

September 17, 2007

A REGULAR MEETING of the Akron Village Board was held on this date at 7:34 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, and Building Inspector Donnal Folger.

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

RESOLUTION, duly moved by Kaufman, seconded by Capan, that the Minutes of the Regular Meeting of September 10, 2007 be and hereby are approved by the Village Board.

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

RESOLUTION, duly moved by Middaugh, seconded by Forrestel 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	\$ 91,205.29
Electric Fund	\$ 10,248.17
Water Fund	\$ 46,256.10
Sewer Fund	\$ 11,438.14
Capital Sewer	\$ 100.40

ADOPTED CARL E. PATTERSON - AYE  
E. PETER FORRESTEL - AYE  
MICHAEL 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 are approved with the applications and approval of the Building Inspector:

Paris Childs	10 Eckerson Avenue	Storage Addition	\$25.00
Joan Holtz	63 Wesley Drive	Encl. partial Carport	\$25.00
MA Tufillaro Builder	Buell St. & Skyline Dr.	Fill	\$50.00

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

PUBLIC HEARING – No Public Hearing

APPEARANCES – Safety for the students who walk to Akron Central School is what prompted Dodi Akin from 17 Eckerson Avenue, Mary Staebell from 37 Clinton Street and Tammy Kowalik from 136 Main Street to appear before the Board with several concerns regarding crosswalks, sidewalk snow removal, tree and bush trimming and lastly the “smokers tree” adjacent to the school. Mrs. Akin inquired if the Public Works could repaint the crosswalks on the streets surrounding the school and possibly trim bushes on the corners of Franklin Street/Eckerson Avenue and Churchill Street/Eckerson Avenue or request the property owners to trim them. Also if anything could be done about enforcing the snow removal on sidewalks to keep the children from

walking in the streets. The gathering of students smoking around the “smokers tree” also has caused children to walk in the street; to avoid that group, Mrs. Akin questioned whether the Village Police Officers could discourage the loitering of students in that area. The Board would look into all the issues, but also recommended that these residents should also go to the School Board.

Lastly, Mrs. Akin questioned Mr. Douglas Ceisner’s placement of a truck on 28 Cedar Street. She wondered if the Board had any authority to have him remove the truck or at least move it to the rear of the property away from the bike path. Building Inspector Donnal Folger mentioned that the Board has changed the law regarding unlicensed vehicles on Industrial zoned property and will further look into the situation.

PUBLIC COMMENT – No one appeared to speak

PROJECT REPORTS –

State Street Bridge – Superintendent Robert Kowalik reported that Jansen-Kiener is obtaining proposals from three qualified Contractors for repairs on the Bridge to facilitate removal of the yellow flagged condition.

MONTHLY REPORTS –

Departments

VRI – Environmental Services – Al Gramh representing VRI reported to the Board that the Smoke testing is continuing on Lewis Road, as well as East Avenue. Violations have gone out to residents on Brooklyn Street. After receiving a high percentage rate on our Lab Testing for solids in sludge, the DEC wanted an independent lab test done to ensure the high percentage was correct. Lastly, Mr. Gramh reported that the Boiler passed inspection.

Elected Officials –

TRUSTEES – COORDINATORS

Trustee Capan – Nothing to Report

Trustee Middaugh – Nothing to Report

Mayor Patterson – Reported that a drainage meeting is scheduled for September 18, 2007. Mayor Patterson received several pieces of correspondence from NYCOM, Time Warner, and a memo for Village Officials which he will give to Village Clerk-Treasurer Daniel P. Borchert.

Trustee Forrestel – Informed the Village Board of a Water/Wastewater Committee meeting held earlier this evening. The Committee discussed the Timber harvest relative to the restoration by Hemphill Logging, the roof project at the filter plant and the work that was completed on the east wing wall at the Reservoir which Trustee Forrestel wanted to commend the Public Works department for a job well done. Lastly, Trustee Forrestel recommended that the Village pay the fee associated with the Lab Certification.

Trustee Kaufman – After a recent meeting of the Electric Committee it is recommended that the Village submit an application for a mini-rate case increase with the Public Service Commission. The Committee suggested that the Village request the maximum amount allowed under mini-rate increases (15%). Reasons for the increase are as follows: 1) electrical billings are under our cost by -3%. 2) Replacement of several key pieces of equipment will be needed in the near future, ex: new bucket truck. 3) Increased cost for infrastructure maintain, repair, and future expansion due to fuel and material increases. 4) Future staff training costs. The mini-rate should clear the Public Service Commission due to the fact that the Village has not requested a rate increase since 1977.

RESOLUTION, duly moved by Kaufman, and seconded by Middaugh that the Village of Akron submit an application for a mini-rate increase with the Public Service Commission at the maximum increase of 15%, be and herby is approved.

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

### OLD BUSINESS

Village Map – waiting for status report.

Inter-municipal DPW Facility – Mayor Patterson attended the Inter-municipal meeting held on September 17, 2007 and is in receipt of informational packets containing detailed reports on the viability of the Village entering into an agreement with the Town of Newstead for a inter-municipal DPW Facility.

During a meeting at Genesee Community College regarding Communities sharing services, Village Attorney Daniel D. Shonn, received a report which illustrates that very few communities actually share facilities due to the long time frame to integrate one.

Town of Pembroke Water District – Village Attorney Daniel D. Shonn together with Superintendent Robert Kowalik have only heard from one resident from Pembroke regarding hook-up. With the lack of response, the feasibility of a Pembroke Water District is improbable.

Complaint from Dave and Paula Ward from 26 John Street – waiting for a reply from the Village Insurance Company.

Russell Park Rules – Scheduled a Public Hearing for Local Law #6 on October 15, 2007.

Rental Regulations – Village Attorney Daniel D. Shonn will get packets out to the Village Board regarding rental regulations from other municipalities.

Wastewater Treatment Plant Lab – Water/Wastewater Committee recommended that the Village pay the fee for Lab Certification.

### NEW BUSINESS

Renew Lease for American Legion Property – Village Attorney Daniel D. Shonn recommended renewing the lease with the American Legion for another 5 years.

RESOLUTION, duly moved by Kaufman, and seconded by Forrestel, that the Mayor be and herby is authorized to sign the Lease Renewal between the Village of Akron and American Legion Tillman Post #900, per the recommendation of the Village Attorney.

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

CORRESPONDENCE - None

PUBLIC COMMENT – No one appeared

RESOLUTION, duly moved by Middaugh, and seconded by Kaufman authorizing the Board to go into executive session at 8:55 p.m. to discuss code issues, be and hereby is approved.

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

RESOLUTION, duly moved by Patterson, and seconded by Kaufman authorizing the Board to come out of executive session at 9.03 p.m., be and hereby is approved.

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

On motion of Kaufman, seconded by Capan, at 9:04 P.M., this meeting was ADJOURNED.

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MAYOR

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DEPUTY CLERK-TREASURER

September 21, 2007

A Special Meeting of the Akron Village Board was held on this date. Present: Mayor Carl E. Patterson, Trustees E. Peter Forrestel, Michael R. Middaugh, William P. Kaufman, Kathryn A. Capan, Superintendent Robert W. Kowalik and Deputy Clerk Treasurer Tammy Kelley.

RESOLUTION, duly moved by Middaugh, and seconded by Forrestel, to approve bid from Contour Steel for the repair of the State Street Bridge not to exceed \$11,600.00 be and hereby is approved.

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

On motion of Patterson, seconded by Middaugh, at 4:05 p.m. this meeting was ADJOURNED.

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MAYOR

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DEPUTY CLERK-TREASURER