

January 8, 2007

A WORK SESSION of the Akron Village Board was held on this date at 6:30 P.M. to discuss agenda items. Present: Deputy Mayor Michael R. Middaugh, Trustees Carl E. Patterson and William P. Kaufman, Superintendent Robert W. Kowalik, and Village Attorney Daniel D. Shonn, Esq.

Deputy Mayor Middaugh adjourned the work session at 7:34 P.M.

A REGULAR MEETING of the Akron Village Board was held on this date at 7:37 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; and Building Inspector Donnal D. Folger.

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 December 4th, and Special Meetings of December 11, and December 18, 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 Forrestel, seconded by Patterson, 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	\$27,639.12
Electric Fund	\$40,215.44
Water Fund	\$16,519.39
Sewer Fund	\$17,425.29

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 building permits be and hereby are approved with the applications and approval of the Building Inspector:

Paul Dinelli	11 Churchill Street	Window Replacement	\$25.00
Paul Dinelli	11 Churchill Street	Rear Patio	\$25.00
Thomas Brady	3 Buell Street	Roof	\$25.00

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

RESOLUTION, duly moved by Forrestel, seconded by Kaufman, that the following Amusement Device Licenses for the Year 2007, be and hereby are renewed in accordance with the applications approved by Chief of Police Richard C. Lauricella:

DJ's Rental Video	4-6 Clinton Street	Coin Operated \$40.00 Video Games
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ADOPTED	CARL E. PATTERSON	- AYE
	E. PETER FORRESTEL	- AYE
	MICHAEL R. MIDDAUGH	- AYE
	WILLIAM P. KAUFMAN	- AYE

RESOLUTION, duly moved by Middaugh, seconded by Forrestel, that the following Mobile Home Park Licenses for the year 2007, be and hereby are renewed in accordance with the applications filed and payment of the annual license fee of \$125.00:

Dona M. Doll	2 Wesley Drive	Akron, NY	\$125.50
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ADOPTED	CARL E. PATTERSON	- AYE
	E. PETER FORRESTEL	- AYE
	MICHAEL R. MIDDAUGH	- AYE
	WILLIAM P. KAUFMAN	- AYE

Trustee Forrestel noted that the Village Board of Trustees will be looking at the Village of Akron's Mobile Home Park License fee structure.

RESOLUTION, duly moved by Middaugh, seconded by Patterson, that the following Plumbers Licenses for the year 2007, be and hereby are renewed in accordance with the applications filed and payment of the annual license fee of \$40.00:

William Izydorczak	637 Burrough Rd.	Attica, NY	\$40.00
John Gaunder	8734 Stahley Road	E. Amherst	\$40.00
Jeffrey Covell	622 Ham Road	Basom, NY	\$40.00
Rick Hale	28 Swan Street	Batavia, NY	\$40.00
Charles Lett	5580 Broadway	Lancaster, NY	\$40.00
Marvin Deahn	9590 Keller Road	Clar. Ctr, NY	\$40.00
James H. Frey	6560 Goodrich Rd	Clar. Ctr, NY	\$40.00
Harold K. Frey Sr.	6560 Goodrich Rd	Clar. Ctr, NY	\$40.00
Bruce Ceisner	P.O. Box 280	E. Pembroke	\$40.00
Salvatore F. Musso	8574 Sheridan Dr.	Williamsville	\$40.00
Dan Loudenslager	6065 Stricker Rd	Clarence, NY	\$40.00
Ronald Kimmel	5800 Seneca St.	Elma, NY	\$40.00
Michael R. O'Neil	6700 Lincoln Ave	Lockport, NY	\$40.00
David Twardowski	3 Hemlock Lane	Lancaster, NY	\$40.00
Bradley Rehwaltd	9520 Fisk Rd.	Akron, NY	\$40.00
Timothy Harris	10040 Martin Rd	Clarence Ctr	\$40.00
Arlan Wittlinger	4550 Gunnville Rd.	Clarence, NY	\$40.00
Richard Petschke	P.O. Box 234	Alden, NY	\$40.00
Timothy Harnois	124 Harvey Avenue	Lockport, NY	\$40.00
Roy C. Perry	416 Main Road	Akron, NY	\$40.00
Kenneth Price	3 Main Street	Corfu, NY	\$40.00
Sean Towlson	5991 Riddle Road	Lockport, NY	\$40.00
Timothy Johnson	230 Heim Road	Williamsville	\$40.00
Richard J. Greene	6326 Transit Rd	Depew, NY	\$40.00
Mark M. Carfley	125 Arthur Street	Buffalo, NY	\$40.00
Gerald R. Raduns	1439 Roberts Road	Bason, NY	\$40.00
John J Babcock	549 Main Road	Corfu, NY	\$40.00
Stanley Kandefer	2247 Union Road	W. Seneca	\$40.00

