

October 3, 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 7:25 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, 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 Middaugh, that the Minutes of the Regular Meeting of September 19th, 2005 and the Special Meeting of September 26th, 2005, be and hereby are approved by the Village Board.

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

RESOLUTION, duly moved by Perkins, 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	\$	14,595.34
Electric Fund	\$	19,584.24
Water Fund	\$	6,324.39
Sewer Fund	\$	10,681.13

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

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

Donna Reinke	12 Flint Ave.	Windows	\$25.00
Charles Baldwin	4 John Street	Windows/Roof/Siding	\$25.00
Daniel D. Shonn	13 Bloomingdale	Roof	\$25.00

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

A PUBLIC HEARING was held at this time to hear any and all persons regarding the use of Federal Community Development funds in the Village of Akron for 2006 for the purpose of providing an opportunity for citizens to express community development and housing needs and to discuss possible projects which would benefit low and moderate income persons in the Village of Akron. Village Clerk-Treasurer Daniel P. Borchert read the Proof of Publication and asked if anyone in attendance wished to speak. No one in the audience wished to speak to the issue. Clerk-Treasurer Daniel P. Borchert noted that prior Community Developments projects have included, among other things, replacing sidewalks within the Village, the Rural Transit Senior Van shared with the Towns of Newstead and Clarence, and waterlines on Bloomingdale, etc. Clerk-Treasurer Borchert also noted that up to three projects can be proposed and prioritized for the 2006 CDBG funds and that November 4th, 2005 is the application deadline.

RESOLUTION, duly moved by Perkins, seconded by Patterson, that the Public Hearing with regard to the use of Federal Community Development funds in the Village of Akron for 2006, be and hereby is closed at 7:37 P.M.

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

APPEARANCES – No one scheduled to speak.

PUBLIC COMMENT – No one appeared to speak.

Project Reports –

Upper Main/Townsend Streets – Milling & Paving – Financials to be completed.

Sewer Repairs – Crescent/Flint/Front/East/Eckerson – Superintendent Kowalik reported that contractor began work on Wednesday, Thursday and Friday of last week (9/28-30/05) and that 3 sites remain to be repaired.

Monthly Reports –

Departments

ATTORNEYS – Village Attorney Daniel D. Shonn asked that NYCOM booklets be made available to Village Planning and Zoning Boards. Attorney Shonn also requested engineering assistance relative to SEQRA responsibilities associated with the Comprehensive Plan.

CLERK-TREASURER – Written Report for September 2005 submitted. Clerk-Treasurer Daniel P. Borchert noted that he attended a NYCOM conference during the week of September 19th and that he has recently been elected to serve as a Director on the Executive Committee of the NYS Association of City & Village Clerks.

CHIEF OF POLICE – Written report for September 2005 submitted. Chief of Police Richard C. Lauricella highlighted the following: 1) mobile data computers are in both police vehicles; 2)

routine maintenance of the vehicles is being done and rotation of the vehicles is going well; 3) ACS Homecoming was covered without incident; and 4) extra patrols have been scheduled for Halloween coverage.

SUPT. OF PUBLIC WORKS – Written report for September 2005 submitted. Superintendent Robert W. Kowalik reported that DPW crews had been called out for a downed tree(s) blocking Route 93 as a result of the 9/29/05 high wind/rain storm. Also, DPW crews were very busy today with the scheduled curbside pickup of brush.

Elected Officials

JUSTICE COURT – No report submitted.

TRUSTEES – COORDINATORS

Trustee Middaugh – Reported that Village response to NYS DOT proposal will be forthcoming relative to no parking issue at Buell/Mechanic/Brooklyn/Jackson. Chief of Police Lauricella will provide memorandum of recommendation.

Trustee Patterson – Nothing new to report.

Mayor Perkins – Reported 1) that he attended the Eagle Scout ceremony for Robert Izydorczak on September 25th, 2005; and 2) that he visited the sewer plant relative to methane gas flare system.

Trustee Kaufman – Reported that 2005 Leaf Pickup Schedule is ready for publication.

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 Kaufman, approving the rate for Tinkham Road customers at the current rate for out-of-village customers, ie. \$42.50 minimum for up to the first 5,000 gallons and \$8.50 for every 1,000 gallons used thereafter, 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

Comprehensive Plan – Preliminary review of SEQRA process at Village Planning Board meeting scheduled for October 4, 2005.

