

June 18, 2007

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, William P. Kaufman and Kathryn A. Capan; Village Attorney Daniel D. Shonn, Esq., Superintendent Robert Kowalik, Building Inspector Donnal Folger and VRI Representative Ken Scherrieble

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

RESOLUTION, duly moved by Middaugh, seconded by Forrestel, that the Minutes of the Regular Meeting of June 4, 2007, be and hereby are approved by the Village Board.

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

RESOLUTION, duly moved by Kaufman, 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	\$32,675.49
Electric Fund	\$90,097.63
Water Fund	\$25,427.00
Sewer Fund	\$13,898.90
Capital Sewer	\$ 1,556.92
Capital Water	\$ 2,895.10

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

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

Jim & Tammie Holtz	12 Crescent Drive	Shed	\$25.00
Daniel & Dawn Borchert	60 East Avenue	Fence	\$18.00
Brian Wittlinger	15 Indianola Avenue	Shed	\$25.00
Elaine Webster	33 Cedar Street	Roof	\$25.00
Tom Akin	17 Eckerson Avenue	Shed	\$25.00
Akron Mobile Park	10 Danita Drive	Pole Barn	\$43.00
Levi Knyter	16 Madison Avenue	Roof/Siding	\$25.00

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

PUBLIC HEARING – was held at this time to hear any and all persons regarding the contract between the Village of Akron and the Akron Fire Department. The Village Clerk read the proof of Publication and asked if anyone wished to speak. No one appeared to speak. Village Attorney, Daniel D. Shonn explained that the rate is the same as last year and the Fire Company would provide the same services as in the past year. Mr. Shonn recommended that Mayor Patterson sign the contract between the Village of Akron and the Akron Fire Company.

RESOLUTION, duly moved by Kaufman, seconded by Forrestel that the Public Hearing with regard to the contract between the Village of Akron and the Akron Fire Department, be and hereby is closed at 7:45 p.m.

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

RESOLUTION, duly moved by Forrestel, seconded by Capan to authorize Mayor Patterson to sign the contract between the Village of Akron and the Akron Fire Department.

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

APPEARANCES – The Akron Village Commons Project Engineer, RJR Engineering, was scheduled to appear but sent a correspondence instead to Trustee Forrestel extending greetings and to report that they are pleased with the progress of the project between the Village Board and Akron Village Commons.

Village Attorney Daniel D. Shonn recommended the renewal of the SEQR for the Akron Village Commons due to all the changes and the length of time the original SEQR was issued. Mr. Shonn also recommended that the Village of Akron be named lead agency for both projects.

RESOLUTION, duly moved by Capan, and seconded by Middaugh that the Village of Akron to be named lead agency for the Akron Village Commons and Kurt Schie’s Development.

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

PUBLIC COMMENT – Mr. Todd Esposito, resident and Elementary School Principal, came before the Board with concerns regarding Russell Park. He stated that his wife had a problem with disrespectful children and misuse of the facilities and feels residents are becoming fearful of using the park. Also Mr. Esposito has heard of other recent incidents in the park concerning groups of children threatening and harming other children in the park. He questioned if the Village Board could take any action to preserve the “Jewel” of Akron. Mayor Patterson thanked Mr. Esposito for his comments and stated that the Village Board is very much aware of the problems and concerns in Russell Park. Mayor Patterson has discussed it with the Akron Police force resulting in more emphasis on the park by the patrol car as well as foot patrol along with the curfew already established. The Village Board has also discussed the idea of mounting cameras thought out the park.

Mr. Esposito also wanted to comment on how the cars park across the sidewalk at the Dog House II Ice Cream Stand on East Avenue causing dangerous situations. Mayor Patterson responded that it is illegal to park blocking sidewalks and would discuss it with the police as well.

PROJECT REPORTS –

Washington/Liberty Streets Waterline Replacement Project – waiting for financial reports.

MONTHLY REPORTS –

Departments

VRI – Ken Scherrieble reviewed the May 2007 sewer operations. He stated that smoke testing has been on going and will continue in June. Notices will go out to residents with violations after the smoke testing has been completed.

Village Attorney Daniel D. Shonn stated that he was in receipt of the VRI Contract and upon his approval, recommended that Mayor Patterson sign it.

RESOLUTION, duly moved by Forrestel, and seconded by Kaufman authorizing the Mayor to sign the contract between VRI Environmental Services and the Village of Akron upon the final approval of the Village Attorney.

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

Building Inspector – Donnal D. Folger reported on the following: 1) Bowling Pin Factory – 55 gallon drums are still on site; 2) Trees and shrubs over sidewalks and streets – reminding residents of 8’ limit over sidewalks and 12’ limit over streets; 3) Notifying Laverne Johnson of Cedar Street that he has until July 9th, 2007 to finish his clean-up; 4) Town of Newstead proposed Wind Mill Law – provided copies to Board for review; 5) Burning Complaints from residents have been numerous, leading Mr. Folger to update residents on the no – burn code in the Village; 6) Hyder Properties – new roof on John Street.

