

October 1, 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, Chief of Police Richard Lauricella 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 17, 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 Forrestel, seconded by Middaugh 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	\$ 15,415.70
Electric Fund	\$ 24,464.63
Water Fund	\$ 28,437.72
Sewer Fund	\$ 9,550.77
Capital Sewer	\$ 3,301.87

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:

Joe & Kelly Cory	17 Shepard Avenue	Siding/Windows	\$25.00
Madeline Cummings	26 Brooklyn Street	Roof	\$25.00
Elizabeth A. Palizay	16 Hoag Avenue	Roof/Windows	\$25.00
Millard Young	25 Eckerson Avenue	Roof/Windows	\$25.00
Mark Karczewski	6611 Hake Road	Roof	\$25.00

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

PUBLIC HEARING was held at this time to hear any and all persons for the purpose of addressing the 2008 Community Development Block Grant Program. Village Clerk-Treasurer Daniel P. Borchert read the Proof of Publication and asked if anyone in attendance wished to speak. No one appeared to speak. Mr. Borchert gave an overview of the past projects used with grant money such as several water lines, sidewalks, and the Rural Transit Van use for Village residents. Mayor Patterson suggested the Board consider ideas for use of the grant money and have them submitted by October 15th. Applications are due by October 29, 2007. Trustee Forrestel

suggested replacing the John Street waterline which has had several breaks in the recent past.

RESOLUTION, duly moved by Middaugh, and seconded by Kaufman that the Public Hearing with regard to the 2008 Community Development Block Grant Program be and hereby is closed at 7:44 p.m.

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

APPEARANCES – No one appeared to speak

PUBLIC COMMENT – Mr. Merritt Spoth from 33 Crescent Drive questioned the commotion taking place at Akron Central School over the weekend where complaints of graffiti and other acts of vandalism allegedly occurred. Chief of Police Richard Lauricella explained that this past week was the Akron Central School homecoming week. The Police Department is aware of the occurrences and stated that the State Troopers are conducting the investigations.

PROJECT REPORTS –

State Street Bridge – Superintendent Robert Kowalik reported that the steel reinforcements have been inserted and the work to remove the NYSDOT issues with the bridge has been completed. Mayor Patterson questioned how long before the yellow flag is lifted. Mr. Kowalik assured the Board that he feels the yellow flag will be lifted quite soon considering how quickly the bridge was repaired. Mr. Kowalik also mentioned that the work on the Crittenden Bridge is moving very quickly and an expected completion date is within a 4 week time period.

MONTHLY REPORTS –

Departments -

Attorney- Senior Citizens Exemptions which will be discussed later in the meeting.

Chief of Police – The Board received the Police Report for September 2007, along with a schedule for October 2007. Chief Lauricella informed the Board of five local noise ordinance violations in regards to the Village Inn. According to the Building Inspector, Donnal Folger, the Special Use Permit for outdoor use for the Village Inn expired as of 10/07/07 and will have to go before the Zoning Board of Appeals to be reissued.

During the month of October Police Officers will be attending mandatory training with ECSO.

Clerk Treasurer – The Board received the Clerk's report for September 2007, together with the October 2007 office schedule. Village Clerk Treasurer Daniel P. Borchert met with Amherst Alarm, ADT, Simplex Grinnell and Doyle Security regarding a security and fire alarm system for the Village Hall which may be subsidized with money from Home Land Security.

Also, Mr. Borchert recommended the acceptance of the proposal from Rehwaldt Builders to replace the trim around the Village Hall at a cost of \$12,300.00 as they were the only proposal that we received.

RESOLUTION, duly moved by Capan, and seconded by Middaugh to accept the proposal from Rehwaldt Builders to replace the trim around the Village Hall not to exceed \$12,300.00, 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

Lastly, Mr. Borchert wanted to thank Tammy Kelley for running the meeting for him while he attended the NYCOM Fall Training School, which he highly recommended to the Board.

Supt. of Public Works – The Board received copies of Mr. Kowalik’s September 2007 report. He requested permission for two public works employees to attend the MEUA engineering workshop in Syracuse, NY on October 17 & 18, 2007 at a cost of \$147.00 each.

RESOLUTION, duly moved by Forrestel, and seconded by Kaufman to allow two public works employees to attend the MEUA engineering workshop in Syracuse, NY on October 17 & 18, 2007 at a cost of \$147.00 each, 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

Superintendent Kowalik also recommended a step increase from hire rate to step 1 for meter reader/compost attendant Adam Kowalik for satisfactorily completing his six month probationary period effective September 6, 2007.

RESOLUTION, duly moved by Forrestel, and seconded by Middaugh to move meter reader/compost attendant, Adam Kowalik, from Grade 1A hire rate to Grade 1A step 1 after satisfactorily completing his six month probationary period effective September 6, 2007, 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

Trustee Middaugh asked Superintendent Kowalik to update the Board on the one-ton dump truck. Mr. Kowalik answered that the truck is still in the shop after several attempts to fix it and is now having new fuel lines installed which hopefully will fix the problem.

Building Inspector – Received 2007 New York State Building Codes with training sessions for the new codes being held in January 2008. Mr. Folger received the prints for Perry’s Ice Cream addition. He authorized the foundation segment of the project due to impending weather conditions and will settle other issues at a later date.

Had discussion with the Board about notices of violations at 37 Cedar Street and the work being done at the corner of Buell and Skyline. Mayor Patterson mentioned that Mr. Johnson of 44 Cedar Street has his trailer parked in front of his house again. Mr. Folger will check into the matter with Mr. Johnson.

