

November 10, 2008

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, E. Peter Forrestel, William P. Kaufman and Kathryn A. Capan; Attorney Daniel D. Shonn, Clerk–Treasurer Daniel P. Borchert, Superintendent Robert Kowalik, and Code Enforcement Officer Donnal D. Folger.

Mayor Carl E. Patterson led us in the pledge to the flag. He welcomed the Tiger Cubs from Pack 531 to the Village Board Meeting, and then requested a moment of silence in reverence to all the past and present Veterans as we celebrate Veteran’s Day.

RESOLUTION, duly moved by Kaufman, seconded by Capan, that the Minutes of the Regular Meeting of November 3, 2008 be and hereby are approved by the Village Board.

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

RESOLUTION, duly moved by Kaufman, seconded by Forrestel 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	\$ 28,736.19
Electric Fund	\$ 26,692.38
Water Fund	\$ 23,445.81
Sewer Fund	\$ 32,517.02
Capital Water	\$ 1,019.75

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

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

Ann Eadie	209 East Avenue	Roof	\$25.00
Kevin Roeser	145 East Avenue	New House	\$25.00

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

PUBLIC HEARING – None Scheduled

APPEARANCES – No appeared to speak

PUBLIC COMMENT – None

PROJECT REPORTS –

State Street Bridge – Nothing new to report

John Street Waterline Project – waiting for reimbursement from Erie County

MONTHLY REPORTS –

Departments –

VRI Environmental Services – Ken Scherrieble appeared before the Board with the October 2008 report. He informed the Board that a gear drive in the screw pump needs to be repaired at a cost of approximately \$3,100.00. The grouting project on Brooklyn Street has begun today and should take the remainder of the week to carry out. Completing this project will make a significant difference in efficiency of the sewer plant. Mr. Scherrieble also reported that the filters are off-line for the winter, privacy blinders are up on the fence and the electric service will be installed in the new garage the first week of December.

With the Sewer Moratorium expiring at the end of December 31, 2008, Village Attorney Shonn asked Mr. Scherrieble's opinion of extending the moratorium for another six months with 50 residential units. Mr. Scherrieble supported extending the moratorium.

Chief Richard Lauricella entered the meeting at 7:49 p.m.

Code Enforcement Officer – Mr. Folger wanted to recognize the nice job that Millard Young did on the parking lot placed in the rear of the property located at 20 John Street. Also, that a violation notice went out to Mr. Brady at 37 Cedar Street for excessive junk on the property. Lastly, the latest information he has on the Ceisner court case is that the defendant will remove the junk on the Cedar Street property before he appears before the Court in January 2009.

Elected Officials

TRUSTEES – COORDINATORS

Trustee Capan – Reported that the Refuse Contract expires December 31, 2008. The three bids received were from Allied Waste, Waste Management and Modern Disposal. Trustee Capan recommended accepting the bid from Modern Disposal which came in with the lowest bid at a cost of \$15.02 per month per unit including recycling, bulk and freon pickup for a two year contract with two one-year renewals at the option of the Village with written notice of such renewal to be given prior to December 1st of the preceding year.

RESOLUTION, duly moved by Forrestel and seconded by Kaufman to accept the bid from Modern Disposal Alternative #3 for refuse pickup in the Village of Akron at a cost of \$15.02 per month per unit including recycling, bulk and freon pickup for a two year contract with two one-year renewals at the option of the Village with written notice of such renewal to be given prior to December 1st of the preceding year be and hereby is accepted.

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

The Board and Village Clerk discussed adjusting the garbage rate for the next billing cycle, a decision will be made by the next scheduled Village Board meeting December 1, 2008.

Trustee Middaugh – Street committee will follow up on Marshall Avenue project. Police and Fire Committee will be meeting in the near future.

Mayor Patterson – Received several pieces of correspondence including, Heat Smart NY, UB Campus Plan and the Winter Tip Sheet for the Village of Akron Electric Customers prepared by the Electric Committee. Lastly, Mayor Patterson wanted to commend the Public Works Employees for a nice job doing the roof on the Salt barn.

