

January 23, 2006

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 Robert W. Kowalik, 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 Kaufman, that the Minutes of the Regular Meeting of January 9<sup>th</sup>, 2006, 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 Patterson, 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	\$	21,794.80
Electric Fund	\$	229,013.33
Water Fund	\$	30,337.10
Sewer Fund	\$	16,024.16
Capital Water	\$	2,875.00

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 Middaugh, seconded by Kaufman, that the following building permit, be and hereby is approved with the application and approval of the Building Inspector:

Joseph Natale	23 Brooklyn Street	Roof	\$ 25.00
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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

RESOLUTION, duly moved by Perkins, seconded by Middaugh, that the following Plumbers' Licenses for the Year 2006, be and hereby are renewed in accordance with the applications filed and payment of the annual license fee of \$40.00:

Kenneth M. Price	PO Box 365 (3 Main St.)	Corfu, NY
Charles Pero	27 Brooklyn Avenue	Batavia, NY

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

There were no public hearings scheduled.

APPEARANCES: Kim Ormsby of 48 Cedar Street appeared before the Board relative to property maintenance issues at 44 Cedar Street. Building Inspector Donnal D. Folger was directed to inspect said premises and report back to the Board at its next meeting.

Kurt Schie of 6696 Utley Road appeared before the Board relative to his proposed housing project at Jackson Street and Hake Road. Village Attorney Daniel D. Shonn indicated that, as maps have been received this date, the Village Planning Board and the Village Board will be scheduling public hearings to hear any and all persons relative to amending the Comprehensive Plan and re-zoning various parcels on the westerly side of the Village.

Public Comment: Chief Patrick Flynn of the Erie County Sheriff's Department appeared before the Board to bring New Year's greetings from Erie County Sheriff Timothy Howard. Chief Flynn noted that the Erie County Sheriff's Department is undergoing restructuring, with 10 of 15 dispatchers being shifted to Central Police Services and with road patrols down by approximately 30 officers. Chief Flynn noted that, despite the loss of some personnel, changes to work shifts have been made to provide continued coverage in area districts.

Project Reports –

Sewer Repairs – Crescent/Flint/Front/East/Eckerson – Village Clerk-Treasurer Daniel P. Borchert reported that Village Engineer Keith Marquis delivered the necessary paperwork to the Clerk's Office today, which can now be submitted for reimbursement from the EPA.

Monthly Reports –

Departments

VRI – Written reports for November and December 2005 submitted. VRI representative Ken Scherrieble highlighted the following: 1) effluent flow meter has been installed; 2) filters have been off line for the winter and as a result flows have been down to well within permit limits; 3) I&I report is ready for Supt.'s review, with submittal deadline to the NYSDEC set for end of January; and 4) draft of Industrial User Permit is nearly ready for review by the Water/Wastewater Committee at its upcoming meeting. Ken Scherrieble noted that the plant's current filtration system continues to be a fundamental problem, but that certain improvements to the primary and secondary clarifiers would not only reduce backwashing but might also possibly increase the capacity at the plant.

BLDG. INSPECTOR – Donnal D. Folger reported on the following: 1) 2005 Summary Report of Activity was submitted to the Board; 2) he will be at Building School from January 29<sup>th</sup> to February 1<sup>st</sup>, 2006; 3) he was in Court last Wednesday relative to dumpsters at 208 East

Avenue, wherein Court ordered the dumpsters to be removed from said premises; 4) he will be in Court this Wednesday relative to ongoing property maintenance issues at 73 John Street and 20 Clinton Street; 5) he is continuing to research licensing policies among area municipalities; and 6) the insurance company has settled with the owner of premises at 17 Crittenden Road and the fire-damaged residence is expected to be demolished within 30 days or so.

### Elected Officials

#### TRUSTEES – COORDINATORS

Trustee Middaugh – Reported that, due to our mild winter so far, salt usage on Village streets is down and crews have been able to paint various garbage containers in the park and business district.

Trustee Patterson – Reported that Philip Kreher started today in the DPW Skilled Laborer (Streets Dept.) position.

Mayor Perkins – Reported that he recently attended the Village Officials Association Meeting.

Trustee Forrestel – Reported that 1) HR committee recently conducted interviews for the Part-time Justice Court Clerk Position; and 2) Water/Wastewater Committee meeting is scheduled for January 30, 2006 at 5:15 P.M.

RESOLUTION, duly moved by Forrestel, seconded by Patterson, approving the appointment of Mary Ellen Orcutt to the position of Part-Time Court Clerk in the Village of Akron Justice Court, 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

Trustee Kaufman – Reported that he will be representing the Village on the Akron Central School Budget Advisory Committee.

#### Old Business –

NYSDEC/SPEDES – Supt. Robert W. Kowalik reported that the annual report is nearly complete.

Crittenden Road Well Spill Claim – Village Attorney Daniel D. Shonn asked to refer matter to Water/Wastewater Committee.

Tinkham Road Water – Supt. Kowalik reported that 4 of the 5 interested parties have contracted for installation to their residences. Clerk-Treasurer Daniel P. Borchert asked that all contracts be in place, with payments to Village, prior to contractors' tapping-in to water transmission line.

Comprehensive Plan – See discussion above.

No Parking – Brooklyn, Buell, Mechanic, Jackson – Amended Order received, but signs remain in place to date.

Annexation – Village Attorney Daniel D. Shonn reported that survey is ready as of tomorrow.

Assessment Disclosure Notices – Pembroke & Darien – Nothing new to report.

