

January 10, 2005

A work session of the Akron Village Board was held on this date at 6:30 P.M. to discuss agenda items. Present: Mayor Ray M. Perkins, Trustees Carl E. Patterson, E. Peter Forrestel and Michael R. Middaugh, Village Attorney Daniel D. Shonn, Esq., Superintendent of Public Works Robert W. Kowalik, Chief of Police Richard C. Lauricella, Engineer James DeLaPlante and Akron Fire Chief Glenn Joachimiak.

Mayor Perkins adjourned the work session at 7:15 P.M. to allow officials to tour new Engine #4 at the Akron Fire Hall.

A REGULAR MEETING of the Akron Village Board was held on this date at 7:30 P.M. Present: Mayor Ray M. Perkins, Trustees Carl E. Patterson, E. Peter Forrestel and Michael R. Middaugh, Village Attorney Daniel D. Shonn, Esq., Superintendent of Public Works Robert W. Kowalik, Chief of Police Richard C. Lauricella, Building Inspector Donnal D. Folger and Engineer James DeLaPlante.

Mayor Ray M. Perkins opened the regular meeting with the pledge of allegiance.

RESOLUTION, duly moved by Forrestel, seconded by Middaugh, that the Minutes of the Regular Meeting of December 6<sup>th</sup>, 2004 and the Special Meeting of December 13<sup>th</sup>, 2004, be and hereby are approved by the Village Board.

ADOPTED	RAY M. PERKINS	- AYE
	CARL E. PATTERSON	- AYE
	E. PETER FORRESTEL	- AYE
	MICHAEL R. MIDDAGH	- AYE

RESOLUTION, duly moved by Patterson, seconded by Middaugh, that the audit of bills is approved, and the Treasurer is authorized to pay same in accordance with the following abstract of audit vouchers:

General Fund	\$ 30,925.29
Electric Fund	\$ 28,836.78
Water Fund	\$ 33,300.09
Sewer Fund	\$ 22,466.59
Capital Water	\$ 84,539.00
Capital Sewer	\$ 2,291.30

ADOPTED	RAY M. PERKINS	- AYE
	CARL E. PATTERSON	- AYE
	E. PETER FORRESTEL	- AYE
	MICHAEL R. MIDDAGH	- AYE

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

Marty Salmon	84 Bloomingdale Ave.	Roof	\$ 25.00
Donald G. Smith	25 Monroe Street	Roof	\$ 25.00

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

RESOLUTION, duly moved by Forrestel, seconded by Patterson, that the following Plumbers' Licenses for the Year 2005, be and hereby are renewed in accordance with the applications filed and payment of the annual license fee of \$40.00:

Ronald Kimmel	5800 Seneca St.	Elma, NY
Timothy G. Johnson	230 Heim Rd.	Williamsville, NY
Marvin Deahn	9590 Keller Rd.	Clarence Ctr., NY
Richard Petschke	PO Box 234	Alden, NY
Joseph M. Castle	10 Gooding St.	Lockport, NY
Harold K. Frey, Sr.	6560 Goodrich Rd.	Clarence Ctr., NY
James H. Frey	6560 Goodrich Rd.	Clarence Ctr., NY
Charles D. Lett	5580 Broadway	Lancaster, NY
Rick Hale	28 Swan St./PO Box 726	Batavia, NY
John Gaunder	8734 Stahley Rd.	E. Amherst, NY
Timothy Harris	10040 Martin Rd.	Clarence Ctr., NY
Kenneth M. Price	3 Main St./PO Box 365	Corfu, NY
Jeffrey Covell	1622 Ham Rd.	Basom, NY
Leonard G. Schie	11066 Keller Rd.	Clarence, NY
Dan Loudenslager	6065 Strickler Road	Clarence, NY
Henry H. Cook	7182 Kenyon Ave.	Basom, NY
Anthony C. Rosati	5912 Collins Dr.	Lockport, NY
Richard J. Greene	6326 Transit Rd.	Depew, NY
David Twardowski	3 Hemlock Lane	Lancaster, NY
Gerald R. Raduns	1439 Roberts Rd.	Basom, NY
Roy C. Perry	416 Main Rd.	Akron, NY
Bradley L. Rehwaldt	9520 Fisk Rd.	Akron, NY
Arlan Wittlinger	4550 Gunnville Rd.	Clarence, NY
Michael R. O'Neil	6700 Lincoln Ave.	Lockport, NY

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

RESOLUTION, duly moved by Patterson, seconded by Middaugh, that the Mobile Home License of the Akron Mobile Home Park, Inc. c/o Dona Doll, 2 Wesley Drive, be and hereby is renewed for the Year 2005, in accordance with the application filed and payment of the license fee of \$124.50.

