

June 6, 2011

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, Michael R. Middaugh, Kathryn A. Capan and Brian D. Wittlinger; Village Attorney Daniel D. Shonn, Clerk Treasurer Daniel P. Borchert, Chief of Police Richard Lauricella and Code Enforcement Officer Ralph Migliaccio

Mayor Carl E. Patterson led us in the pledge to the flag.

RESOLUTION duly moved by Middaugh seconded by Forrestel, that the Minutes of the Regular Meeting of May 16, 2011 be and hereby are approved by the Village Board.

ADOPTED CARL E. PATTERSON - AYE
E. PETER FORRESTEL - AYE
MICHAEL R. MIDDAUGH - 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	\$ 66,479.90
Electric Fund	\$ 41,538.61
Water Fund	\$ 6,978.10
Sewer Fund	\$ 13,504.46
Capital Streets	\$ 46,491.68

ADOPTED CARL E. PATTERSON - AYE
E. PETER FORRESTEL - 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 building permits be and hereby are approved with the applications and approval of the Code Enforcement Officer:

Betty George	9 Marshall Avenue	Roof	\$25.00
Betty Klawer	1 Sylvan Pkwy	Deck/Door	\$25.00
First United Methodist	7 Church Street	Roof	\$25.00
Michael Best	2 State Street	Roof	\$25.00
Daniel D. Shonn	13 Bloomingdale	Shed	\$25.00
Richard Graybeal	144 Skyline Drive	Roof	\$25.00

ADOPTED CARL E. PATTERSON - AYE
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 there is a very large pot hole on Clinton Street and a hole on the bike path bridge crossing Murder Creek. He would like to see both fixed before someone really gets hurt. Mr. Ceisner wondered if

there have been any new updates regarding the library damage. Chief Lauricella stated that the case is in the hands of the District Attorney who has to decide to prosecute with the evidence they have or subpoena the suspect for another statement.

Resident David Alexander who owns Nic's Deli on John Street came before the Board with concerns about the reconstruction of John Street and Bloomingdale Avenue. He asked if the Board new of the time line for the project and if the Board was aware of sink holes on Bloomingdale Avenue. Mayor Patterson stated the Board does not have a time line yet, but will publish one when available.

PROJECT REPORTS –

Joint Facility – Mayor Patterson reported that the Village Board did a walk though of the facility this evening and mentioned completion should be within 4 – 6 weeks.

MONTHLY REPORTS –

Departments –

Attorney – all items on the agenda

Clerk-Treasurer – The Board received the Clerk's report for May 2011, together with the June 2011 office schedule. Clerk-Treasurer Borchert updated the Board regarding the second Saturday Recycling event held at the Sewer Plant. Forty-one residents from the Village and forty-one residents from the Town of Newstead compiled ten pallets of electronic debris and 15 televisions making another very successful recycling event. Trustee Capan stated that she said the event was very well organized and Mayor Patterson once again thanked Clerk-Treasurer Borchert for a job well done.

Chief of Police – Submitted to the Board the report for May 2011 and the schedule for June 2011. Chief Lauricella reported: three DWI's last month, Officer Daniel Harris completed his last day, sent part-time candidate resumes to the Police Committee for review, new car is in and should be ready within the next two weeks. Lastly spoke about the grant for the camera.

Super Chief of Public Works – Jon Cummings was absent this evening but did have a report distributed to the Board Members. Mayor Patterson wanted to acknowledge the nice job the Public Works did on the landscaping in the front of the Village Hall.

Code Enforcement Officer – Ralph Migliaccio submitted his report and the Board discussed it during the work session earlier this evening.

Elected Officials –

JUSTICE COURT REPORT – Board received the monthly report from May 2011.

TRUSTEES – COORDINATORS

Trustee Capan – nothing to report

Trustee Middaugh –reported that he spoke with the President of the Akron Chamber of Commerce regarding the changes made to the earlier request to allow the Chamber to host a Farmer's Market on cruise night. Trustee Middaugh reminded the Board that the Farmer's Market will be located in the North/West area of the park and there will be no reserved parking for the vendors.

Trustee Middaugh also reported that the Electric pick-up came in and the Streets pick-up is on order.

Mayor Patterson – reported that he attended the Memorial Day Celebration and felt grateful to see so many people from such a small community come out to celebrate.

