

February 22, 2010

A REGULAR MEETING of the Akron Village Board was held on this date at 7:31 p.m. Present: Mayor Carl E. Patterson; Trustees Michael R. Middaugh, Kathryn A. Capan and Brian D. Wittlinger; Deputy Clerk Treasurer Tammy L. Kelley, 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 Middaugh seconded by Capan, that the Minutes of the Regular Meeting of February 1, 2010 be and hereby are approved by the Village Board.

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

RESOLUTION, duly moved by Capan 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	\$ 24,415.22
Electric Fund	\$ 9,961.81
Water Fund	\$ 3,952.39
Sewer Fund	\$ 11,940.46

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

RESOLUTION duly moved by Capan and seconded by Wittlinger that the following building permit be and hereby is approved with the applications and approval of the Building Inspector:

Richard Komroy	54 Jackson Street	Garage	\$37.00
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ADOPTED CARL E. PATTERSON - AYE  
MICHAEL R. MIDDAUGH - AYE  
KATHRYN A. CAPAN - AYE  
BRIAN D. WITTLINGER - AYE

RESOLUTION duly moved by Middaugh and seconded by Capan that the following Plumber's License for the year 2009-2010 be and hereby are approved in accordance with the applications filed and payment of the annual license fee of \$40.00:

Don Rauscher	41 Dyke Road	West Seneca, NY	\$40.00
John Mulla	72 N. End Avenue	Kenmore, NY	\$40.00
Charles Pero	27 Brooklyn Ave	Batavia, NY	\$40.00

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

PUBLIC HEARING – None Scheduled

APPEARANCES – Mayor Patterson invited Eagle Scout Tyler Christopher Schultz along with his parents Scott and Brenda Schultz and Scout Leader Joel Gregorio to the Village of Akron Board meeting to congratulate Tyler on becoming an Eagle Scout. Mayor Patterson presented Tyler a Village of Akron Proclamation which proclaimed Monday, February 22<sup>nd</sup>, 2010 as Tyler Christopher Schultz Day. Mayor Patterson confirmed with Boy Scout Leader Gregorio that this year marks the 100<sup>th</sup> year of the existence of the Boy Scouts. Mayor Patterson also went on to say that Tyler is in good company of those who are known to be outstanding in all that scouting means, including Presidents of the United States, Astronauts and many others.

PUBLIC COMMENT – No one appeared to speak

PROJECT REPORTS –

State Street Bridge – Mayor Patterson had drafts prepared asking for support from local Government Officials.

Joint Facility – Mayor Patterson recommended to the Board to execute a joint grant application with the Town of Newstead to the Local Government Efficiency Grant Program for the construction of a joint salt shed. After discussion the Board moved as follows:

THE FOLLOWING RESOLUTION WAS OFFERED BY  
TRUSTEE WITTLINGER, WHO MOVED ITS ADOPTION,  
SECONDED BY TRUSTEE MIDDAUGH

WHEREAS, the Village of Akron and the Town of Newstead have been in discussions to consolidate duplicative services that each currently undertake, beginning with the consolidation of highway services and the consolidation of court and code enforcement services; and

WHEREAS, the Village of Akron and Town of Newstead have determined that there would be a substantial cost savings to each if they continued the process of combining and sharing duplicative highway services, space, and equipment; and

WHEREAS, in order to effectively continue the consolidation of the aforementioned services, in addition to building a joint highway facility which is currently underway, a joint salt shed must also be constructed adjacent to the joint highway facility; and

WHEREAS, the Village of Akron has agreed to designate the Town of Newstead as Lead Applicant and Supervisor David L. Cummings the Contact Person, authorizing him to submit an application to the Local Government Efficiency Grant Program for the 2009-2010 Program Year on behalf of the Village of Akron for a joint salt shed as part of the “Newstead and Akron Joint Highway Facility Project: Phase II”; and

WHEREAS, the Village of Akron has further determined that it will be necessary to enter into an inter-municipal agreement with the Town of Newstead to determine the extent of the shared services between the municipalities resulting from this further collaboration and construction of a joint salt shed; and

WHEREAS, as a condition of the grant, the Village Board has been advised that it is necessary for the Village to come up with a matching contribution for its share of any grant obtained and the Village Board has determined that it has sufficient funds to match a grant up to \$200,000.

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

1. The Town of Newstead hereby agrees to act as Lead Applicant for the purpose of submitting an application to the Local Government Efficiency (LGE) Grant Program for the 2009-2010 Program year and designates Supervisor David L. Cummings as the Contact Person and authorizes the Supervisor to execute any

and all financial and/or administrative processes relating to the grant program and to request up to \$100,000 in funds for the Town of Newstead and an additional \$100,000 on behalf of the Village of Akron for the “Newstead and Akron Joint Highway Facility Project: Phase II”.

