

June 15, 2009

A REGULAR MEETING of the Akron Village Board was held on this date at 7:32 PM Present: Mayor Carl E. Patterson; Trustees E. Peter Forrestel, Michael R. Middaugh and Brian D. Wittlinger; Attorney Daniel D. Shonn, Clerk–Treasurer Daniel P. Borchert, 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 Forrestel seconded by Middaugh, that the Minutes of the Regular Meeting of June 1, 2009 be and hereby are approved by the Village Board.

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

RESOLUTION, duly moved by Wittlinger, seconded by Middaugh 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	\$ 67,767.83
Electric Fund	\$ 48,773.24
Water Fund	\$ 30,639.17
Sewer Fund	\$ 20,014.16

ADOPTED CARL E. PATTERSON - AYE
E. PETER FORRESTEL - AYE
MICHAEL R. MIDDAUGH - 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 Building Inspector:

Paul Schmid	35 Randy Drive	Roof	\$25.00
Vicky Lederhouse	31 Danita Drive	Sun Room	\$25.00
Thomas Lauridsen	88 Bloomingdale Ave	Roof	\$25.00
Linda Webster	11 Danita Drive	Roof	\$25.00
John D. Harsch	14 Jackson Street	Roof	\$25.00
Kyle Regan	47 Cedar Street	Roof/Siding	\$25.00
Wayne Smith	170 East Avenue	Roof	\$25.00
Lynn Clark (Court Ordered)	40 Mechanic Street	Fence	\$18.00

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

PUBLIC HEARING – None Scheduled

APPEARANCES – None Scheduled

PUBLIC COMMENT – Resident Doug Ceisner warned the Board that an accident is bound to occur because of the cars parked in front of 2 Buell Street. Mayor Patterson responded that the Akron Police have asked the resident to remove them several times, but that more action will be taken because of the dangerous situation. Mr.

Ceisner questioned the Board on why the Village lost one million dollars of assessments. Clerk-Treasurer Borchert will investigate the matter.

PROJECT REPORTS –

State Street Bridge – nothing new to report

MONTHLY REPORTS –

Departments –

Attorney – nothing new to report

VRI Environmental Services – Ken Scherrieble introduced Mr. Vincent Herring, Safety Compliance - Operations for VRI to the Board. Mr. Herring will be visiting the plant this week. Mr. Scherrieble reported that the Sewer Plant is running smoothly with preparations being made for the new blower system. Also, pins in the clarifier were returned to the manufacturer due to a malfunction. The Board asked Ken Scherrieble if he felt the Village should extend the sewer moratorium until December 31, 2009 and he responded positively. Trustee Forrestel wanted to recognize the Sewer Employees for a nice job on the many projects completed at the Sewer Plant.

Code Enforcement Officer – Donnal Folger discussed the new Rental Regulation Form and the Board all agreed to approve them. Also discussed the incident regarding the baiting and shooting of squirrels in the Village and encouraged the Board to establish some legislation to eliminate the use of fire arms in the Village. Attorney Shonn said the Village Police already have the right to enforce the elimination of fire arms.

Mr. Folger has sent out violations letters to 54 Eckerson Avenue, 84 Cedar Street and 208 East Avenue for violation of grass height.

Mr. Folger spoke with Paul Bowers this week regarding the Plumbers Exam of which Mr. Bowers oversees in Amherst as part of his job description at Wm. Schutt & Associates. He is willing to help the Village set up an exam for Plumbers for the Village use and maybe even as a joint project with the Town of Newstead.

Lastly, Mr. Folger wanted to recognize the many landlords who have refurbished their properties in the Village namely; Millard Young, Al Thomas, Howie Covell, Kurt Schie and Don Smith which has been beneficial to the renters as well as the beautifying the Village.

Elected Officials –

TRUSTEES – COORDINATORS

Trustee Middaugh – nothing new to report

Mayor Patterson – mentioned the loss of resident Jim Holtz and the serious accident of resident Millard Young and appealing to all to keep both families in our prayers. Also he mentioned being involved in the opening ceremonies for the Relay for Life and how wonderful the event is for caregivers and survivors alike. Lastly Mayor Patterson discussed some of the annual problems in Russell Park. Chief Lauricella has been notified to inform all officers to pay extra attention to the Park area.

Trustee Forrestel – Commented on how busy the Village was this weekend with all the activities as well as the Village Police patrolling on foot, in the car and on the UTV vehicle.

Trustee Wittlinger –nothing new to report

OLD BUSINESS

Inter-municipal DPW Facility – Attorney Shonn reported that the Village will in all probability close on the property this Thursday. Clerk-Treasurer Borchert is preparing for the financial portion of the deal. Mayor Patterson stated that a joint effort between the Village DPW and Town DPW on Monday, June 22, 2009.

Mitigation of Murder Creek – nothing new to report

Village Court – Trustee Wittlinger has scheduled a meeting with the Court Committee for Wednesday, June 17, 2009 at 5:00 pm.

