

October 3, 2011

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 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 Super Chief Jon Cummings

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

RESOLUTION duly moved by Capan seconded by Middaugh, that the Minutes of the Regular Meeting of September 19, 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 Forrestel 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	\$ 6,757.02
Electric Fund	\$ 35,730.76
Water Fund	\$ 3,813.19
Sewer Fund	\$ 4,782.75

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:

Hunt Real Estate	43 Main Street	Sign	\$18.00
David Alexander	83 John Street	Siding/hand rail	\$25.00
Steven Kolly	59 Cedar Street	Roof	\$25.00
Brian Perry	12 Stoneridge Lane	Roof	\$25.00

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 dumpster permits be and hereby are approved with the applications and approval of the Code Enforcement Officer:

Steven Kolly	59 Cedar Street	1 year	\$20.00
Brian Perry	12 Stoneridge Lane	1 year	\$20.00

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

KATHRYN A. CAPAN - AYE
BRIAN D. WITTLINGER - AYE

PUBLIC HEARING – was held at this time to hear any and all persons for the purpose of addressing the 2012 Community Development Block Grant Program. Village Clerk-Treasurer Borchert read the Proof of Publication and asked if anyone in attendance wished to speak. Clerk-Treasurer Borchert mentioned that the Village did receive grant monies to help complete the Marshall Street waterline replacement, storm sewer rehab and street reconstruction project for the year 2011 which will begin in the spring of 2012. Other projects awarded grant monies were: John Street Waterline, Bloomingdale Avenue Waterline, Brooklyn Street waterline, and the joint Rural Transit Van Service Project with the Towns of Clarence and Newstead. The maximum amount of grant money is \$100,000.00 per year and all applications need to be submitted by the end of October 2011. Clerk-Treasurer Borchert asked the Board to consider possible projects for the 2012 CDBG Program.

Marilyn Kasperek stated that during a recent Community Center meeting the committee met with a grant writer regarding grant monies for job training opportunities and she did mention the Community Development Block Grant Program which could possibly help with job training opportunities or even the maintenance of the Community Center (the old Newstead Town Hall) located on Church Street in the Village of Akron. Clerk-Treasurer Borchert stated that he will check with the program to see if Community Center Projects fit into the CDBG program's criteria.

RESOLUTION duly moved by Capan and seconded by Middaugh that the Public Hearing with regard to the 2012 Community Development Block Grant Program be and hereby is closed at 8:52 pm.

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

APPEARANCES – none scheduled

PUBLIC COMMENT – Resident Mike Lowry came before the Board to ask what the plans are for the Public Works Facility at 43 East Avenue after the Department moves to the new location on Clarence Center Road. The Lowry's and several other neighbors would really like to see the old buildings brought down and to have the Board consider prohibiting another business venture to take over the parcel. The Lowry's along with a few other neighbors are even interested in purchasing the land. Mayor Patterson stated that the Board did not have any exact ideas for the parcel at this time but will keep it on the Old Business portion of the agenda until further notice. Village Attorney Shonn stated that he has recommended to the Board to have the Village Engineer, William Schutt & Associates do a site plan for the property and recommend some preliminary ideas for use of the land.

Resident Dale Cheavacci came before the Board to personally thank Village Attorney Shonn and Mayor Patterson for attending the Public Hearing in regards to the Akron Airport Expansion.

Deposit Depot representative, Jeff Cheavacci, came before the Board to ask the status of their fill permit and if they could resume filling. Attorney Shonn stated that he attended a meeting with Jeff Cheavacci and Thomas Smart, owners of the Deposit Depot, and Code Enforcement Officer Ralph Migliaccio to discuss possible solutions to the violations the business is currently breaching. A letter was sent to the Deposit Depot listing the violations with a 30 – 60 day window to comply.

Resident Doug Ceisner questioned the PPA rate on the electric bills. Clerk-Treasurer explained the PPA rate on the bill as the extra rate the Village has to pay for electricity over and above the inexpensive electric allotment the Village receives each month. Mr. Ceisner stated that the Code Enforcement Officer did not issue a dumpster

permit for the dumpster that was located on Crittenden Road by the creek and the Building Permit needed for the new roof on the Service Station done September 10th.

PROJECT REPORTS –

Joint Facility – still working on the sealant for the cement floors but an Open House is scheduled for October 22, 2011 from 9:00 am to 12:00 pm.

MONTHLY REPORTS –

Departments –

Attorney – reported that he is still working with Code Enforcement Officer Ralph Migliaccio on the demolition of 208 East Avenue.

Clerk-Treasurer – The Board received the Clerk's report for September 2011, together with the October 2011 office schedule. Clerk-Treasurer Borchert reported that the recycling events on both Saturday September 3 and Saturday October 1, 2011 were both successful. The next and last recycling event for this year is scheduled for November 5. The program will resume in the spring of 2012. Reported that he attended the New York State Conference of Mayors Annual Fall Training School from September 19 – September 23, 2011 in Saratoga Springs and also attended the NYCOM Executive Committee Meeting on September 30, 2011 in Lake Placid, NY

Chief of Police – Submitted to the Board the report for September 2011 and the schedule for October 2011. Chief Lauricella reported: ejected 24 people from the Akron Falls Park during September, updated the emergency contact list for the businesses in the Village, one of the Crossing Guards will be out on disability for 4-6 weeks so between the fill in Crossing Guard and the Police force the position will be covered, posted extra patrols for Home-Coming as well as for Halloween, also recommended to the Board to schedule the Trick-or-Treating hours from 6:00 pm – 8:00 pm with Amherst Control Center/Akron Fire Company sounding the fire whistle to start and end Trick-or-Treating activities as well as advertise it in the Akron Bugle.

