

June 7, 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 of Police Richard Lauricella, 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 Middaugh, that the Minutes of the Regular Meeting of May 17, 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 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	\$ 10,264.19
Electric Fund	\$ 38,868.55
Water Fund	\$ 6,547.92
Sewer Fund	\$ 3,748.13
Capital Street	\$ 459.66

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:

Henry Printup	66 Cedar Street	Fence	\$18.00
Ruth Brown	3 Danita Drive	Roof	\$25.00
Michael Dailey	40 Buell Street	Roof	\$25.00
Howard Nichols	165 Main Street	Roof	\$25.00
Nancy Falker	67 Wesley Drive	Extend Deck	\$10.00

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 Middaugh that the following building permit be and hereby is approved with the applications and approval of the Code Enforcement Officer:

Bank of Akron	46 Main Street	ATM 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 E. Peter Forrestel abstained from voting on the above Resolution

PUBLIC HEARING – none scheduled

APPEARANCES – none

PUBLIC COMMENT – none

PROJECT REPORTS –

State Street Bridge – nothing new

Joint Facility – on the agenda for the Joint Town/Village meeting scheduled this evening.

MONTHLY REPORTS –

Departments –

Attorney – Nothing new to report

Clerk-Treasurer – The Board received the Clerk’s report for May 2010, together with the June 2010 office schedule. Clerk-Treasurer Borchert reported that the Village held the Defensive Driving Course for the Village Employees on May 13 and May 18, 2010. Mr. Borchert also reported that the tax bills for the year 2010-2011 have been mailed out and are due without penalty by July 1, 2010. Lastly, Clerk-Treasurer Borchert reported that he together with Deputy Clerk Tammy Kelley attended the New York State Retirement Update Seminar hosted by the Village of Akron at the Akron Fire Hall on June 2, 2010.

Chief of Police – Submitted to the Board his report and the schedule for June 2010. Chief Lauricella reported that Officer Kolmetz will be on vacation from mid-June until July 6th. The Chief also recommended moving Officer Robert Kolmetz from Grade 3 Hire rate to Grade 3 Step 1 effective his six month anniversary date of March 16, 2010.

RESOLUTION duly moved by Forrestel and seconded by Wittlinger to move Officer Robert Kolmetz from Grade 3 Hire Rate to Grade 3 Step 1 effective his six month anniversary date of March 16, 2010 as per the recommendation of Chief Richard Lauricella 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

Chief Lauricella also reported that a meeting with the part-time Officers is targeted for June 14, 2010 to discuss the summer schedule and availability of the Officers. All summer events such as Car Shows, the Sidewalk Sale, and 4th of July Celebration are covered. Speed sign will be set up on several streets in the next few weeks such as: East Avenue, Route 93, Eckerson Avenue and Main Street. Several burglaries were reported last weekend in the Akron Mobile Home Park where power tools and garden tools were stolen. Lastly, Chief Lauricella spoke with the NYSDEC regarding many deer complaints, the DEC recommended the complainants send for an informational pamphlet that provide non-intrusive ways to remove the deer.

Superintendent of Public Works – The Board received copies of Superintendent Kowalik’s May 2010 report. Mr. Kowalik wanted to remind everyone of the Open

House at the Water Plant scheduled for Saturday, June 12, 2010 between 11:00 a.m. – 2:00 p.m. Other items discussed were: Recommending Marshall Avenue waterline replacement, storm sewer rehab and street construction be placed on the agenda under Project Reports; reported receiving the design from the Village Engineer for the Marshall Avenue Project; Town of Newstead will be assisting the Village with oiling and chipping Jackson Street, Skyline Drive and Knapp Road; Power outage reported after the severe weather over the weekend where 5” of rain fell in a 12 hour period, causing some drainage issues at the joint facility site as well as other areas in the Village; hydro-seeding was completed at the joint facility which helps keep the soil in place and the dust down; discussion was held regarding stop signs in the Village and the need for a speed study on Hake Road.

Elected Officials –

TRUSTEES – COORDINATORS

Trustee Capan – Nothing new to report

Trustee Middaugh –Reported that he received the blue prints from the Village Engineer for the Marshall Avenue project. Also would like to recommend authorizing the Mayor to sign the application for water and sewer improvements from the New York State Department of Health for the Cornerstone Subdivision and the application for water improvements from the New York State Department for the Marshall Avenue reconstruction.

RESOLUTION duly moved by Middaugh and seconded by Wittlinger authorizing the Mayor to sign the New York State Department of Health Application for water and sewer improvements for the Cornerstone Subdivision 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 Forrestel authorizing the Mayor to sign the New York State Department of Health Application for water improvements for the Marshall Avenue Reconstruction Project 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 – Reported that the sidewalk issue on Chestnut Street has been resolved. Letters have gone out to the residents involved stating that the violations were rescinded. Mayor Patterson wanted to thank the Streets Committee for acting so quickly. Mayor Patterson attended the Association or Erie County Governments meeting which was hosted by the Town of Newstead and held at The Akron House. The Mayor wanted to recognize and congratulate the appointment of Clerk-Treasurer Daniel P. Borchert to the New York State Conference of Mayors Executive Committee. Clerk-Treasurer Borchert is the only member who is not a Mayor. Lastly Mayor Patterson wanted to inform the Board of the annual partner workshop held at the University of Buffalo on June 9, 2010 at the Adams Mark Hotel.

