

April 21, 2008

A REGULAR MEETING of the Akron Village Board was held on this date at 7:38 p.m. Present: Mayor Carl E. Patterson; Trustees Michael R. Middaugh, E. Peter Forrestel, William P. Kaufman and Kathryn A. Capan; Attorney Daniel D. Shonn, Clerk–Treasurer Daniel P. Borchert, Chief of Police Richard Lauricella, Building Inspector Donnal D. Folger and Superintendent Robert Kowalik

Mayor Carl E. Patterson led us in the pledge to the flag.

RESOLUTION, duly moved by Middaugh, seconded by Kaufman, that the Minutes of the Regular Meeting of April 7, 2008 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
KATHRYN A. CAPAN - AYE

RESOLUTION, duly moved by Forrestel, seconded by Capan that the audit of bills is approved, and the Treasurer authorized to pay same in accordance with the following abstract of audit vouchers:

General Fund	\$ 33,843.27
Electric Fund	\$224,846.62
Water Fund	\$ 7,997.50
Sewer Fund	\$ 11,895.12
Capital Water	\$ 1,306.01

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

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

Elaine Webster	33 Cedar Street	Siding	\$25.00
Wylma Gronau	25 Sylvan Pkwy	Shed	\$25.00
Patrick Mangan	22 Colony Place	Shed	\$25.00

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

PUBLIC HEARING – None Scheduled

APPEARANCES – Kevin Gaughan presented to the Board “The Cost” a presentation about Erie County Government Consolidation. Mr. Gaughan summarized that the size and cost of local government has impaired economic growth in the Buffalo region; that the burden of an expensive, overlapping system, worsened by state government dysfunction, robs our future. Reform is imperative, change is essential, and Mr. Gaughan stated that the local governments can start the transition by downsizing their own Boards by two members by not filling the seats of the two Trustees at the next Village Election. Mayor Patterson stated that the Village and the Town of Newstead work very closely and presently our looking into a joint facility for the Public Works Department. David Cummings, Supervisor of the Town of Newstead added that

discussions with the Village regarding consolidation of the Court and Police Departments have been an agenda item for years.

PUBLIC COMMENT – Greg Papke spoke at this time regarding the Joint Facility and sent a plea for both the Town and the Village Boards to really look over the report for a new facility. Mr. Papke found many areas of over inflated prices and felt that the final cost could be reduced considerably. Resident Charles Carter mentioned that having the new facility on Buell Street would be an eye sore to traffic coming into the Village of Akron. Resident Merritt Spoth questioned the cost of the Indian Falls Road property. Mayor Patterson responded that the decision regarding the joint facility should be decided within the next four weeks. He also mentioned that any residents with questions are welcome back to the next Village Board meeting scheduled May 5, 2008 and both the Town of Newstead and the Village members will be present to give a better explanation of the joint facility project.

PROJECT REPORTS –

State Street Bridge – nothing new to report

John Street Waterline Project – Village Attorney Daniel D. Shonn recommended adopting a Negative Declaration SEQR for this project. The letters of interest have gone out and no objections to the Village of Akron being named Lead Agency have been submitted.

RESOLUTION, duly moved by Forrestel and seconded by Kaufman that the Village of Akron has conducted a SEQR review regarding the John Street Waterline Project and the site is in a pre-disturbed location and they have determined that there is not a environmental impact during this project and to adopt a Negative Declaration SEQR for the John Street Waterline Project be and hereby is approved.

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

Village Clerk Treasurer Daniel P. Borchert received two bids for the materials for the John Street Waterline Project and recommended accepting the bid from Vellano Brothers.

RESOLUTION duly moved by Kaufman and seconded by Capan to accept the bid from Vellano Brothers for the materials and supplies needed for the John Street Waterline Project be and hereby is approved.

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

MONTHLY REPORTS –

Departments –

VRI Environmental Services – Ken Scherrieble from VRI was present and offered the Board his report. Mr. Scherrieble informed the Board that levels did go over the permit level but only slightly, which is normal at this time of year; however, it shows there is still room for improvement.

Building Inspector – The Board received a copy of Mr. Folgers April 2008 report. Mr. Folger reported that the letters of interest regarding both Cornerstone and Akron Village Commons Subdivision have gone out and have 30 days to reply. A Planning Board Meeting is scheduled for April 22, 2008 with Kurt Schie's Westgate apartment extension on the agenda. Mr. Folger also commented on the Village Plumbers License test which has become very outdated and suggested that the Town of Newstead and the Village of Akron jointly have the test updated. Trustee Forrestel recommended putting the issue on the agenda of the joint meeting between the Town of Newstead and the Village of Akron. Mr. Folger informed the Board that

several Fire Inspections have been done on day care facilities and after school programs and suggested a fee be charged for each occurrence. First Knox Box is in use on Buffalo Street and several other businesses are interested in obtaining one as well. Lastly, Mr. Folger will be attending court April 23, 2008 regarding the following cases: Hyder, Ceisner, and Brady. The Johnston case has been postponed.

Elected Officials –

TRUSTEES – COORDINATORS

Trustee Capan – nothing to report

Trustee Middaugh – Reported that the Street Sweepers will be out tomorrow for winter cleanup. Also, mentioned the Lions Club playground project in Russell Park is almost complete.

Mayor Patterson – Commented on the remarkable article in the Superintendent Profile featuring Village Superintendent Robert Kowalik and the Village of Akron. Also in receipt of the Annual IEEP report which highlights the Village of Akron.