Lastly, Mr. Folger updated the Board regarding the Town of Newstead adopting the Outdoor Wood Burning Local Law #4 for 2007. Trustee Forrestel recommended following Town of Newstead’s lead or totally ban outdoor furnaces.

Elected Officials –

TRUSTEES – COORDINATORS

Trustee Capan – Nothing to Report

Trustee Middaugh – Nothing to Report

Mayor Patterson – Received correspondence from John Wideman at the Akron Central School Bus Garage regarding parking on John Street.

Mayor Patterson mentioned that Historian John Eckerson is stepping down as local Historian. The Town of Newstead has appointed Nancy Eckerson, John's daughter, as the new Historian and Mayor Patterson would also like to recommend Nancy for the Village Historian.

RESOLUTION, duly moved by Capan, and seconded by Kaufman to appoint Nancy Eckerson as the Village Historian, 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

Lastly, Mayor Patterson wanted to congratulate Clerk Treasurer Daniel P. Borchert as he was elected 2nd Vice President for the New York State Association of City and Village Clerk's at the Annual meeting held September 20, 2007 at the NYCOM fall training school. Mr. Borchert thanked the Board for their support in allowing him to further his education.

Trustee Forrestel – Recapped the Board of the issues discussed at the WWWC meeting which included the Timber harvest. The softwood harvest is almost complete and the hardwood harvest has begun, the purpose of the harvest is to clear portions of the land to grow Cherry trees. Another issue is the completion of two projects, 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.

Trustee Kaufman – nothing to report

OLD BUSINESS

Village Map – Village Attorney Daniel D. Shonn spoke with Casey Cowan who stated the work is almost completed.

Inter-municipal DPW Facility – Mayor Carl Patterson handed out information packets regarding the Inter-municipal DPW Facility for the Board to review.

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

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

NEW BUSINESS

Planning Board Alternate Member - To be discussed at the October 15, 2007 Village Board Meeting.

Senior Citizen Exemptions – Village Clerk Treasurer Daniel P. Borchert suggested that the Village raise the Senior Citizen Income Limits to follow the Town of Newstead and Akron Central School limits. He also recommended that the Village hold a Public Hearing for the purpose of addressing the Local Law #7 for 2007-Senior Citizens Exemptions on October 15, 2007 at 7:30 p.m.

RESOLUTION, duly moved by Forrestel, and seconded by Capan to schedule a Public Hearing on October 15, 2007 at 7:30 p.m. relative to Local Law #7 for 2007 – Senior Citizens Exemptions, 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

CORRESPONDENCE –

Town of Amherst Central Fire Alarm Office regarding proposed Pine Meadows Subdivision. Subdivision name and Street names were denied.

Town of Amherst Central Fire Alarm September 2007 Operations Report.

Teamsters 264 Final Bargaining Agreement – Village Clerk Treasurer Daniel P. Borchert asked for a motion to allow the Mayor to sign the agreement.

RESOLUTION, duly moved by Middaugh, and seconded by Forrestel to authorize Mayor Patterson to sign the Teamsters 264 Final Bargaining Agreement, 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

PUBLIC COMMENT – No one appeared

RESOLUTION, duly moved by Middaugh, and seconded by Forrestel authorizing the Board to go into executive session at 8:16 p.m. to discuss contract negotiations, 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 Capan, and seconded by Forrestel authorizing the Board to come out of executive session at 8:46 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

The Board briefly RECESSED at 8:50 P.M. and the Newstead Town Board arrived to have our joint meeting.

Joint Facilities Study - Mayor Patterson shared the updated joint facility study with the rest of the Village Board. He would like the Board to review and be ready to discuss at a meeting on October 29, 2007 @ 8:00 PM at the Newstead Town Hall.

Sewer Service – Supervisor Cummings reported that the repairs to Sewer District #1 should be completed by the end of the year. He also noted that the Town of Newstead is willing to become a partner with the Village of Akron if they had an interest

in extending sewer services outside the Village. Trustee Forrestel briefed the Town of Newstead on progress at the wastewater treatment plant and with the collection system.

Drainage – The Town of Newstead has appointed a Town Conservation Advisory Committee and they gave a brief report on regarding the Murder Creek Bank Erosion. There were also concerns with the proposed sub-divisions on Hake Road and Andrew Casolini will look at the drainage plans when they are completed.

Code Enforcement Officer – The Village would like to address this issue as there might be a need for a new Code Enforcement Officer in the future. The Town of Newstead is willing to work out an agreement with there full time Code Enforcement Officer. Supervisor Cummings and Mayor Patterson will begin to set-up discussions.

Archives Grant – The Town is putting together a grant application to build space at the Town Hall for archives. The Village is willing to partner in that application with their support.

Bike Path Grant – The would like to seal the bike path, place mile markers, put up new signs and cut back the vegetation. They would like to see if the Village would support their efforts with the portion that runs through the Village.

Police Garage/Police Services – The Town is also looking at a grant to construct a police garage at the Town Hall with room to fit two NYS Police cars and two Village Police cars. The police contract language needs to be modified and the two attorneys will work the specifics out on that. Supervisor Cummings and Mayor Patterson will meet before discuss further details.

Justice Department – The Village and Town will be looking into the possibility of consolidating the Village and Town Court. This is coming about with the increased security of New York State Courts and does it make sense for both courts to have to allocate resources for all these new obligations.

Comprehensive Master Plan Updates – Councilman George updated the Village on the Town’s changes to their plan and stated that the proposed changes will be given to the Village as well.

On motion of Kaufman, seconded by Capan, at 10:14 P.M., this meeting was ADJOURNED.

MAYOR

CLERK-TREASURER