

October 5, 2009

A REGULAR MEETING of the Akron Village Board was held on this date at 7:33 PM Present: Mayor Carl E. Patterson; Trustees E. Peter Forrestel, Michael R. Middaugh, Kathryn A. Capan and Brian D. Wittlinger; Attorney Daniel D. Shonn, Clerk Treasurer Daniel P. Borchert, Chief Richard Lauricella, 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 Middaugh seconded by Capan, that the Minutes of the Regular Meeting of September 21, 2009 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 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	\$ 8,231.90
Electric Fund	\$ 12,624.82
Water Fund	\$ 7,576.23
Sewer Fund	\$ 6,195.04
Capital Streets	\$ 199.44

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 Wittlinger that the following building permit be and hereby is approved with the applications and approval of the Building Inspector:

E. Peter Forrestel	16 Stoneridge Lane	Roof	\$25.00
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ADOPTED CARL E. PATTERSON - AYE  
MICHAEL R. MIDDAUGH - AYE  
KATHRYN A. CAPAN - AYE  
BRIAN D. WITTLINGER - AYE

Trustee Forrestel abstained from voting on the above resolution.

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

Travis Behm	20 Crescent Drive	Fence	\$25.00
Tracy Oakes	95 Buell Street	Roof Attach	\$10.00
Sam Reagan	41 Wesley Drive	Shed	\$25.00
Ronald Blum	20 Bloomingdale Ave	Rear Deck	\$25.00
Brian Murray	16 Churchill Street	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 Forrestel and seconded by Capan that the following sidewalk application be and hereby is approved with the application to and approval of the Superintendent of Public Works:

Roger Johnson	30 Crescent Drive	23 feet	\$161.00
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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 2010-2011 Community Development Block Grant Program. 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. Clerk Borchert gave an overview of the past projects used with grant money such as John Street Waterline and the Rural Transit Van use for Village residents. He also mentioned a few suggestions for 2010-2011 such as: Street repair and waterline on Marshall Avenue, a joint sidewalk project with the Town of Newstead on Skyline Drive and possibly the reconstruction of State Street Bridge.

RESOLUTION duly moved by Middaugh and seconded by Wittlinger that the Public Hearing with regard to the 2010-2011 Community Development Block Grant Program be and hereby is closed at 7:42pm.

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

APPEARANCES – Resident Dodie Akin was scheduled to appear before the Board regarding traffic issues on Eckerson Avenue but did not attend this evening.

Disaster Coordinator Glenn Joachimiak came before the Board to speak about the H1N1 vaccinations for the public. Discussion was held regarding the vaccine and the targeted groups recommended receiving the shot and the locations which will offer it. Mr. Joachimiak stated that they will be working very closely with Erie County who will be setting up a joint information center to coordinate with all Village and Towns.

Mr. Joachimiak also came before the Board to discuss the Hazardous Materials Drill at the Perry’s Ice Cream facility on Saturday October 10, 2009. Perry’s Ice Cream, in conjunction with the Akron Fire Company, the Akron/Newstead Disaster Coordinators and several other local agencies will be participating in the drill from 8:00 am – 1:00 pm. The intent of this drill is to provide realistic hands-on training for local emergency services personnel and hazardous materials response crews. In addition, this training allows us to exercise the plans and procedures that are used by your local firefighters, as well as the Village of Akron’s Emergency Management Personnel. A mock door to door evacuation is one of the drills scheduled for Saturday.

PUBLIC COMMENT – Resident Doug Ceisner appeared before the Board regarding Building Permits and fees. He asked if \$25.00 for a permit could cover roof, siding, windows, and roof extension. Code Enforcement Officer, Don Folger responded that \$25.00 is the permit cost for roof, siding and windows if done at the same time. The roof extension was completed under another permit.

PROJECT REPORTS –

State Street Bridge – nothing new to report

Joint Facility – on the agenda for the joint meeting with the Town of Newstead

#### MONTHLY REPORTS –

##### Departments –

Attorney – Spoke about the Resolution passed September 14, 2009 regarding the Police Log Book. Attorney Shonn will send the draft of the Resolution to the Board Members.

Clerk-Treasurer – The Board received the Clerk's report for September 2009, together with the October 2009 office schedule. Clerk Borchert reported that he attended the NYCOM Annual Fall Training School September 21 – 24<sup>th</sup>.

Chief of Police – The Board received the Police Report for September 2009, along with a schedule for October 2009. Chief Lauricella reported that: Officer Robert Kolmetz will start work this month with the Village, extra patrols are scheduled for Homecoming and Halloween, the Akron Fire Company will once again signal with their whistle the opening of trick & treating at 6:00 pm and again at 8:00 pm to close it, car maintenance was completed on the 2005 Crown Vic regarding issues with the head lights, will forward the Crossing Guard applications to the Police committee to evaluate and conduct interviews for a part-time fill-in position, and lastly reported that the crosswalk issue at Akron Central School has been recognized and will be corrected by Akron Central School.

