

August 3, 2009

A REGULAR MEETING of the Akron Village Board was held on this date at 7:31 PM Present: Deputy Mayor Kathryn A. Capan; Trustees E. Peter Forrestel, Michael R. Middaugh, and Brian D. Wittlinger; Attorney Daniel D. Shonn, Clerk-Treasurer Daniel P. Borchert, Chief Richard Lauricella, Code Enforcement Officer Donnal Folger and Superintendent Robert Kowalik.

Deputy Mayor Kathryn A. Capan led us in the pledge to the flag and a moment of silence in memory of Mayor Carl Patterson's brother Thomas Patterson who all will remember as the UPS man and a loved and respected citizen.

RESOLUTION duly moved by Forrestel seconded by Middaugh, that the Minutes of the Regular Meeting of July 6, 2009 be and hereby are approved by the Village Board.

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

RESOLUTION, duly moved by Middaugh, 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	\$ 26,767.24
Electric Fund	\$ 22,898.39
Water Fund	\$ 66,745.59
Sewer Fund	\$ 21,030.61
Capital Streets	\$ 923.50

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

RESOLUTION duly moved by Wittlinger and seconded by Forrestel that the following building permits be and hereby are approved with the applications and approval of the Building Inspector:

Kurt Feitshans	54 Lewis Road	Roof	\$25.00
John Nicander	28 Eckerson Avenue	Roof	\$25.00
Mary Stanley	13 Randy Drive	Roof	\$25.00
Tom Lotz	71 John Street	Roof	\$25.00
Stephen Kossuth	15 Newton Avenue	Roof	\$25.00
Jean King	46 Hoag Avenue	Roof	\$25.00
Gerald Woodrich	71 Wesley Drive	Roof	\$25.00
Walter Edwards	34 Lewis Road	Roof	\$25.00
Ryan McConkey	51 Clarence Ctr. Road	Garage	\$25.00
David Edwards	14 Marshall Avenue	Siding	\$25.00

ADOPTED 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 Plumber's License for the year 2009 be and hereby is granted in accordance with the applications filed and payment of the annual license fee of \$40.00:

John R. Smith 201 Naramore Drive Batavia, NY \$40.00

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

PUBLIC HEARING – None Scheduled

APPEARANCES – None Scheduled

PUBLIC COMMENT – Resident Doug Ceisner stated that he received the list of employees who lived outside of the Village and whether they received insurance and retirement benefits, but he wanted the list of all employees. Mr. Ceisner also requested the cost of the pump just purchased at the Sewer Plant and how many bids were received. Lastly, Mr. Ceisner questioned whether the property at 116 East Avenue had a roof permit and if anyone has checked on the progress of the project, he feels the house is not on a stable foundation. Code Enforcement Officer Don Folger has checked on the project several times.

PROJECT REPORTS –

State Street Bridge – Trustee Forrestel noted that Paul Bowers from Wm. Schutt & Associates has been working on obtaining construction permits to rehabilitate the bridge.

MONTHLY REPORTS –

Departments –

Attorney – will discuss items on the agenda

Clerk-Treasurer – The Board received the Clerk’s report for July 2009, together with the August 2009 office schedule. Clerk-Treasurer Borchert noted that he attended the Cornell University Master Municipal Clerk’s Institute in Ithaca, NY from July 19, 2009 – July 23, 2009 and completed 38 hours of course work.

Chief of Police – The Board received the Police Report for July 2009, along with a schedule for August 2009. Chief Lauricella reported that the Village Police Department received a surplus TASER from the Town of Tonawanda Police Department. The Town and Chief Polumbo have offered to train and certify all personnel in the use of the TASER for no charge. Chief Lauricella stated that he is in the process of writing a policy for the TASER to be reviewed and authorized by the Board. He stated that this form of compliance is perfectly suited for our Village Police who are on patrol alone and back up is usually delayed. Trustee Wittlinger highly recommended the use of the TASER remarking that the Military uses them as well.

Chief Lauricella requested an Executive Session to discuss Personnel and equipment issues.

Supt. of Public Works – The Board received copies of Superintendent Kowalik’s July 2009 report. Superintendent Kowalik reported the following: The paving of Shepard Avenue and Westgate Avenue went really well with the help of communities such as Pembroke, Alden, Darien and Newstead, The DPW assisted the Village of Corfu in emergency storm clean up on July 27th and 28th, The circuit replacement on upper Main Street has been completed, currently gathering data for the GPS system, and power washed and painted the hydrants throughout the Village.

