

March 15, 2010

A REGULAR MEETING of the Akron Village Board was held on this date at 7:34 p.m. Present: Mayor Carl E. Patterson; Trustees E. Peter Forrestel, Michael R. Middaugh, Kathryn A. Capan and Brian D. Wittlinger; Attorney Daniel D. Shonn, Clerk Treasurer Daniel P. Borchert, Superintendent Robert Kowalik and Code Enforcement Officer Donnal Folger.

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

RESOLUTION duly moved by Capan seconded by Forrestel, that the Minutes of the Regular Meeting of March 1, 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 Middaugh 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	\$ 34,695.70
Electric Fund	\$170,583.66
Water Fund	\$ 5,986.74
Sewer Fund	\$ 16,796.35
Capital Streets	\$ 854.88
Capital Sewer	\$ 152.32

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 Sidewalk Café Permit for the Year 2010 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	Akron, NY	\$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

PUBLIC HEARING – None Scheduled

APPEARANCES – Annette Adamczak and Kris Beyer came before the Board to request permission to run the Emily Rose 5K Run through Akron again. Last year the first Emily Rose 5K run was held in memory of Emily Rose who sadly passed away from an undetected heart defect. Annette would love to see the run become an annual event with proceeds going to a Memorial Scholarship for a senior graduating from Akron Central to somehow make something good come from something so tragic. The Ladies

were hoping to hold the run Sunday, July 18, 2010 from 8:30 - 2:00 pm with the course being very similar to last year starting at Russell Park and going up Buell Street to Parkview Drive through the park and back up East Avenue to Russell Park for the finish.

RESOLUTION duly moved by Forrestel and seconded by Wittlinger to allow the Annual Emily Rose 5K Run to go through Akron and the use of Russell Park on Sunday, July 18, 2010 from 8:30 – 2 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

PUBLIC COMMENT – Resident Doug Ceisner came before the Board questioning why the minutes of the Village Board Meetings have not been posted on the website since January 25, 2010. Mr. Ceisner also spoke about debris that has accumulated from a house remodel on East Avenue. Lastly, he requested information from a NYCOM meeting that was held in Orchard Park which he was not allowed entry. The Code Enforcement Officer will check into the East Avenue debris and the Village Attorney will forward the information from the Erie County Village Officials Meeting which Wade Beltramo, General Counsel, from NYCOM spoke regarding Village Dissolution to Mr. Ceisner.

PROJECT REPORTS –

State Street Bridge – Superintendent Kowalik and Village Engineer Paul Bowers have a meeting with NYSDOT Representative Paul Galvin regarding the federal grant monies provided by the (HBRRP) highway bridge rehabilitation and replacement program on Thursday March 18th, 2010.

Joint Facility – Consultant Tom George will be scheduling a Joint Facility meeting with employees from both the Town and Village to update them on the progress of the project. Also, Mr. George will be scheduling a Joint Facility Committee meeting as well.

Village Attorney Don Shonn stated that the Town of Newstead passed the SEQR on the Joint Building and the Annexation. Mr. Shonn will put together a Resolution on the Annexation and bring before the Board within the next few weeks.

Superintendent Kowalik stated that IEEP has grants available for Lighting, Back-up Generators, Heating, Ventilation, and Air Conditioning which could help with costs at the Joint Facility.

MONTHLY REPORTS –

Departments –

VRI Environmental Services – Ken Scherrieble from VRI was present and offered the Board his monthly report. He reported that the sludge pumps are both in and working. It took about 40 man hours and an estimated cost of \$5,000.00 doing the work in-house as compared to \$25,000.00 hired out. Mr. Scherrieble brought pictures of the metal fatigue showing on the metal brackets which will need replacing very soon. The February flow chart shows this February as being uncommonly low as compared to other years, which may have resulted from all the work that has been done recently. Attended the Water Wastewater Committee meeting this evening where discussion was held regarding upcoming spring projects at the Sewer Plant such as; new roof, concrete repair, replacement of broken glass on drying beds and a vast amount of painting. Lastly, Mr. Scherrieble spoke about grants available for Municipalities for upgrading lighting in Municipal buildings such as the offices, sewer plant, and water plant and may possibly be available for the new Joint Facility. Mr. Scherrieble explained that VRI Environmental Services could prepare and submit the grant on behalf of the Village for an estimated amount not to exceed \$4,200.00.

RESOLUTION duly moved by Forrestel and seconded by Wittlinger authorizing VRI Environmental Services to write and submit a grant for upgrading lighting in all Municipal Buildings not to exceed \$4,200.00 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

Code Enforcement Officer - Mr. Folger discussed the following: Plumbers License requirements and fees, International Code Council declared March 11th World Plumbing Day, will attend a flood zone meeting on March 31, 2010 in Clarence, NY, also attending a Planning Board Meeting scheduled for March 29, 2010 regarding the Cornerstone Preliminary Plat, checked the ditches along the bike path near the subdivision project and noted that they need to be cleaned out.

