

August 1, 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, Michael R. Middaugh, and William P. Kaufman, Village Attorney Daniel D. Shonn, Esq., and Superintendent of Public Works Robert W. Kowalik.

Mayor Perkins adjourned the work session at 7:05 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, Michael R. Middaugh, and William P. Kaufman, Village Attorney Daniel D. Shonn, Esq., Superintendent Robert W. Kowalik and Chief of Police Richard C. Lauricella.

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

RESOLUTION, duly moved by Patterson, seconded by Kaufman, that the Minutes of the Regular Meeting of July 11th, 2005, and of the Public Hearing of July 18th, 2005 be and hereby are approved by the Village Board.

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

RESOLUTION, duly moved by Middaugh, seconded by Patterson, 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	\$	79,264.74
Electric Fund	\$	122,363.83
Water Fund	\$	77,586.42
Sewer Fund	\$	25,494.35
Capital Streets	\$	21.32
Capital Water	\$	1,563.92

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

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

Kevin Tauscher	217 East Ave.	Roof	\$25.00
Brian Wittlinger	15 Indianola	A.G. Pool	\$10.00
Robert Hellert	8 Wesley Dr.	Storage Shed	\$25.00
Richard Long	33 Clinton St.	A.G. Pool	\$25.00
Kevin Weigel	108 Buell St.	A.G. Pool	\$25.00
David A. Gonsowski	2 Sunset Blvd.	A.G. Pool	\$25.00
Tracy Oakes	97 Buell St.	Rear Fence	\$18.00
Michael Rudz	6 Sylvan Pkwy.	Windows	\$25.00

Michael George	115 Main St.	Remodel/Chg Roof Line	\$43.00
Debbie Muck	8 Buell St.	Sunroom	\$63.00
Lidia Muranova	6 Fassett Ave.	Shed	\$10.00
John & Clara Noce	59 Jackson St.	Roof	\$25.00
Elsie Marconi	61 Buell St.	Roof	\$25.00

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

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

Timothy G. Harnois 124 Harvey Ave. Lockport, NY 14094

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

PUBLIC HEARING: None scheduled.

APPEARANCES – No one appeared to speak.

PUBLIC COMMENT – Mr. and Mrs. Ron Hake of 58 Eckerson Avenue and Charles Yaeger Jr. of 66 Eckerson Avenue appeared before the Board relative to property maintenance issues at 56 Eckerson Avenue.

Lance Piscitelli of 161 Main Street appeared before the Board relative to his application for a variance for a fence. Village Attorney Daniel D. Shonn, Esq. indicated that Mr. Piscitelli's application for the variance is presently before the Zoning Board of Appeals and that the Board of Trustees must await the Zoning Board's ruling before approving any fence permit for 161 Main Street.

Robert Scheib of 51 Brooklyn Street appeared before the Board relative to, among other things, Murder Creek, Akron Airport, Intersection at Buell, Brooklyn, Mechanic & Jackson Streets, and the proposed Housing Project at Clarence Center and Hake. He also expressed concerns with pedestrian crossings at Buell and Westgate, the Entrance/Exit to the Bank of Akron Annex/Pixley Plaza and Senior Citizen Transportation.

Marilyn Kasperek of 7263 Downey Road appeared before the Board on behalf of the First United Methodist Church's Facilities Task Force relative to said church's purchase of the former Newstead Town Hall at 57 John Street. Ms. Kasperek indicated that a "Community Needs" Survey is soon to be circulated throughout the community to help the church ascertain the best use(s) of the facility.

Project Reports –

Brooklyn Street Sidewalk/Restoration Project – Village Clerk-Treasurer Daniel P. Borchert reported that financials have been submitted and that final payment is awaited from Erie County.

Stormwater Outlet to Murder Creek/Replacement Project – Supt. Kowalik indicated that preparations for final payment are underway.

Upper Main/Townsend Streets – Milling & Paving – Supt. Kowalik reported that paving of upper Main Street is expected to begin on August 3rd, 2005, subject to weather conditions.

Monthly Reports –

Departments

ATTORNEYS – Village Attorney Daniel D. Shonn requested executive session to discuss a legal matter.

CLERK-TREASURER – Written report for July 2005 submitted. Mayor Ray Perkins congratulated Clerk-Treasurer Daniel P. Borchert upon recently receiving his Certified Municipal Clerk's status and thereafter Clerk-Treasurer Daniel P. Borchert thanked the Board for supporting his educational pursuit of the CMC status. Clerk-Treasurer Daniel P. Borchert also noted that he has updated the Village's web site a bit to include the Village Board Minutes and current calendar of events.

CHIEF OF POLICE – Written report for June 2005 submitted. Chief of Police Richard C. Lauricella highlighted: 1) that Officer Koscielniak re-injured his foot and will be off indefinitely; 2) that the new patrol car was picked up today; and 3) that the COPS grant is now closed out.

SUPT. OF PUBLIC WORKS – Written report for July 2005 submitted. Superintendent Robert W. Kowalik noted that the water plant monthly production for July was 32.4 million gallons, up from approximately 18 million last month.

VRI – Written report for June 2005 submitted. On behalf of VRI representative, Supt. Kowalik noted 1) that Ken Scherrieble attended the July 27th, 2005 Water/Wastewater Committee meeting and 2) that the Akron Central School has started re-piping the roof drains.

BLDG. INSPECTOR – Building Inspector Donnal D. Folger provided trustees with a copy of the Village Code defining "Side Front Yard" relative to a pending variance application for a fence at 161 Main Street.

Elected Officials

JUSTICE COURT – No report available for July 2005 yet.

