

March 20, 2006

A Joint Meeting of the Akron Village Board and the Village Planning Board was held on this date at 6:30 P.M. to discuss a checklist for adoption of amendment to the comprehensive plan. 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., Building Inspector Donnal D. Folger, Planning Board Chair Kathryn Capan and Members Robert Anderson and Brian Perry and Superintendent of Public Works Robert W. Kowalik.

Mayor Perkins adjourned the work session at 7:28 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., Superintendent of Public Works Robert W. Kowalik and Building Inspector Donnal D. Folger.

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 March 6th, 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. MIDDAGH	- AYE
	WILLIAM P. KAUFMAN	- AYE

RESOLUTION, duly moved by Perkins, seconded by Middaugh, 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	\$	22,850.17
Electric Fund	\$	168,574.00
Water Fund	\$	9,074.04
Sewer Fund	\$	11,160.97

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

Sue Covel	22 Parkview Dr.	Windows/Roof/Siding	\$ 25.00
David Snell	1 Shepard Ave.	Swimming Pool/Deck	\$ 25.00

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 Perkins, 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:

Douglas Ceisner	100 East Avenue	Akron, NY
John J. Babcock	549 Main Street	Corfu, NY

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

A PUBLIC HEARING was held at this time to hear any and all persons for the purpose of addressing the property maintenance issues at 44 Cedar Street, currently owned by Laverne Johnson. Village Clerk-Treasurer Daniel P. Borchert read the Proof of Publication and asked if anyone in attendance wished to speak. Building Inspector Donnal D. Folger reported that, upon his inspection of the premises this morning, he saw no change or improvement. Mr. Laverne Johnson was not in attendance at the public hearing. Mayor Perkins noted that this is the second time that this property has been in front of the Board. Village Attorney Daniel D. Shonn noted that, pursuant to Village Code Section 117-8, the Board would be authorized to declare a property a public nuisance, with the cost of clean-up to be assessed to the property owner.

RESOLUTION, duly moved by Forrestel, seconded by Middaugh, that the Public Hearing with regard property maintenance issues at 44 Cedar Street, be and hereby is closed at 7:44 P.M.

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, based upon the Building Inspector's re-inspection of the premises at 44 Cedar Street this date, the Village Board finds that the conditions of said premises violate Section 117 of the Village Code with regard to the outdoor storage of waste, rubbish, debris or garbage and that said property constitutes a public nuisance and that as such, the Mayor shall direct officers, agents or employees of the Village to enter onto said property to remove any waste, rubbish, debris or garbage stored, deposited, placed or maintained in violation of Section 117 and dispose of or otherwise destroy same with any costs and expenses incurred by the Village to be assessed as a lien against the property, 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

APPEARANCES: No one appeared to speak.

Public Comment: Jay Patronik, Erie County Health Department Drinking Water Specialist appeared before the Board to discuss recent federal regulatory changes pertaining to various disinfection byproducts produced in conjunction with surface water suppliers such as at the Village of Akron Reservoir. Water Plant Operator John Asmus noted that sampling during the fourth quarter of 2005 showed that part of the water samples exceeded the new higher standard for haloacetic acid, a disinfection byproduct, by 4.9 parts per billion, thus triggering the disclosure protocol to Village water customers. Mr. Asmus noted that his department has been exploring engineering options and researching new technologies in the water treatment industry that will address the disinfection byproducts issue.

Project Reports –

Sewer Repairs – Crescent/Flint/Front/East/Eckerson – Nothing new to report.

Washington/Liberty Streets Waterline Replacement Project – Village Attorney Daniel D. Shonn asked to table the Type II SEQR declaration to the next meeting.

Monthly Reports –

Departments

BLDG. INSPECTOR – Donnal D. Folger reported on the following: 1) requested that an ad be published relative to unlicensed vehicles; 2) SEQR application of Niagara Specialty Metals involves installation of a dust collection system; 3) he continues with monthly court appearances re: ongoing property maintenance issues, with little progress; and 4) Village Attorney Daniel D. Shonn has contacted Erie County District Attorney's Office relative to housing court issues.

