

May 2, 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, 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 Wendel Duchscherer Engineer Timothy Woodbury.

Mayor Perkins adjourned the work session at 7:20 P.M.

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, Michael R. Middaugh and William P. Kaufman, Village Attorney Daniel D. Shonn, Esq., and Superintendent of Public Works Robert W. Kowalik.

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

RESOLUTION, duly moved by Patterson, seconded by Forrestel, that the Minutes of the Regular Meeting of April 18th, 2005, be and hereby are approved by the Village Board.

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

RESOLUTION, duly moved by Middaugh, seconded by Kaufman, 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	\$	6,687.84
Electric Fund	\$	24,343.07
Water Fund	\$	4,893.60
Sewer Fund	\$	2,217.55
Capital Sewer	\$	433.72

ADOPTED	RAY M. PERKINS	- AYE
	CARL E. PATTERSON	- 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 permits, be and hereby are approved with the application and approval of the Building Inspector:

Thomas F. Reinke	12 Flint Ave.	Fence	\$ 25.00
David L. Schad	155 Main St.	Facade to Roof	\$ 25.00
Robert Sugnet	6 Sylvan Pkwy.	Windows	\$ 25.00
Kurt Schie	38 Jackson St.	2-car Garage	\$ 25.00

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

RESOLUTION, duly moved by Patterson, seconded by Middaugh, that the following sidewalk application, be and hereby is approved with the approval of the Superintendent of Public Works:

Todd & Anne Lotz	12 Sylvan Pkwy.	20 Feet	\$120.00
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ADOPTED	RAY M. PERKINS	- AYE
	CARL E. PATTERSON	- AYE
	E. PETER FORRESTEL	- AYE
	MICHAEL R. MIDDAUGH	- AYE
	WILLIAM P. KAUFMAN	- AYE

APPEARANCES – Laura Landers, CPA of Freed, Maxick & Battaglia appeared before the Board regarding auditing services and electric rate study. Ms. Landers thanked the Village for contracting with Freed, Maxick & Battaglia for annual auditing services. Ms. Landers also noted that said firm had experience in assisting municipalities with filing “mini” rate case applications with the PSC. Ms. Landers noted that the “mini” rate case can provide a lower cost alternative in contrast to a full rate case.

Gregg Brown appeared before the board on behalf of the Akron Lions and the Akron/Newstead Rotary Clubs and provided an informational presentation of the Russell Park Improvement Projects (Playground, Amphitheater & Public Restrooms). Mr. Brown explained to about sixty (60) residents in attendance that the Akron/Newstead Rotary Club has made valuable contributions to the community throughout the years with such projects as the bike path and the track at ACS. The Rotary Club envisions that the proposed improvement projects will serve the needs of the community for the next 30 years.

The improved Amphitheater Project is expected 1) to increase the seating by 1/3; 2) to improve the drainage away from the gazebo; and 3) to require the limited removal of select trees, but not the 300 year old trees.

The proposed Comfort Station, which has not been approved, as of yet, is expected to incorporate a 22’ x 20’ building built into the slope of Russell Park along Church Street. Design considerations addressed the following: handicapped accessibility, low maintenance construction materials, stainless steel sinks and toilets with no exposed plumbing and electric eye controls for shut-offs and flushing, aesthetics in relation to the Methodist Church, landscaping, security and lighting.

With safety issues in mind, the Akron Lions Club is planning to update the existing Playground, including but not limited to: 1) the removal and/or replacement of outdated equipment and 2) the addition of a low retaining wall along Clinton Street.