Mayor Patterson wanted to remind the Board that this weekend is the annual sidewalk sale and next weekend is Relay for Life. He also wanted to mention how grateful he is to resident Doug Ceisner for his past military duty and for attending every Board meeting and sharing his opinions and ideas.

Lastly, Mayor Patterson and Village Attorney Shonn stated that an Executive Session is needed this evening for two personnel issues and one legal issue.

Trustee Forrestel –noted that on Super Chief Jon Cummings report that the Sewer Plant is off its normal winter by-pass. Next Water Wastewater Committee meeting is scheduled for June 20, 2011 right before the scheduled Village Board Meeting.

Trustee Wittlinger –reported attending the Clarence/Newstead Fire Chiefs Association meeting held May 19, 2011.

OLD BUSINESS

Mitigation of Murder Creek – project to begin as early as June 28, 2011

Village Court – nothing new to report

Main Street Traffic & Safety – Clerk-Treasurer Borchert reported leaving a couple of messages with the Director of the State Department of Transportation regarding the speed limit on Buell Street. Chief Lauricella mentioned he would contact the NYSDOT office himself.

Akron Airport – nothing new to report

Niagara Label Annexation – nothing new to report

Ron Berry Memorial Fields –nothing new to report

Bloomington Avenue and John Street Reconstruction – waiting on Erie County with changes on curbing tweaks in response from comments of configuration of the curbs.

NEW BUSINESS

RESOLUTION duly moved by Middaugh and seconded by Wittlinger to allow the sale of the 2008 Toyota Highlander to Harriet Hyding in the amount of \$26,000 be and hereby is approved.

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

RESOLUTION duly moved by Forrestel and seconded by Capan to authorize the Mayor to sign the 2010 Sponsor Authorization Form for the 2010 Akron Fire Company Service Award Program be and hereby is approved.

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

Central and Western NY Division of VRI Environmental Services name change to Camden Group, Inc. More information to follow

RESOLUTION duly moved by Middaugh and seconded by Wittlinger to authorize the Mayor to sign the 2010-2011 Erie County STOP DWI Memorandum of Understanding be and hereby is approved.

ADOPTED CARL E. PATTERSON - AYE
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 to accept the resignation of full time Police Officer Daniel Harris effective June 16, 2011 be and hereby is approved.

ADOPTED CARL E. PATTERSON - AYE
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 allow the Akron Celebration Team to hold their Annual 4th of July Celebration in the Village of Akron on July 3rd and July 4th be and hereby is approved.

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

Trustee Capan informed the Board that a Celebration Meeting will be held this week, but as of today the rides will be held on Sunday July 3rd and the parade and fireworks will be held on Monday July 4th.

RESOLUTION duly moved by Middaugh and seconded by Capan to proclaim Saturday June 18, 2011 Relay for Life Day which will be held at Akron Central School on Saturday from 12 noon to 12 midnight be and hereby is approved.

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

CORRESPONDENCE

Minutes from the Planning Board held April 27, 2011

Town of Amherst Central Fire Alarm Office May 2011 Operations Report

Time Warner Cable notification of soon to be expiring agreements with programmers and broadcasters

Minutes from the zoning board of Appeals meeting held on May 25, 2011

Murder Creek Slope Stabilization Construction Schedule

William Schutt & Associates May 2011 Monthly Summary Report

Notice of Public Statement Hearing on National Fuel Gas Corporation's Conservation Incentive Program on Wednesday July 6, 2011 and Thursday July 7, 2011

Resolution from Erie County Legislator Raymond Walter to acknowledge during National Police Week, beginning May 15th, the Village of Akron Police Department for public service and commitment to our community.

PUBLIC COMMENT – Resident Doug Ceisner noted that the National Fuel Gas was having a conservation incentive program, he suggested they need one for their pay too.

RESOLUTION duly moved by Middaugh and seconded by Forrestel to go into executive session regarding two personnel issues and one legal issue at 8:14 p.m. be and hereby is approved.

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

RESOLUTION duly moved by Wittlinger and seconded by Capan to come out of executive session regarding the two personnel issues and the legal issue at 9:01 p.m. be and hereby is approved.

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

On motion of Capan and seconded by Wittlinger, at 9:13 p.m., this meeting was ADJOURNED

MAYOR

CLERK-TREASURER