

August 4, 2008

A REGULAR MEETING of the Akron Village Board was held on this date at 7:33 p.m. Present: Mayor Carl E. Patterson; Trustees E. Peter Forrestel, Michael Middaugh and Kathryn A. Capan; Attorney Daniel D. Shonn, Clerk–Treasurer Daniel P. Borchert, and Building Inspector Donnal Folger.

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

Clerk-Treasurer requested an executive session to discuss grievances.

RESOLUTION, duly moved by Middaugh, seconded by Capan, that the Minutes of the Regular Meeting of July 7, 2008 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

RESOLUTION, duly moved by Forrestel, 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	\$ 35,845.79
Electric Fund	\$ 31,065.70
Water Fund	\$ 69,790.30
Sewer Fund	\$ 6,258.82
Capital Water	\$ 34,309.66
Capital Sewer	\$ 85,526.98

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

Chief Richard Lauricella entered the meeting at 7:36 p.m.

RESOLUTION, duly moved by Forrestel, seconded by Capan that the following building permits be and hereby are approved with the applications and approval of the Building Inspector:

William Groff	186 East Avenue	Roof	\$25.00
Frank Voll	58 Skyline Drive	Siding/Enclose Porch	\$25.00
Michael Schmidt	21 Knapp Rd	Roof	\$25.00
John Nyquist	14 Bloomingdale	Addition	\$41.00
Charles Baldwin	4 John Street	Addition	\$64.00
James Behm	91 John Street	Roof, Siding, Porches	\$61.00
Catherine Warren	56 Skyline Dr	Windows	\$25.00
Robert Akin	3 Stoneridge Ln	Shed	\$25.00
KMB Properties	74 Cedar Street	Fence	\$18.00
Mary Vaughn	39 Cedar Street	Siding	\$25.00
Leonard Rosowicz	35 Parkview Dr	Roof	\$25.00
Leonard Rosowicz	35 Parkview Dr	Front Porch	\$25.00
Linda Hyder	29 Lewis Rd	Roof	\$25.00

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

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

E. Peter Forrestel      16 Stoneridge Ln      Garage      \$25.00

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

Trustee Forrestel abstained from voting on the above Resolution.

PUBLIC HEARING – was held at this time to hear any and all persons for the purpose of addressing the 2008 Akron Fire Contract. Village Clerk-Treasurer Daniel P. Borchert read the Proof of Publication and asked if anyone in attendance wished to speak. No one appeared to speak. Trustee Forrestel stated that the contract topics were discussed and reviewed and Village Attorney Daniel D. Shonn will write up the contract. Discussion was held with Fire Chief Terry Lotz and Building Inspector Donnal Folger, also President of the Akron Fire Company, regarding winter plowing for the Fire Company. Committees will meet and finalize the contract.

RESOLUTION, duly moved by Middaugh, and seconded by Capan that the Public Hearing with regard to the Akron Fire Contract be and hereby is closed at 8:02 p.m.

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

APPEARANCES – No one was scheduled to speak

PUBLIC COMMENT – No Comment

PROJECT REPORTS –

State Street Bridge – Waiting for Engineer’s Report

John Street Waterline Project – Mayor Patterson stated that the Village Team has done a wonderful job. The process of replacing sections of the line and going back and restoring the property has been well received by the residents along the project route.

MONTHLY REPORTS –

Departments –

Attorney – Nothing at this time

Clerk-Treasurer – The Board received the Clerk’s report for July 2008, together with the August 2008 office schedule. Attended the Cornell Master Municipal Clerks Institute in Ithaca, NY from July 20-July 24, 2008 and received a \$200.00 scholarship from the New York State Association of City & Village Clerks to help off-set the cost of the Institute.

Chief of Police – The Board received the Police Report for July 2008, along with a schedule for August 2008. Both Judge Campbell and Judge Freeman both have requested another officer to run the Metal detectors, as directed by New York State, during Wednesday evening court sessions. Chief Lauricella stated that New York State will provide training to officers but Akron may need to do some recruiting due to the small pool of officers who are available on Wednesday evenings.

Officer Herbert Ritchie was in attendance this evening and supported Chief Lauricella’s remarks on Russell Park activities with certain groups of young kids loitering in the park shelter and gazebo. Several complaints of excessive language, bad behavior and damage have been reported regarding these groups. Chief Lauricella stated

that officers have been moving the groups out of the park, only to have them return later. Conversations with the parents of these children have not been helpful. Mayor Patterson feels very strongly about the Russell Park situation and would like to see the Police Department be as severe as the law allows and even supports the idea of the parents of these adolescents being held responsible for any damage done in the park. Mayor Patterson also wanted to thank Officer Herb Ritchie for his accomplishments as a teacher at Akron Central School as well as his role as a part-time Police Officer here in the Village.

Also, Chief Lauricella recommended to the Board the purchase of a 2009 Crown Victoria from Delacy Ford to replace car 90 at a cost of \$22,627.00.

RESOLUTION, duly moved by Forrestel, and seconded by Middaugh to allow the Akron Police Department to purchase a 2009 Crown Victoria from Delacy Ford to replace car 90 at a cost of \$22,627.00 be and hereby is approved.

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

Lastly, Chief Lauricella reported that a trailer for the speed sign and UTV will be purchased with the cost covered by grant monies.

Supt. of Public Works – The Board received copies of July 2008 report. Superintendent Kowalik Robert Kowalik was absent this evening.

