

March 5, 2007

A WORK SESSION of the Akron Village Board was held on this date at 6:30 P.M. to discuss agenda items. Present: Deputy Mayor Michael R. Middaugh, Trustees Carl E. Patterson, E. Peter Forrestel and William P. Kaufman, Superintendent Robert Kowalik, Chief of Police Richard Lauricella, and Village Attorney Daniel D. Shonn, Esq.

Deputy Mayor Middaugh adjourned the work session at 7:28 P.M.

A REGULAR MEETING of the Akron Village Board was held on this date at 7:33 P.M. Present: Deputy Mayor Michael R. Middaugh; Trustees Carl E. Patterson, E. Peter Forrestel and William P. Kaufman; Village Attorney Daniel D. Shonn, Esq. Superintendent Robert Kowalik and Chief of Police Richard Lauricella.

Deputy Mayor Michael Middaugh led the pledge to the flag.

RESOLUTION, duly moved by Patterson, seconded by Forrestel, that the Minutes of the Regular Meeting of February 26, 2007 be and hereby are approved by the Village Board.

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

PUBLIC HEARING – was held at this time to hear any and all persons for the purpose of amending the future land map of the comprehensive plan which relates to such areas of the land in the west portion of the Village and designated as areas A-E on the map of Marquis Engineering. Kurt Schie appeared to state he was in favor of the proposed changes to the plan. He also wanted to thank the Village Board for pushing the plan forward. Village Attorney Daniel D. Shonn gave a review of the proposed changes for the plan and the need to bring the map into alignment with Zoning for the Comprehensive Plan. Planning Board Members Brian Perry, Daniel Kowalik and Bob Anderson also explained the changes and their review process which brought the plan to this point. Trustee Forrestel asked what the next step was to change area B to residential zoning.

RESOLUTION, duly moved by Middaugh, seconded by Kaufman that the Public Hearing with regard to the Comprehensive Plan, be and hereby is closed at 7:43 p.m.

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

WHEREAS, the Comprehensive Plan for the Village of Akron was developed over a series of meetings and hearings and adopted by the Village Board in 2003. Based on the review of the Village Planning Board and the Village Board of this plan, the Village Board finds that the Comprehensive Plan requires amendment of certain parts of the Plan. Specifically, members of the Village Board and Planning Board that represented the Village in the development of the Plan find that the Future Land Use Map as shown in the Plan is in conflict with the information and directions of the Village representatives regarding the land use in the west portion of the Village.

Amendment of Comprehensive Plan

Section 3.2.1.1 Future Land Use – Residential (added)

WHEREAS, it is the finding of the Village Planning Board and the Village Board upon hearings and review of the Comprehensive Plan as conducted prior to the adoption of this resolution, that there is need for sufficient residential land to allow for the growth of the Village in the west portion of the Village. The future land use map should be amended accordingly.

Section 3.2.1.3 Future Land Use – Industrial (added)

WHEREAS, based on the conclusions of the Comprehensive Plan that there is presently adequate industrial land in the Village, and the fact the future land use map contains an increased amount of industrial land in the west section of the Village, it is the finding of the Village Planning Board and the Village Board that the future land use map should reduce the amount of industrial land in the west section of the Village. The future land use map also includes an area of land containing residential, business property, and the Newstead Town Hall. Such area of land is shown erroneously as future industrial property. The Comprehensive Plan and Future Land Use Map are hereby amended to Business use.

Amendment of the Future Land Use Map

WHEREAS, the future land use map as contained in the current Comprehensive Plan is amended in accordance with the map of Marquis Engineering dated June, 2006. (see attached summary)

Area A – consists of approximately 19 acres and has a current zoning of R2. The comprehensive plan currently designates this area as industrial. The resolution changes the comprehensive plan to residential land use.

Area B – consists of approximately 16 acres and the comprehensive plan currently designates this land as industrial. The resolution changes the comprehensive plan to residential land use.

Area C – consists of approximately 82 acres and has a present zoning of R3. The comprehensive plan designates this area as industrial. The resolution changes the comprehensive plan to residential.

Area D – consists of approximately 13 acres. The comprehensive plan calls for a zoning of industrial. The resolution calls for business zoning for this parcel.

Area E – consists of approximately 7.5 acres. The comprehensive plan calls for industrial use while the resolution will amend the comprehensive plan to residential use.

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

Village Attorney, Daniel D. Shonn recommended that Deputy Mayor Middaugh sign a negative response for the SEQR form. Both Planning and Village Boards have looked at the Environmental Assessment form amending the Comprehensive Plan.

RESOLUTION, duly moved by Kaufman, seconded by Forrestel that a Negative Declaration under SEQR be signed by Deputy Mayor Michael Middaugh in regards to the Comprehensive Plan.

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

RESOLUTION, duly moved by Forrestel, and seconded by Middaugh that the Future Land Map be changed to reflect the Comprehensive Plan. Allowing more residential land and reduce the industrial land in accordance with A-E on Comprehensive Plan Map.

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

APPEARANCES – No one was scheduled to appear.

PUBLIC COMMENT – No one appeared to speak.

PROJECT REPORTS –

Washington/Liberty Streets Waterline Replacement Project – on hold until spring of 2007. Superintendent Robert Kowalik mentioned that Project Engineer James H. DeLaPlante III has delivered as built drawings.