Supt. of Public Works – The Board received copies of Superintendent Kowalik's September 2009 report. Superintendent Kowalik reported that due to the September 28 storm a few minor outages occurred and the electrical pole on Buell Street near Clarence Center Road started to fall, but luckily with a quick call out to Public Works the problem was taken care of before any damage occurred. Both Mayor Patterson and Trustee Forrestel stated that the Village is very lucky to have a great team taking care of all our utilities.

Code Enforcement Officer –Mr. Folger reported the following: a car traveling down Exchange Street crashed into a house on Main Street and the property owner would like a barrier placed in front of their house, reviewed the SEQR from the Town of Newstead for the subdivision on Crittenden and found no effects to the Village, The Planning Board will hold a meeting October 21, 2009 in reference to the Cornerstone Subdivision and the Akron Village Commons Subdivision, lastly attended Court again regarding the Hyder case making it 16 appearances in 4 ½ years and case is still not resolved.

##### Elected Officials –

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

#### TRUSTEES – COORDINATORS

Trustee Capan – Nothing new to report

Trustee Middaugh –Nothing new to report

Mayor Patterson – Received “New York's Double Standard” brochure regarding the public employee vs. the private sector pay and benefits and “Sizing up Local Legislatures” brochure regarding downsizing governments.

Trustee Forrestel – Nothing new to report

Trustee Wittlinger – Brush pick-up will continue until October 19, 2009. Leaf pick-up will begin October 26, 2009 thru November 20, 2009 and the Compost site will be opened on Saturdays thru November 14, 2009, 9:00 am until 12:00 pm.

OLD BUSINESS

Mitigation of Murder Creek – RESOLUTION duly moved by Forrestel and seconded by Capan,

WHEREAS, due to erosion over time which erosion was accelerated as a result of the damage to trees as a result of the October 2006 snowstorm, a number of parcels of property in the Village along Murder Creek are seriously threatened by the erosion with the potential for serious damage to buildings and other improvements; and

WHEREAS, the Town of Newstead (Town) and the Village of Akron (Village) have been informed that there is a Pre-Disaster Mitigation (PDM) FY 2009 Competitive Grant Program under which the Town and Village may be eligible to receive a Pre-Disaster Mitigation Grant for the purpose of stabilizing the bank of Murder Creek in the Village of Akron; and

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The Village Board hereby authorizes Grant Services of New York to complete a grant application and the Mayor of the Village of Akron to join the Supervisor of the Town of Newstead in signing a joint FEMA Pre-Disaster Mitigation Grant Application for the purpose of stabilizing the bank of Murder Creek within the Village of Akron.
2. That the Village of Akron will consider contributing to the matching funds and/ or in kind services required under this grant to the extent that the matching funds are not provided by the Town of Newstead.
3. This resolution shall take effect immediately.

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

Village Court – on agenda for the Joint Meeting scheduled this evening. A Committee meeting is scheduled for October 7, 2009.

Ron Berry Field –on agenda for the Joint Meeting scheduled this evening

Police Contract – on agenda for the Joint Meeting scheduled this evening

Code Enforcement Officer – on agenda for the Joint Meeting scheduled this evening

Buell Street Sidewalk – Discussed in this evenings work session with the result that Trustee Capan will speak with Resident.

Alabama Water – on agenda for the Joint Meeting scheduled this evening

Sidewalk Snow Removal – Chief Lauricella would like to discuss now to be proactive before the snow falls.

NEW BUSINESS – none

CORRESPONDENCE –

Town of Amherst Central Alarm Office September 2009 Operations Report

University at Buffalo Regional Institute September 2009 Policy Brief

Buffalo Niagara Partnership Report Titled New York's Double Standard

Town of Newstead SEQR/SERP Coordinated Review for a 13 Lot Major Subdivision without Public Improvement Crittenden & Main Road

Time Warner Cable Franchise Letter

Letter from Skyline Drive Resident regarding drainage.

PUBLIC COMMENT – Resident Doug Ceisner questioned the Board about the Resolution regarding the Police Log Book Policy, will he have to pay to look at the log book. Chief Lauricella stated that he will have to order copies of the log book at \$.25 per page. Citizens will not be able to look at the log book due to privacy issues, but copies can be made and the private information will be blocked out.

On motion of Wittlinger, seconded by Capan, at 8:23 PM, this meeting was ADJOURNED.

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MAYOR

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CLERK-TREASURER