

January 26, 2009

A REGULAR MEETING of the Akron Village Board was held on this date at 7:30 p.m. Present: Mayor Carl E. Patterson; Trustees Michael R. Middaugh, E. Peter Forrestel, William P. Kaufman and Kathryn A. Capan; Attorney Daniel D. Shonn, Clerk–Treasurer Daniel P. Borchert, Chief of Police Richard Lauricella 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 January 5, 2009 be and hereby are approved by the Village Board.

ADOPTED CARL E. PATTERSON - AYE
E. PETER FORRESTEL - AYE
MICHAEL R. MIDDAUGH - AYE
WILLIAM P. KAUFMAN - AYE
KATHRYN A. CAPAN - AYE

RESOLUTION, duly moved by Kaufman, 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	\$ 37,046.80
Electric Fund	\$209,653.81
Water Fund	\$ 42,253.70
Sewer Fund	\$ 19,396.65

ADOPTED CARL E. PATTERSON - AYE
E. PETER FORRESTEL - AYE
MICHAEL R. MIDDAUGH - AYE
WILLIAM P. KAUFMAN - AYE
KATHRYN A. CAPAN - AYE

RESOLUTION, duly moved by Forrestel, seconded by Middaugh that the following Plumber's License for the year 2009, be and hereby are renewed in accordance with the applications filed and payment of the annual license fee of \$40.00:

Dan Loudenslager	6065 Strickler Road	Clarence, NY	\$40.00
Sean B. Towlson	5991 Riddle Road	Lockport, NY	\$40.00
Mark M. Carfley	125 Arthur Street	Buffalo, NY	\$40.00
John J. Babcock	549 Main Road	Corfu, NY	\$40.00
Stanley Kandefer	2247 Union Road	West Seneca, NY	\$40.00

ADOPTED CARL E. PATTERSON - AYE
E. PETER FORRESTEL - AYE
MICHAEL R. MIDDAUGH - AYE
WILLIAM P. KAUFMAN - AYE
KATHRYN A. CAPAN - AYE

RESOLUTION, duly moved by Kaufman, and seconded by Capan that the following Amusement Device License for the Year 2009, be and hereby is renewed in accordance with the applications approved by Chief of Police Richard C. Lauricella:

William Johnston (DJ's Rental Video)	11 Greenfield Street	Buffalo, NY	\$20.00
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ADOPTED CARL E. PATTERSON - AYE
E. PETER FORRESTEL - AYE
MICHAEL R. MIDDAUGH - AYE
WILLIAM P. KAUFMAN - AYE
KATHRYN A. CAPAN - AYE

PUBLIC HEARING – was held at this time to hear any and all persons for the purpose of addressing the Local Law #1 for 2009 – Cold War Exemption Law. Village Clerk-Treasurer Daniel P. Borchert read the Proof of Publication and asked if anyone in attendance wished to speak. Resident Doug Ceisner stated that anyone wearing a uniform should get an exemption. He recommended to the Board to vote Yes. Trustee Forrestel stated that the Board shared Mr. Ceisner’s views and moved to adopt the law.

RESOLUTION, duly moved by Kaufman, and seconded by Capan that the Public Hearing with regard to the Local Law #1 for 2009 – Cold War Exemption Law be and hereby is closed at 7:39 p.m.

ADOPTED	CARL E. PATTERSON	- AYE
	E. PETER FORRESTEL	- AYE
	MICHAEL R. MIDDAUGH	- AYE
	WILLIAM P. KAUFMAN	- AYE
	KATHRYN A. CAPAN	- AYE

RESOLUTION, duly moved by Forrestel and seconded by Middaugh,

WHEREAS, the State of New York by Chapter 6 of the 2007 Laws of the State of New York adopted Section 458-b of the Real Property Tax Law allowing local counties, cities, towns and villages by local law to provide a real estate exemption for Cold War Veterans who were described as a person, male or female, who served on active duty in the United States armed forces, during the period from September second, nineteen hundred forty-five to December twenty-sixth, nineteen hundred ninety-one, and was discharged or released there from under honorable conditions; and

WHEREAS, the Village Board of the Village of Akron has been advised that the County of Erie is going to enact a local law allowing for such exemptions; and

WHEREAS, the Village Board of the Village of Akron has determined that it is in the best interest of the Village of Akron to provide such exemptions for Cold War Veterans residing in the Village of Akron

WHEREAS, based on a resolution of publication, Jan 5, 2009, the following proposed “Local Law No. 1 of the Year 2009”, entitled “Cold War Veterans Law of the Village of Akron” has been filed with the Village Clerk.

