

June 20, 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 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, Chief of Police Richard C. Lauricella, 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 Patterson, seconded by Middaugh, that the Minutes of the Regular Meeting of June 6<sup>th</sup>, 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. MIDDAGH	- 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	\$	21,510.70
Electric Fund	\$	42,301.35
Water Fund	\$	25,024.43
Sewer Fund	\$	9,048.86
Capital Water	\$	4,826.93
Capital Sewer	\$	599.50

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

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

Lani & Jim Jendrowski	29 Newton Ave.	Fence	\$ 18.00
Roger & Deborah Skeet	167 Skyline Dr.	Deck	\$ 25.00
Anthony J. Brough	171 Main St.	Pool	\$ 25.00
Thomas Raduns	9 Danita Dr.	Utility Bldg.	\$ 25.00
Scott & Mary Wieszala	22 Franklin St.	A.G. Pool	\$ 25.00

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

PUBLIC HEARING: Continuation of June 6<sup>th</sup>, 2005 Public Hearing relative to property maintenance issues at 44 Cedar Street. Based upon findings of the Building Inspector, no further action is determined to be necessary at this time.

RESOLUTION, duly moved by Perkins, seconded by Patterson, closing the Public Hearing at 7:41 P.M. relative to the property maintenance issues at 44 Cedar Street, be and hereby is adopted.

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

APPEARANCES – No one appeared to speak.

PUBLIC COMMENT – Herbert Klauer of 1 Sylvan Pkwy appeared before the Board relative to the deteriorating condition of various properties in the Village. Building Inspector Donnal D. Folger reported 1) that a Notice of Violation had been sent to owner of 73 John Street relative to un-mown grass; 2) that cleanup of the property at 16 Kibler had been authorized by the Board last summer; and 3) that the owner of the property at 20 Clinton Street was scheduled to be in Justice Court on June 22<sup>nd</sup> relative to ongoing property maintenance issues.

Project Reports –

Brooklyn Street Sidewalk/Restoration Project – Village Clerk-Treasurer Daniel P. Borchert reported that since project is 100% finished, he will be completing the related CDBG paperwork.

Stormwater Outlet to Murder Creek/Replacement Project – Supt. Kowalik reported that a bond has been posted and that the vegetation is growing around the crib wall as expected.

Monthly Reports –

#### Departments

VRI – Written report for May 2005 submitted. VRI Representative Ken Scherrieble highlighted the following: 1) filters were re-built and are performing well, but the amount of backwashing is still immense; 2) costs for the filter rehab project exceeded initial cost estimates by approximately \$1,400 for a total cost of \$8,877.18; 3) I&I work continues; and 4) Industrial Pre-treatment Program continues. Village Attorney Daniel D. Shonn will be working with Supt. Kowalik and Ken Scherrieble to review and adjust language in draft ordinance. Attorney Shonn asked about the status of the moratorium in light of progress at the sewer plant and Ken Scherrieble noted that the NYSDEC is awaiting the next batch of data results before considering whether the moratorium should be extended or lifted.

BLDG. INSPECTOR – Donnal D. Folger reported that he has been researching fence and temporary structures ordinances. Also, he reported that 11 vehicles on 10 properties within the Village remain stored in violation of property maintenance law and could be subject to public hearing before the Board following certified mailing of Violation Notices.

RESOLUTION, duly moved by Forrestel, seconded by Kaufman, scheduling a Public Hearing on Monday, July 18<sup>th</sup>, 2005 at 6:30 P.M. for the purpose of hearing all interested parties pertaining to unlicensed or unregistered vehicles remaining on various private properties within the Village of Akron, be and hereby is adopted.

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

### Elected Officials

#### TRUSTEES – COORDINATORS

Trustee Middaugh – Reported that: 1) Russell Park Amphitheater's stone work is complete, with seeding/sodding remaining to be done.

Trustee Patterson – Reported that 1) electric committee will be meeting during the week of July 5<sup>th</sup> to discuss electric rate issues.

