

September 19, 2005

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 Robert W. Kowalik, Building Inspector Donnal D. Folger and VRI Representative Al Graham.

Mayor Ray M. Perkins opened the regular meeting with the pledge of allegiance.

RESOLUTION, duly moved by Patterson, seconded by Middaugh, that the Minutes of the Regular Meeting of September 12th, 2005, 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 Forrestel, seconded by Kaufman, 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	\$	17,202.96
Electric Fund	\$	117,632.35
Water Fund	\$	63,748.61
Sewer Fund	\$	6,655.26
Capital Streets	\$	26,419.92
Capital Water	\$	6.88

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 Middaugh, seconded by Forrestel, that the following building permit, be and hereby is approved with the application and approval of the Building Inspector:

David Sanford	6 Buell St.	Roof	\$25.00
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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 Middaugh, seconded by Forrestel, that the following building permit, be and hereby is approved with the application and approval of the Zoning Board of Appeals:

Mark Young	9 Cedar St.	Rear Fence	\$25.00
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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 considering Local Law #3 for the year 2005 pertaining to the amendment of Local Law #1 for the year 2005, "Moratorium on the acceptance or processing of an application for: approval or issuance of a building permit, zoning permit or amendment; variance, site plan, special use permit, subdivision and/or permits under the sewer law that would increase the inflow of sewage into the wastewater treatment plant of the Village of Akron." Such amendment would allow a limited number of building permits, up to the equivalent of 10 residential units during the extended moratorium period. Village Deputy Clerk-Treasurer Tammy L. Kelley read the Proof of Publication and asked if anyone in attendance wished to speak. No one in the audience wished to speak to the issue. Village Attorney Daniel D. Shonn, Esq. advised that the Village Board should delay adopting said local law until the Erie County Division of Planning Reply to Municipality is received.

RESOLUTION, duly moved by Forrestel, seconded by Middaugh, that the Public Hearing with regard to Local Law #3 for the Year 2005, be and hereby is adjourned to the next Regular Village Board Meeting scheduled for October 3, 2005 at 7:30 P.M.

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 considering the proposed contract between the Village of Akron and the Akron Fire Company, Inc., in the amount of \$109,000 and effective until May 31, 2006. Village Deputy Clerk-Treasurer Tammy L. Kelley read the Proof of Publication and asked if anyone in attendance wished to speak. No one in the audience wished to speak to the issue.

RESOLUTION, duly moved by Forrestel, seconded by Patterson, that the Public Hearing with regard to the proposed contract between the Village of Akron and the Akron Fire Company, Inc., be and hereby is closed at 7:43 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 Forrestel, authorizing the Mayor to sign the proposed contract between the Village of Akron and the Akron Fire Company, Inc. in the amount of \$109,000 and effective until May 31, 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

APPEARANCES – No one scheduled to speak.

PUBLIC COMMENT – No one appeared to speak.

Project Reports –

Upper Main/Townsend Streets – Milling & Paving – Financials to be completed.

Monthly Reports –

Departments

VRI – Written Report for August 2005 submitted. VRI representative Al Graham highlighted the following: 1) ACS roof drain re-piping was completed, at a cost to the school of approximately \$131,000 (special thanks to Mike Kropelin for his cooperation); 2) plant passed DEC inspection (24 hour composites); 3) work on methane gas system is expected to begin this week by contractor-LMC; 4) influent flow meter was sent out for repairs; 5) grease traps at ACS High School were inspected and looked good; 6) dye testing performed during last recent rain; 7) possible water break discovered at Cedar and Lewis; and 8) industrial pretreatment program continues. Trustee William Kaufman noted that estimates for the sewer plant garage roof are being solicited.

BLDG. INSPECTOR – Donnal D. Folger updated the Board on the status re: properties at 56 Eckerson Avenue, 20 Clinton Street and 73 John Street. Also discussed property on Crittenden Road recently damaged by fire.

Elected Officials

TRUSTEES – COORDINATORS

Trustee Middaugh – Reported that 1) he's been working with Electric Crew Chief on list of trees to be trimmed and with Lucy Curley on trees grant; 2) he continues work with Lions on new playground equipment for Russell Park; and 3) he recommends obtaining quotes to replace the rotting fascia board on the Russell Park gazebo.

Trustee Patterson – Reported that electric committee should meet relative to electric rate study and that the HR committee will be meeting in the next week or so.

Mayor Perkins – Reported that he will be attending an Eagle Scout ceremony for Robert Izydorczak on September 25th, 2005.

