

December 5, 2011

A REGULAR MEETING of the Akron Village Board was held on this date at 7:37 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, and Chief Richard Lauricella

Mayor Carl E. Patterson asked the Boys from Boy Scout Troop #559 to lead us in the pledge to the flag.

Mayor Patterson together with Clerk-Treasurer Borchert wanted to recognize Boy Scouts Zach Nunn, Adam Pionessa, Doni Roehling, and Dylan Roehling from Troop #559 for all the help they extended to the Village Recycling Program. Also wanted to recognize absent Scouts John Buyea, Erik Gregorio and Scout Master Joel Gregorio for their help as well. The Boys help sure aided in the total success of the program. Clerk-Treasurer Borchert presented each Boy with a Village Christmas ornament.

Mayor Patterson mentioned that Mayor Mang from Kenmore, NY just went through quadruple heart by-pass surgery and wanted everyone to keep him in his prayers

RESOLUTION duly moved by Middaugh seconded by Capan, that the Minutes of the Regular Meeting of November 21, 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	\$ 4,121.30
Electric Fund	\$ 11,215.12
Water Fund	\$ 5,856.79
Sewer Fund	\$ 14,434.54
Capital Streets	\$ 35,471.69

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 Applications for a Plumbers License for the year 2011 be and hereby are approved in accordance with the application filed and payment of the annual license fee of \$40.00:

John Gaunder	8734 Stahley Road	E. Amherst, NY	\$40.00
William Penepent	7182 Kenyon Avenue	Basom, NY	\$40.00
William Izydorczak	637 Burrough Road	Attica, NY	\$40.00

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

RESOLUTIONS duly moved by Wittlinger and seconded by Middaugh that the following dumpster permits be and hereby are approved with the applications and approval of the Code Enforcement Officer:

Akron Pharmacy	58 Main Street	Renewal	\$20.00
Emprise Group, Inc.	32 Main Street	120 days	\$20.00
Allen Thomas	20 Mechanic Street	Renewal	\$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 – none scheduled

APPEARANCES – none scheduled

PUBLIC COMMENT – Resident Doug Ceisner commented on the building projects going on in the Village that do not have permits. Mayor Patterson said he would have Code Enforcement Officer Ralph Migliaccio check into it. Mr. Ceisner also questioned how much of the 80,000 in Court fees were from Village residents. Chief Lauricella stated that most of the traffic fees were from outside of the Village.

PROJECT REPORTS –

Joint Facility – Mayor Patterson stated the floor has finally been surfaced and shelving will be assembled in the Mezzanine. A Joint Facility Committee will meet again to set up the plan for moving both DPW Departments into the facility

MONTHLY REPORTS –

Departments –

Attorney – is working on the Akron Fire Contract, dog matters, and the Bond needed for the Fire Truck purchase. Attorney Shonn would also like to recommend to the Board to hold a Public Hearing on December 15, 2011 at 6 pm in regards to the Akron Fire Contract.

RESOLUTION duly moved by Wittlinger and seconded by Forrestel to hold a Public Hearing on December 15, 2011 at 6 pm at the Village Hall in regards to the Akron Fire Contract 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

Clerk-Treasurer – The Board received the Clerk’s report for November 2011, together with the December 2011 office schedule. Clerk-Treasurer Borchert shared the final recycling totals with the Board as follows: 312 residents participated; 59 pallets of electronics and 115 large or console T.V.’s were collected. It was a very successful project and Clerk-Treasurer Borchert stated the Village will do it again next year. Clerk-Treasurer Borchert wanted to remind everyone that the 2011 Safety Dinner is scheduled for December 12, 2011 at 6 pm at the Akron House. The Akron Bugle and the PennySaver will have an ad offering residents the chance to have their utility bills automatically withdrawn from their bank accounts as another Village service. Also, within the next two weeks the Village will be able to offer utility customers the ability to pay their bills with a credit card. Mayor Patterson wanted to thank Clerk-Treasurer Borchert for the great job with the tech work for utilities.

Chief of Police – Chief Lauricella submitted to the Board the report for November 2011 and the schedule for December 2011. Chief Lauricella reported the following: 53 warnings were issued for winter parking, Crossing Guard Cindy Totten is back to work, all Holiday events are covered and all maintenance on the cars is up to date. Lastly the Alden High School has asked permission of the Akron Police Department to allow Juniors and Seniors to participate in a “ride a long” program. Chief Lauricella stated that he will inquire into the program and get back to the Board. Attorney Shonn suggested that the Village request a Certificate of Insurance with the Village of Akron listed on it.

