

May 3, 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 E. Peter Forrestel, Kathryn A. Capan and Brian D. Wittlinger; Village Attorney Daniel D. Shonn, Clerk Treasurer Daniel P. Borchert, Chief Richard Lauricella, Code Enforcement Officer Donnal Folger and Superintendent Robert Kowalik.

Mayor Carl E. Patterson led us in the pledge to the flag. The Mayor took a moment to thank everyone associated with the very successful Village/Town joint Residential Computer & Electronics Recycling Collection event held Saturday May 1, 2010 at the Newstead Town Hall from 9:00 am – 12:00 pm.

RESOLUTION duly moved by Forrestel seconded by Wittlinger, that the Minutes of the Regular Meeting of April 19, 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 Capan, seconded by Wittlinger 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	\$ 5,739.76
Electric Fund	\$ 39,207.33
Water Fund	\$ 4,691.13
Sewer Fund	\$ 2,670.39

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 Capan that the following building permits be and hereby are approved with the applications and approval of the Code Enforcement Officer:

David Snell	1 Shepard Avenue	Replace Shed	\$25.00
Steven Czechowski	62 Parkview Drive	Fence	\$18.00
Clara Varo	111 Main Street	Roof over Porch	\$25.00
Jillian Domres	38 Mechanic Street	Fence	\$18.00
Melissa Sedita	2 Buell Street	Shed Addition	\$10.00
Emprise Group	64 John Street	Apert. Renovation	\$299.00

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

PUBLIC HEARINGS: None

APPEARANCES – None Scheduled

PUBLIC COMMENT – Resident Doug Ceisner questioned the Board about the 2010-2011 Budget. Clerk-Treasurer Borchert stated that the Board held meetings on April 27, 2010 and April 29, 2010 to discuss the budget. The Board passed the budget at the April 29, 2010 meeting. Mr. Ceisner recommended to the Board to hold the

meetings earlier in April and to advertise them so residents can attend. Mr. Ceisner also questioned the Board about the permit fees paid for the renovations done at 118 East Avenue.

PROJECT REPORTS –

State Street Bridge – Nothing new to report

Joint Facility – work is continuing on site and the project is out for bids which will be opened at the Newstead Town Hall around the third week of May 2010.

MONTHLY REPORTS –

Departments –

Attorney – Discussion was held regarding the Annexation of the Joint Facility property on Clarence Center Road. Also, Mr. Shonn is working on an issue involving installation of replacement water meters in homes where access has been denied. The Public Works Department has distributed letters and left notes on doors regarding the replacement of the water meters and the home owners have not responded.

Clerk-Treasurer – The Board received the Clerk’s report for April 2010, together with the May 2010 office schedule. Clerk-Treasurer Borchert reported that the joint Residential Computer & Electronics Recycling Collection held Saturday May 1, 2010 was a great success. Mayor Patterson added that Clerk-Treasurer Borchert turned a great idea into a well organized and successful event.

Chief of Police – The Board received the Police Report for April 2010, along with the schedule for May 2010. Chief Lauricella reported that the Annual Soccer Tournament is scheduled for this weekend and will be bigger than ever. Also, Cruise Nights begin again on Thursday May 13, 2010. Lastly, repairs are being done to the new police car for damage done to the roof, which evidently was caused by a thrown rock.

Supt. of Public Works – The Board received copies of Superintendent Kowalik’s April 2010 report. Mr. Kowalik attended the MEUA Semi Annual Meeting in Syracuse last week and discussed the possibility of the New York Power Authority regulating municipal electric instead of the Public Service Commission. Also Legislators are trying to get legislation to cover the “Power for Jobs” program that will be expiring in the next few weeks, which would effect the amount of hydro electric power the Village would be allocated.

Code Enforcement Officer – Mr. Folger reported several inquiries for the Knox Boxes in the Village. Also completed the Fire Inspections at the Cloisters where several issues were corrected. Mr. Folger will also be attending a meeting on May 12, 2010 for the new lead paint regulations.

