

June 16, 2008

A REGULAR MEETING of the Akron Village Board was held on this date at 7:30 p.m. Present: Mayor Carl E. Patterson; Trustees Michael R. Middaugh, E. Peter Forrestel, and William P. Kaufman; Attorney Daniel D. Shonn, Clerk-Treasurer Daniel P. Borchert, Building Inspector Donnal D. Folger, Chief of Police Richard Lauricella and Superintendent Robert Kowalik.

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

RESOLUTION, duly moved by Kaufman, seconded by Middaugh, that the Minutes of the Regular Meeting of June 2, 2008 be and hereby are approved by the Village Board.

ADOPTED 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 audit of bills is approved, and the Treasurer authorized to pay same in accordance with the following abstract of audit vouchers:

General Fund	\$ 41,108.30
Electric Fund	\$ 8,801.21
Water Fund	\$ 22,205.13
Sewer Fund	\$ 15,174.10
Capital Water	\$ 6,291.00
Capital Sewer	\$ 868.59

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

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

Timothy Shepp	79 Buell Street	Roof	\$25.00
Charles Baldwin	4 John Street	Pool	\$18.00
Randall Bergman	79 Cedar Street	Roof	\$25.00
Wylma Gronau	25 Sylvan Pkwy	Roof	\$25.00
Mike Stabell	15 Wesley Drive	Shed	\$25.00
Beverly Pixley	27 Danita Drive	Shed	\$25.00

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

PUBLIC HEARING was held at this time to hear any and all persons for the purpose of addressing the Local Law #2 for 2008 amending Chapter 122-44 Paragraph B of the Code of the Village of Akron with regard to the rates for sewer use effective July 1, 2008. The rate, for all users, effective July 1, 2008, shall be \$18.75 per calendar quarter for any sewer use not in excess of 5,000 gallons, plus \$3.75 per thousand gallons of sewer use in excess of 5,000 gallons. This charge shall cover the cost, with the exception of industrial surcharge related costs, necessary to properly maintain the wastewater treatment system. Clerk-Treasurer Daniel P. Borchert read the Proof of Publication and asked if anyone in attendance wished to speak. Resident Fred Bedford

asked the amount of increase and Clerk-Treasurer explained that the rate went from \$3.25 to \$3.75 per thousand gallons of sewer use.

RESOLUTION, duly moved by Kaufman and seconded by Middaugh that the Public Hearing with regard to Local Law #2 for 2008 amending Chapter 122-44 Paragraph B of the Code of the Village of Akron with regard to the rates for sewer use effective July 1, 2008, be and hereby is closed at 7:45 p.m.

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 Kaufman to adopt the Local Law #2 for 2008 amending Chapter 122-44 Paragraph B of the Code of the Village of Akron with regard to the rates for sewer use effective July 1, 2008. The rate, for all users, effective July 1, 2008, shall be \$18.75 per calendar quarter for any sewer use not in excess of 5,000 gallons, plus \$3.75 per thousand gallons of sewer use in excess of 5,000 gallons. This charge shall cover the cost, with the exception of industrial surcharge related costs, necessary to properly maintain the wastewater treatment system be and hereby is approved.

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

APPEARANCES – none scheduled

PUBLIC COMMENT – Merritt Spoth of 33 Crescent questioned the Board when the new exemptions will reflect in the taxes and also questioned why the tax bills are not itemized. Clerk-Treasurer Borchert explained that the new exemptions will reflect in next year's bill. Regarding the breakdown of tax dollars; the Clerk-Treasurer has a pie chart which shows the breakdown for the entire Village Tax bill. Any resident may come into the Village Hall and review the chart.

PROJECT REPORTS –

State Street Bridge – Nothing New

John Street Waterline Project – Superintendent Kowalik stated that the project is just about fifty percent complete. Village Public Works employees, Jon Cummings and Fred Bedford were present this evening to report that the project is going very well. Water samples from a portion of the project from Mechanic Street to Cedar Street have been sent to be tested and now are awaiting approval so customers can be hooked up to the new line.

MONTHLY REPORTS –

Departments –

VRI Environmental Services – Ken Scherrieble reported 1.5” of rain fall and the system handled it very well, but there is still infiltration that needs to be worked on. Mr. Scherrieble also reported that they are preparing the area for the capital project to construct the heated garage and covered drying beds and should start building the 2nd week of July.

Building Inspector – Mr. Folger shared with the Board concern that some Residents have regarding the SEQR Report for the Airport Project on the topic of drainage. Both the Town and the Engineer have gone over the plans and found nothing to substantiate the concern.