Trustee Forrestel – Next Water/Wastewater Committee meeting will be held December 1, 2008. Trustee Forrestel also wanted to praise the Public Works Street Employees on the efficient leaf pick-up.

Trustee Kaufman – The electric mini rate increase has been recommended to the NYS Commission for approval.

OLD BUSINESS

Inter-municipal DPW Facility – a Public Information Meeting is scheduled for December 4, 2008.

Rental Regulations – Nothing new to report

Mitigation of Murder Creek – re-submitted grant request on November 3, 2008

Refuse Contract, Expires December 31, 2008 – Resolution passed earlier this evening

2009-2010 CDBG Programs – The income surveys are all in and have been forwarded, now just waiting for County to accept Marshall Avenue project for grant.

Sewer Moratorium – Expires December 31, 2008 – Attorney Shonn will have resolution ready for meeting scheduled December 1, 2008.

Northern Erie Sno-Seekers – The Town of Newstead is in the process of moving the marker signs from the south to the north side of the bike path allowing access for the Sno-Seekers to groom and ride their normal trails. After discussion the Board decided to accept the agreement with the Northern Erie Sno-Seekers for another year.

RESOLUTION, duly moved by Kaufman and seconded by Capan to accept agreement with the Northern Erie Sno-Seekers for the 2008-2009 winter season

WHEREAS, the Village of Akron has received a request from the Northern Erie Sno-Seekers, Inc., to use a portion of the Bike Path in the Village of Akron for snowmobile use;

WHEREAS, the Northern Erie Sno-Seekers, Inc., contacted the Village Board on November 10, 2008 to renew their permission to use a portion of the Bike Path in the Village of Akron for snowmobile use;

NOW, THEREFORE, A RESOLUTION, duly moved by Middaugh, seconded by Kaufman, based on information submitted by the Northern Erie Sno-Seekers, Inc., and upon the Village's review, the Village Board authorizes the Northern Erie Sno-Seekers, Inc., to use the Bike Path within the Village of Akron from December 16, 2008 through April 1, 2009, subject to random enforcement of speed, unreasonable noise and DWI, be and hereby is approved by the Village Board, subject to the following:

1. That the Village Board does hereby authorize the Northern Erie Sno-Seekers, Inc., to use the Bike Path beginning at Cedar Street and running southwest to Clarence Center Road, along a route that shall be specifically marked out by the Northern Erie Sno-Seekers, Inc., and approved by the Village of Akron Superintendent of Public Works,
 - a. The use of the right-of-way shall begin on the last day of deer hunting season and shall terminate on April 1, 2009.
 - b. The Northern Erie Sno-Seekers, Inc., must cooperate with the Village to clearly mark the trail, which trail shall be located off the paved portions of the Bike Path and post speed limits and rules and regulations governing the use of the trails, satisfactory to the Village.
 - c. The Northern Erie Sno-Seekers, Inc., shall use the Bike Path in a manner that allows for the use of the same facilities by others including hikers and cross country skiers.
 - d. The Northern Erie Sno-Seekers, Inc., shall use their best efforts to avoid damage to Village Property, injury to individuals, or excessive noise.
 - e. Failure to abide by all these conditions may result in the Village Board's withdrawal or rescinding of the consent of the Village to use the Bike Path.
2. This resolution shall take effect immediately.

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

NEW BUSINESS

RESOLUTION, duly moved by Middaugh, and seconded by Capan to accept the resignation of Court Bailiff Darin Cummings be and hereby is approved.

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

Clerk-Treasurer Borchert mentioned to the Board that the annual permits and licenses would be sent out for Plumbers, Dumpsters, Games of Chance, and Akron Mobile Home Trailer Park. After discussion the Board decided that they may want to raise the permit fee for the Akron Mobile Home Trailer Park, but will decide the increase at the next scheduled meeting.

CORRESPONDENCE –

Town of Amherst Central Fire Alarm October 2008 Operations Report

NYCOM Legislative priorities that they are working towards in 2009

PUBLIC COMMENT – No one wished to speak

On motion of Middaugh, seconded by Capan, at 8:20 p.m., this meeting was ADJOURNED.

MAYOR

CLERK-TREASURER