HVAC Upgrade – Village Hall – Pre-construction meetings continue, with delivery of equipment expected within 10 weeks.

Clerk-Treasurer Daniel P. Borchert suggested that, within the next 3-5 years, additional improvement projects to the Village Hall should include repair/replacement of the roof, the trim around the exterior of the building and energy-efficient windows.

CDBG – Include Washington/Liberty Streets Waterline Replacement Project under “Project Reports” on Agenda.

Intermunicipal DPW Facility – To be discussed at this evening’s Joint Meeting of the Town of Newstead and Village of Akron Boards. Supt. Kowalik noted that he recently met with representatives of Wendel Duchscherer.

New Business –

WHEREAS, the NYS minimum wage has increased to \$6.75 per hour as of January 1, 2006 and will increase to \$7.15 per hour as of January 1, 2007, the Board hereby makes the following resolution:

RESOLUTION, duly moved by Patterson, seconded by Middaugh, authorizing adjustments to Grades IA and IB, be and hereby are approved, as set forth hereinafter:

	2006		2007
Hire rate:	\$6.75	Hire rate:	\$7.15
Step 1:	\$7.09	Step 1:	\$7.49
Step 2:	\$7.41	Step 2:	\$7.81
Step 3:	\$7.74	Step 3:	\$8.14
Step 4:	\$8.07	Step 4:	\$8.47
Step 5:	\$8.47	Step 5:	\$8.87

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,

WHEREAS, the Village of Akron, with the assistance from Erie County, has gathered information and prepared the Erie County All Hazard Mitigation Plan; and

WHEREAS, the Erie County All Hazard Mitigation Plan has been prepared in accordance with the Disaster Mitigation Act of 2000; and

WHEREAS, the Village of Akron is a local unit of government that has afforded the citizens an opportunity to comment and provide input in the Plan and the actions in the Plan; and

WHEREAS, the Village of Akron Board of Trustees has reviewed the Plan and affirms that the Plan will be updated no less than every five years;

NOW THEREFORE, BE IT RESOLVED, by the Village of Akron Board of Trustees, duly moved by Perkins, seconded by Middaugh, that the Village of Akron adopts the Erie County All Hazard Mitigation Plan as this jurisdiction's All Hazard Mitigation Plan, and resolves to execute the actions in the Plan.

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

Correspondence –

Erie County Soil & Water Conservation Districts Tree & Shrub Seedling Program.

Letter from Robert Scheib regarding the Akron Falls Park Dam.

Town of Amherst Central Fire Alarm Office 2005 Annual Report.

4<sup>th</sup> Quarter Commodity Report from Modern Disposal.

Memorandum from Town Assessor relative to Town/Village-wide Re-valuation Project for 2007.

Erie County Community Development Block Grant Rural Transit Service Advisory Board Meeting scheduled on February 23, 2006.

Letter from Todd Marzolf, Darien Center re: request for water.

PUBLIC COMMENT TIME – No one appeared to speak.

RESOLUTION, duly moved by Middaugh, seconded by Perkins, authorizing the Board to go into executive session at 8:23 P.M. to discuss a personnel issue, 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 Forrestel, authorizing the Board to come out of executive session at 8:50 P.M., 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

Town of Newstead Board arrived at the Village Hall at 8:51 P.M.

A Joint Meeting of the Boards of the Village of Akron and the Town of Newstead was convened at the Village Hall this date to discuss agenda items.

Joint Facility Study – Town Engineer Andrew Casolini updated everyone in attendance regarding the progress of the project. The project has officially kicked off and there will be a meeting during the first week of February to discuss the concept of operation. After that, the committee will progress through the rest of the study. They are trying to secure additional grant funding that might be available through the proposed NYS Budget. This process is expected to be completed by June 2006.

Sewer Treatment Facility – The Town of Newstead would like to know what the long range plans are for the Village's Waste/Water Treatment Plant. The Town would be willing to help the Village in any way to expand the treatment plant. The most recent VRI reports from the treatment plant show that things are progressing and the NYS DEC is satisfied with the progress to date.

Police Garage – The Town of Newstead has placed this concept into the concept of operation of the joint facility study. The Village knows what their needs are for this facility, but the Town has not decided what their needs are to date. The Town needs to discuss with the NYS Troopers what their needs are. The Village would like to move forward with this project so the two NYS Trooper cars located in our cold storage facility could be moved thereby allowing the Village to better utilize that facility for their future needs.

Drainage Concerns – Town Engineer Andrew Casolini started a dialog regarding the situation that currently exists at Aakron Rule. Mayor Perkins noted that Don Folger is investigating this issue from the issue of enforcement. This drainage path is the main path from the Village to the Town heading north. Supervisor Cummings noted that he met with Bob Scheib regarding his letter and concerns to the Erie County Parks Commissioner. Some of the problems include fallen trees and trees that are leaning in other trees, the full garbage cans that have not been emptied, the neglect of the park benches and tables and the pile up of debris at the dam.

Joint Recycling – Trustee Kaufman mentioned that the Town/Village might be able to partner together to start an electronics recycling and/or a household hazardous waste recycling program. This would benefit all the residents of the Village of Akron and the Town of Newstead. Currently, Erie County holds a few of these events, but some of them are quite a distance to attend.

The next meeting of the Village of Akron and the Town of Newstead will be scheduled for March 20, 2006 at 8:30 PM at the Newstead Town Hall.

On motion of Perkins, seconded by Patterson, at 9:40 P.M. this meeting was ADJOURNED.

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MAYOR

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VILLAGE CLERK