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

RESOLUTION, duly moved by Middaugh, seconded by Patterson, that the following Amusement Device Licenses for the Year 2005, be and hereby are renewed in accordance with the applications approved by Chief of Police Richard C. Lauricella:

DJ's Rental Video	4-6 Clinton	Video Games
Gail M. Rehac	15 Monroe	Pool Table

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

APPEARANCES – Kathleen McCormick of Williamsville appeared before the Board on behalf of the League of Women Voters of Buffalo/Niagara to introduce the organization’s study and report entitled, “At Taxpayers’ Expense – How Government Policies Encourage Sprawl in Erie and Niagara Counties.”

PUBLIC COMMENT - Robert Scheib of 51 Brooklyn Street appeared before the Board to express several concerns including: 1) increased number of deer in his neighborhood; 2) status of Main Street Stormwater Outlet Replacement Project and the temporary stone bridge in Murder Creek being used in conjunction with said project; and 3) progress on no parking issue at Brooklyn, Buell, Mechanic and Jackson Streets.

Sheriff Patrick Flynn of the Erie County Sheriff’s Department appeared before the Board to bring New Year’s greetings from Sheriff Gallivan and to assure the Board that patrols in the area remain intact despite recent Erie County Budget difficulties.

Project Reports –

Brooklyn Street Sidewalk/Restoration Project – Nothing new until spring.

Stormwater Outlet to Murder Creek/Replacement Project – Superintendent Robert W. Kowalik reported that approximately 60% of the project is complete.

Monthly Reports –

Departments

ATTORNEYS – Village Attorney Daniel D. Shonn, Esq. noted that the status of the joint pole agreement should be reviewed with Time Warner representative, Brian Wirth. Clerk-Treasurer Daniel P. Borchert indicated that Mr. Wirth will be at the February 7<sup>th</sup>, 2005 Village Board Meeting for public comments and questions relative to cable services.

CLERK-TREASURER – Written report for December 2004 submitted. Clerk-Treasurer Daniel P. Borchert noted that he has submitted: 1) his scholarship applications to the NYS Association of City & Village Clerks and to the International Institute of Municipal Clerks; and 2) his certified municipal clerk’s application to the International Institute of Municipal Clerks.

CHIEF OF POLICE – Written report for December 2004 submitted. Chief of Police Richard C. Lauricella noted 1) that a large crowd attended the New Year’s Eve Celebration in Russell Park; 2) that 4 applications for part-time positions have been received; 3) that he

has been researching lease options for replacing the Village police cars.

SUPT. OF PUBLIC WORKS – Written report for December 2004 submitted.

RESOLUTION, duly moved by Patterson, seconded by Middaugh, allowing Superintendent Robert W. Kowalik to attend the MEUA Special Meeting on January 13, 2005 in Syracuse, NY, be and hereby is approved by the Village Board.

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

RESOLUTION, duly moved by Forrestel, seconded by Patterson, allowing Bryan Sugg and Charles Rebmann II to attend the MEUA Workshop on February 2<sup>nd</sup> & 3<sup>rd</sup>, 2005 in Syracuse, NY, at a cost of \$141 per person, be and hereby is approved by the Village Board.

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

RESOLUTION, duly moved by Middaugh, seconded by Forrestel, allowing John Asmus, Fred Bedford, Shaun Goss, Robert Lucia, and Robert Whiting, to attend the Western New York Water Works Conference on February 2<sup>nd</sup>, 2005 in Batavia, NY, at a cost of \$20.00 per person, be and hereby is approved by the Village Board.

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

#### Elected Officials

JUSTICE COURT – Written report for December 2004 submitted. Clerk-Treasurer Daniel P. Borchert noted that Governor Pataki recently repealed the court fine distribution method and local surcharge authority.