Elected Officials –

TRUSTEES – COORDINATORS

Trustee Capan – Nothing to report

Trustee Middaugh – Reported that the new playground equipment donated from the Lions Club been installed along with replacement equipment and cleanup.

The GIS Committee met regarding Phase II, grant application has been denied.

Restoration Drainage – changed drainage elevation, fixed driveway and recommended a cap of \$1000.00 for repairs.

Mayor Patterson – Received a thank you letter from the Schrock family for the help that Officer Chris Heiderman and Officer Robert Farrington extended when Hannah Schrock was found.

Mayor Patterson asked Superintendent Robert Kowalik about the time frame given to residents that have violations with the sewer system, noting that the normal 30 day notice may have to be extended for residents that have structural issues.

Also in receipt of correspondence from a Brooklyn Street Resident in regards to financial help with his water bill from watering the area of restoration on his property from the October storm.

Trustee Forrestel – Noted that the next Water/Waste Water Committee meeting is scheduled for July 9th, 2007.

Trustee Kaufman – glad to be back after 8 weeks of training in Georgia.

OLD BUSINESS

Crittenden Road Well Spill Claim – Village Attorney Daniel D. Shonn made a recommendation to close file on claim.

RESOLUTION, duly moved by Kaufman, and seconded by Middaugh to close the file on the Crittenden Road Well Spill Claim.

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

Village Map – Village Attorney Daniel D. Shonn received two quotes.

Inter-municipal DPW Facility – Joint committee meeting to discuss facility is scheduled June 21, 2007. Andrew Casolini from Wendel Duchscherer Engineering, representing the Town of Newstead, will be present at the July 9th, 2007 Village Board meeting to give a brief update. Trustee Forrestel reported that the committee will be looking into their options and details of the joint facility study.

Town of Pembroke Water District – Village Attorney Daniel D. Shonn suggested allowing the two interested residents to tap into the water system. He also recommended that the Public Works Department scope out the area for possible connection sites.

NEW BUSINESS

Discussion was held regarding the increase in returned check charges for the Village of Akron. Village Clerk Daniel P. Borchert recommended raising the charge to \$25.00 per item. Trustee Forrestel suggested checking with NYCOM to confirm that the fee is officially permitted. The issue will be placed on the agenda under old business.

RESOLUTION, duly moved by Patterson, and seconded by Forrestel to adopt the Employee Program through ESI Employee Services for 1 year at a cost of \$25.00 per employee.

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

RESOLUTION, duly moved by Forrestel, and seconded by Capan to move Jayne De Tine from Grade 7 Hire Rate to Grade 7 Step 1 upon the recommendation of Village Clerk Treasurer Daniel P. Borchert.

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

RESOLUTION, duly moved by Kaufman, and seconded by Patterson to move Christopher Wargala from Grade 10 Step 1 to Grade 10 Step 2 based on the recommendation of Superintendent Robert Kowalik.

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

Discussion was held regarding the repair of sidewalks in the Village. Superintendent Robert Kowalik stated that the Village is responsible for the repair when a Village tree's roots are the cause of the damage.

CORRESPONDENCE

Article regarding the Village of Medina abolishing the Village Court.

Notice from 7 Jackson Street regarding electric damages. Village Attorney Daniel D. Shonn recommended that Mary Golding, owner of Giuseppe's Pizzeria, fill out a claim for damage done when a transformer blew out the Pizzeria's electricity.

On motion of Middaugh, seconded by Capan, at 8:40 P.M., this meeting was ADJOURNED.

MAYOR

CLERK-TREASURER

June 21, 2007

A SPECIAL MEETING of the Akron Village Board was held on this date at 7:30 A.M. Present: Mayor Carl E. Patterson; Trustees Michael R. Middaugh, E. Peter Forrestel; Village Attorney Daniel D. Shonn, Esq. and Superintendent of Public Works Robert Kowalik.

Mayor Patterson called the meeting to order.

RESOLUTION, duly moved by Patterson, and seconded by Forrestel, authorizing the Board to go into executive session at 7:46 A.M. to ask for a legal opinion on a proposed contract, be and hereby is approved.

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

RESOLUTION, duly moved by Patterson, and seconded by Middaugh, authorizing the Board to come out of executive session at 8:25 A.M., be and hereby is approved.

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

RESOLUTION, duly moved by Forrestel, seconded by Middaugh, that the Village of Akron Board of Trustees propose a contract for the sale of water to the Erie County Water Authority (ECWA) with terms of approximately 1,800,000 gallons of water per quarter at approximately 20,000 gallons of water per day at a rate of \$4.41/1,000 gallons subject to the approval of the Village Attorney.

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

RESOLUTION, duly moved by Forrestel, seconded by Middaugh, that the Village Board of Trustees is ratifying the actions of the Superintendent of Public Works to supply water to the Erie County Water Authority based on their request to the Village of Akron on June 19, 2007, be and hereby is approved.

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

On motion of Middaugh, seconded by Patterson, at 8:34 A.M., this meeting was ADJOURNED.

MAYOR

CLERK-TREASURER