ADOPTED	CARL E. PATTERSON	- AYE
	E. PETER FORRESTEL	- AYE
	MICHAEL R. MIDDAUGH	- AYE
	WILLIAM P. KAUFMAN	- AYE
	KATHRYN A. CAPAN	- AYE

APPEARANCES – No appeared to speak

PUBLIC COMMENT – Resident Doug Ceisner came to share many points with the Board such as: 1) Requested agenda and minutes to be posted on the Akron Village web-site. 2) The Board should really look long and hard at the property on Clarence Center Road, a possible site for the public works joint facility, he claimed it is all swamp land and would take too much fill to build on it. 3) According to Mr. Ceisner snow removal on Main Street should not be done using his tax dollars. If the Village is removing snow on Main Street it should remove everyone’s snow. 4) Mr. Ceisner is totally against hiring the Code Enforcement Officer currently working for the Town of Newstead who is from Pembroke. The Village Code Enforcement Officer should be from the Village. 5) Lastly, Mr. Ceisner has located several unlicensed vehicles located on the following streets: East Avenue, Knapp Road, Cedar Street, Main Street, and Crittenden Road. Mayor Patterson thanked Mr. Ceisner for his comments.

PROJECT REPORTS –

State Street Bridge – Nothing new to report

MONTHLY REPORTS –

Departments –

VRI Environmental Services – Ken Scherrieble appeared before the Board with the December 2008 report. Discussed the excessive flow due to high levels of storm water from the extreme snow melt at the end of December. Boiler had major repair work completed. Mr. Scherrieble stated that the boiler may have to be replaced and the Board should consider a change in the systems operations which may include a different size boiler.

Elected Officials

TRUSTEES – COORDINATORS

Trustee Capan – nothing to report

Trustee Middaugh – nothing to report

Mayor Patterson – Attended the Village Officials Meeting where the group is getting ready for the NYCOM legislative meeting in Albany, New York on February 23, 2008. Also, attended Association of Erie County Governments Meeting where the Mayor of Angola was appointed president of the Association. Will be attending a Quarterly meeting with Erie County Executive Chris Collins where a round table theme allows all to speak. Lastly, reports are in that the CHIPS funding is down 30-50% for highway repairs and maintenance.

Trustee Forrestel – Water Wastewater Committee noted that the last meeting was in December 2008. Trustee Forrestel and Trustee Middaugh members of the Police and Fire Services Committee held interviews with several police officers for the part-time positions open in the Village. Second interviews will be scheduled after Committee receives feed back from Chief Lauricella.

Trustee Kaufman – nothing to report

OLD BUSINESS

Inter-municipal DPW Facility – Attorney Daniel D. Shonn recommended to the Board to adopt the Inter-Municipal Agreement with the Town of Newstead for the Public Works Joint Facility. He also recommended that Mayor Patterson and Town Supervisor David Cummings exercise the option to sign the purchase agreement. Lastly, Attorney Shonn recommended the Board to adopt a Negative Declaration SEQR for the Clarence Center Site.

The Board discussed the exercise of the option to acquire the Clarence Center Road site for the proposed joint DPW facility. Based on the Board’s prior review and the review of the short form EAF which was received for filing with the Village Clerk, the Village Board finds that the action in acquiring the land is an unlisted action under the regulations of the Department of Environmental Conservation and adopts a Negative Declaration of Environmental Significance with regard to such action.

RESOLUTION, duly moved by Forrestel, and seconded by Kaufman that the Village Board finds that the action in acquiring the land is an unlisted action under the regulations of the Department of Environmental Conservation and adopts a Negative Declaration of Environmental Significance with regard to such action be and hereby is approved

ADOPTED	CARL E. PATTERSON	- AYE
	E. PETER FORRESTEL	- AYE
	MICHAEL R. MIDDAUGH	- AYE
	WILLIAM P. KAUFMAN	- AYE
	KATHRYN A. CAPAN	- AYE

RESOLUTION, duly moved by Middaugh, and seconded by Capan to adopt the Inter-Municipal Agreement with the Town of Newstead for the Public Works Joint Facility be and hereby is approved.

ADOPTED CARL E. PATTERSON - AYE
E. PETER FORRESTEL - AYE
MICHAEL R. MIDDAUGH - AYE
WILLIAM P. KAUFMAN - AYE
KATHRYN A. CAPAN - AYE

RESOLUTION, duly moved by Kaufman, and seconded by Forrestel to authorize Mayor Patterson and Town Supervisor David Cummings to exercise the option to sign the purchase agreement be and hereby is approved.

