

December 4, 2006

A REGULAR MEETING of the Akron Village Board was held on this date at 7:50 P.M. Present: Deputy Mayor Michael R. Middaugh; Trustees Carl E. Patterson, E. Peter Forrestel and William P. Kaufman; Village Attorney Daniel D. Shonn; Superintendent of Public Works Robert W. Kowalik; Building Inspector Donnal D. Folger; and Chief of Police Richard Lauricella.

Deputy Mayor Michael Middaugh led the pledge to the flag.

RESOLUTION, duly moved by Patterson, seconded by Kaufman, that the Minutes of the Regular Meeting of November 13th, 2006, be and hereby are approved by the Village Board.

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

RESOLUTION, duly moved by Patterson, 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	\$90,874.75
Electric Fund	\$52,154.94
Water Fund	\$29,056.35
Sewer Fund	\$13,463.00
Capital Water Fund	\$ 26.88
Capital Sewer Fund	\$ 1,865.19

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

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

Roger & Carin Johnson	30 Crescent Drive	Pole Barn	\$69.00
KMB Properties	74 Cedar Street	Garage Roof & Siding Repair	\$25.00
Dennis & Dottie Freeman	38 Main Street	Replace Roof & Siding	\$25.00

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

RESOLUTION, duly moved by Middaugh, seconded by Patterson, that the following sidewalk application be and hereby is approved with the application to and approval of the Superintendent of Public Works:

Akron Post Office 118 Main Street 57 Feet \$342.00

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

A PUBLIC HEARING was held to discuss the adoption of proposed Local Law #7 for the Year 2006 to add to the Code of the Village of Akron a local law amending Section 117-3 Property Maintenance Code of the Village of Akron. The Village Clerk read the Proof of Publication, then asked if anyone wished to speak. Building Inspector Don Folger told the Board that this law was revised because the court system was not upholding our cases in front of them. Village Attorney Don Shonn said that this revised law does not address industrial zones.

RESOLUTION, duly moved by Forrestel, seconded by Middaugh, that the public hearing for adoption of proposed Local Law #7 modifying the Village of Akron Property Maintenance Law, be and hereby is closed at 7:56 P.M.

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

RESOLUTION, duly moved by Forrestel, seconded by Patterson, that Local Law #7 for the Year 2006 to add to the Code of the Village of Akron a local law amending Section 117-3 Property Maintenance Code of the Village of Akron, be and hereby is adopted.

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

APPEARANCES – No one appeared to speak.

PUBLIC COMMENT – No one appeared to speak.

PROJECT REPORTS –

Washington/Liberty Streets Waterline Replacement Project – The Village Clerk informed the Board that the financial information has been submitted to the County for reimbursement for \$35,000.00, which is about 75% of the grant amount with the remaining amount to be claimed once the final restoration is complete in the spring of 2007.

MONTHLY REPORTS –

Departments

Village Attorney – Don Shonn met with the Planning Board and discussed guidelines for subdivisions. He will have changes to the local law for next month's meeting with more detail in the plot plans.

Clerk-Treasurer – The Board received the Clerk Treasurer's report for November, together with the office schedule. He mentioned to the Board his attendance at the NYCOM Legislative Meeting in Albany on November 12th and 13th, and the various topics they will be addressing with the new Governor.

Chief of Police – He asked the Board to discuss some issues in Executive Session. He also mentioned new winter snow tires were purchased for car 90, Central Police Services installed a computer in car 91, at no charge to the Village, and we can have both cars detailed locally at a cost of \$50.00 each.

Superintendent of Public Works – The Board received copies of Mr. Kowalik’s November Report. He will give them the water production numbers when they are available. He is recommending moving Chris Wargala from Hire rate to Step 1, since he has successfully completed his probationary period.

RESOLUTION, duly moved by Middaugh, seconded by Patterson, that Christopher Wargala be and hereby is moved from Hire Rate to Step 1, effective December 12, 2006.

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

Supt. Kowalik also mentioned that MEUA would like a deadline before December 15th for the Village to recommend someone for apprentice training in the Spring.

Building Inspector – He told the Board that the time for the unlicensed vehicle to be removed from the Railroad Street property expires on Wednesday, December 6th, and it is still there. Don Shonn suggested that we call Mr. Brown to expedite the matter. Mr. Folger said he has sent out more unlicensed vehicle notices. Some of them are the same ones from previous times, they just move the vehicles around. He feels the second time around they should be brought to Court. Trustee Forrestel asked when can we go to Court? Mr. Folger said 30 days will be up after January 1st. Don Shonn said under the Property Maintenance Law we can tow away the vehicles. Chief Lauricella asked if we can issue appearance tickets on repeaters.

Mr. Folger also mentioned discussion of subdivisions with the Planning Board; Clinton and John Streets; and a landlord licensing law. Mr. Middaugh interjected that we can make laws, but he is more concerned with their enforcement.

Elected Officials –

TRUSTEES – COORDINATORS

Trustee Patterson – Will report later in the meeting.

