

January 4, 2010

A REGULAR MEETING of the Akron Village Board was held on this date at 7:32 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 December 7, 2009 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 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	\$ 71,119.39
Electric Fund	\$ 23,429.19
Water Fund	\$ 5,197.17
Sewer Fund	\$ 13,512.30
Capital Streets	\$ 39,853.56

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 that the following Renewal of Plumber's Licenses for the year 2010 be and hereby are approved in accordance with the applications filed and payment of the annual license fee of \$40.00:

Salvatore Musso	8574 Sheridan Drive	Williamsville, NY	\$40.00
Richard J. Greene	6326 Transit Rd	Depew, NY	\$40.00
Timothy Johnson	230 Heim Road	Williamsville, NY	\$40.00
Leonard Schie	11066 Keller Road	Clarence, NY	\$40.00
Roy C. Perry	416 Main Road	Akron, NY	\$40.00
Marvin Deahn	9590 Keller Road	Clarence Ctr, NY	\$40.00
Harold K. Frey Sr.	PO Box 278	Clarence Ctr, NY	\$40.00
James H. Frey	PO Box 278	Clarence Ctr, NY	\$40.00
David Twardowski	3 Hemlock Lane	Lancaster, NY	\$40.00
Timothy Harris	10040 Martin Rd	Clarence Ctr, NY	\$40.00
Arlan Wittlinger	4550 Gunnville Rd	Clarence, NY	\$40.00
Mark M. Carfley	125 Arthur Street	Buffalo, NY	\$40.00
Gerald R. Raduns	1439 Roberts Road	Basom, NY	\$40.00
Dan Loudenslager	6065 Strickler Road	Clarence, NY	\$40.00
Michael R. O'Neil	6700 Lincoln Avenue	Lockport, NY	\$40.00
Ronald Kimmel	5800 Seneca Street	Elma, NY	\$40.00
Charles Douglas Lett	5580 Broadway	Lancaster, 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 Wittlinger that the following Amusement Device Licenses for the Year 2010 be and hereby are renewed in accordance with the applications approved by Chief of Police Richard C. Lauricella:

The Filling Station	40 Main Street	Mega Touch Video	\$20.00
The Filling Station	40 Main Street	Galaxy Dart	\$20.00
The Filling Station	40 Main Street	Rowe Phono	\$35.00
The Filling Station	40 Main Street	Golf Game	\$35.00
The Filling Station	40 Main Street	Pool Table	\$35.00
DJ's Rental	4-6 Clinton St	Video Game	\$20.00

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

PUBLIC HEARINGS: was held at this time to hear any and all persons for the purpose of addressing the Local Law #1 for the year 2010 – amending the Plumbers Code of the Village of Akron. Village Clerk-Treasurer Daniel P. Borchert read the Proof of Publication and asked if anyone in attendance wished to speak. Village Attorney Shonn briefed the Board on the updating of the Plumbers Code. Resident Doug Ceisner asked the Board again why Perry's Ice Cream contractors do not need a Plumber's License when they are working with Gas, LP or Freon. Mr. Ceisner also highly suggested that the Village should require inspections on all projects instead of licenses for specific trades. Attorney Shonn said he would look into the regulations. After discussion Attorney Shonn recommended to adjourn the Public Hearing until the next Village Board meeting scheduled for January 25, 2010 at 7:30 p.m. after a revised draft can be completed.

RESOLUTION duly moved by Capan and seconded by Middaugh to adjourn the Public Hearing for the Local Law #1 for the year 2010 – Plumbers License until the next Village Board Meeting scheduled January 25, 2010 at 7:30 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

APPEARANCES – None

PUBLIC COMMENT – Resident Doug Ceisner noticed that a truck was still parking in front of 2 Buell Street and wondered if the State changed the ruling on the no parking along Buell Street near Brooklyn Street. Mayor Patterson stated that the State has changed the ruling on the parking issue but no signs have been changed as yet. Mr. Ceisner asked the Code Enforcement Officer if the property owner at 56 Main Street was given a refund for the window permit issued for less than 50% of windows in the building. Code Enforcement Officer Don Folger stated that the permit fee has not been refunded at this point. Mayor Patterson stated that the refund will be reimbursed if appropriate.

Resident Suzanne Kozody from East Avenue came before the Board regarding the issue of no parking on Village streets during the hours of 2 a.m. to 6 p.m. from November to April. Discussion was held concerning the East Avenue parking where there is a right of way that residents can park on without obtaining a traffic ticket. Notices in the Akron Bugle and signs posted around the Village do notify the residents of the no parking rule.