VRI – Environmental Services – Ken Scherrieble was absent this evening but will have reports for July and August in September.

Code Enforcement Officer – Mr. Folger stated the following: Continuing work on the Rental Regulations mailing, the cost to mow lawns of violators so far this summer

is \$280.00, a stagnant and bug infested pool on Skyline Drive had the Erie County Health Dept. called in to have the property owner comply with the County code, a Planning Board meeting is scheduled for August 10th and a Zoning Board meeting is scheduled for August 11, received letter from NYS Board of Fire Underwriters informing the Village that they will be closing their offices as of October 2009. Mr. Folger recommended that the Village approve of another underwriter so residents have a choice of either the new approved Company or Commonwealth Electrical Inspectors. Lastly, Mr. Folger discussed the fire alarm at I Squared R Elements Company and the fact that he as Village Code Enforcement Officer was not notified. He has sent a letter to Amherst Fire Control to correct the situation.

Elected Officials –

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

TRUSTEES – COORDINATORS

Trustee Capan – nothing new to report

Trustee Middaugh – nothing new to report

Trustee Forrestel – had a meeting with the Police & Fire Committee and had discussion regarding the police schedule, budget issues, and the possible purchase of a new patrol car next year.

Trustee Wittlinger – nothing new to report

OLD BUSINESS

Inter-municipal DPW Facility – nothing new to report

Mitigation of Murder Creek – nothing new to report

Village Court – Trustee Wittlinger stated that both the Village of Akron and the Town of Newstead have applied for a \$30,000 grant to cover the cost of re-locating the Village Court to the Town of Newstead building.

Ron Berry Field – Attorney Shonn reported that he is waiting on an environmental proposal.

Police Contract – nothing new to report

Code Enforcement Officer – Nothing new to report

NEW BUSINESS –

Village Clerk-Treasurer Borchert suggested having an Electronic Recycling Event this coming fall with the possibility of having it jointly with the Town of Newstead. Mr. Borchert will contact the Town regarding this issue and get back to the Board.

Received letter from the Akron Chamber of Commerce requesting permission to have the Clarence Farmer's Market set up in Russell Park during the Thursday Cruise Nights. After discussion the Board decided that Clerk-Treasurer Borchert should contact the Chamber to get more details about the set up of the Market in Russell Park where the concern of vehicles in the park is in question.

RESOLUTION duly moved by Forrestel and seconded by Middaugh allowing the Akron Chamber of Commerce to extend their weekly Thursday Cruise Nights through September 24, 2009 due to cancelled events caused by excessive rain be and hereby is approved.

ADOPTED 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 allowing the Akron Chamber of Commerce to move the date of the Fall Super Cruise and Craft Show from August 27, 2009 to September 26, 2009 from 9:00 a.m. to 4:00 p.m. be and hereby is approved.

ADOPTED 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 hold an IEEP Compact Fluorescent Light Bulb Give Away at the Village Office to all electric customers this fall be and hereby is approved.

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

CORRESPONDENCE –

New York State Department of Transportation original letter dated August 11, 2005 regarding the parking situation at the intersection of Buell Street and Brooklyn Street. Discussion was held regarding the location of the sign on Buell Street near the intersection of Brooklyn and Buell Streets. Chief Lauricella will contact the NYS Department of Transportation to see if the sign can be moved.

2009 Erie County Department of Health Water System Survey

New York State Department of Environmental Conservation letter regarding the Proposed Cornerstone Sub-Division

Town of Amherst Central Fire Alarm Semi-Annual 2009 Operations Report

Town of Amherst Central Fire Alarm June 2009 Operations Report

New York State Senator Mike Ranzenhofer regarding the new American Recovery and Reinvestment Act

Town of Amherst Central Fire Alarm July 2009 Operations Report

PUBLIC COMMENT – Resident Doug Ceisner would like to go on the record as saying that there should be no parking on the curve at Buell Street and Brooklyn Street. It is a very dangerous curve and parked cars just add to the danger.

RESOLUTION duly moved by Middaugh and seconded by Forrestel authorizing the Board to go into executive session at 8:16 PM to discuss personnel and equipment issues, be and hereby is approved.

ADOPTED 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 authorizing the Board to come out of executive session at 8:35 PM, be and hereby is approved.

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

On motion of Forrestel, seconded by Wittlinger, at 8:39 PM, this meeting was ADJOURNED.

DEPUTY MAYOR

CLERK-TREASURER