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

Trustee Forrestel thought we should add into the fee structure a fee for Plumbers found working in Akron without a license that being double the fee or \$80.00 and if

caught a second time triple the fee or \$120.00. Trustee Patterson questioned how to advertise this to the Plumbers. Village Clerk Borchert stated he could use the Media, Website, or postings.

RESOLUTION, duly moved by Forrestel, seconded by Kaufman, that the fine for an unlicensed plumber caught doing work in the Village of Akron by the Code Enforcement Officer will be twice the regular license fee (\$80.00) and if a plumber is caught being a repeat offender, then the fine will be three times the regular license fee (\$120.00)

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 – John Asmus from the Water Plant wanted to comment on the recent complaint about trespassing on the Water Plant Property. He stated the property is not a free for all, gates are checked, signs have been posted and a number of them have been stolen. When there has been a problem, the proper authorities have been notified and upon arrival of the authorities, the trespassers have left. Usually the trespassers are kids or lost hunters. He stated that the Village has more locked gates around the 450 acre property. He will continue to monitor the property at the water plant.

#### PROJECT REPORTS –

Washington/Liberty Streets Waterline Replacement Project – The Village Clerk informed the Board that the first payment of the \$35,000.00 was received from County. With 10,000.00, the remaining amount to be claimed once the final restoration is complete in the spring of 2007.

#### MONTHLY REPORTS –

##### Departments

Village Attorney – Don Shonn spoke with NYCOM about 2 training Courses available for Akron. First, is a training course for members of Planning Boards and Zoning Board of Appeals. Training can be done in the classroom or by distance learning, electronic media and video. Second, is that all municipalities to conduct a workplace violence risk assessment.

RESOLUTION, duly moved by Forrestel, seconded by Patterson, to encourage the members of the Village of Akron Planning Board and the Zoning Board of Appeals to attend training courses in conjunction with the new legislation that went into effect on January 1, 2007.

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, to direct the Village Clerk to conduct a workplace violence risk assessment for the Village of Akron. When completed, then develop a written workplace violence prevention program, listing risk factors and prevention methods.

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

Clerk-Treasurer – The Board received the Clerk Treasurer’s report for December, together with the January 2007 office schedule. He mentioned to the Board that he hosted the annual Village of Akron Safety Dinner at the Akron House on December 11, 2006. Also, he hosted the monthly meeting of the Municipal Administrative Officers Association of Erie County on December 12, 2006 at the Akron House. Mr. Borchert expressed his thanks and gratitude to Barb Thoma for filling in as Secretary to the Mayor for several months during the employee transition period. New Secretary to the Mayor, Jayne De Tine started in the Clerk’s office on December 19, 2006.

Chief of Police – Not Present

Superintendent of Public Works – The Board received copies of Mr. Kowalik’s December Report. Superintendent Kowalik recommended the services of James H. DeLaPlante III, PE LS Engineer and Land Surveyor for the John Street Water Line Project. He also noted that soil borings may need to be taken along the proposed route, however the cost for the soil borings are not included in this proposal.

RESOLUTION, duly moved by Forrestel, seconded by Middaugh that James H. DeLaPlante III, PE LS Engineer and Land Surveyor will be awarded the engineering services for the John Street Water Line Project for the amount of \$8,750.00.