MONTHLY REPORTS –

Departments

Attorney– Village Attorney Daniel D. Shonn will be reviewing the Sewer law for updates and working on the Zoning Change Proposal.

Chief of Police – The Board received the Police Report for February 2007, together with a schedule. Chief Lauricella reported that Officer Richard Lewis is back on the schedule after being off for a month. Mr. Lauricella noted that the grant for a generator and 4 wheel utility vehicle is complete and accepted. Deputy Mayor Middaugh has signed and funds should be transferred soon. Also Mr. Lauricella requested that a NCCC student be allowed to complete a Ride A-long Program with the Akron Police. It would be an 8 week program ending in May.

RESOLUTION, duly moved by Patterson, and seconded by Kaufman that a NCCC student be allowed to complete a Ride A-Long Program with the Akron Police for an eight week period.

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

Superintendent of Public Works – The Board received copies of Mr. Kowalik’s February 2007 Report. Superintendent Kowalik discussed the successful Mill Street transformer change over which took place Sunday, March 4, 2007 between 7 – 10 am. He also wanted to thank the Akron Bugle for their ad notifying the customers of the changeover, resulting in interrupted electricity for 3 hours. Lastly, Superintendent Kowalik requested permission for Robert Lucia to attend 25th annual wastewater conferences on March 20, 2007 in Depew, New York costing \$75.00. Mr. Lucia would receive five NYSDEC Wastewater treatment credit hours.

RESOLUTION, duly moved by Patterson, and seconded by Middaugh that Robert Lucia attend 25th Annual Wastewater Conferences on March 20, 2007 in Depew, New York for \$75.00, where Mr. Lucia would receive five NYSDEC Wastewater treatment credit hours.

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

Elected Officials –

TRUSTEES – COORDINATORS

Trustee Patterson – Noted that the Human Resource Committee is conducting the final interviews for the Apprentice Electrical Lineworker. Also, stated that in the future the Village will need to hire a Meter Reader.

Deputy Mayor Middaugh – Wanted to thank the Public Works for the successful switchover of the Mill Street transformer. Received a Police grant from Mike Cole’s office for a generator and a 4 wheel vehicle. Deputy Mayor Middaugh congratulated Akron Central School Student, Megan Palizay, for winning New York Press’s 1st Amendment Essay Contest. Megan won \$50.00 and her essay will be submitted in the State contest where a \$10,000.00 Scholarship will be awarded. Akron Bugle’s Marilyn Kasperek presented Megan with her award.

Trustee Forrestel – Met this evening with the Water/Wastewater Committee. They reviewed the budget and Capital Projects. Noted that the DEC had ample opportunities to see Plant under very wet conditions. Over the past 2 years the plant has been only over the limit once. Still have the equivalent of 33 residential units left to add to the sewer system.

Trustee Kaufman – Nothing to report

OLD BUSINESS

Crittenden Road Well Spill Claim – Village Attorney Daniel D. Shonn reviewing DEC questions.

Village Map – Nothing new.

Inter-municipal DPW Facility – Committees should be meeting soon.

Patricia Curto – Nothing new.

Zoning and Planning Board Training – Town Supervisor Cummings has scheduled training sessions in April, May and in the Fall.

Local Law #1 for 2007: Review of site plans on single Parcels of Land. Village Attorney, Daniel D. Shonn, recommended the Local Law be moved back to the table for discussion.

RESOLUTION, duly moved by Forrestel, and seconded by Patterson to move Local Law #1 for 2007 back to the table for discussion.

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

RESOLUTION, duly moved by Middaugh, and seconded by Forrestel that the Village adopt Local Law #1 for 2007: Review of site plans on single parcels of land.

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

Local Law #2 for 2007: Regulation of Development activities related to grading, trees, fill and natural features of the land. Village Attorney Daniel D. Shonn recommended that Local Law #2 be moved back to the table for discussion.

RESOLUTION, duly moved by Forrestel, and seconded by Patterson to move Local Law #2 back to the table for discussion.

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

RESOLUTION, duly moved by Patterson, seconded by Kaufman that the Village adopt Local Law #2 for 2007: Regulation of Development activities related to grading, trees, fill and natural features of the land.

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

Letter from Theresa Subsara of 747 Genesee Street re: connecting to the Village Transmission Line. Trustee Forrestel stated that the Water/Wastewater Committee did discuss this issue and Village Attorney Shonn will be contacting the Town of Pembroke to see if there are any other home owners in the area that would like to form a water district.

NEW BUSINESS

Village Attorney Daniel D. Shonn stated that the VRI Agreement expires June 1st, 2007. He stated that there are 2 or 3 different contracts and that Ken Scherrieble would put a draft together for the Village Board to review.

RESOLUTION, duly moved by Middaugh, and seconded by Patterson the the Village Board herein approves the volunteer firefighter Service Award Program list of all 2006 active volunteer firefighters of the Fire Department.

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

CORRESPONDENCE

Town of Amherst Central Fire Alarm February 2007 Operations Report.

PUBLIC COMMENT – None

On motion of Middaugh, seconded by Patterson, at 8:10 P.M., this meeting was ADJOURNED.

DEPUTY MAYOR

CLERK-TREASURER