Trustee Forrestel –Shared notes from the Police Committee meeting held April 10, 2008 regarding: Police Coverage, the speed sign on Main Street, a joint Police garage, and Amusement Devises.

Trustee Kaufman - nothing to report

OLD BUSINESS

Inter-municipal DPW Facility –spoke about during Public Comment Time

Rental Regulations – nothing new to report

Celebration Committee – should have more information before the next Village Board meeting scheduled for May 5, 2008.

Mitigation Of Murder Creek – nothing new to report

NYCOM Main Street Meeting – Mayor Patterson reminded the Board that the NYCOM Meeting is scheduled for May 15, 2008 at the Adams Mark Hotel if anyone is interested in attending.

Akron Fire Department Service Award LOSAP – Village Clerk-Treasurer recommended approval of the LOSAP Service Award Points.

RESOLUTION, duly moved by Forrestel and seconded by Capan to approve the Akron Fire Department Service Award Points LOSAP be and hereby is approved.

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

NEW BUSINESS

RESOLUTION, duly moved by Kaufman, and seconded by Forrestel, authorizing the purchase of a new electric Bucket Truck, Village of Akron, Erie County, New York, at an estimated maximum cost of \$158,356.00, and authorizing the issuance of \$158,356.00 Serial Bonds of said Village to pay the cost thereof.

WHEREAS, pursuant to the proceedings hereto had and taken in accordance with the provisions of Article 4 of the Village Law, the Village Board of Trustees of the Village of

Akron, Erie County, New York, has determined it to be in the public interest to purchase a new electric bucket truck for said Village; and

WHEREAS, it is now desired to authorize the purchase a new electric bucket truck for the Village of Akron, Erie County, New York, at an estimated cost of \$158,356.00 and authorizing the issuance of \$158,356.00 serial bonds, and to provide for the financing thereof in accordance with the aforesaid order;

NOW, THEREFORE, BE IT

RESOLVED, by the Village Board of Trustees of the Village of Akron, Erie County, New York, as follows:

Section 1. The purchase a new electric bucket truck for the Village of Akron, Erie County, New York, at an estimated cost of \$158,356.00, and authorizing the issuance of \$158,356.00 serial bonds, in and for the Village of Akron, Erie County, New York, as more fully described in the aforesaid proceedings, is hereby authorized.

Section 2. The maximum estimated cost of such specific object or purpose is \$158,356.00 and the plan for financing thereof is \$158,356.00 by the issuance of the serial bonds, in installment form, of said Village hereby authorized to be issued pursuant to the provisions of the Local Finance Law. Further details pertaining to the said bonds will be prescribed in a further resolution or resolutions of this Village Board of Trustees.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is fifteen years, pursuant to subdivision 28 of paragraph (a) of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the serial bonds herein authorized will exceed fifteen years.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and said of the serial bonds herein authorized, including renewals of such note, is hereby delegated to the Village Clerk-Treasurer, the chief fiscal officer. Such note shall be of such terms, form and contents and shall be sold in such manner, as may be prescribed by said Village Clerk-Treasurer, consistent with the provisions of the Local Finance Law.

Section 5. The faith and credit of said Village of Akron, Erie County, New York, is hereby irrevocably pledged to the payment of the principal of and interest on such obligations as the same respectively become due and payable. All the taxable real property in said Village shall be subject to the levy of ad valorem taxes without limitation as to the rate or amount sufficient to pay the principal of and interest on said bonds as the same shall become due.

Section 6. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Village is not authorized to expend money, or
- 2) The provision of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- 3) Such obligations are not authorized in violation of the provisions of the Constitution.

Section 10. Upon this resolution taking effect, the same shall be published in full in the Akron Bugle, the official newspaper, together with a notice of the Village Clerk, in substantially the form provided in Section 81.00 of the Local Finance Law.

The question of adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

ADOPTED CARL E. PATTERSON - AYE
 E. PETER FORRESTEL - AYE

MICHAEL R. MIDDAUGH - AYE
WILLIAM P. KAUFMAN - AYE
KATHRYN A. CAPAN - AYE

RESOLUTION, duly moved by Capan and seconded by Middaugh to authorize Jayne De Tine to attend the Notary Public Training Course offered through the Akron-Newstead Community Education on Monday May 19, 2008 at a cost of \$65.00 be and hereby is approved.

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

CORRESPONDENCE –

Town of Amherst Operations Report for March 2008

Erie County Computers and Electronics recycling Day Saturday, April 26, 2008 from 9:00 a.m. – 1:00 p.m. at Central Park Plaza.

Renewal Letter from the Erie County CDBG Consortium

Erie County Civil Service regarding Civil Service rules applying to local Police Departments.

John Galligan memo regarding proposed bill S6735 regarding Part-time Police Forces.

Letter from Sue Leppien regarding the condition of Main Street

Letter from Akron Central School requesting the use of the Russell Park Gazebo from 4:30 p.m. – 6:30 p.m. on May 16, 2008 for Prom Pictures.

RESOLUTION, duly moved by Forrestel and seconded by Middaugh to allow the Akron Central School the use of the Russell Park Gazebo from 4:30 p.m. – 6:30 p.m. on May 16, 2008 for Prom Pictures be and hereby is approved.

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

PUBLIC COMMENT – Mayor Patterson wanted to take a moment to thank Kevin Gaughan and his staff for coming to Akron and for a very informative presentation.

On motion of Capan, seconded by Middaugh, at 9:15 P.M., this meeting was ADJOURNED.

MAYOR

CLERK-TREASURER