

May 4, 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, Kathryn A. Capan 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 Capan, that the Minutes of the Regular Meeting of April 20, 2009 and Special Meeting of April 27, 2009 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 Capan 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	\$ 9,422.09
Electric Fund	\$ 24,645.92
Water Fund	\$ 8,542.19
Sewer Fund	\$ 5,906.74

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 Forrestel that the following building permits be and hereby are approved with the applications and approval of the Building Inspector:

Beverly Pixley	27 Danita Drive	Roof	\$25.00
John Von Ohlen	36 East Avenue	Siding	\$25.00
WNY Properties	45 Brooklyn Street	Roof	\$25.00
Clara Varo	111 Main Street	Siding	\$25.00
Mark Trust	35 Main Street	Roof	\$25.00
Mary Piscitelli	161 Main Street	Siding	\$25.00
Charles Staebell	37 Clinton Street	Roof	\$25.00

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 had questions regarding the Police Report. Clerk-Treasurer Borchert stated that Chief Lauricella will answer those questions upon his arrival this evening.

PROJECT REPORTS –

State Street Bridge – The Board will be meeting with the Village engineer to talk about next step in the process to repair bridge.

MONTHLY REPORTS –

Departments –

Attorney – nothing new to report

Clerk-Treasurer – The Board received the Clerk’s report for April 2009, together with the May 2009 office schedule. Clerk-Treasurer Borchert reported that an exterminator will be working at the Village Hall to rid it of an ant problem.

Chief of Police – The Board received the Police Report for April 2009, along with a schedule for May 2009. Chief Lauricella had not arrived at the meeting yet.

Supt. of Public Works – The Board received copies of Superintendent Kowalik’s April 2009 report. He reported that the new lineman apprentice, Donald Kreher, has started and will be attending school tomorrow. Discussion was held regarding the screw pump panel box upgrade at the Sewer Plant and also regarding the backup chipper/shredder that Superintendent Kowalik would like to sell to Corfu for \$9,000.00.

RESOLUTION, duly moved by Forrestel and seconded by Wittlinger authorizing the Village to purchase the Screw Pump Panel Box Upgrade for the Sewer Plant from Ferguson Electric not to exceed \$39,600.00 which is part of the EPA Grant, 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 Village to sell the backup chipper/shredder to the Village of Corfu for \$9,000.00, be and hereby is approved.

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

Elected Officials –

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

TRUSTEES – COORDINATORS

Trustee Capan – nothing new to report

Mayor Patterson – nothing new to report

Trustee Forrestel – Human Resource Committee hired lineman apprentice Donald Kreher. Also, the Water Wastewater Committee held discussion regarding the sale of the backup chipper.

Trustee Wittlinger – Reported that since the compost site has been opened approximately 80 people have dropped off brush or picked up wood chips or compost.

OLD BUSINESS

Inter-municipal DPW Facility – on the agenda for the joint Town of Newstead/Village of Akron meeting scheduled this evening

Rental Regulations – Attorney Shonn has revised the local law and recommended that the Board review.

Mitigation of Murder Creek – grant was turned down and a new grant application will be submitted using a different avenue

Main Street Speed Limit – discussion was held regarding the placement of the speed sign on Skyline Drive due to the Soccer Tournament, but the Board highly recommended that the speed sign return to Main Street.

Village Court – on the agenda for the joint Town of Newstead/Village of Akron meeting scheduled this evening.

East Avenue Property – Attorney Shonn stated that he is having an appraisal done on the property which would be used as the appraisal cost in the contract. Also in the contract it would be stipulated that the new buyer would be responsible for payment.

Ron Berry Field – on the agenda for the joint Town of Newstead/Village of Akron meeting scheduled this evening.

NEW BUSINESS –

RESOLUTION, duly moved by Capan and seconded by Forrestel authorizing John Asmus and Jon Cummings to attend the NY Rural Water Conference on May 12<sup>th</sup> & 13<sup>th</sup> in Saratoga Springs, NY at a cost of \$400.00 plus travel, be and hereby is approved

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

CORRESPONDENCE –

New York State Department of Labor

Erie County Household Hazardous Waste drop off Day on May 9th

Town of Amherst Central Fire Alarm Office April 2009 Operations Report

Rural Transit Service Brochure

Capital Newspaper

PUBLIC COMMENT – none

RESOLUTION duly moved by Forrestel and seconded by Capan authorizing the Board to go into executive session at 7:55 PM to discuss personnel 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 Forrestel and seconded by Wittlinger authorizing the Board to come out of executive session at 8:04 PM, be and hereby is approved.

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

The Newstead Town Board arrived at the Village Hall and joined the Akron Village Board for a joint meeting.

Joint Facility – Councilman Tom George briefly discussed the process of moving forward with the design and construction management of the joint facility. There was a request for proposal that was generated and 11 proposals were received. A selection committee was formed to review the proposals and a preferred provider has been selected. The committee has selected Christa Construction for construction management and Stantec Corporation for the project design.

RESOLUTION duly moved by Forrestel and seconded by Wittlinger to authorize the mayor to sign a contract with Stantec Corporation for the design phase of the joint facility not to exceed \$270,000 and Christa Construction for construction management of the joint facility not to exceed \$165,000, be and hereby is approved.

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

Code Enforcement Officer – Both boards have agreed that this consolidation would be good for both communities. The attorneys will put together an inter-municipal to make this happen.

Courts – Trustee Wittlinger will chair the committee looking into consolidating the Village Court with the Town Court. He will set up a meeting with the current court clerks to get their feedback and ideas.

Police Contract – Supervisor Cummings is concerned that this agreement would jeopardize the current coverage that the Town receives from the Erie County Sheriff and the New York State Police. The Village has clearly stated that they have no interest in patrolling in the Town. This agreement is strictly to give the Village Police jurisdiction in the Town when we are called as first responders and for the two special events that happen in the Town (Akron Soccer Tournament and the 4<sup>th</sup> of July Celebration). Supervisor Cummings would like to set up a meeting with the Erie County Sheriff and the New York State Police to make sure there is no misunderstanding in this agreement.

Drainage – The Mayor noted that he met with the school last Friday with Superintendent Kowalik, Paul Bowers and representatives from the school regarding their building project. The Village and Town forces will also be working together on a drainage issue along Skyline Drive near Crittenden and cleaning out the ditch along the road.

Ron Berry Field – There will be a proposal for a Phase 1 environmental review of the property and the Board will review the proposal to take further action.

On motion of Forrestel, seconded by Wittlinger, at 10:08 PM, this meeting was ADJOURNED.

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MAYOR

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CLERK-TREASURER