Ron Berry Field – nothing new to report

Police Contract –Efforts to set up a joint meeting with Attorneys to settle final issues.

Sewer Moratorium – Extension of the Moratorium

Background:

At a meeting of the Village Board on June 15, 2009, the Village Board extended the moratorium originally adopted as Local Law 2005-1 to December 31, 2009. Based on the discussions with the New York State DEC and in the opinion of representatives of VRI Environmental Services, operators of the treatment plant, the Board has amended on this date, the original moratorium to include the equivalent of fifty (50) residential units on a rolling basis so long as the waste water treatment plant remains in compliance with DEC permits. The Board has reviewed the monthly operation reports provided by VRI and finds that there continues to be significant improvement in plant performance. These reports also show there are concerns with continuing compliance in high inflow events and that the Village continues to improve on reducing infiltration by grouting and smoke testing.

RESOLUTION: duly moved by Forrestel and seconded by Capan that the present moratorium as described by Local Law 2005-1 as amended be extended until December 31, 2009 be and hereby is approved.

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

NEW BUSINESS –

RESOLUTION duly moved by Forrestel and seconded by Wittlinger authorizing Bryan Sugg and Dale Mecklenburg to attend the MEUA Western Regional Meeting in Fairport, NY on June 23, 2009 at a cost of \$35.00 per person be and hereby is approved.

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

RESOLUTION duly moved by Middaugh and seconded by Forrestel allowing the Genesee County Highway Department to purchase the Village DT4700 Bucket Truck for \$40,000 prior to Auction under the terms of General Municipal Law in relation to Inter-municipal Purchasing be and hereby is approved.

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

After discussion regarding the hours for the Compost Site during the July 4th Holiday weekend, the Board agreed to change the date of operation to Friday, July 3rd from 9:00 am to 12:00 pm.

RESOLUTION duly moved by Forrestel and seconded by Wittlinger authorizing Clerk Treasurer Daniel Borchert to attend the NYCOM 100th Annual Meeting in Saratoga Springs, NY, June 28, 2009 – July 1, 2009 for a cost of \$230.00 plus travel be and hereby is approved.

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

RESOLUTION duly moved by Middaugh and seconded by Forrestel accepting the New York Municipal Power Agency Recommendation of seven Fixed Price TCC's (Transmission Congestion Charges) at the Genesee Point of Withdrawal Location offered by NYISO at a cost of \$429.58 per TCC be and hereby is approved.

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

RESOLUTION duly moved by Wittlinger and seconded by Middaugh allowing the Akron Chamber of Commerce to hang the business banners on the light poles along Main Street providing the banners are in good condition be and hereby is approved.

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

CORRESPONDENCE –

Buffalo Drilling Company, Inc Open House Monday June 15, 2009 from 3:00 PM – 8:00 PM and Tuesday June 16, 2009 from 9:00 AM – 3:00 PM at 12264 Main Street (Route 5)

2008 Annual Report for the Akron Fire Company Service Award Program and Executive Summary

Crisis Services Homeless Outreach Program Brochure funded from the Emergency Shelter Grant Program through Erie County Department of Environment and Planning

Erie County Household Hazardous Waste Drop-Off Day Saturday June 20, 2009 9:00 AM – 2:00 PM at Erie Community College South Campus Orchard Park, NY

Time Warner Cable Notification Regarding a New Interactive Technology they are implementing called Switched Digital Video (SDV)

County of Erie Department of Environment and Planning distribution of the following Brochures: Housing Rehabilitation; Rental Rehabilitation; First Time Home Buyer; Housing Accessibility Program

The Center for Urban Studies at the State University of New York at Buffalo and Housing Opportunities Made Equal, Inc Completion of their Joint Report Titled "Analysis of Impediments to Fair Housing Choice in Erie County, NY"

Town of Amherst Central Fire Alarm Office May 2009 Operations Report

Thank you letter from the Town of Alden regarding the help the Village DPW gave them on Sandridge Road.

Letter from Akron Central Schools regarding the drainage issue pertaining to the new addition project at the school.

PUBLIC COMMENT – Resident Doug Ceisner suggested that the Village implement a Contractors License or an inspection fee for all home improvement work done in the Village.

RESOLUTION duly moved by Middaugh and seconded by Forrestel authorizing the Board to go into executive session at 8:26 PM to discuss legal issues, be and hereby is approved.

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

RESOLUTION duly moved by Forrestel, and seconded by Middaugh authorizing the Board to come out of executive session at 8:44 PM, be and hereby is approved.

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

RESOLUTION duly moved by Middaugh, and seconded by Forrestel to hold a public hearing regarding a proposed local law adding a local law named "Sex Offender Registration Acts – Article 2" to the Code of the Village of Akron on Monday July 6, 2009 at 7:30 PM.

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

On motion of Wittlinger, seconded by Middaugh, at 9:04 PM, this meeting was ADJOURNED.

MAYOR

CLERK-TREASURER