Public Works – Super Chief Cummings was absent – Clerk-Treasurer Borchert stated that Super Chief Jon Cummings did want the Board to know that the John Street Project was doing fine.

Code Enforcement Officer – absent

Elected Officials –

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

TRUSTEES – COORDINATORS

Trustee Capan – nothing to report

Trustee Middaugh –nothing to report

Mayor Patterson – mentioned that a Joint Facility Committee meeting is scheduled for Wednesday December 7, 2011. Last Friday met with the Town Supervisor and the Justices to discuss the Consolidation of the courts. A follow-up meeting is scheduled for Friday December 9, 2011.

Trustee Forrestel – met with the Water Wastewater Committee this evening and each department gave their reports, both reporting operations are running smoothly. At the Sewer Plant the sand filters are on by-pass giving time for workers to do appropriate maintenance and conversation was held regarding a System Wide Engineering Study which will be discussed with the Board. Also, The Committee recommended to the Board to extend the Sewer Moratorium for six months or June 30, 2012 for 50 units.

Sewer Moratorium to Expire December 31, 2011 –

Background:

In June of 2011, the Village Board extended the sewer moratorium until December 31, 2011. Based upon the monthly operation reports provided by VRI, the Board finds that the Waste Water Treatment Plant is running well under its rated capacity. There is, however, significant infiltration in the collection system which requires a continuation of the moratorium at 50 equivalent household units. At this time more than 75% of the Village has had camera and smoke test evaluation. The continuation of the moratorium will allow the Village to complete testing and correction work.

RESOLUTION duly moved by Forrestel and seconded by Middaugh that the present moratorium as described by local law 2005-1 as amended be extended until June 30, 2012 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

Trustee Wittlinger – mentioned that he would meet with Attorney Shonn and Trustee Forrestel to discuss the dog issue in the Village.

### OLD BUSINESS

Village Court – meeting scheduled for Friday December 9, 2011

Ron Berry Memorial Fields – Village Attorney Shonn received 3 bids for a Phase I Environmental Study and he recommended Hazard Evaluations from Orchard Park.

RESOLUTION duly moved by Wittlinger and seconded by Capan to accept the bid from Hazard Evaluations from Orchard Park to do a Phase I Environmental Study at the Ron Berry Memorial Fields 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

Also Attorney Shonn stated that the well testing is currently underway. Trustee Middaugh asked Attorney Shonn what the next step would be after the well testing and the Phase I Environmental Study. Attorney Shonn replied that the next step is to accept the donation from the J.C.'s and then review the use agreement with Akron Centrals new school administration.

John Street Reconstruction – Received notification from Erie County that they extended the contract with Arcadia Construction until May 26, 2012 so the project could be completed in the spring.

Clinton Street/Eckerson Avenue Village Land – Trustee Middaugh met with Super Chief Jon Cummings to discuss the uses of the property. More to follow

Public Works Facility at 43 East Avenue –Village Engineer Paul Bowers has a proposal for base line information such as a survey, soil testing and possibly a Phase I Environmental Study to establish some uses for the land. Engineer Bowers also mentioned that any project would have to be approved by Erie County due to the fact that the property is neighboring County property.

### NEW BUSINESS

RESOLUTION duly moved by Middaugh and seconded by Wittlinger authorizing Mayor Patterson to sign the Penflex, Inc., 2011-2012 Service Agreement for the Akron Fire Company, Inc., Service Award Program 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

### CORRESPONDENCE

William Schutt & Associates November 2011 Monthly Project Summary

Town of Amherst Central Fire Alarm November 2011 Operations Report

Time Warner Cable Notification of Soon to be Expiring Agreements with Programmers and Broadcasters and a Channel Rebranding on January 2, 2012

Erie County Department of Public Works Official Notification of John Street Contract Extension until May 26, 2012

Licensed dogs in the Village of Akron from Newstead Town Clerk Dawn Izydorczak

PUBLIC COMMENT: Resident Doug Ceisner asked the Board if one meeting during the months of July, August and December is enough to work through Village concerns. Mr. Ceisner also asked the Board if a cost summary will be available for the Joint Public Works Facility. Clerk-Treasurer Borchert stated that a summary will be available when the project is completed.

On motion of Capan and seconded by Middaugh, at 8:11 p.m., this meeting was ADJOURNED

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MAYOR

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CLERK-TREASURER