Mr. Folger reported that he attended a 3 hour course at the Fire Academy relating to lead paint and the proper removal of it.

After sending out Violation Notices with no response, Mr. Folger has requested to hire a service to mow two lawns situated at 208 East Avenue and 84 Cedar Street Both properties will be billed for this service and if not paid will be added to property Village tax.

RESOLUTION, duly moved by Forrestel and seconded by Middaugh to allow Building Inspector Donnal Folger to hire a service to mow the lawns located at 208 East Avenue and 84 Cedar Street with a bill for the service sent to the property owner and if unpaid will be added to the property Village tax be and hereby is approved.

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 Kaufman to allow Building Inspector Donnal Folger to hire a lawn service for all properties that have been sent Violation Notices for uncut lawns with no response, and to bill the property owner for this service and add it to property taxes if unpaid, be and hereby is approved.

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

Lastly, Mr. Folger reported that the Hyder and Ceisner cases are continuing through the court process. Cleanup of the burned out House on Jackson Street has been postponed to do an asbestos report.

Elected Officials

TRUSTEES – COORDINATORS

Trustee Middaugh – Nothing new to report

Mayor Patterson – requested an Executive Session regarding Personnel matters.

Trustee Forrestel – Reported that the Sewer Plant ran well within discharge permit levels over the last few months; actually particularly below permit levels. Also, Trustee Forrestel reported that he received a call from a resident with a noise level complaint from a Main Street Tavern at 1 a.m. on Sunday morning. Trustee Forrestel did place a call that was transferred to the NYS Police to dispatch the Akron officer. Chief Lauricella said he would check into the matter.

Trustee Kaufman – Nothing new to report

OLD BUSINESS

Inter-municipal DPW Facility – Village Attorney Daniel D. Shonn and Town Attorney Nathan Neill have prepared a draft of the Inter-municipal Agreement using the Village of Clayton's agreement as a model. Attorney Shonn highly recommended the Board review the draft very closely and let him know of any changes or concerns. Mayor Patterson will have a committee meeting next week.

Rental Regulations – Nothing to report

Celebration Committee – Building Inspector Donnal Folger reported that everything is in place for the celebration. The Committee will meet again next Wednesday.

Mitigation of Murder Creek – Superintendent Kowalik passed on paperwork on boring samples to the Town of Newstead to help in their quest to resubmit grant for Murder Creek Project.

Sewer Moratorium – Expires June 30, 2008 - Trustee Forrestel recommended extending the Sewer Moratorium for 50 units for another six months or December 31, 2008 and rolling back the total equivalent household units to discharge into the sewer system back to 50.

RESOLUTION, duly moved by Forrestel and seconded by Middaugh to renew the current moratorium and to reset the equivalent number of residential units which can be added to the inflow of the Village of Akron Waste Water System to 50 expiring on December 31, 2008 be and hereby is approved.

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

NEW BUSINESS

RESOLUTION, duly moved by Middaugh and seconded by Kaufman to move Christopher Wargala from Grade 10 Step 2 to Grade 10 Step 3 effective his anniversary date of June 12 based on recommendation of Superintendent Robert Kowalik be and hereby is approved.

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

The Board received a letter from, Nick Moore, a Boy Scout working on becoming an Eagle Scout. Nick wanted to paint house numbers on the curb corresponding to the house as his community project. After discussion it was decided that it would be more of an advantage if Nick placed house numbers on homes in the Village that do not have them. Trustee Kaufman stated he would see if the Lions Club would support Nick with this project.

CORRESPONDENCE –

Bouvier Partnership regarding the Village of Akron Cable Television Franchise.

Town of Newstead SEQR/SERP Coordinated Review regarding the Akron Airport Terminal Area Apron Reconstruction

NYCOM Annual Meeting material regarding open meetings law and Public Officers law

PUBLIC COMMENT – No one appeared to speak

RESOLUTION, duly moved by Kaufman, and seconded by Middaugh authorizing the Board to go into executive session at 8:20 p.m. to discuss personnel issues and litigation issues, be and hereby is approved.

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 Kaufman authorizing the Board to come out of executive session at 9:00 p.m., be and hereby is approved.

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

RESOLUTION, duly moved by Middaugh, and seconded by Kaufman to authorize the advertising for the position of part-time temporary seasonal laborer, be and hereby is approved.

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

On motion of Middaugh, seconded by Kaufman, at 9:10 p.m., this meeting was
ADJOURNED.

MAYOR

CLERK-TREASURER