Mayor Perkins – Reported 1) that he recently forwarded correspondence to Lucy Curley o/b/o Newstead Historical Society's grant application re: storm windows for the Octagon House; 2) that a Comprehensive Plan Review Committee meeting is scheduled for June 23<sup>rd</sup>, 2005 at 7:00 P.M.; 3) that the Intermunicipal Agreement between the Village of Akron and the Town of Newstead relative to the Design and Development of Shared Public Works Facility has been signed.

Trustee Forrestel – Reported 1) that the draft agreement relative to potential water customers along Tinkkam Road in Darien is complete, subject to some clarification of language; 2) that under the Timber Management Plan, harvesting is underway at the Water Plant; 3) that a new culvert crossing at the reservoir is in to access timber area of soft pines; 4) written quotes from concrete contractors remain forthcoming; and 5) Police Committee met to interview for part-time officer position.

RESOLUTION, duly moved by Forrestel, seconded by Patterson, approving the appointment of James Herbert Ritchie as part-time police officer at Grade #3 Hire Rate, be and hereby is adopted.

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

Chief of Police Richard C. Lauricella noted that Officer Koscielniak is in a temporary cast and is expected to return to duty in about four (4) weeks. Also, that during the week of July 13-18, 2005 Officer Farrington will be in charge while the Chief is on vacation.

Trustee Kaufman – Nothing new to report.

Old Business –

NYSDEC/SPEDES – Nothing new to report.

Crittenden Road Well Spill Claim – Nothing new to report.

Tinkham Road Water – Discussed above.

2005 Federal Community Development Block Grant Projects – Village Clerk-Treasurer spoke with Mr. Paul D’Orlando from Erie County about the possibility of getting funding for the Washington/Liberty Streets Water Line Project.

Comprehensive Plan – Review Committee meeting to be held June 23, 2005 at 7:00 P.M.

No Parking – Nothing new to report.

Annexation – Village Attorney Daniel D. Shonn reported that he awaits cost estimates for survey work.

Intermunicipal DPW Facility – Intermunicipal Agreement executed by Mayor and Town Supervisor re: Design and Development of Shared Public Works Facility. Remove from agenda.

Assessment Disclosure Notices – Pembroke & Darien – Village Attorney Daniel D. Shonn reminded Board that June 6, 2005 was the grievance date.

New Business:

RESOLUTION, duly moved by Perkins, seconded by Forrestel, approving Tasks “D, E and F” (Construction Documents Phase, Bidding Phase and Construction Services) from IBC Engineering, P.C. at a cost not to exceed \$11,350 relative to the HVAC Upgrade Project at the Village Hall, 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

RESOLUTION, duly moved by Perkins, seconded by Middaugh, supporting the resolution passed by the Village of Hamburg Board of Trustees at their regular meeting held on Monday, May 16, 2005 relative to its opposition to additional, higher tolls on roads and highways in NYS, and in particular Western New York and/or in the alternative, to its support of the NYSTA providing a commuter/resident discount plan for local residents who daily use the NYS Thruway and travel through the various toll barriers in WNY, 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

RESOLUTION, duly moved by Kaufman, seconded by Patterson, authorizing the purchase of new recycling bins for every refuse customer within the Village of Akron, 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

RESOLUTION, duly moved by Perkins, seconded by Kaufman, accepting with regrets, the resignation of Andrew Clouse, part-time meter reader, 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 –

Erie County Consortium Meeting Notice 6/23/05 at the Orchard Park Municipal Building.

Erie County Legislature resolution to authorize the County Executive to enter into a two year contract agreement between the County of Erie with Towns and Villages Snow Removal and Ice Control Agreement which will expire 8/31/07.

PUBLIC COMMENT TIME – No one appeared to speak.

RESOLUTION, duly moved by Forrestel, seconded by Middaugh, authorizing the Board to go into Executive Session at 8:41 P.M. to discuss a legal 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 Middaugh, seconded by Forrestel, authorizing the Board to come out of Executive Session at 8:54 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

On motion of Forrestel, seconded by Perkins, at 8:58 P.M. this meeting was ADJOURNED.

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MAYOR

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VILLAGE CLERK