TRUSTEES – COORDINATORS

Trustee Kaufman – Reported that new recycling bins have been ordered and that said containers will be made available to all participants in the Village of Akron Refuse Program, starting Wednesday, September 1st, 2005 at the Village Hall at 21 Main Street during regular business hours: Monday – Friday from 8:00 a.m. to 5:00 p.m.

Mayor Perkins – Reported that 1) he presented a Proclamation to the Akron/Newstead Rotary Club relative to the improved Amphitheater Project at Russell Park; and 2) he recently was a guest speaker for Boy Scouts at Camp Schoellkopf re: Citizenship Merit Badge. Mayor Perkins commended the Board for its team efforts and cooperation.

Mayor Perkins noted, on behalf of Trustee Forrestel, that Minutes from the Water/Wastewater Committee meeting of 7/27/05 included recommendations for repairs to Spillway West Wall and Methane Gas Piping at the Sewer Plant. The repairs to the spillway are expected to be funded through the timber management sales.

RESOLUTION, duly moved by Perkins, seconded by Patterson, approving the quote from SJF Construction Inc. for repairs to the Spillway West Wall at a cost not to exceed \$9,850, be and hereby are approved by the Village Board.

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

RESOLUTION, duly moved by Perkins, seconded by Middaugh, approving the quote from LMC Industrial Contractors Inc. for repairs to the Methane Gas Piping at the Wastewater Treatment Plant at a cost not to exceed \$16,000, be and hereby are approved by the Village Board.

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

Trustee Patterson – Reported that a police committee meeting would be scheduled soon. Also, he wondered if an intermunicipal hazardous waste pickup site could be coordinated between the Village of Akron and the Town of Newstead.

Trustee Middaugh – Reported 1) that the milling on the Main Street/Townsend Street project is complete, with paving to begin on 8/3/05; and 2) that DPW crews should be commended for the DI work recently completed on Main Street.

Old Business –

NYSDEC/SPEDES – Nothing new to report.

Crittenden Road Well Spill Claim – Nothing new to report.

Tinkham Road Water – Nothing new to report.

Akron Fire Company Contract – Village Attorney Daniel D. Shonn, Esq. will work on draft contract, including same amount as last year.

Comprehensive Plan – Village Planning Board meeting set for August 2, 2005 relative to review of Comprehensive Plan and zoning pertaining to parcels on west side of Village.

No Parking – Nothing new to report.

Annexation – Nothing new to report.

Assessment Disclosure Notices – Pembroke & Darien – Village Attorney Daniel D. Shonn, Esq. reports that Complaints have been completed.

HVAC Upgrade – Village Hall – Proposed contracts have been received from IBC Engineering.

New Business:

RESOLUTION, duly moved by Patterson, seconded by Kaufman, authorizing Ray Perkins to attend the NYCOM Fall Training School from September 19, 2005 to September 23, 2005 at the Lake Placid Resort Crowne Plaza at a cost of \$1,040, be and hereby is approved.

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

Kathy & Paul Clark of 1 Stoneridge Lane re: their sewer usage portion of their water/sewer bill – Village Clerk-Treasurer Daniel P. Borchert will reply via correspondence to the Clarks.

RESOLUTION, duly moved by Perkins, seconded by Patterson, authorizing Daniel P. Borchert to attend the NYCOM Fall Training School from September 19, 2005 to September 23, 2005 at the Lake Placid Resort Crowne Plaza at a cost of \$1,040, be and hereby is approved.

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

RESOLUTION, duly moved by Perkins, seconded by Middaugh, appointing Brian Murray to the Village Planning Board as an alternate member, for a term expiring April 1, 2009, be and hereby is approved.

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

RESOLUTION, duly moved by Perkins, seconded by Patterson, authorizing Bonnie Pafk to attend the 25th Annual Conference of the NYS Association of Magistrates Court Clerks from September 25, 2005 to September 28, 2005 in Niagara Falls, NY at a cost of \$25.00, be and hereby is approved.

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

Correspondence –

Water/Wastewater Committee Meeting minutes from 7/27/05.

Letter from the Piscitelli's of 161 Main Street regarding proposed fence building permit/variance request.

Concerned Akron resident and citizen regarding the need for a step in the new seating arrangement in Russell Park.

New York State Senator Mary Lou Rath Memo regarding Medicaid Reform Efforts.

Erie County Community Development – Consortium Quarterly Report 4/1/05 to 6/30/05.

Governor Pataki's announcement to revisions to the proposed Great Lakes Water Management Agreements.

New York State Public Service Commission Proceeding on Motion of the Commission to Examine the Safety of Electric Transmission and Distribution Systems. (On file in the Clerk's Office)

Brian Higgins of the United States Congress, regarding the New York Power Authority re-licensing as it is concerned to Buffalo and Erie County

PUBLIC COMMENT TIME – No one appeared to speak.

RESOLUTION, duly moved by Kaufman, seconded by Perkins, authorizing the Board to go into Executive Session at 9:03 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
	MICHAEL R. MIDDAUGH	- AYE
	WILLIAM P. KAUFMAN	- AYE

RESOLUTION, duly moved by Perkins, seconded by Middaugh, authorizing the Board to come out of Executive Session at 9:15 P.M., be and hereby is approved by the Village Board.

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

RESOLUTION, duly moved by Perkins, seconded by Patterson, authorizing the Village of Akron to pay the judgment awarded to Patricia Curto in the amount of \$1,584.05 relative to the Village of Akron waterline easement, be and hereby is approved by the Village Board.

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

On motion of Perkins, seconded by Patterson, at 9:16 P.M. this meeting was ADJOURNED.

MAYOR

VILLAGE CLERK