Trustee Forrestel – The Water Wastewater Committee meeting scheduled this evening will be rescheduled, at which time the Committee will discuss the recommendation of extending the sewer moratorium until December 31, 2010. Trustee Forrestel spoke to our County Legislator regarding the paving of Parkview Drive and it seems the County will pave from the new Parkview Drive Bridge to Main Street.

Trustee Wittlinger –Nothing new to report

OLD BUSINESS

Mitigation of Murder Creek – on the agenda for the Joint Town/Village meeting scheduled this evening.

Village Court – Nothing new to report

Code Enforcement Officer – on the agenda for the Joint Town/Village meeting scheduled this evening.

Akron Mobile Home Park – Nothing new to report

Akron Airport Drainage – Nothing new to report

NEW BUSINESS –

Discussion was held regarding the New York State and Local Employees' Retirement System Standard Work Day and Reporting Resolution for Elected and Appointed Officials. The Resolution was tabled until Village Attorney Shonn reviewed the Resolution.

RESOLUTION duly moved by Forrestel and seconded by Capan authorizing Bryan Sugg and Dale Mecklenburg to attend the MEUA Western Regional Meeting in Spencerport, NY on June 24, 2010 for \$50.00 each 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 authorizing the Relay for Life Banner to hang across Main Street 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 authorizing Clerk-Treasurer Borchert to adjust the first quarter 2010 sewer bill for I Squared R to \$2,175.00 based on the recommendation of Superintendent Kowalik and the supporting documentation provided from I Squared R

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

CORRESPONDENCE –

County of Erie Department of Environment and Planning Briefing: Flood Risk Map Update Friday June 11, 2010 at Erie Community College City Campus Auditorium.

Robert Lewis Chestnut Street Sidewalk Comments

Town of Amherst Central Fire Alarm May 2010 Operations Report

Letter from Resident regarding the pedestrian crosswalks on Main Street

PUBLIC COMMENT – Resident Robert Scheib from Brooklyn Street notified the Board that a Murder Creek Informational meeting for residents and businesses residing along the creek will be held at the Town of Newstead on Tuesday June 15, 2010. Also, Mr. Scheib wanted to inform the Board that the Christian Airman’s applications to build a new hangar and a cross wind runway have been withdrawn at this time.

On motion of Middaugh, seconded by Capan, at 8:15 p.m., this meeting was RECESSED momentarily until The Town of Newstead Board and the Village Board met for a joint meeting.

The Village Board reconvened at 8:40 p.m. when the Newstead Town Board arrived to have a joint meeting of both the Village of Akron and The Town of Newstead.

Joint Facility - Tom George and James Finnell did a summary of the bid openings for the construction of the Joint Municipal Public Works Facility. After lengthy discussion the following Resolution was adopted.

RESOLUTION duly moved by Wittlinger and seconded by Middaugh,

WHEREAS, the Town of Newstead and Village of Akron have obtained bids for the construction of a Joint Municipal Works Facility located on Clarence Center Road on land currently in the Town of Newstead and being annexed into the Village of Akron, and

WHEREAS, the bids for the project have been reviewed by Christa Construction and reviewed and approved by the joint committee of the Town and Village and based on their recommendation have determined that the following contractors listed in Attachment A are the low bidders on the joint municipal works facility:

NOW, THEREFORE, BE IT RESOLVED BY THE VILLAGE BOARD AS FOLLOWS:

1. The Village Board does hereby determine that Picone Corporation is the low bidder for General Trades, Building Innovation Group is the low bidder for Concrete Flatwork, Building Innovation Group is the low bidder for Masonry, MJ Mechanical is the low bidder for HVAC, MKS Plumbing Corp is the low bidder for Fire Protection, Callea Electric, Inc is the low bidder for electrical, Milherst Construction, Inc is the low bidder for Site/Utility Improvements, Gypsum Systems, Inc is the low bidder for Interior Assemblies and RW Painting Inc is the low bidder for Painting and approves the bids as set forth in Attachment A.
2. The Mayor is authorized to execute a contract with each of the above contractors following review and approval of the required contract documents by the Village Attorney.
3. This resolution shall take effect immediately.

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

Mitigation of Murder Creek – A public meeting will be held on Tuesday June 15, 2010 at the Newstead Town Hall for questions and concerns regarding the project and property owner easement concerns.

Domestic Animals – New York State will no longer issue dog licenses. They will leave that to the responsibility of the local municipalities which includes all the

expenses of mailings and tags and all expenses associated with dog licensing. They are also talking about making it mandatory for all dog owners to take obedient training and that all dogs need to be micro-chipped for identification.

Annexation – The Board is still awaiting a decision from Mrs. Cowan about the possibility of annexing her property into the Village of Akron

Hake Road – Both Board’s agreed that a speed study should be completed by the NYS DOT.

RESOLUTION duly moved by Forrestel and seconded by Capan authorizing the Board to go into executive session at 9:35 p.m. to discuss a personnel issue 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 9:59 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

On motion of Capan, seconded by Middaugh, at 10:04 p.m., this meeting was ADJOURNED

MAYOR

CLERK-TREASURER