Elected Officials

TRUSTEES – COORDINATORS

Trustee Middaugh – Nothing new to report.

Trustee Patterson – Nothing new to report.

Mayor Perkins – Reported that: 1) he was a guest waiter at the Village Inn to benefit Hearts and Hands – Faith in Action; 2) he attended wakes for Akron Fireman William Leising and NYS Representative Sandra Lee Wirth; 3) he made an on-site inspection of the sewer line on East Avenue; and 4) he and Village Clerk Daniel P. Borchert attended a recent Village Officials meeting in Angola.

Trustee Forrestel – Reported that the water/wastewater committee will be meeting on March 27th, 2006 at 5:15 P.M.

Trustee Kaufman – Nothing new to report.

Old Business –

NYSDEC/SPEDES – Nothing new to report.

Crittenden Road Well Spill Claim – Village Attorney Daniel D. Shonn reported that he awaits a questionnaire from the NYS Comptroller’s Office.

Comprehensive Plan – Discussed at work session.

No Parking – Brooklyn, Buell, Mechanic, Jackson – Nothing new to report.

Annexation – Village Attorney Daniel D. Shonn reported that annexation of Lewis Road Sewer Plant parcel is complete except for filing of the official Village Map with the Secretary of State.

Assessment Disclosure Notices – Pembroke & Darien – Village Attorney Daniel D. Shonn reported that next court appearance is scheduled for April 29th, 2006.

HVAC Upgrade – Village Hall – Village Clerk Daniel P. Borchert reported that Northeast Mechanical contractor began construction on March 14th, 2006. Also that a construction meeting is scheduled for March 21st at the Village Hall.

Intermunicipal DPW Facility – Nothing new to report.

New Business –

RESOLUTION, duly moved by Perkins, seconded by Patterson, adopting a Cyber Security Citizens’ Notification Policy for the Village of Akron under the NYS New Information Security Breach and Notification Act, 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 Middaugh, seconded by Perkins, scheduling a Public Hearing to be held on April 17, 2006 at 7:30 P.M. for the proposed 2006-2007 Village Budget, 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 Forrestel, seconded by Patterson, authorizing the Akron/Newstead Senior Citizens to hold a chicken BBQ in Russell Park on Sunday, May 21, 2006 from 9:00 A.M. to 4:00 P.M., be and hereby is approved.

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

Mayor Perkins abstained from voting on the above resolution.

RESOLUTION, duly moved by Patterson, seconded by Forrestel, authorizing step increases for Thomas Whitbeck and Charles Rebmann II from Apprentice Grade 12 Step #3 to Lineman Grade 13 Step #1, effective March 18, 2006, 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 Middaugh, allowing John Asmus, Shaun Gloss, Robert Lucia, Fred Bedford, Philip Kreher and Robert Whiting to attend the Annual Waterworks Conference in Lockport at the Best Western on March 29th, 2006 at a cost of \$5 per person, 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

Superintendent Robert W. Kowalik reported that the roof at the Village DPW Garage was further damaged during a recent wind storm and presented the Board with various options for its consideration.

Correspondence –

Town of Amherst Central Fire Alarm February 2006 Operations Report.

PUBLIC COMMENT TIME – Syd Shephard of 14 Churchill Street indicated that it has been a pleasure working for the Village over the past 12 years, but that the condition of the Village DPW Garage and Office is in desperate need of repair/replacement.

Marilyn Kasperek noted that the Celebration Committee will be meeting on Thursday, March 23rd, 2006 at 7:00 P.M. in the Wright Center relative to the July 4th Celebration. Also, Ms. Kasperek reported that the Wright Center will soon be housing a satellite location of Erie Community College, a Samaritan Counseling Center and an office for the Akron Soccer League.

RESOLUTION, duly moved by Perkins, seconded by Middaugh, authorizing the Board to go into executive session at 8:25 P.M. to discuss a legal 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 Middaugh, 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

On motion of Perkins, seconded by Middaugh, at 8:51 P.M. this meeting was ADJOURNED.

MAYOR

VILLAGE CLERK