Following Mr. Brown’s presentation, the Board entertained questions from those in attendance. Scott Mapes of 7 Indianola Ave. asked about the cost to the taxpayers and was told that the Village of Akron would

be responsible for ongoing maintenance. Norma Bluhm of 142 Buell Street expressed concern from a historical perspective over the loss of green space in Russell Park, as well as potential vandalism and odor from public restrooms. Mark Pearce of 37 John Street appreciated all the thought that had been put into the projects so far, but suggested a possible re-orientation of the walkway and entry to the restrooms. Gretchen Moore of 82 Bloomingdale Ave. asked how often the restrooms would be open and was told that the maintenance and management of the restrooms would be determined by the Village Board. Tom Perry of 15 Stoneridge Lane felt that a Main Street location for public restrooms would be more advantageous to the Village as a whole, especially in conjunction with shoppers and Chamber events. Richard Litfin, Sr. of 7 Washington St. asked if the current building moratorium would affect the restroom project and if the service clubs could guarantee funding the entire project and was told that the money would be available and that the project would be subject to the moratorium. Several members of the United Methodist Church expressed concern with damaging the aesthetic value of Russell Park with the further loss of green space. Karen Thomas of Travel Stars, 63 Main Street felt that "we need public restrooms, but please not in the Park". Helen Kraatz of 12 Hart St., Sue West of 5 Church Street and James Meyer of 15 Flint Ave. all expressed opposition to a Russell Park location for the proposed restrooms. Will Griffin of the Akron Chamber of Commerce commended the Akron/Newstead Rotary Club for its positive contributions to the community in the past and encouraged the dialogue to continue regarding the current project proposals. Mayor Perkins thanked Mr. Brown for his presentation and all in attendance for their comments.

PUBLIC COMMENT – Kim Ormsby of 48 Cedar Street and Molly and Todd Brown of 42 Cedar Street appeared before the Board with photographs of the condition of the property at 44 Cedar Street. These residents expressed concern with the accumulation of truckloads of "junk" and the preservation of wetlands. Mayor Perkins informed the residents that the Village had already given the owner a 30-day notice to clean up his property and that, if necessary, the Village will clean up the site and thereafter assess the costs to the property owner's tax bill.

Project Reports –

Brooklyn Street Sidewalk/Restoration Project – Supt. Kowalik reported that the concrete work was awarded to Freyling Concrete with completion expected by the end of May.

Stormwater Outlet to Murder Creek/Replacement Project – Engineer Tim Woodbury of Wendel Duchscherer reported to the Board during this evening's work session.

Monthly Reports –

Departments

ATTORNEYS – Village Attorney Daniel D. Shonn reported that he has been working with the Mayor on the Akron Falls Park/County of Erie matter.

CLERK-TREASURER – Written report submitted for April 2005.

CHIEF OF POLICE – Written report submitted for April 2005. Mayor Perkins reported o/b/o Chief of Police Richard Lauricella that Officer Koscielniak is expected to be off for approximately 8-12 weeks with injuries to his Achilles tendon and that Officer Scanio will be off indefinitely due to health problems. Trustee Patterson noted the following: 1) per Chief's request, Board approved that crossing guards purchase high visibility windbreaker jackets at a cost of \$60. per person to come out of their clothing allowance; 2) per Chief's request, that the Town of Newstead be approached for a contract or agreement to reimburse APD for responding to routine calls in the Town; and 3) feasibility study relative to hiring a part-time mechanic for routine oil changes and brake and minor repair work to police vehicles.

SUPT. OF PUBLIC WORKS – Written report for April 2005 submitted. Superintendent Robert W. Kowalik highlighted the following items: 1) first draft received from Engineer James DeLaPlante relative to water distribution system mapping project; and 2) received NYSDEC inspection report and necessary action plan to file for DPW Petroleum Bulk Storage removal project.

RESOLUTION, duly moved by Forrestel, seconded by Patterson, accepting the proposal of Empire Geo-Services, Inc. for geotechnical consulting services for crib wall stabilization relative to the Outlet to Murder Creek Project at a cost not to exceed \$800, be and hereby is adopted.

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

Request for Engineering Proposal, dated April 25, 2005 from Marquis Engineering, P.C. relative to Phase I Sanitary Sewer System Improvements (Various Locations in Village) tabled to next meeting.

RESOLUTION, duly moved by Patterson, seconded by Middaugh, authorizing Superintendent Robert W. Kowalik to attend the 8th Annual NYMPA Meeting in Liverpool on May 19, 2005 and to represent the Village of Akron as its delegate at said meeting, be and hereby is adopted.

