

April 18, 2005

A REGULAR MEETING of the Akron Village Board was held on this date at 7:30 P.M. Present: Mayor Ray M. Perkins, Trustees E. Peter Forrestel, Michael R. Middaugh and William P. Kaufman, Village Attorney Daniel D. Shonn, Esq., Superintendent of Public Works Robert W. Kowalik, Building Inspector Donnal D. Folger and VRI Representative Ken Scherrieble.

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

RESOLUTION, duly moved by Forrestel, seconded by Kaufman, that the Minutes of the Regular Meeting of April 4th, 2005, be and hereby are approved by the Village Board.

ADOPTED	RAY M. PERKINS	- AYE
	E. PETER FORRESTEL	- AYE
	MICHAEL R. MIDDAUGH	- AYE
	WILLIAM P. KAUFMAN	- AYE

RESOLUTION, duly moved by Middaugh, seconded by Forrestel, 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	\$	22,501.43
Electric Fund	\$	163,890.62
Water Fund	\$	5,058.14
Sewer Fund	\$	17,588.77
Capital Sewer	\$	15.81

ADOPTED	RAY M. PERKINS	- AYE
	E. PETER FORRESTEL	- AYE
	MICHAEL R. MIDDAUGH	- AYE
	WILLIAM P. KAUFMAN	- AYE

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

David L. Schad	155 Main St.	Roof/Windows	\$ 25.00
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ADOPTED	RAY M. PERKINS	- AYE
	E. PETER FORRESTEL	- AYE
	MICHAEL R. MIDDAUGH	- AYE
	WILLIAM P. KAUFMAN	- AYE

RESOLUTION, duly moved by Forrestel, seconded by Kaufman, that, based upon the finding that the following improvement will have no impact on the municipal sewer system, the following building permit, be and hereby is approved with the application and approval of the Building Inspector:

Todd Esposito	171 East Ave.	Addition	\$214.00
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ADOPTED RAY M. PERKINS - AYE
E. PETER FORRESTEL - AYE
MICHAEL R. MIDDAUGH - AYE
WILLIAM P. KAUFMAN - AYE

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

Mark M. Carfley 125 Arthur Street Buffalo, NY

ADOPTED RAY M. PERKINS - AYE
E. PETER FORRESTEL - AYE
MICHAEL R. MIDDAUGH - AYE
WILLIAM P. KAUFMAN - AYE

APPEARANCES – Gregg Brown of 80 Eckerson Avenue appeared before the board on behalf of the Akron Lions and the Akron/Newstead Rotary Clubs relative to said organizations' proposed Projects in Russell Park. Mr. Brown indicated that, pending Board approval, the organizations were suggesting the following timeframes: 1) Phase I - Early Spring 2005 – Improvements to Playground by Akron Lion's Club; 2) Phase II - Spring 2005 – Improvements to Amphitheater by Akron/Newstead Rotary Club; and 3) Phase III - Fall 2005 – Construction of Public Restroom Facility by Akron/Newstead Rotary Club. Following discussion, it was decided that a public informational presentation of the foregoing Russell Park Projects be held on May 2nd, 2005 at 7:30 P.M. at the Village Hall, with public input encouraged.

RESOLUTION, duly moved by Forrestel, seconded by Middaugh, approving in concept, the use of Russell Park by the Akron Lions Club and the Akron/Newstead Rotary Club for Phase I and Phase II Improvements to the Playground and the Amphitheater Projects, subject to agreement between the Village and the Akron Lions and Akron/Newstead Rotary Clubs.

ADOPTED RAY M. PERKINS - AYE
E. PETER FORRESTEL - AYE
MICHAEL R. MIDDAUGH - AYE
WILLIAM P. KAUFMAN - AYE

PUBLIC COMMENT – No one appeared to speak.

Project Reports –

Brooklyn Street Sidewalk/Restoration Project – Sidewalk Replacement work to resume, weather permitting.

Stormwater Outlet to Murder Creek/Replacement Project – Supt. Kowalik to meet with geo-tech expert re: creek bank erosion prior to finalizing project.

Monthly Reports –

Departments

VRI – Written report for April 2005 submitted. VRI representative Ken Scherrieble highlighted the following: 1) dialer system is installed and on line; 2) proposals re: repair of methane burner flare have been requested from 3 contractors; 3) carriages on filters have been straightened; 4) I & I work continues; 5) meeting with Supt. DPW re: industrial pre-treatment program; 6) Village made permit in March. Trustee Forrestel requested information on grease trap regulations on new apt. builds.

BLDG. INSPECTOR – Donnal D. Folger reported the following: 1) 34 Notices of Violation dealing with 44 unlicensed vehicles were sent out and 2 Notices of Violation dealing with outdoor debris were sent out; 2) drug store owner obtaining quote for repair of sign; 3) demolition site at 66 Main Street expected to be leveled with top soil and seeded; 4) several complaints received re: outdoor storage at 26-28 Cedar Street; 5) fire at 20 Clinton Street under investigation.