Mayor Patterson questioned Mr. Folger if there was anything he could do about the truck which is parked on the front lawn of 2 Buell Street. The truck has become a visual impairment for those trying to turn off of Brooklyn Street and mentioned that two accidents have already occurred. Mr. Folger said he would look into the matter.

Elected Officials –

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

TRUSTEES – COORDINATORS

Trustee Capan – Nothing New to Report

Mayor Patterson – Nothing New to Report

Trustee Forrestel – Nothing New to Report

Trustee Wittlinger – Nothing new to report

OLD BUSINESS

Mitigation of Murder Creek – Letters were sent out from the Town of Newstead to the Residents and Business Owners of the properties lining Murder Creek regarding easement privileges for workers and equipment during the mitigation of Murder Creek.

Village Court – Nothing new to report

Code Enforcement Officer – Nothing new to report. Mayor Patterson and Code Enforcement Officer Donnal Folger will set up a meeting in the next couple of weeks.

Akron Mobile Home Park – Nothing new to report

Akron Airport Expansion/Drainage – Town of Newstead Zoning Board has met regarding the expansion but the Residents concerns regarding the drainage have not been addressed so far.

NEW BUSINESS –

RESOLUTION duly moved by Forrestel and seconded by Wittlinger to move Donald Kreher from Grade 12 Step 1 to Grade 12 Step 2 as of his first year anniversary date as recommended by the Superintendent 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 in regards to the Annexation of Vacant Land on Clarence Center Road in the Town of Newstead.

Whereas, the Town of Newstead and Village of Akron jointly own a parcel of land assessed under SBL number 61.00-1-9, which lies wholly within the Town of Newstead and is contiguous to the Village of Akron municipal boundary; and,

Whereas, the Village Board has reviewed the proposed annexation and believes it would be in the overall public interest for this land which is approximately 22 acres and is the site of the joint department of public works facility project and can be used for Village of Akron municipal purposes with no negative impact upon the Town of Newstead; and,

Whereas, the Town of Newstead as lead agent for the SEQRA process has declared a negative declaration with regard to the impacts of the joint facility project as well as this annexation,

Whereas, the Village Board under section 706 of the Gen. Municipal Law must request a resolution from the Town of Newstead to consent to such annexation; and,

It is resolved,

1. That the Village Board finds that such annexation is in the overall public interest.

2. That the present boundaries of the town and Village as shown in the attached exhibits B... and C. will be amended as shown in exhibit D.

3. That the review of an environmental impact has resulted in a negative declaration by prior resolution of the Town of Newstead Board and concurs with that finding.

4. That the costs related to this annexation will be shared jointly between the Village of Akron and town of Newstead as part of the joint facility inter-municipal agreement.

5. That the Mayor is authorized to obtain the consent of the Town Board of the Town of Newstead and do any further actions to effectuate the annexation.

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

CORRESPONDENCE –

Batavia Daily News article regarding the dissolution of New York State Villages

New York State Department of Public Service Transmitting Electronic Documents

Town of Amherst Central Fire Alarm Office – April 2010 Report

PUBLIC COMMENT – Resident Doug Ceisner pointed out that Buell Street is a State Street and maybe the State Easements of that road would help with the problem of the truck obstructing views at 2 Buell Street. Also Mr. Ceisner wanted to know when the Board would approve the Minutes of the Budget Meeting held on April 29, 2010. Clerk-Treasurer Borchert said they would be approved at the next Village Board meeting scheduled May 17, 2010.

RESOLUTION duly moved by Forrestel and seconded by Capan authorizing the Board to go into executive session at 8:21 p.m. to discuss litigation issues 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 Capan authorizing the Board to come out of executive session at 8:39 p.m. be and hereby is approved.

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

On motion of Forrestel, seconded by Capan, at 8:46 p.m., this meeting was ADJOURNED.

MAYOR

CLERK-TREASURER