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

Elected Officials

TRUSTEES – COORDINATORS

Trustee Kaufman – Asked to be copied in with any Zoning Board of Appeals and Planning Board material.

Trustee Forrestel – Reported 1) that the Water/Wastewater Committee met on April 25, 2005; 2) that I&I work with VRI has mitigated about 10% from 3 sump pumps and roof drains; 3) that

Mayor Perkins, Richard Forrestel and Trustee Forrestel met with a concrete contractor at the reservoir on Saturday (4/30) relative to repairs to the spillway; and 4) timber management at the reservoir has begun the staking out, but no cutting yet of select timber.

Mayor Perkins – Reported 1) that he sent correspondence to Erie County Executive Joel Giambra relative to the Akron Falls Park and expects to follow up with a second letter shortly; 2) that he signed the Intermunicipal agreement with the Town of Newstead relative to the proposed DPW facility; 3) that he met with Al Graham at the sewer plant and inspected the ongoing work to the filters and guides; and 4) that he will be presenting 4 proclamations to: Citizen of the Year - Herm Clouse; Business of the Year – Whiting Door; Eagle Scout Christian Sindo; and Eagle Scout Joseph Rongo.

Trustee Patterson – Reported that the Electric Committee should be convened relative to the “mini” rate case filing issue.

Trustee Middaugh – Reported that the Playground and Amphitheater Projects in Russell Park are moving forward with the assistance of Streets and Parks and that he expects a positive impact in time for the July 4th Celebration.

Old Business –

NYSDEC/SPEDES – Nothing new to report.

Crittenden Road Well Spill Claim – Nothing new to report

Tinkham Road Water – Dan Huff is researching Tinkham Road property and maps re: possible new easement water customer.

Strippit Backflow Connection – Fire pump is in and tested; Strippit’s plumbing contractor will make conversion with inspections to follow.

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 – Rename to Annexation.

Intermunicipal DPW Facility – Received signed copy of agreement back from 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 – Remove from agenda.

New Business:

RESOLUTION, duly moved by Middaugh, seconded by Patterson, allowing the Akron Celebration Committee to hold its Annual July 4th Celebration from Friday July 1st, 2005 through Monday, July 4th, 2005; authorizing the closing of Clinton Street from Main Street to John Street beginning Wednesday, June 29th for rides set-up; authorizing the closing of a portion of the parking area on the Russell Park side of Church Street, Main Street end for ride placement; authorizing Akron Police Department coverage as needed; and allowing for the hanging of the Celebration Banner across Main Street three (3) weeks prior to the event, be and hereby is approved.

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

Correspondence –

NYS DEC Grant Opportunities in the Brownfield Opportunity Areas Program.

Alden-Akron Youth Court regarding the termination effective August 31, 2005.

Time Warner Cable Communication regarding the Joint Acquisition with ComCast of Adelphia Communications Corporation.

Invitation for Herm Clouse and Whiting Door Dinner.

Note from Marilyn Perry re: Proposed Restroom Facility Project.

PUBLIC COMMENT TIME – No one appeared to speak.

RESOLUTION, duly moved by Patterson, seconded by Middaugh, authorizing the Board to go into Executive Session at 10:01 P.M. to discuss a personnel matter, 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
	WILLIAM P. KAUFMAN	- AYE

RESOLUTION, duly moved by Forrestel, seconded by Middaugh, authorizing the Board to come out of Executive Session at 10:25 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. MIDDAUGH	- AYE
	WILLIAM P. KAUFMAN	- AYE

RESOLUTION, duly moved by Perkins, seconded by Forrestel, appointing Robert Lucia to the position of Working Crew Chief in the Sewer Collection Department at Grade #13, Step #1 effective 4/25/05, be and hereby is approved by the Village Board.

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

On motion of Forrestel, seconded by Patterson, at 10:29 P.M. this meeting was ADJOURNED.

MAYOR

VILLAGE CLERK