

December 6, 2010

A REGULAR MEETING of the Akron Village Board was held on this date at 7:32 p.m. Present: Mayor Carl E. Patterson, Trustees E. Peter Forrestel, Kathryn A. Capan and Brian D. Wittlinger; Village 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.

Mayor Patterson requested a moment of silence in memory of Charles Yaeger long time resident and Trustee from 1995-2005. He extended prayers for his family and friends. Also, wanted to extend thoughts and prayers to Trustee Middaugh's sister Marie Little who was diagnosed with acute leukemia and Past Fire Chief Terry Lotz's wife Jean Lotz who has cancer as well.

RESOLUTION duly moved by Forrestel seconded by Wittlinger, that the Minutes of the Regular Meeting of November 15, 2010 be and hereby are approved by the Village Board.

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

RESOLUTION, duly moved by Wittlinger 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	\$ 24,480.64
Electric Fund	\$ 23,369.74
Water Fund	\$ 4,727.65
Sewer Fund	\$ 6,626.82
Capital Streets	\$ 29,157.03

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

RESOLUTION duly moved by Forrestel and seconded by Capan that the following building permit be and hereby is approved with the applications and approval of the Code Enforcement Officer:

Stephen Kraatz	12 Hart Street	Roof	\$25.00
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ADOPTED CARL E. PATTERSON - AYE  
E. PETER FORRESTEL - AYE  
KATHRYN A. CAPAN - AYE  
BRIAN D. WITTLINGER - AYE

RESOLUTION duly moved by Capan and seconded by Wittlinger that the following Renewal of Plumber's Licenses for the year 2011 be and hereby are approved in accordance with the applications filed and payment of the annual license fee of \$40.00:

William Izydorcak	637 Burrough Road	Attica, NY	\$40.00
John Gaunder	8734 Stahley Road	E. Amherst, NY	\$40.00
Kenneth Price	3 Main Street	Corfu, NY	\$40.00
William Penepnt	7182 Kenyon Avenue	Basom, NY	\$40.00

Timothy Harris                      10040 Martin Road                      Clarence Ctr. Rd                      \$40.00

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

PUBLIC HEARING – none scheduled

APPEARANCES – none scheduled

PUBLIC COMMENT – Resident Doug Ceisner questioned if the properties with new signs on Main Street have obtained a building permit. He also spoke about an article in the Buffalo News about the demolition of the Boston Hotel and the litigation associated with it and felt the Board did not think through their actions enough for the Local Law #3 for 2010 - Unsafe Buildings.

PROJECT REPORTS –

State Street Bridge – will have more information at the next meeting when Trustee Middaugh will be present.

Joint Facility – Mayor Patterson reported that he did a walk thru at the new facility and found the office area all sheet rocked and right on schedule. The barn construction is in progress and right on schedule as well, hoping to get it buttoned up as soon as possible so they can work inside during the winter months.

MONTHLY REPORTS –

Departments –

Attorney – nothing

Clerk-Treasurer – The Board received the Clerk's report for November 2010, together with the December 2010 office schedule. Clerk-Treasurer Borchert stated that the Office will be closed on December 24, 2010 and December 31, 2010 to observe the Holidays. He also reported that the Village of Akron hosted an Erie County Planning and Zoning training session on November 29, 2010 for our Planning and Zoning Members as well as several from near by communities.

Chief of Police – Submitted to the Board the schedule for December 2010 along with his monthly report for November 2010. Chief Lauricella reported that new Officer Dan Harris has begun his training and will continue to train for another three weeks. The newest radar unit is down and needs to be sent out for repairs. Cars are all up to date on maintenance and running fine. Investigation is still under way on the criminal case regarding the Newstead Public Library. Chief Lauricella would like to fill the position left due to Craig Pelletieri's departure. Extra Officers will be scheduled for the upcoming New Year's Eve Celebration and the Celebration Committee requested the use of Main Street and Russell Park for the festivities.

RESOLUTION duly moved by Wittlinger and seconded by Forrestel authorizing the Celebration Committee use of Main Street and Russell Park for the New Year's Eve Celebration be and hereby is approved.

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

Superintendent of Public Works – Superintendent Kowalik reported that the salt spreader has been received and is working very well. Two power outages due to squirrels occurred in the past month which briefly effected Akron Central School and Whiting Roll Up Door. Mayor Patterson stated that today was Superintendent Kowalik last official day

as Superintendent. Mayor Patterson thanked Mr. Kowalik for his commitment to the Village for the last ten years and shared some of the highlights such as the October Storm of 2006 and the success of the electric department with just minor outages in the past 10 years. Mr. Kowalik thanked the Board for the opportunity to serve the Village and to lend his assistance in the future.

VRI – Environmental Services – Due to Ken Scheirrible’s absence, Trustee Forrestel reported that a Water Wastewater Committee meeting was held this evening. Reported that three-quarters of the Village sewer lines have been jetted and camera viewed which has helped considerably with infiltration levels. Three house inspections have found illegal connections. Also installed manhole inserts. Flows are within limits and the plant is currently on winter bypass.