RESOLUTION, duly moved by Perkins, seconded by Forrestel, allowing Superintendent Kowalik to attend the Buffalo Managers & Supervisors Conference on December 1, 2005 at the Millennium

Airport Hotel, 2040 Walden Avenue, Buffalo at a cost of \$199, be and 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

Trustee Forrestel – Reported that the next Water/Wastewater Committee meeting is scheduled for September 26, 2005.

RESOLUTION, duly moved by Forrestel, seconded by Perkins, declaring certain sections of Village mains to be in need of emergency repairs and thereby authorizing the Superintendent of Public Works and special consultant Keith Marquis, P.E. to obtain quotes to repair the following sewer lines, be and hereby is approved, concerning the following five (5) sites of highest priority:

- 1) Crescent Drive, between manholes 309 & 310, with work on manhole 309;
- 2) Front Street, east of manhole 255;
- 3) Flint Avenue between manholes 139 & 140;
- 4) East Avenue between manholes 236 & 348; and
- 5) Eckerson Avenue - water service through sanitary sewer between manholes 200 and 402,

and at the following four (4) sites of secondary priority:

- 1) Parkview Drive – new manhole east of 71;
- 2) Newton (Ford Gum) –new manhole between 180 & 179;
- 3) Lewis Road – sewer main repairs between manholes 14 & 14A; and
- 4) Washington Street, between manholes 242 & 338.

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 Perkins, authorizing Timber Management Consultant, Susan J. Keister, LLC to prepare documents to go out for bids on the first stage of hardwood timber harvesting at the Water Reservoir, be and 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

Trustee Kaufman – Reported that one contractor had looked at the roof project at the sewer plant.

Old Business –

NYSDEC/SPEDES – See above.

Crittenden Road Well Spill Claim – Nothing new to report.

Tinkham Road Water – Village Attorney Daniel D. Shonn reported that he has correspondence ready to go out to property owners.

Akron Fire Company Contract – See above.

Comprehensive Plan – Village Attorney Daniel D. Shonn reported that the Village Planning Board has scheduled a Public Hearing for October 4th, 2005 at 7:30 P.M. for consideration of amending the Comprehensive Plan. Attorney Shonn noted that SEQR reports will be required and Building Inspector Folger noted that the Village will need engineering specialist(s) to assist with the SEQR process. Among its recommendations, the Planning Board is proposing the following:

- 1) Change the current Comprehensive Plan area on Flint Ave. to Hake Road that is Industrial I to R-2 (Center of Flint to Hake);
- 2) Change the current zoning that is Industrial I Zone (Schie triangle) to Residential on the Comprehensive Plan and change the Zoning law to R-1; and
- 3) Change the current Comprehensive Plan for the south side of the bike path that is Industrial to Residential with the following exceptions – a) maintain I-1 corridor along Hake Road at 400 feet; and b) change the Buell Street/Pixley parcel to Commercial Zone on the Comprehensive Plan.

No Parking – Brooklyn, Buell, Mechanic, Jackson – Mayor Perkins asked the Board to schedule a Special Meeting to discuss the no parking issue, as well as the Sno-Seekers' request.

Annexation – Nothing new to report.

Assessment Disclosure Notices – Pembroke & Darien – Village Attorney Daniel D. Shonn, Esq. reported that he is waiting to hear for proposals re: appraisals of water plant.

HVAC Upgrade – Village Hall – Nothing new to report (Bid opening set for 9/27/05).

CDBG – Public hearing scheduled for 10/3/05.

Methane Gas Piping at Sewer Plant – Superintendent Kowalik reported that contractor will start next week.

Moratorium – Public Hearing re: Amend Local Law adjourned to October 3, 2005 at 7:30 P.M.

New Business:

Mayor Perkins indicated that the Board accepts, with regrets, the resignation of Court Clerk Ellen Frey, with her intent to retire on December 28, 2005.

Superintendent Kowalik reported that CMH contractors have been selected to proceed with the emergency repairs to the sewer lines, as detailed by the above emergency declaration. Engineer Keith

Marquis, P.E. reported that he also spoke with John Mello from the EPA relative to the emergency repairs.

Correspondence –

Letter from Helen & Brian Fahey, 68 John Street, complaint letter.

Thank you letter from Village of Corfu Mayor Todd Skeet.

Planning Board Minutes – September 13, 2005.

Zoning Board of Appeals Meeting – September 12, 2005.

Letter fr. Erie County Department of Environment & Planning.

PUBLIC COMMENT TIME – No one appeared to speak.

On motion of Perkins, seconded by Forrestel, at 8:45 P.M. this meeting was ADJOURNED.

MAYOR

DEPUTY VILLAGE CLERK