2. The Village Board further instructs the Attorney for the Town to begin drafting an inter-municipal agreement between the Town of Newstead and the Village of Akron with respect to the continuation of joint services that will arise with the joint highway facility and joint salt shed.
3. This resolution shall take effect immediately.

The above resolution was duly put to a roll call vote at a regular meeting of the Village Board of the Village of Akron on February 22, 2010 the results of which were as follows:

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

RESOLUTION duly moved by Capan and seconded by Wittlinger authorizing the Mayor to sign the Change Order from Stantec Consulting Services amending an Agreement dated May 19, 2009 regarding the Joint Public Works Facility be and herby is approved.

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

#### MONTHLY REPORTS –

##### Departments –

VRI Environmental Services – VRI Representative Ken Scherrieble submitted his report to the Board. He also submitted pictures of some of the projects going on at the sewer plant one being the yellow truck that received an overhaul and also the sludge pumps which are being installed this week and should be up and running by next week.

Mr. Scherrieble stated that VRI Environmental Services met with Rural Development regarding the possibility of the Sewer Plant qualifying for grants for any projects or upgrades done at the plant. Unfortunately the grant would not cover any engineering fees associated with any projects or upgrades but the Village may receive a 75% - 25% grant based on income of the Village. Mr. Scherrieble said he would put together a list of potential projects or upgrades that the Village Board may want to consider.

Lastly, Mr. Scherrieble wanted to share with the Board that Robert Lucia from the Sewer Plant did extra work at home for the sludge pumps which made a great impact on the installation.

Code Enforcement Officer – Mr. Folger submitted his Annual Report to the Board. He informed the Board that the Village Planning Board held a Public Hearing on February 15, 2010 regarding the new subdivision Cornerstone which will be located on the corner of Hake Road and Jackson Street. The Planning Board also approved of the Negative Dec also regarding the Cornerstone Subdivision. Mr. Folger suggested to the Board that the Village recommend their new Plumbers License process known as Local Law #1 for 2010 to the Town of Newstead. Todd Daigler, Dr. Nichols replacement, requested a Zoning Application for a new sign for the dentist office at 165 Main Street. Mr. Folger wanted to inform the Board that Amanda’s Law went into effect today, February 22, 2010. This law requires homes to have carbon monoxide detectors. Lastly,

Mr. Folger reported that he will be in Court this week regarding the property on John Street where a failed electrical inspection was completed.

Elected Officials –

TRUSTEES – COORDINATORS

Trustee Capan – Nothing new to report

Trustee Middaugh –Nothing new to report

Mayor Patterson – received from NYS Department of Environmental Conservation Division of Water a notice of an Erie County Community Coordination Meeting regarding the FEMA Map Modernization Program updating Flood Insurance Rate Maps for Communities. The meeting will be held at the Town of Cheektowaga Council Chambers on Wednesday, March 3<sup>rd</sup> at 9:30 a.m. or 2:00 p.m and Thursday, March 4<sup>th</sup> at 2:00 p.m. or at the Hamburg Town Hall on Tuesday, March 2<sup>nd</sup> at 2:00 p.m. or 7:00 p.m..

Mr. Patterson also received an invitation from County Executive, Chris Collins inviting the Mayor and or Board Members to the State of the County Address held at the Harbour Club in HSBC Arena on March 11, 2010 at 11:00 a.m.

Superintendent Kowalik recommended to the Mayor as well as the Board to hire John Hartz as a part-time Water Treatment Plant Operator at the hire rate to fill the vacancy of Carl Stockschleider at the Village Water Plant.

RESOLUTION duly moved by Middaugh and seconded by Wittlinger to hire John Hartz as a part-time Water Treatment Plant Operator at the hire rate as recommended by the Superintendent of Public Works be and hereby is approved.

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

Trustee Forrestel – absent

Trustee Wittlinger – Nothing new to report

OLD BUSINESS

Mitigation of Murder Creek – Nothing new to report

Village Court – Nothing new to report

Code Enforcement Officer – Contract has been amended and the Board may take action as soon as the next Village Board meeting scheduled for March 1, 2010.

Akron Mobile Home Park – Superintendent Kowalik distributed fresh numbers provided by Wm. Schutt's firm as requested by the Board.

Akron Airport Drainage – Nothing new to report

NEW BUSINESS –

Draft Resolution for amendment to the Bond regarding the Joint Facility. The Board held discussion and will revisit the issue at the next scheduled Village Board Meeting scheduled for March 1, 2010.

RESOLUTION duly moved by Capan and seconded by Middaugh authorizing the Mayor to sign the Task Order by the Village Engineering firm of Wm. Schutt Associates for the refurbishing of the Village's Plumbers License process be and hereby is approved.

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

CORRESPONDENCE –

Water/Wastewater Committee Meeting Minutes from December 7, 2009

2009 Code Enforcement Officer Annual Report

Town of Amherst January 2010 Central Fire Alarm Operations Report

PUBLIC COMMENT – No one appeared to speak

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

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MAYOR

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DEPUTY CLERK-TREASURER