#### TRUSTEES – COORDINATORS

Trustee Middaugh – Reported 1) that 2 units containing freon were included in the December pickup; and 2) that the committee will be assessing rates associated with current refuse contract with Modern Disposal.

Trustee Patterson – Reported that the HR committee is continuing discussion relative to strategies for replacing retiring personnel. Also, HR committee will begin interviewing for part-time police officer positions.

Mayor Perkins – Reported 1) that he will be meeting with Village Attorney, Daniel D. Shonn and members of the Planning Board to review the Village's Comprehensive Plan; and 2) that Akron's Octagon House was featured in a recent WNY Heritage magazine.

Trustee Forrestel – Reported 1) that the Water/Wastewater Committee met on December 22, 2004; 2) that timber management sales will be ready to go out to bid shortly; 3) that the sewer camera trailer is nearly complete; and 4) that VRI is working on the annual report.

BUILDING INSPECTOR – Written summary report of activity for 2004 submitted. Donnal D. Folger also reported on the following: 1) Da-Ni Restaurant on Main Street has been demolished; 2) progress is being made at 28 Buffalo Street with recent application of new siding; 3) court proceedings continue relative to property maintenance issues on East Ave. and Clinton Street; 4) activity on Main Street continues with remodeling projects underway at 41 and 55 Main Street and with a new retail bakery shop slated to open at 47 Main St.; and 5) the next Planning Board meeting is scheduled for January 18<sup>th</sup>, 2005.

Old Business –

NYSDEC/SPEDES – Nothing new to report.

Crittenden Road Well Spill Claim – Work in progress.

Tinkham Road Water – Work in progress to create water district.

Strippit Backflow Connection – Superintendent Kowalik reported that Strippit is approximately 6 weeks away from receiving parts to repair its fire pump system.

2005 Federal Community Development Block Grant Projects – Clerk-Treasurer Daniel P. Borchert reported that, unfortunately, Village's proposed Waterline Replacement Project on Washington Street, Liberty Street and Parkview Drive was not included in CDBG funding awards for 2005.

Comprehensive Plan – Review in committee.

No Parking – Brooklyn, Buell, Mechanic, Jackson – Awaiting report from NYS DOT.

Annexation Town Property, Lewis Road – Application submitted to Town of Newstead.

Re-zoning of Town Property, Church & John Streets – Village Attorney Daniel D. Shonn will proceed with opinion letter.

Permit/Building Moratorium – Add to agenda.

New Business –

Clerk-Treasurer Daniel D. Borchert reported that police assistance has been requested from Cummings Lodge to the Akron Fire Hall on January 29, 2005 at 4:00 P.M. during a Run-Walk-Sled-a-Thon to benefit an Akron Family in need. Board agreed with no objection expressed.

RESOLUTION, duly moved by Patterson, seconded by Middaugh, that the Village of Akron Election will be held on Tuesday, March 15, 2005 in the basement of the Village Hall and that the Polls will be opened from 12:00 Noon to 9:00 P.M., be and hereby is approved by the Village Board.

ADOPTED	RAY M. PERKINS	- AYE
	CARL E. PATTERSON	- AYE
	E. PETER FORRESTEL	- AYE
	MICHAEL R. MIDDAGH	- AYE

Correspondence –

NYS Office of the State Comptroller that Governor Pataki repeals the Court Fine Distribution Method and Local Surcharge Authority.

December 2004 Central Fire Alarm Operations Report .

Akron Fire Company Tour of new Engine #4.

Peter Henley, VP Rattles to Reading Child Care, regarding water service to 6263 Scotland Road.

Summary of 2004 Activity from Donnal D. Folger, Building Inspector.

Letter to NYS DOT Regional Traffic Engineer from Robert Scheib.

ECVOA Meeting Notice for 1/20/05 to be held at the Akron House.

Minutes from the December 22, 2004 Water/Wastewater Committee Meeting.

PUBLIC COMMENT TIME – No one appeared to speak.

On motion of Forrestel, seconded by Middaugh, at 8:25 P.M. this meeting was ADJOURNED.

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MAYOR

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VILLAGE CLERK