ADOPTED CARL E. PATTERSON - AYE
E. PETER FORRESTEL - AYE
MICHAEL R. MIDDAUGH - AYE
WILLIAM P. KAUFMAN - AYE
KATHRYN A. CAPAN - AYE

Rental Regulations – Nothing new to report

Mitigation of Murder Creek – Mayor Patterson reported that letters to several officials were jointly sent with the Town of Newstead to United States Congressmen Brian Higgins and Louise M. Slaughter, Chris Lee and United States Senators Hillary Rodham Clinton and Charles Schumer explaining the project and asking for support.

2009-2010 CDBG Programs – Notice that our Marshall Avenue and Sidewalk Projects will not be funded under this year’s program.

Sewer Lateral Mechanical Plan – scheduled a Public Hearing on February 23, 2009 for the Local Law #2 for 2009 – Sewer Lateral Mechanical Plan.

Akron Celebration Committee request for Fourth of July Celebration from Thursday July 2, 2009 – Saturday July 4, 2009 – nothing new

10932 Tinkham Road Water Customer – nothing new to report

Main Street Speed Limit – Trustee Forrestel recommended putting the speed sign out on Main Street for a period of time before changing the speed limit. Chief Lauricella said he would as soon as the weather breaks.

NEW BUSINESS

WNY Electrical Services, LLC bid on the 2000 International Bucket Truck – After discussion the Board decided to vote not to accept the bid. Superintendent Kowalik reported that some other municipalities maybe interested but did not have the truck purchase in their budget for this year. He also recommended running the truck through the auto auction or maybe Craig’s List.

RESOLUTION, duly moved by Middaugh and seconded by Capan to reject the bid from WNY Electrical Services, LLC for the 2000 International Bucket Truck be and hereby is approved.

ADOPTED CARL E. PATTERSON - AYE
E. PETER FORRESTEL - AYE
MICHAEL R. MIDDAUGH - AYE
WILLIAM P. KAUFMAN - AYE
KATHRYN A. CAPAN - AYE

IEEP & the Village of Akron to distribute compact fluorescent light bulbs to Village of Akron Electric Customers in the spring of 2009

IEEP & the Village of Akron to start a compact fluorescent light bulb recycling program in the spring of 2009.

RESOLUTION, duly moved by Middaugh, and seconded by Forrestel to move Phil Kreher from Grade 10 Step 3 to Grade 10 Step 4 based on the recommendation of Robert Kowalik effective on his anniversary date of January 23, 2009 be and hereby is approved.

ADOPTED CARL E. PATTERSON - AYE
 E. PETER FORRESTEL - AYE
 MICHAEL R. MIDDAUGH - AYE
 WILLIAM P. KAUFMAN - AYE
 KATHRYN A. CAPAN - AYE

Village Court – The Village of Akron and the Town of Newstead are considering the consolidation of their courts, which would mean consolidation of employees, equipment, etc. After discussion, Mayor Patterson thought the Village should inform the people through the paper and through conversation in and around the Village to see what the resident’s opinion is on the matter.

RESOLUTION, duly moved by Forrestel, and seconded by Capan to allow Robert J. Lucia and Robert C. Lucia to attend the Western New York Water Works Conference held February 4, 2009 at the Holiday Inn, Batavia, NY at \$20.00 per person and \$5.00 membership dues for Robert J. Lucia be and hereby is approved.

ADOPTED CARL E. PATTERSON - AYE
 E. PETER FORRESTEL - AYE
 MICHAEL R. MIDDAUGH - AYE
 WILLIAM P. KAUFMAN - AYE
 KATHRYN A. CAPAN - AYE

CORRESPONDENCE –

Erie County Soil & Water Conservation District Tree and Shrub Seedling Program

Erie County Department of Environment and Planning additional training options for municipal Planning and Zoning Officials

NYCOM State Budget Update

Village Code Enforcement Officer Annual Report for 2008. Code Enforcement Officer Donnal Folger is attending Building Inspector School from January 26 – January 28, 2009. The Board would like to see a comparison of his annual report with past years.

PUBLIC COMMENT – Resident Doug Ceisner questioned the Board on who would receive the gas royalties on the Clarence Center site. The Board responded that the owner would still remain receiving the royalties.

On motion of Forrestel, seconded by Capan, at 8:28 p.m., this meeting was ADJOURNED.

MAYOR

CLERK-TREASURER