RESOLUTION, duly moved by Forrestel, and seconded by Middaugh for the sidewalk reimbursement of \$140.00 to Walter Rosonowski at 59 East Avenue be and hereby is approved.

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

Building Inspector – The Board received copies of the July 2008 report. Building Inspector Donnal Folger is in receipt of copies of a SEQR for RT 5/RT 93 Project and a SEQR for a Subdivision on Stage & Havens from the Town of Newstead. Reported that the Rodeghiero Property on Jackson Street has been demolished and debris removed.

Mr. Folger would like to recommend that the Village charge \$125.00 for all renewed Special Use Permits, which is currently the amount charged for new Special Use Permits. This charge covers all advertising and administrative costs.

RESOLUTION, duly moved by Forrestel, and seconded by Capan to authorize the Village to charge \$125.00 renewal fee for all Special Use Permits be and hereby is approved.

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

Mr. Folger attended Court for the Ceisner Case on July 31, 2008. The Court gave Mr. Ceisner thirty days to move the truck, clear the brush, and clear the debris surrounding the garage.

Also, Mr. Folger wanted the Board to know that he has been notified to testify in regards to the issues with Lynn Clark on Mechanic Street.

Lastly, Perry's Ice Cream has received the parts to fix their filtration system which should help with the complaints of excessive odor and they have received spare parts as well.

VRI- Environmental Services - Ken Scherrieble from VRI was present and offered the Board his report for June and July 2008. Jet washed lines on East Avenue.

Construction is almost complete on the drying beds and the heated garage. Mr. Scherrieble presented the Board two water bottles, one with Akron water and one with sewer water ready to be released, both bottles looked exactly the same.

Elected Officials –

JUSTICE COURT REPORT – Board received monthly report from July 2008.

TRUSTEES – COORDINATORS

Trustee Capan – Nothing to report

Trustee Middaugh – Nothing to report

Trustee Forrestel – Police and Fire Committee met and discussed the Akron Fire Contract. Also, Trustee Forrestel attended the NYCOM seminar held at the Akron Fire Co. held by John Gallivan of NYCOM. The topic was NY law sections 207a and 207c, covering disability benefits of fire fighters and police officers.

Mayor Patterson – Received a copy of the Rural Water Publication from Superintendent Robert Kowalik which had a letter from Public Works employee Jon Cummings published.

Mayor Patterson also discussed the grant that the Town of Newstead applied for which covered the cost of mileage marker signs and posted maps of the paths at intersections on the bike path.

OLD BUSINESS

Inter-municipal DPW Facility – Village Board will attend the Joint Facility meeting at the Town of Newstead Hall immediately following this evenings meeting.

Rental Regulations – nothing new to report

Mitigation of Murder Creek – Nothing to report

Akron Fire Contract – Public Hearing held tonight.

NEW BUSINESS

RESOLUTION, duly moved by Middaugh and seconded by Forrestel authorizing Mayor Patterson to sign the lump sum payment authorizations for the Akron Fire Company Length of Service Awards Program to James Akin, Adolph Bassanello, Joseph Capan, Albert Cheavacci, Daniel David, Donnal Folger, Richard Litfin, Frederick Pask, Carlton Patterson, Gerald Smith & Betsy Klauer be and hereby is approved.

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

RESOLUTION, duly moved by Forrestel and seconded by Middaugh authorizing Clerk-Treasurer Daniel Borchert to attend the 53<sup>rd</sup> NYCOM Fall Training School from September 15 – September 19, 2008 in Lake Placid, NY at a cost of \$1,230.00.

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

RESOLUTION, duly moved by Capan and seconded by Middaugh authorizing Mayor Patterson to sign the agreement between the Village of Akron Police and Teamsters Local #264.

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

RESOLUTION, duly moved by Forrestel, and seconded by Capan to hold a Public Hearing on September 22, 2008 in regards to the proposed subdivision Akron Village Commons be and hereby is approved.

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

CORRESPONDENCE

Town of Newstead Notice of Lead Agency Designation, project location map and Full EAF for the 12963 Main Road – Pharmacy, Restaurant & Retail Project.

Town of Newstead Notice of Lead Agency Designation, project location map and Full EAF for the Preliminary Plat for Major Subdivision with Public Improvements (28) Single Family Homes – Stage & Havens Roads in the Town of Newstead.

Letter of support for Governor David Patterson to sign A.8059-C.S.5366-C Authorization to Create a Land Bank

Letter from the NYSDEC who is in receipt of Erie County Department of Public Works Joint Application for Permit for the Bridge Rehabilitation Project Parkview Drive over Murder Creek

Letter from Irene Stoller of 1046 Reynolds Road regarding her water bill from the Village of Akron

Letter from Norma Bluhm of 142 Buell Street regarding the location of the joint facility

PUBLIC COMMENT – Chief Lauricella requested an executive session for Personnel issues.

RESOLUTION, duly moved by Capan, and seconded by Forrestel authorizing the Board to go into executive session at 9:00 p.m. to discuss grievances and personnel issues, be and hereby is approved.

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

RESOLUTION, duly moved by Forrestel, and seconded by Capan authorizing the Board to come out of executive session at 9:22 p.m., be and hereby is approved.

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

On motion of Forrestel, seconded by Middaugh, at 9:24 p.m., this meeting was ADJOURNED.

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MAYOR

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CLERK-TREASURER