Chief of Police Lauricella stated that the Akron Police initially hand out warnings to violators during the first few weeks of the winter parking and then give actual tickets.

PROJECT REPORTS –

State Street Bridge – Erie County notified us that we are on the grant list.

Joint Facility – Joint meeting with Town of Newstead scheduled for January 25, 2010 directly after the Village Board Meeting planned that evening.

MONTHLY REPORTS –

Departments –

Attorney – Working on the Code Enforcement issue and the new draft for the Plumbers Law.

Clerk-Treasurer – The Board received the Clerk’s report for December 2009, together with the January 2010 office schedule. Clerk-Treasurer Borchert reported that the office will be closed January 18 to observe Martin Luther King Day.

Chief of Police – The Board received the Police Report for December 2009, along with a schedule for January 2010. Chief Lauricella reported that: activity for December was normal, the New Year’s Eve celebration went well but Chief Lauricella thought the communication between the Police and the Celebration Committee was poor.

Mayor Patterson asked Chief Lauricella if the monthly report could reflect the school sports coverage on a separate line. Also, conversation was held regarding police coverage of Russell Park and correct numbers for residents to call to contact police after a resident from Pearl Street tried to call in a complaint of children in Russell Park after curfew. Chief Lauricella stated that 542-4481 or 911 are the correct numbers to call. If a resident calls 542-4481 it will ring four times before it is forwarded to the State Police who in turn would call out the Akron Police. The 911 number goes through the Erie County Sheriffs dispatch system.

Supt. of Public Works – The Board received copies of Superintendent Kowalik’s December 2009 report. He requested permission for Charles Rebmann and Donald Kreher to attend the MEUA Engineering Workshop held at the Embassy Suites in Syracuse, NY from February 3rd – 4th for \$75.00 each plus hotel fees and expenses.

RESOLUTION duly moved by Forrestel and seconded by Middaugh to permit Charles Rebmann and Donald Kreher to attend the MEUA Engineering Workshop on February 3rd & 4th held at the Embassy Suites in Syracuse, NY at \$75.00 each plus hotel and expenses 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

Superintendent Kowalik also reported that the evergreen tree chipping and recycling will begin this week.

Code Enforcement Officer – Mr. Folger reported that he received the Akron Airport Drainage Study, Received Property Maintenance information regarding registering vacant houses and lastly discussed the green space fees that would be collected from the Cornerstone Subdivision and ways to handle the funds.

Elected Officials –

JUSTICE COURT REPORT – Board received the monthly report from December 2009.

TRUSTEES – COORDINATORS

Trustee Capan – Nothing new to report

Trustee Middaugh –Nothing new to report

Mayor Patterson – Nothing new to report

Trustee Forrestel –Reported that the Police Committee met this evening and the Committee would like to recommend that the Village Board contact the Erie County Civil Service to create two part-time positions known as Court Officers.

The following RESOLUTION, duly moved by Forrestel, seconded by Wittlinger, to wit:

To apply to Erie County Civil Service for the creation and approval of the two (2) titles of Court Officer Part-Time for the Village of Akron Justice Court.

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

Trustee Wittlinger – Nothing new to report

OLD BUSINESS

Mitigation of Murder Creek – nothing new to report

Village Court – Trustee Wittlinger reported that the Committee will be meeting in the next couple of weeks.

Code Enforcement Officer – Mayor Patterson will be meeting with Attorney Don Shonn and Code Enforcer Don Folger soon.

CDBG Projects – Nothing new at this time

Akron Mobile Home Park – discussion was held at the work session this evening on the subject of implementing master water meters in the park.

NEW BUSINESS –

RESOLUTION duly moved by Middaugh and seconded by Capan,

“Upon review of the application of Diane’s Akron House, LLC, dba The Akron House, for a permit for the sale of liquor, wine, and beer at their facility at 15 Main Street in the Village of Akron, the Village of Akron waives the 30 day advance notice period.” 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 move Secretary to the Mayor, Jayne DeTine, from Grade 1A Step 3 to Grade 1A Step 4 effective with her successful completion of her employee evaluation and her anniversary date of December 19 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 –

Letter from Erie County Department of Environment and Planning regarding the State Street Bridge

The US Census 2010 Official Open House Ceremony January 15, 2010 at 11:00 a.m. in Amherst, NY.

Letter from Time Warner Cable regarding soon to be expiring agreements with programmers and broadcasters

PUBLIC COMMENT – none

On motion of Forrestel, seconded by Capan, at 8:34 p.m., this meeting was ADJOURNED.

MAYOR

CLERK-TREASURER