RESOLUTION duly moved by Capan and seconded by Wittlinger to schedule Halloween Trick-or-Treating hours from 6:00 pm – 8:00 pm with the Amherst Control Center/Akron Fire Company sounding the fire whistle to start and end Trick-or-Treating activities as well as advertise the hours in the Akron Bugle 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

Chief Lauricella also reported that he received several complaints regarding noise and parking issues at 52 Cedar Street where Deposit Depot is located. Lastly, Chief Lauricella mentioned that Daniel Harris has completed his probation period with the Erie County Sheriff's Department and is interested in working part-time for the Village as soon as a position is available.

Public Works – Submitted to the Board his report from September 2011. Super Chief Cummings wanted to discuss the Village Tree Removal Policy with the Board to see if it could be modified or just advertised to remind the Village Residents of its existence. The Public Works has had issues with tree removal companies contracting with residents to take the tree down but not to remove the debris. Within the Village Tree Removal Policy it states that if a contractor comes in the Village and cuts down any trees they are to remove all the debris as well. Super Chief Cummings is concerned for the resident who is left with the debris and no way to remove it without help from the Village DPW. Clerk-Treasurer Borchert stated that he would work with Super Chief Cummings to write up a reminder for the Akron Bugle and the PennySaver.

Chief Lauricella asked if Clerk-Treasurer Borchert could also put a reminder in the Akron Bugle to remind residents of the Sidewalk Shoveling Policy for the Village in preparation for the upcoming winter months.

Code Enforcement Officer – no report

Elected Officials –

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

TRUSTEES – COORDINATORS

Trustee Capan – nothing to report

Trustee Middaugh – wanted to thank the Village Public Works Department for the wonderful restoration work done on the Russell Park Gazebo.

Mayor Patterson –attended the Erie County Government Associates Meeting and the Town of Newstead Public Hearing regarding the Akron Airport Expansion. Discussion was held regarding the John Street Reconstruction Project with the possible start of the project as the week of October 10, 2011. Mayor Patterson wanted to mention that he received the William Schutt Monthly report. He also wanted to thank the several representatives from the Village of Akron Fire Company and the Town of Newstead Fire Company who were deployed down state to help with the flooding issues during August and September of this year.

Trustee Forrestel – wanted to commend all who have worked on the Murder Creek Stabilization Project.

Trustee Wittlinger – will be scheduling a Fire and Police Committee meeting for next week to continue with the Fire Contract negotiations.

OLD BUSINESS

Mitigation of Murder Creek – nothing new to report

Village Court – Village Attorney Shonn stated that he would like to set up a public hearing in November 2011 regarding abolishment of the Village Court.

Akron Airport – The Village received complaints regarding the airport which will be forwarded to the Town of Newstead. Discussion held regarding the effects the airport has on the Village and the comments regarding noise and drainage the Village sent with the SEQR requests.

Ron Berry Memorial Fields – Village Attorney Shonn reported that John Asmus is in the process of doing water testing for the property

Bloomington Avenue and John Street Reconstruction – Clerk-Treasurer Borchert stated that he noticed an Erie County sign on Bloomington Avenue stating that the project would be starting October 10, 2011. No official statement from Erie County has been received by the Village as of today.

Clinton Street/Eckerson Avenue Village Land – Trustee Middaugh received the survey for the property and will set up a meeting with Trustee Forrestel and Public Works Super Chief Jon Cummings to discuss ideas.

Public Works Facility at 43 East Avenue – Village Attorney Shonn recommended to the Board to have the Village Engineer do a site plan for the property and recommend ideas for future use.

Northern Erie Sno-Seekers – still waiting for the formal letter of permission to use the Village portion of the bike path as well as proof of Insurance coverage.

NEW BUSINESS

Clerk-Treasurer Borchert reported that the IEEP Attic Insulation program representative called to ask for 25 more electric customers on the high user list. Out of the first 25 customers they reached out to, nine customers have confirmed insulation projects scheduled.

CORRESPONDENCE

Zoning Board of Appeals Minutes from the meeting held September 15, 2011

Planning Board Minutes from the meeting held July 19, 2011

Planning Board Minutes from the meeting held September 6, 2011

Planning Board Minutes from the meeting held September 26, 2011

APEX Consulting Murder Creek Status Report dated September 26, 2011

Murder Creek status report dated October 3, 2011

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

William Schutt & Associates September 2011 Report

Town of Amherst Central Fire Alarm September 2011 Operations Report

PUBLIC COMMENT: Resident Doug Ceisner commented on the Akron Airport that from dusk to dawn on any given day there is no control over anything going on there.

On motion of Capan and seconded by Middaugh, at 8:41 p.m., this meeting was ADJOURNED

MAYOR

CLERK-TREASURER