Elected Officials

JUSTICE COURT REPORT – Written report for March 2005 submitted.

TRUSTEES – COORDINATORS

Trustee Middaugh – Nothing new to report.

Mayor Perkins – Reported 1) that he will be presenting proclamations for the 2005 Citizen of the Year and the 2005 Business of the Year and 2) that he recently read to the morning and afternoon sessions at Head Start Pre-School.

Trustee Forrestel – Reported that the water/wastewater committee meeting is scheduled for April 25, 2005 at 5:15 P.M.

Trustee Kaufman – Nothing new to report.

Old Business –

NYSDEC/SPEDES – VRI & DPW work continues.

Crittenden Road Well Spill Claim – Nothing new to report

Tinkham Road Water – Clerk-Treasurer Daniel P. Borchert reported that the homeowners in Darien did not receive the approval to form a water district. Thereafter a homeowner on Tinkham Road requested water, but it appears that said homeowner is not on a current easement service line. Village Attorney Daniel D. Shonn queried if a public fill station would be possible for the Tinkham Road residents.

Strippit Backflow Connection – Nothing new to report.

2005 Federal Community Development Block Grant Projects – Nothing new to report.

Comprehensive Plan – Nothing new to report.

No Parking – Brooklyn, Buell, Mechanic, Jackson – Nothing new to report.

Annexation Town Property, Lewis Road – Cost estimates for survey work will be forthcoming for board consideration. Official Order for Annexation was sent to the Town of Newstead.

Intermunicipal DPW Facility – Village Attorney Daniel D. Shonn indicated that draft agreement to share costs for feasibility study was prepared and forwarded to Town of Newstead.

NYSDEC Investigation – Jackson Street Project – Nothing new to report.

Assessment Disclosure Notices – Pembroke & Darien – Nothing new to report.

2005-06 Proposed Village Budget – Clerk-Treasurer Daniel P. Borchert reported that three (3) very productive budget meetings were held to work on the Budget.

RESOLUTION, duly moved by Forrestel, seconded by Kaufman, accepting the proposed Budget for the Village of Akron, as modified by the Board, for the fiscal year ending May 31st, 2006, including a new Village tax rate of \$5.75 per thousand, be and hereby is adopted.

ADOPTED	RAY M. PERKINS	- AYE
	E. PETER FORRESTEL	- AYE
	MICHAEL R. MIDDAUGH	- AYE
	WILLIAM P. KAUFMAN	- AYE

RESOLUTION, duly moved by Forrestel, seconded by Kaufman, authorizing an increase in the refuse rate to \$31.00 per quarter, beginning with the June 1st, 2005 billing, be and hereby is adopted.

ADOPTED	RAY M. PERKINS	- AYE
	E. PETER FORRESTEL	- AYE
	MICHAEL R. MIDDAUGH	- AYE
	WILLIAM P. KAUFMAN	- AYE

RESOLUTION, duly moved by Forrestel, seconded by Kaufman, authorizing an increase in the water rate for usage beginning July 1st, 2005 and thereafter billed on October 15th, 2005 as follows:

Inside Village, Minimum, First 5,000 Gallons – \$28.75
Excess Rate per 1,000 Gallons - \$5.75
Outside Village - \$8.50 per thousand
Town of Newstead - \$6.25 per thousand
Residential Easement Customers - \$6.95 per thousand

ADOPTED	RAY M. PERKINS	- AYE
	E. PETER FORRESTEL	- AYE
	MICHAEL R. MIDDAUGH	- AYE
	WILLIAM P. KAUFMAN	- AYE

New Business:

RESOLUTION, duly moved by Middaugh, seconded by Kaufman, allowing the Akron Chamber of Commerce to hold its Annual Sidewalk

Sale on Saturday June 11, 2005; authorizing the closing of Main Street from Buffalo Street to Church Street at 8:00 A.M. on June 11th, 2005; and allowing for the hanging of the Sidewalk Sale Banner across Main Street beginning on or about May 23rd, 2005, be and hereby is approved.

ADOPTED	RAY M. PERKINS	- AYE
	E. PETER FORRESTEL	- AYE
	MICHAEL R. MIDDAUGH	- AYE
	WILLIAM P. KAUFMAN	- AYE

RESOLUTION, duly moved by Forrestel, seconded by Middaugh, allowing the hanging of the Relay for Life Banner across Main Street beginning on or about May 23rd, 2005 and continuing through June 6th, 2005 in support of this year's Relay for Life, be and hereby is approved.

