

September 19, 2011

A REGULAR MEETING of the Akron Village Board was held on this date at 7:30 p.m. Present: Mayor Carl E. Patterson, Trustees, Michael R. Middaugh, Kathryn A. Capan and Brian D. Wittlinger; Village Attorney Daniel D. Shonn, Deputy Clerk Treasurer Tammy Kelley, Chief of Police Richard Lauricella, and Super Chief Jon Cummings

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

Trustee Forrestel entered the meeting at 7:34 pm

RESOLUTION duly moved by Capan seconded by Wittlinger, that the Minutes of the Regular Meeting of September 12, 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 Middaugh 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    | \$ 23,635.33 |
| Electric Fund   | \$ 1,761.24  |
| Water Fund      | \$ 2,600.77  |
| Sewer Fund      | \$ 2,694.20  |
| Capital Streets | \$ 8,519.55  |

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

|                    |                  |                |         |
|--------------------|------------------|----------------|---------|
| Richard Martin     | 8 Jackson Street | Addition       | \$81.80 |
| Laverne Johnson    | 44 Cedar Street  | Temporary Tent | \$25.00 |
| Kent Huth          | 7 Parkview Drive | Gazebo         | \$25.00 |
| Pat Welsh          | 64 Cedar Street  | Roof           | \$25.00 |
| Estate of G. Hyder | 16 Kibler Avenue | Windows        | \$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 –Northern Erie Sno-Seekers representative Randy Wdowka came before the Board to seek permission to use the Village of Akron bike path for their

club to use during this coming winter. As in past years the Club will put the rubber tracking on the bridge and remove it in the spring. The Club will also police the garbage cans located along the path. Attorney Shonn asked Mr. Wdowka if the permission letter had been sent out to the Board and if not the Board will wait for the paperwork before a Resolution can be passed.

**PUBLIC COMMENT** – Resident Dale Cheavacci asked for the Board’s reaction to the Akron Airport expansion. Village Attorney Shonn stated that the Board did respond to the SEQR comments through the Village Engineer regarding the issues of noise and drainage. A Public Hearing is scheduled for Thursday September 22, 2011 at the Town of Newstead and Mr. Cheavacci is hoping the Board will be there to represent the residents of the Village. Mayor Patterson stated that representatives from the Board would be attending.

Resident Doug Ceisner came before the Board to ask if 41 Cedar Street had a permit for the new porch. The Board responded that the resident at 41 Cedar did have a permit. Mr. Ceisner also reported that his wife just missed hitting a deer on East Avenue last week and wondered what the Board has done to alleviate the growing number of deer in the area. Also, Mr. Ceisner complained about the canary yellow plane that does the touch and go’s at the Akron Airport and the drainage issues associated with the Airport. He reminded the Board that he did not receive his police reports for the robberies or the letter stating that the Akron Police force is only on duty approximately 20 hours a day that he requested at the last meeting. Chief Lauricella stated that he would get the paperwork for Mr. Ceisner. Lastly, he asked for an update on the Library damage. Chief Lauricella stated that there is nothing new on the case.

#### **PROJECT REPORTS –**

Joint Facility – still working on the sealant for the cement floors in the garage. Next committee meeting is this Friday September 23, 2011.

#### **MONTHLY REPORTS –**

##### Departments –

**CAMDEN GROUP** – Representative Al Graham reported to the Board that Perry’s Ice Cream and Adesa renewed their industrial permit which lasts for five years. Whiting Roll-up Door has three years left on their industrial permit. Continuing to paint at the Sewer Plant and also completed a boiler repair. Recently had issues with the sludge pumps that were purchased two years ago, currently seeking to have the repairs covered by the warranty, but may not be covered due to normal wear. Lastly, Bob Lucia ordered seven doors for replacement in the plant.

##### Elected Officials –

#### **TRUSTEES – COORDINATORS**

Trustee Capan – nothing to report

Trustee Middaugh – nothing to report

Mayor Patterson – reported that an Association of Erie County Governments meeting is scheduled for September 29, 2011.

Trustee Forrestel – attended the Quarterly Water Wastewater Committee meeting this evening. John Asmus reported for the water plant, Jon Cummings reported on the water distribution system and Al Graham and Bob Lucia reported on the wastewater collection system. Discussion was held regarding the rehab of the influent channels as a project for next year. All in all things are going very well with water and wastewater.

Trustee Wittlinger – attended meeting for the Fire Contract and will pass information on as it comes in.

OLD BUSINESS

Mitigation of Murder Creek – Super Chief Cummings stated that Phase II which is the upper bank is still in progress.

Village Court – Discussion held regarding the payment of rent for the space the Village Court uses at the Town of Newstead facility. The issue will be discussed further during the October 3, 2011 work session.

Akron Airport – Public Hearing is scheduled for September 22, 2011 at the Town of Newstead.

Ron Berry Memorial Fields –Attorney Shonn is getting more quotes at this time

Bloomingle Avenue and John Street Reconstruction – Nothing new to report

Clinton Street/Eckerson Avenue Village Land – Nothing new to report

Public Works Facility at 43 East Avenue – Attorney Shonn recommended having the Village Engineer recommend ideas for the use of the property.

NEW BUSINESS

RESOLUTION duly moved by Middaugh and seconded by Forrestel to allow the Calvary Baptist Church to hold their Annual Living Nativity on Friday December 2, and Saturday December 3, 2011 in the Russell Park Gazebo 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 Mayor to sign the Reaffirmation of Municipal Park Boundaries form for the Akron Rail Trail (Bike Path) from New York State Office of Parks, Recreation and Historic Preservation 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 - none

PUBLIC COMMENT TIME: Fire Chief Kowalik stated that he attended the Fire Chiefs meeting last week and it is official that Amherst Fire Control will not be replacing Senior Fire Dispatcher Ray Braun upon his retirement. Mr. Braun does all the clerical work along with dispatching. The Fire Chiefs are opposed to this decision and will have a letter sent to Amherst Fire Control asking for a meeting to discuss this issue further.

Chief Lauricella wanted to inform the Board that a student from Medaille College will be doing a 90 hour ride along with an Akron Police Officer during the next few months.

Resident Doug Ceisner questioned the Board regarding the Village Court rent issue, did the Village charged the Town of Newstead rent while they were working out of

the Village Hall during the construction of the new court addition? Mayor Patterson responded that the Village did not request rent for that period of time.

On motion of Capan and seconded by Middaugh, at 8:29 p.m., this meeting was ADJOURNED

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MAYOR

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DEPUTY CLERK-TREASURER