Lastly Mr. Folger wanted to thank the Akron Police Department for a job well done during a recent incident at his liquor store. Three suspicious gentlemen entered the store and scattered around the store, fortunately the Police Officer on duty that evening was on foot patrol and saw the gentlemen enter the store. He followed them in and stayed until they left a few minutes later. The Officer ran the plates of the gentlemen's car and found out there were 15 Suspensions associated with that plate.

Chief Lauricella entered the meeting at 8:04 p.m

Elected Officials –

TRUSTEES – COORDINATORS

Trustee Capan – Nothing new to report

Trustee Middaugh –Nothing new to report

Mayor Patterson – Reported that he attended the Akron Fire Hall Installation Dinner. He congratulated the incoming Officers and wanted to thank the outgoing Officers for their time and efforts this past year.

Mayor Patterson stated that he will be attending the Village Officials Association Meeting, Association of Erie County Governments meeting as well as the Quarterly meeting with Erie County Executive Chris Collins all scheduled within the next two weeks.

Trustee Forrestel – Reported attending the Police Committee meeting March 3rd. Also reported attending the Water Wastewater Committee meeting this evening where discussion of spring projects was held. Minutes of that meeting to follow.

Trustee Wittlinger – Nothing new to report

OLD BUSINESS

Mitigation of Murder Creek – Nothing new to report

Village Court – Trustee Wittlinger reported that the Unified Court System has granted the Town of Newstead the largest grant ever of \$60,000.00 for an addition to the Town Hall Court facility.

Code Enforcement Officer – Waiting for the amended draft from the Town of Newstead after agreement of compensation was met.

Akron Mobile Home Park – Superintendent Kowalik will invite Village Engineer Paul Bowers to the next Work Session held before the Village Board Meeting which is scheduled for April 5th, 2010 to discuss the next steps for implementing the master water meters in the park.

Akron Airport Drainage – nothing new to report

Draft Resolution for amendment to the Bond regarding the Joint Facility – After discussion Village Attorney Shonn recommended to the Board to authorize Town of Newstead Attorney Nathan Neill as Bond Council for the Joint Facility.

RESOLUTION, duly moved by Forrestel and seconded by Middaugh to authorize Town of Newstead Attorney Nathan Neill as Bond Council for the Joint Facility 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

TASER Policy – Village Attorney Shonn stated that the TASER Policy for the Akron Police Department is complete and recommended to the Board to approve the policy. Chief Lauricella reminded the Board that the TASER was donated by Town of Tonawanda Police Department who have also offered to train and certify all personnel in the use of the TASER for no charge.

RESOLUTION duly moved by Wittlinger and seconded by Capan to approve the TASER Policy on the recommendation of the Village Attorney Daniel D. Shonn 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 Middaugh and seconded by Capan to allow Robert Kowalik to attend the MEUA Semi Annual Meeting from April 28, 2010 – April 29, 2010 in Syracuse, NY 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 Wittlinger to allow Robert Kowalik to be the Voting Delegate for the Village of Akron at the MEUA Semi Annual Meeting from April 28, 2010 – April 29, 2010 in Syracuse, NY 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 authorize a step increase for Adam Kowalik from Grade 1B Step 3 to Grade 1B Step 4 effective his anniversary date of April 1, 2010 based on the recommendation of the Superintendent of Public Works 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 Middaugh to allow the Ride for Roswell in Village of Akron on Saturday June 26, 2010 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 Forrestel to authorize a step increase for Charles Rebmann from Grade 13 Step 4 to Grade 13 Step 5 effective his anniversary date of March 18th, 2010 based on the recommendation of the Superintendent of Public Works 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 –

Memo from Rebecca Baker, Assessor regarding the 2011 Revaluation Project

Town of Amherst Central Fire Alarm February 2010 Operations Report

March 2010 Edition of The Capital News

NYSDEC and FEMA Flood Insurance Rate Maps Erie County Open Houses
March 30, March 31 & April 1

Response from Assemblywoman Jane Corwin regarding the Village and Town
Joint Salt Storage Facility Grant Application

PUBLIC COMMENT – Resident Walter Nelson recommended checking into Lexan Polycarbonate which is a plastic for replacing the glass on the drying beds. It may be more costly but it will not yellow for as long as 40 years.

Doug Ceisner questioned the Board regarding the Whistler Building. The Board had no information other than that the building is for sale.

RESOLUTION duly moved by Forrestel and seconded by Capan authorizing the Board to go into executive session at 8:25 p.m. to discuss personnel issues 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 8:31 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

RESOLUTION duly moved by Forrestel and seconded by Middaugh to authorize a step increase for Thomas Whitbeck from Grade 13 Step 2 to Grade 13 Step 3 effective his anniversary date of March 18th, 2010 based on the recommendation of the Superintendent of Public Works 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 Forrestel, seconded by Middaugh, at 8:33 p.m., this meeting was ADJOURNED.

MAYOR

CLERK-TREASURER