No Parking – Brooklyn, Buell, Mechanic, Jackson – Memorandum from Chief of Police Lauricella forthcoming.

Annexation – Village Attorney Daniel D. Shonn reported that he talked with attorney for the NYS Department of State relative to filing maps.

Assessment Disclosure Notices – Pembroke & Darien –

RESOLUTION, duly moved by Perkins, seconded by Patterson, accepting the proposal of Karen Cook Serotte, Esq. to undertake the assignment of a limited appraisal and summary report of the Village's Water Treatment Plant in the Town of Darien, at a cost not to exceed \$2,500, 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

HVAC Upgrade – Village Hall – Bids were opened on 9/27/05; IBC Engineering is checking out low bidder's qualifications.

CDBG – Application deadline is November 4, 2005.

Methane Gas Piping at Sewer Plant – Superintendent Kowalik reported that majority of the old piping has been removed and work on the new flare unit has commenced.

Moratorium – The PUBLIC HEARING was reconvened at this time to hear any and all persons for the purpose of considering Local Law #3 for the year 2005 pertaining to the amendment of Local Law #1 for the year 2005, "Moratorium on the acceptance or processing of an application for: approval or issuance of a building permit, zoning permit or amendment; variance, site plan, special use permit, subdivision and/or permits under the sewer law that would increase the inflow of sewage into the wastewater treatment plant of the Village of Akron." Such amendment would allow a limited number of building permits, up to the equivalent of 10 residential units during the extended moratorium period. Village Clerk-Treasurer Daniel P. Borchert asked if anyone in attendance wished to speak. Village Attorney Daniel D. Shonn, Esq. reported that the Erie County Division of Planning determined the matter to be of local significance only and thereby recommended no action on the part of Erie County.

RESOLUTION, duly moved by Perkins, seconded by Patterson, that the Public Hearing with regard to Local Law #3 for the Year 2005, be and hereby is closed at 7:55 P.M.

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

RESOLUTION, duly moved by Kaufman, seconded by Middaugh, 1) declaring Local Law #3 for the Year 2005 to involve Type 2 action under SEQRA, thereby requiring no SEQRA action; and 2) adopting Local Law #3 for the Year 2005, be and hereby is approved.

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

Northern Erie Sno-Seekers Snowmobile Club – Eric Glassman, Rich Wood and Bill Perrone appeared before the Board relative to the Club's proposal to use the Akron bike path for a snowmobile trail. President Eric Glassman presented the Club's bridge marking plan and a letter of approval granted from the Town of Newstead. Carl Patterson expressed concerns with safety, noise, enforcement and speed of snowmobiles in a highly residential area. Lynn Clark of 40 Mechanic Street, Amy Baldwin of 4 John Street, Martha Risatano of 18 John Street, Mary Jo and Tony Schumacher of 10 Cedar Street and Fred Danson of 9 Mill Street expressed concerns with, among other things, safety, noise, speed, enforcement, snowmobiles on private property, and multiple uses of the trail for hikers and cross country skiers. Elizabeth Wulf of 72 Cedar Street and Gregg Brown of 80 Eckerson Avenue spoke in favor of allowing the Sno-Seekers to use the Akron bike path on a 1 year trial basis. Eric Glassman indicated that the Snowmobile Club tries very hard to manage its trails properly with signage and markings and provides insurance coverage. Mr. Glassman also indicated that the Club can put barrels down the middle of the path to protect the pavement, so that the snowmobiles run down the side of the pavement, thereby allowing for cross country skiers and hikers on the trail. The Board will revisit the issue at its October 17th, 2005, meeting.

New Business:

Refuse Contract with Modern Disposal – Correspondence will be sent to Modern Disposal re: renewing one year option, with invitation to attend next meeting.

Correspondence –

Water/Wastewater Committee Minutes 9/26/05.

Zoning Board of Appeals Minutes – 9/26/05.

PUBLIC COMMENT TIME – No one appeared to speak.

On motion of Middaugh, seconded by Patterson, at 8:40 P.M. this meeting was ADJOURNED.

MAYOR

VILLAGE CLERK