

July 11, 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., Chief of Police Richard C. Lauricella and VRI representative Ken Scherrieble.

Mayor Perkins adjourned the work session at 7:25 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., Chief of Police Richard C. Lauricella 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 Forrestel, that the Minutes of the Regular Meeting of June 20<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 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	\$	12,480.01
Electric Fund	\$	33,582.30
Water Fund	\$	50,645.10
Sewer Fund	\$	15,492.55
Capital Water	\$	1,278.70
Capital Sewer	\$	337.13

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

Patrick McCann	12 Bloomingdale	Rear Addition/Deck	\$45.00
Akron Mobile Home Pk.	29 & 31 Wesley	Storage Shed	\$10.00
Akron Mobile Home Pk.	10 Danita Dr.	Storage Shed	\$10.00
Thomas P. Brady	27 Front St.	Fence	\$18.00
Scott Lederhouse	27 Wesley Dr.	Storage Shed	\$10.00
Dona M. Doll	4 Wesley Dr.	Windows/Roof/Siding	\$25.00
Donald Willman	31 Randy Dr.	Deck Roof/Breezeway	\$33.00

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

Philip Nice	17 Sylvan Pkwy.	69 Feet	\$414.00
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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

PUBLIC HEARING: None scheduled.

APPEARANCES – No one appeared to speak.

PUBLIC COMMENT – Ron Hake of 58 Eckerson Avenue appeared before the Board relative to property maintenance issues at 56 Eckerson Avenue. Mr. Hake indicated that the current property owner has allowed the property to deteriorate and that the property remains littered with debris, junk and standing water. Village Attorney Daniel D. Shonn, Esq. noted that, under the Village's property maintenance code, if a property owner fails to clean up his property after being given due notice, then a public hearing can be scheduled to hear all interested parties. If necessary, the Board may, thereafter, order a clean-up of the property and then bill the owner for the cost of the clean-up.

Will Griffin appeared before the Board on behalf of the Akron Chamber of Commerce relative to Cruise Night and the Fall Car Show. Mr. Griffin indicated that a formal written request will follow detailing the Fall Car Show which has been set for September 10<sup>th</sup>, 2005. Tentative plans involve crafters in Russell Park and about 200 classic cars within the Village.

RESOLUTION, duly moved by Perkins, seconded by Patterson, authorizing the closing of Monroe Street from "one-way alley" to Main Street on July 21<sup>st</sup>, 2005 from about 5:30 P.M. to 9:00 P.M. for the special display of antique fire trucks and vintage tractors, 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 Perkins, seconded by Patterson, authorizing the closing of Monroe Street from "one-way alley" to Main Street on a Thursday night yet to be determined from about 5:30 P.M. to 9:00 P.M. for the Akron Fire Company ladder truck, 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

Project Reports –

Brooklyn Street Sidewalk/Restoration Project – Village Clerk-Treasurer Daniel P. Borchert reported that financials have been forwarded to Erie County.

Stormwater Outlet to Murder Creek/Replacement Project – Contractor forwarded maintenance bond to Village. Closing out of contract to follow.

Monthly Reports –

Departments

ATTORNEYS – Village Attorney Daniel D. Shonn reported that he appeared in Court with Building Inspector Donnal D. Folger relative to property maintenance proceeding pertaining to 20 Clinton Street. Property owner received an ACD. Also, Attorney Shonn has been working on draft language for temporary structures ordinance.

CLERK-TREASURER – Written report for June 2005 submitted. Clerk-Treasurer Daniel P. Borchert highlighted the following: 1) 2005-06 tax collection was successful with over 90% of tax payments received; 2) kindergarten class of Mrs. Grefrath toured the Village Hall on June 14<sup>th</sup>, 2005; and 3) that he will attend the final session of the Cornell Clerks Institute from July 24<sup>th</sup> to 29<sup>th</sup>, 2005, and thereafter receive his certified municipal clerk's status. Mayor Perkins congratulated Mr. Borchert on recently receiving a \$200 scholarship for the 2005 Clerks Institute.

CHIEF OF POLICE – Written report for June 2005 submitted. Chief of Police Richard C. Lauricella highlighted: 1) that the 4<sup>th</sup> of July Celebration went well; 2) that Officer Ritchie is on his own and working well; 3) that Officer Koscielniak should return to duty by mid-month; and 4) that, as he will be on vacation from July 13<sup>th</sup> to 18<sup>th</sup>, 2005, Officer Farrington will be acting chief.

RESOLUTION, duly moved by Perkins, seconded by Patterson, authorizing the Chief of Police to purchase a new patrol vehicle, under a 4 year lease with warranty and full transfer and graphics at an approximate cost of \$23,500 with a \$2,600 trade in to replace the 2003 Crown Victoria patrol car, 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

SUPT. OF PUBLIC WORKS – Written report for June 2005 submitted.

RESOLUTION, duly moved by Perkins, seconded by Middaugh, authorizing Robert Whiting, John Asmus and Fred Bedford to attend an HDPE pipe training session in Dunkirk on August 10, 2005, at a cost of \$32.00 each, 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 Perkins, seconded by Middaugh, authorizing Robert W. Kowalik to attend the annual MEUA conference in Lake Placid on September 13<sup>th</sup> to 16<sup>th</sup>, 2005 and the NYMPA Board meeting, subject to the Superintendent's providing cost information, 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

VRI – Written report for June 2005 submitted. VRI Representative Ken Scherrieble highlighted the following: 1) recent noticeable odors at sewer plant resulted from a combination of 90 degree temperatures and the drying beds -- the digesters are worked overcapacity and thereafter deposit incompletely digested materials onto the drying beds; 2) the grease trap(s) at the Akron House seem to be working well; 3) work continues with DEC concerning effluent data; and 4) ADESA's pre-treatment facility is to be re-inspected.

