to executing agreements for credit enhancement, are hereby delegated to the Village Treasurer, the chief fiscal officer of the Village.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Village is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- (c) such obligations are authorized in violation of the provisions of the constitution.

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 allow the Akron’s First Baptist Church to utilize Russell Park on Saturday, August 28, 2010 to celebrate the church’s 175th Anniversary with a picnic and a concert by Isaiah Six 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 approve the Town of Amherst Chief’s Association EMS Contract subject to the review of the Village Attorney 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 of Akron/Town of Newstead Free Residential Computer & Electronics Recycling Collection Saturday May 1, 2010 at the Newstead Town Hall from 9:00 am – 12:00 pm for Village and Town residents only.

CORRESPONDENCE –

Hearts and Hands – Faith in Action Volunteer Appreciation Banquet Thursday April 29, 2010 at the Town Line Lutheran Church

9th Annual Kick It First Soccer Tournament 2010 from May 7 – May 9, 2010

ECHD Vector Control Program to hold a 12 Hour Pesticide Applicator Recertification Course on Wednesday April 14 and Thursday April 15 at the Harlem Road Community Center.

Time Warner Cable announcing the channel position changes for the Oxygen Channel and Versus beginning April 15.

Literacy Volunteers of Buffalo & Erie County announcing their new location to the Central Library in Downtown Buffalo.

Erie County Department of Environment and Planning in conjunction with the Erie County Industrial Development Agency announcing the addition of Tracey McNerney to the staff of the Microenterprise Loan Fund Program

PUBLIC COMMENT – Resident Walter Nelson recommended looking into cost savings of consolidation of Fire Companies. Also Mr. Nelson recommended having a Hazardous Waste Recycling Collection.

Resident Doug Ceisner recommended to the Board to look into applying for grants on the study of the consolidation of the Village of Akron and the Town of Newstead to see if it is a practical option for this area.

Resident Robert Scheib questioned the Board if the final design for the Joint Facility is done. He wanted to recommend that garage space be made available for the Senior Citizen Van and for a much needed handicapped vehicle in the new facility.

RESOLUTION duly moved by Forrestel and seconded by Wittlinger authorizing the Board to go into executive session at 9:15 p.m. to discuss personnel issues and the Akron Mobile Home Park 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 authorizing the Board to come out of executive session at 9:41 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 Wittlinger and seconded by Forrestel approving the appointment of Peter Scanio to the position of Police Officer Part-Time be and hereby 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 hold a public hearing on Monday April 19, 2010 at 7:30 p.m. for the 2010-2011 Village Budget 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 Middaugh, seconded by Capan, at 9:45 p.m., this meeting was ADJOURNED.

MAYOR

CLERK-TREASURER