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

Mr. Middaugh inquired how the Village’s new Chipper is working. Mr. Kowalik stated the Chipper is working great. The old chipper was taken up to the Water Plant for use at that facility. Also Mr. Kowalik spoke about the installation of the new GIS computer/software/hardware. CRA recommended the Top Con GPS hand held data collection unit and have placed order. CRA will be coming into demo the unit at a future Board Meeting.

Building Inspector – Don Folger asked for a public hearing for the 6 unlicensed vehicles still located in the Village.

RESOLUTION, duly moved by Kaufman, seconded by Patterson that a Public hearing be held on January 22, 2007 at 7:30 P.M. for the unlicensed vehicles located in the Village at the following locations 8 Marshall Avenue, 5 Washington Street, 35 John Street, 97 John Street, 237 East Avenue and 45 Brooklyn Street.

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

Mr. Folger also submitted his Annual Summary of Activity for the year 2006. Mr. Folger has inspected the ditches around Skyline Drive and Buell Street and found that they were plugged from the October Storm, which has caused some flooding in the homes in the area. Also, Don showed the plans for 8 housing lots for the Skyline Drive Building Project. Mr. Folger will be attending the Niagara Frontier Building School which will be held January 29-31, 2007. Charlie Frey appeared in court on December 27, 2007, pleaded guilty and paid a fee of \$295.00. Mr. Frey has since sold the house and moved to North Carolina. He also noted that the dump truck located on Gregg Brown's property on Railroad Street has been removed. Mr. Folger updated the Board regarding George Hyder. On October 25, 2006, the court gave Mr. Hyder 6 months to repair the house on John Street. The house on Clinton Street is now habitable.

Elected Officials –

TRUSTEES – COORDINATORS

Trustee Patterson – Will have a Human Resource Meeting on Wednesday, January 10, 2007 at 4:30 P.M. at the Village Hall. Time Warner – Rate Increases?

Deputy Mayor Middaugh – Would like to see the GIS Grant Demo of the hand held collection unit with Mr. Kowalik. Checking into Storm Clean-Up, and finding a contractor to Clean-Up the debris on Brooklyn Street. Recap with Department heads relating to the October Storm.

Trustee Forrestel – Gave a review of the Code Committee and that they will be adding landlord licensing and site plan reviews.

Trustee Kaufman – No report.

OLD BUSINESS

NYSDEC Collection – Nothing new.

Crittenden Road Well Spill Claim – Nothing new.

Comprehensive Plan – Village Attorney will contact the Town of Newstead Attorney for a possible public hearing to be held on 02/05/07 at 7:30 P.M.

Annexation – Nothing new.

Intermunicipal DPW Facility – Deputy Mayor Middaugh noted that he last met with the committee on 12/18/06.

Patricia Curto – Nothing new.

NEW BUSINESS

Draft resolution relating to Local Law #6 of year 2006 will be discussed and finalized at the next Board meeting.

RESOLUTION, duly moved by Middaugh, seconded by Kaufman that the Village of Akron will hold its Biennial Election on Tuesday, March 20, 2007 in the basement of the Village Hall with Polls to be open from 12:00 noon until 9:00 pm.

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

CORRESPONDENCE

The board received a letter from Kathryn Capan, Planning Board chairperson, dated December 8<sup>th</sup> 2006 to Kurt Schie and Jack Willert re: Akron Development, LLC Clarence Center and Hake Roads.

Receipt of the Town of Amherst Central Fire Alarm Office December 2006 Operations Report.

Written complaint from Scott Mapes, 7 Indianola Avenue, to the Akron Police Department. Item forwarded to Police Chief Rick Lauricella.

Erie County Recycling Day for Computers and Textiles will be held on Saturday, January 13, 2007 from 9:00 A.M. – 1:00 P.M. at the Buffalo Zoo.

PUBLIC COMMENT – No one appeared.

RESOLUTION, duly moved by Patterson, seconded by Middaugh, that the Board go into Executive Session at 8:25 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 Middaugh, seconded by Patterson, that the Board come out of Executive Session at 8:50 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 8:51 P.M., this meeting was ADJOURNED.

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DEPUTY MAYOR

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CLERK-TREASURER