#### Elected Officials –

JUSTICE COURT REPORT – Board received the monthly report from November 2010.

#### TRUSTEES – COORDINATORS

Trustee Capan – Nothing new to report

Trustee Middaugh – absent

Mayor Patterson – wanted to remind everyone of the Community Christmas Celebration on December 11 and hoped to see everyone there. Received several pieces of correspondence: Letter from ACS Superintendent Zymrosz regarding the Budget Advisory Committee which is looking for representatives from the Village to sit on the committee, Letter from Time Warner regarding changes in the programming available, News Letter from Rural Transit, News Bulletin from the Northern Erie County Sno-Seekers, Tips Sheets for how to take the chill out of your bill, and lastly SEQR notice of a new water district in the Town of Newstead.

Trustee Forrestel – reported that a Water Wastewater Committee meeting was held this evening. Reports from both plants reported on operations and a recommendation came from the Water Plant to sell the Explorer in the spring. The Water Plant pickup truck has been rebuilt and refurbished and also has a plow so the Explorer is no longer needed. Discussion was held regarding timber money earned from a low quality timber harvest could be used toward repairs of the wooden components of the filter system.

Trustee Wittlinger – reported that at a recent meeting of the Fire Chiefs of the Village of Akron and the Town of Newstead notice was given of a grant which was awarded to the Fire Companies where \$100,000.00 would be targeted for new equipment.

#### OLD BUSINESS

Mitigation of Murder Creek – Mayor Patterson reported attending a joint committee meeting last week. Soil borings are currently being done on Main Street and information from them will not be available for the next 4-6 weeks. The Committee is still working on getting easements from Brooklyn Street Residents.

Village Court – Trustee Wittlinger reported that the Town of Newstead Court did move back to the beautiful new court facility this month. By the end of December the Village Court should also have completed the move to the new facilities. Village Court will now be scheduled for the 1<sup>st</sup> and 2<sup>nd</sup> Tuesdays of the month.

Village Street Traffic & Safety – currently with the Police Committee for review

Akron Airport – Mayor Patterson attended a joint committee meeting along with Trustee Wittlinger. The Committee has a list of concerns and will meet again in the near future and hopefully will have more information.

5719 Crittenden Road Claim - Attorney Shonn seeking to settle claim in exchange for a new easement.

NEW BUSINESS

Sewer Moratorium to Expire December 31, 2010 –

Background:

In June of 2010, the Village Board extended the sewer moratorium until December 31, 2010. Based upon the monthly operation reports provided by VRI, the Board finds that the Waste Water Treatment Plant is running well under its rated capacity. There is, however, significant infiltration in the collection system which requires a continuation of the moratorium at 50 equivalent household units. At this time more than 75% of the Village has had camera and smoke test evaluation. The continuation of the moratorium will allow the Village to complete testing and correction work.

RESOLUTION duly moved by Forrestel and seconded by Wittlinger that the present moratorium as described by local law 2005-1 as amended be extended until June 30, 2011 be and hereby is approved.

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

RESOLUTION duly moved by Patterson and seconded by Capan to approve an increase for Secretary to the Mayor Jayne DeTine from Grade 1A Step 4 to Grade 1A Step 5 effective her anniversary date of December 19, 2010 be and hereby is approved

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

RESOLUTION duly moved by Wittlinger and seconded by Forrestel to accept the retirement letter of Superintendent of Public Works, Robert Kowalik, effective December 7, 2010 be and hereby is approved.

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

RESOLUTION duly moved by Forrestel and seconded by Capan to accept the resignation letter from part-time Police Officer Michael Dalfonso effective December 24, 2010 be and hereby is approved.

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

RESOLUTION duly moved by Forrestel and seconded by Wittlinger to authorize Mayor Patterson to sign the Amherst Fire Control five year contract be and hereby is approved.

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

RESOLUTION duly moved by Forrestel and seconded by Capan to appoint Jon Cummings to interim Super Chief for the Public Works Department with a pay increase of a by weekly stipend of \$153.85 be and hereby is approved.

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

CORRESPONDENCE

Town of Amherst Central Fire Alarm November 2010 Operations Report

PUBLIC COMMENT – Resident Doug Ceisner asked if the manhole inserts were a new design because they used those salad bowl designs before. Superintendent Kowalik stated that they are a new and improved design.

Mr. Scheib wanted to recommend changing the markings on the crosswalks on Main Street to aid the pedestrian in crossing.

Trustee Forrestel reported that Clerk-Treasurer Borchert was pictured in the recent NYCOM Bulletin. Currently Clerk-Treasurer Borchert is the President of the Association. Trustee Forrestel stated that it was great to have Clerk-Treasurer Borchert involved in other related Associations.

On motion of Capan, seconded by Wittlinger, at 8:18 p.m., this meeting was ADJOURNED

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MAYOR

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CLERK-TREASURER