BLDG. INSPECTOR – Written report from Building Inspector Donnal D. Folger submitted to board members relative to unlicensed/unregistered vehicles within the Village which will be subject to the upcoming July 18<sup>th</sup>, 2005 Public Hearing.

Elected Officials

JUSTICE COURT – Written report for June 2005 submitted.

TRUSTEES – COORDINATORS

Trustee Middaugh – Reported that: 1) the Rotary's Amphitheater Project in Russell Park is complete; and 2) painting of the light poles on Main Street is complete.

RESOLUTION, duly moved by Middaugh, seconded by Perkins, authorizing the 2 ½" to 3" milling and paving of Main Street from Church Street to the upper Main Street dead end and Townsend Street between Main Street and John Street, beginning July 20<sup>th</sup>, 2005 at a cost not to exceed \$50,000, 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

Trustee Patterson – Reported that the electric committee met and is recommending the “mini rate case” study at this time. Since the last increase in electric rates was in 1978, the Board gave its general approval to proceed with the “mini rate case” study.

Mayor Perkins – Reported 1) that Comprehensive Plan Review Committee met on June 23<sup>rd</sup>, 2005; 2) that he visited the sewer plant upon complaints of odor; 3) that he was one of the judges for the July 4<sup>th</sup> parade; and 4) that he commended the Trustees, DPW crews and residents for making Main Street and the Village look so good.

RESOLUTION, duly moved by Perkins, seconded by Forrestel, referring to the Village Planning Board the review of the Comprehensive Plan and Zoning of the area on the west side of the Village which is presently designated industrial, 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

Trustee Forrestel – Reported that the Water/Wastewater Committee met on June 27<sup>th</sup>, 2005 and discussed, among other items: 1) timber harvesting that is underway at the reservoir; 2) the aeration lines at the reservoir; 3) the discussion document that’s been circulating relative to sewer use and hopefully, which will lead to a new industrial discharge permit ordinance; 4) sewer code update to include a sewer A-clamp for new apartment buildings; and 5) grease trap language.

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 –

RESOLUTION, duly moved by Perkins, seconded by Forrestel, authorizing the Village of Akron to supply water from its main transmission line to residential properties on Tinkham Road in the Town of Darien, with all costs associated with installation of said service line(s) to the tap at the transmission line to be the responsibility of each respective property owner, and hereby setting the tap in fee at \$1,500, subject to Superintendent’s approval, 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

2005 Federal Community Development Block Grant Projects – Village Clerk-Treasurer Daniel P. Borchert indicated that, due to time constraints, it would not be feasible to proceed with the Washington/Liberty Streets Waterline & Sidewalk Project this year. Remove from agenda.

Comprehensive Plan – See above.

No Parking – Nothing new to report.

Annexation – Village Attorney Daniel D. Shonn reported that he awaits specifications on survey work from State.

Public Hearing re: Unlicensed/Unregistered Vehicles – July 18<sup>th</sup> at 6:30 P.M.

Assessment Disclosure Notices – Pembroke & Darien – Village Clerk-Treasurer Daniel P. Borchert requests executive session to discuss matter.

HVAC Upgrade – Village Hall – Clerk-Treasurer Daniel P. Borchert reports that Boiler Plate Contracts are being readied and to be reviewed by the Village Attorney.

New Business:

RESOLUTION, duly moved by Perkins, seconded by Patterson, authorizing the Village to settle the claim of William Bradley, Joanne and Christ Murray, settlement parties in the amount of \$4,500 and to obtain a release of mechanics lien from KJR Construction Company, 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 Patterson, seconded by Middaugh, proclaiming August 27<sup>th</sup>, 2005 to be “Richard Litfin Day” in recognition of his 50 years of service to the Akron Fire Company, 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

Akron Fire Company Contract – Will be coming up soon for renewal.

RESOLUTION, duly moved by Kaufman, seconded by Forrestel, authorizing the Akron Police Department to provide services to the Akron Central School at its home varsity football games during the 2005 season, 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 Patterson, authorizing the Village of Akron to be the designated public water supplier in support of the Rattles to Reading Child Care Center Waterline Project, 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 –

New York State Association of City & Village Clerks notification of Daniel Borchert receiving a \$200 scholarship to attend the Cornell Municipal Clerk's Institute.

ECWA Annual Town meeting 7/26/05 at 5:00 P.M. at Joseph's Country Manor and Grove.

State of New York Office for Technology announcement of its completed upgrade of its telephone system.

Town of Amherst Central Fire Alarm June 2005 Operations Report.

Town of Amherst Central Fire Alarm Semi-Annual 2005 Operations Report.

Water/Wastewater Committee meeting minutes from the 6/27/05 Meeting.

PUBLIC COMMENT TIME – No one appeared to speak.

RESOLUTION, duly moved by Middaugh, seconded by Patterson, authorizing the Board to go into Executive Session at 8:36 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 Perkins, seconded by Patterson, 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 Patterson, seconded by Middaugh, at 8:55 P.M.  
this meeting was ADJOURNED.

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MAYOR

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VILLAGE CLERK