ADOPTED	RAY M. PERKINS	- AYE
	E. PETER FORRESTEL	- AYE
	MICHAEL R. MIDDAUGH	- AYE
	WILLIAM P. KAUFMAN	- AYE

RESOLUTION, duly moved by Forrestel, seconded by Middaugh, that the March 2005 Budget Adjustments are approved, and the Treasurer is authorized to transfer the same as follows:

<u>General Fund</u>	
RAISE REVENUE	
A2655	\$30,129.42
RAISE APPROPRIATIONS	
A1210.410	\$ 26.96
A1920.4	\$ 2,138.00
A3120.4	\$ 3,512.81
A3620.4	\$ 2,116.20
A5110.4	\$ 6,676.82
A5142.1	\$ 6,419.80
A9060.8	\$ 9,238.83

<u>Water Fund</u>	
RAISE REVENUE	
F2148	\$ 4,808.96
F2770	\$ 4,010.12
F2410	\$ 266.18
RAISE APPROPRIATIONS	
F8310.4	\$ 9,085.26

<u>Sewer Fund Transfers</u>	
G1990.4 to G8130.012	\$ 8,019.73
G1990.4 to G8120.2	\$ 126.27
Fund Balance to G8130.012	\$ 29,493.37

ADOPTED	RAY M. PERKINS	- AYE
	E. PETER FORRESTEL	- AYE
	MICHAEL R. MIDDAUGH	- AYE
	WILLIAM P. KAUFMAN	- AYE

RESOLUTION, duly moved by Middaugh, seconded by Kaufman, allowing the Akron Chamber of Commerce to hold its Annual Cruise Nights on Thursdays evenings from 6:00 to 9:00 P.M. beginning May 19th, 2005 through August 25th, 2005, be and hereby is approved.

ADOPTED	RAY M. PERKINS	- AYE
	E. PETER FORRESTEL	- AYE
	MICHAEL R. MIDDAUGH	- AYE
	WILLIAM P. KAUFMAN	- AYE

RESOLUTION, duly moved by Middaugh, seconded by Forrestel, allowing the Newstead Memorial Post #3180 VFW, the L.L. Tillman Post #900 American Legion, and the J.A. Miller AMVETS Post #7 to hold the Memorial Day Observance Ceremonies and Parade on May 30th, 2005, beginning at 9:00 A.M., be and hereby is approved.

ADOPTED	RAY M. PERKINS	- AYE
	E. PETER FORRESTEL	- AYE
	MICHAEL R. MIDDAUGH	- AYE
	WILLIAM P. KAUFMAN	- AYE

Clerk Treasurer Daniel P. Borchert reported that the Akron Chamber of Commerce has named Herm Clouse as Citizen of the Year and Whiting Door Manufacturing Co. as Business of the Year.

RESOLUTION, duly moved by Forrestel, seconded by Kaufman, authorizing the Mayor to sign New York State Department of Environmental Conservation, Water Quality Improvement Projects: Wastewater Treatment Improvement, Nonagricultural NonPoint Statewide Source Abatement and Control Grant Application under the Environmental Protection Fund and the Clean Water/Clean Air Bond Act of 1996, be and hereby is approved.

ADOPTED	RAY M. PERKINS	- AYE
	E. PETER FORRESTEL	- AYE
	MICHAEL R. MIDDAUGH	- AYE
	WILLIAM P. KAUFMAN	- AYE

RESOLUTION, duly moved by Forrestel, seconded by Middaugh, accepting the proposal for professional services of IBC Engineering, P.C., dated April 15, 2005 relative to work associated with the proposed HVAC/Electrical Infrastructure Upgrade (IBC #P05517) of the 2-story, 8,000 SF Village Hall, including Site Investigation, Schematic Design and Design Development Phase, at a cost not to exceed \$10,150, be and hereby is approved.

ADOPTED	RAY M. PERKINS	- AYE
	E. PETER FORRESTEL	- AYE
	MICHAEL R. MIDDAUGH	- AYE
	WILLIAM P. KAUFMAN	- AYE

Correspondence –

New York State Environmental Facilities Corporation regarding the Clean Water State Revolving Fund.

Town of Amherst Central Fire Alarm Office March 2005 Operations Report.

PUBLIC COMMENT TIME – No one appeared to speak.

RESOLUTION, duly moved by Middaugh, seconded by Kaufman, authorizing the Board to go into Executive Session at 8:44 P.M. to discuss a legal matter, be and hereby is approved by the Village Board.

ADOPTED	RAY M. PERKINS	- AYE
	E. PETER FORRESTEL	- AYE
	MICHAEL R. MIDDAUGH	- AYE
	WILLIAM P. KAUFMAN	- AYE

RESOLUTION, duly moved by Forrestel, seconded by Middaugh, authorizing the Board to come out of Executive Session at 9:14 P.M., be and hereby is approved by the Village Board.

ADOPTED	RAY M. PERKINS	- AYE
	E. PETER FORRESTEL	- AYE
	MICHAEL R. MIDDAUGH	- AYE
	WILLIAM P. KAUFMAN	- AYE

On motion of Middaugh, seconded by Kaufman, at 9:15 P.M. this meeting was ADJOURNED.

MAYOR

VILLAGE CLERK