Deputy Mayor Middaugh – Wanted to thank all the Village residents and organizations who helped clean up Russell Park. He mentioned the Living Nativity was cancelled on Friday, due to the high winds, but held on Saturday; Community Christmas will be held on December 9th; and he thanked Marilyn Kasperek for her article in the Akron Bugle. He has had discussions about the bike path situation and our patrolling of it and future measures for security. He attended a GIS meeting and received an update from CRA. He is working on obtaining an additional grant for more software training for employees. He also mentioned receiving information on the stream team, DEC cleanup, the safety of Murder Creek and the Sewer Plant.

RESOLUTION, duly moved by Middaugh, seconded by Patterson, that the Village proceed to apply for a GIS Grant, jointly with the Town of Newstead, not to exceed \$1,000.00.

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

Trustee Forrestel – The Code Committee met on November 16th and worked on Local Law #7, which was adopted tonight and defines debris, junk and rubbish. They are working on a revised list of codes. In Work Session they discussed inefficient electric heat. The Wastewater Committee meets on December 11th.

Trustee Kaufman – Garbage bids were opened on November 1st and he recommends accepting Modern Disposal's bid, which is Alternate #1, \$13.23 per unit, per month including freon, for two years.

RESOLUTION, duly moved by Kaufman, seconded by Forrestel, that the bid of Modern Disposal for refuse pickup in the Village of Akron, Alternate #1, \$13.23 per unit, per month including freon, for two years, from January 1, 2007 to December 31, 2008, be and hereby is accepted.

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

The Board and Village Clerk discussed adjusting the garbage rate for the next billing in March.

OLD BUSINESS

Unlicensed Vehicles at 26-28 Cedar Street and Railroad Street – previously discussed.

NYSDEC Collection – nothing new.

Crittenden Road Well Spill Claim – Don Shonn is supposed to hear from Patrick Holloway on Tuesday on the status of the matter.

Comprehensive Plan – Don Shonn asked if there has been any discussion with CRA and Dan Borchert said no. Deputy Mayor Middaugh said they are coming after the first of the year.

Annexation – nothing new.

Intermunicipal DPW Facility – There is a meeting scheduled for December 18th at 5:00 P.M. at the Town Hall.

Refuse Contract – Take Off Agenda

Patricia Curto – Don Shonn said we should hear that the request to appeal was denied.

Northern Erie Sno-Seekers – The Village Clerk informed the Board that he found out that the Sno Seekers have set up their barrels and marked the bike path, and do not have permission from the Village. They have not submitted their indemnification agreement or other paperwork from last year. The Clerk has called them and asked for it. Mayor Perkins only gave them permission to use the bike path for one year, last year. Trustee Forrestel said, if we don't get the paperwork by December 11th, we should block the bridge. The Village Clerk will call the Sno Seekers again tomorrow, and if we don't get their paperwork, the bridge will be closed.

NEW BUSINESS

RESOLUTION, duly moved by Middaugh, seconded by Forrestel, that the resignation of Debra Schneeberger from the position of Secretary to the Mayor, be and hereby is accepted as of November 27th, 2006.

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

RESOLUTION, duly moved by Patterson, seconded by Middaugh, that the resignation of Officer DeEtte Iacovitti from the position of part-time police officer for the Village, be and hereby is accepted effective 12/31/06.

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

RESOLUTION, duly moved by Middaugh, seconded by Kaufman, that the request of the Akron Central School District for Village police services at boys and girls varsity basketball games and home wrestling matches for the 2006-2007 season, be and hereby is approved.

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

Trustee Patterson told the Board that Jayne DeTine has been interviewed for the position of Secretary to the Mayor and the Village would like to hire her.

RESOLUTION, duly moved by Patterson, seconded by Forrestel, that Jayne DeTine be and hereby is appointed as Secretary to the Mayor at Grade 7 Hire Rate of \$12.92, with a start date to be determined between the Village Clerk and Ms. DeTine.

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

CORRESPONDENCE

The Board received a copy of a letter from Teamsters Local No. 264 advising of the 180 day notice to amend the Collective Bargaining Agreement between both parties that expires May 31, 2007.

The Board also received a copy of NYCOM's 2007 Legislative Top Priority Issues, previously mentioned by the Village Clerk.

Receipt of the Town of Amherst Central Fire Alarm October and November 2006 Operations Reports.

Receipt of the Planning Board Minutes of November 28th.

PUBLIC COMMENT – No one appeared.

RESOLUTION, duly moved by Middaugh, seconded by Kaufman, that the Board go into Executive Session at 8:43 P.M. to discuss personnel issues.

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

RESOLUTION, duly moved by Forrestel, seconded by Patterson, that the Board come out of Executive Session at 9:42 P.M.

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

On motion of Middaugh, seconded by Forrestel, at 10:04 P.M., this meeting was ADJOURNED.

DEPUTY MAYOR

CLERK-TREASURER