

January 9, 2006

A work session of the Akron Village Board was held on this date at 6:30 P.M. to discuss agenda items. 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., Chief of Police Richard C. Lauricella and Building Inspector Donnal D. Folger.

Mayor Perkins adjourned the work session at 7:25 P.M.

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, Chief of Police Richard C. Lauricella and Building Inspector Donnal D. Folger.

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

RESOLUTION, duly moved by Forrestel, seconded by Patterson, that the Minutes of the Regular Meeting of December 5th, 2005, and of the Special Meeting of December 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. MIDDAUGH	- AYE
	WILLIAM P. KAUFMAN	- AYE

RESOLUTION, duly moved by Middaugh, seconded by Patterson, 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	\$	23,058.20
Electric Fund	\$	31,473.27
Water Fund	\$	13,131.94
Sewer Fund	\$	20,211.66
Capital Sewer	\$	12,013.93

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 Kaufman, that the following building permits, be and hereby are approved with the application and approval of the Building Inspector:

Walter Hetrick	57 Jackson Street	Shed	\$ 25.00
Sandra Huber	63 Wesley Drive	Carport	\$ 25.00
Thomas Moleski	21 Railroad Street	Fence	\$ 18.00

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

Nextel Partners 3 Jackson Street Add'n to Telecom Tower \$ 45.00

ADOPTED RAY M. PERKINS - AYE
 CARL E. PATTERSON - AYE
 MICHAEL R. MIDDAUGH - AYE
 WILLIAM P. KAUFMAN - AYE

Trustee Forrestel abstained from voting on the above resolution.

RESOLUTION, duly moved by Perkins, seconded by Forrestel, that the following Plumber's License for the Year 2006, be and hereby is granted in accordance with the application filed and payment of the annual license fee of \$40.00:

Sean B. Towlson 550 High Street Lockport, NY

RESOLUTION, duly moved by Perkins, seconded by Middaugh, that the following Plumbers' Licenses for the Year 2006, be and hereby are renewed in accordance with the applications filed and payment of the annual license fee of \$40.00:

John Gaunder	8734 Stahley Road	E. Amherst, NY
Timothy G. Johnson	230 Heim Road	Williamsville, NY
Bradley Rehwaldt	9520 Fisk Road	Akron, NY
Marvin Deahn	9590 Keller Road	Clarence Ctr., NY
Gerald Raduns	1439 Roberts Road	Basom, NY
Richard Petschke	PO Box 234	Alden, NY
Timothy Harnois	124 Harvey Avenue	Lockport, NY
Joseph M. Castle	10 Gooding St.	Lockport, NY
Timothy Harris	10040 Martin Road	Clarence Ctr., NY
John Mulla	72 N. End Avenue	Kenmore, NY
Jeffrey Covell	1622 Ham Road	Basom, NY
Charles Lett	5580 Broadway	Lancaster, NY
Rick Hale	28 Swan Street	Batavia, NY
Ronald Kimmel	5800 Seneca Street	Elma, NY
Robert Bourkney	5453 Francis Shores	Honeoye, NY
James H. Frey	6560 Goodrich Road	Clarence Ctr., NY
Harold K. Frey, Sr.	6560 Goodrich Rd.	Clarence Ctr., NY
Michael O'Neil	6700 Lincoln Avenue	Lockport, NY
Anthony Rosati	5912 Collins Drive	Lockport, NY
Leonard Schie	11066 Keller Road	Clarence, NY
David Twardowski	3 Hemlock Lane	Lancaster, NY
Mark M. Carfley	125 Arthur Street	Buffalo, NY
Richard J. Greene	6326 Transit Road	Depew, NY
Arlan Wittlinger	4550 Gunnville Road	Clarence, NY
Dan Loudenslager	6065 Strickler Road	Clarence, NY
Stanley Kandefer	2247 Union Road	W. Seneca, NY
Roy C. Perry	416 Main Road	Akron, NY
Henry H. Cook	7182 Kenyon Avenue	Basom, NY

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 Middaugh, seconded by Patterson, that the Mobile Home License of the Akron Mobile Home Park, Inc. c/o Dona Doll, 2 Wesley Drive, be and hereby is renewed for the Year 2006, in accordance with the application filed and payment of the license fee of \$124.50.

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, that the following Amusement Device Licenses for the Year 2006, 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 2 Video Games

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

There were no public hearings scheduled.

There were no scheduled appearances.

Public Comment: Robert Scheib of 51 Brooklyn Street appeared before the Board to discuss the Village's electric rates and to recommend limiting residential and commercial development in order to control electric consumption. Daniel P. Borchert noted that electric rates have not changed since 1978. Superintendent Robert W. Kowalik noted 1) that the PPA rate does fluctuate each month and is based upon a number of factors, including but not limited to, the peak usage in the Village each month and 2) that commercial users of Village electric have been very cooperative in working during off peak hours, etc. Village Attorney Daniel D. Shonn, Esq. noted that the cost of electric to the Village is determined by contract for hydro power and by fluctuating spot market rates for usage over the Village's allotment.

Project Reports –

Sewer Repairs – Crescent/Flint/Front/East/Eckerson – Clerk-Treasurer Daniel P. Borchert indicated that he has been working with Village Engineer Keith Marquis in readying the paperwork for reimbursement from the EPA.

Monthly Reports –

Departments

ATTORNEYS – Village Attorney Daniel D. Shonn reported 1) that, if necessary, a court hearing in the Curto matter will be scheduled in February and 2) that he has been discussing risk management issues with Clerk-Treasurer Daniel P. Borchert.

CLERK-TREASURER – Written report for December 2005 submitted. Clerk-Treasurer Daniel P. Borchert recommended that a committee look over the current employee handbook, as the last upgrade was done by AMTEK in 2000.

CHIEF OF POLICE - Written report for December 2005 submitted. Chief of Police Richard C. Lauricella highlighted the following: 1) New Year's Eve Ball Drop went well without incident; 2) one snowmobile/bike path complaint has been received re: all-night operation and speed; and 3) daily Preventive Maintenance Checklists for APD vehicles will be instituted starting January 14, 2006. Chief Lauricella also noted that he is researching the possibility of using volunteer auxiliary police officers for traffic control, etc.

RESOLUTION, duly moved by Perkins, seconded by Forrestel, authorizing a step increase for James H. Ritchie from the hire rate to the part-time officer's hourly rate, effective as of January 6, 2006, 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

SUPT. OF PUBLIC WORKS – Written report for December 2005 submitted. Superintendent Robert W. Kowalik requested an executive session to discuss a personnel issue.

RESOLUTION, duly moved by Patterson, seconded by Forrestel, authorizing Robert Lucia, Shaun Gloss and Carl Stocksclaeder to attend the Western New York Water Works Conference in Batavia on February 2, 2006 at a cost of \$20 (plus \$5 annual dues) each, 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

RESOLUTION, duly moved by Patterson, seconded by Forrestel, authorizing the appointment of Philip Kreher to the DPW Skilled Laborer Position (Streets Department) at Grade #10 Hire Rate, 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

Elected Officials

JUSTICE COURT REPORT – Written report for December 2005 submitted.

TRUSTEES – COORDINATORS

Trustee Middaugh – Nothing new to report.

Trustee Patterson – Reported on the following items: 1) as discussed above, Skilled Laborer Position has been filled; 2) interviews for part-time court clerk will be held shortly; and 3) electric mini-rate study should be launched in June, 2006.

Mayor Perkins – Nothing new to report.

Trustee Forrestel – Water/Wastewater Committee meeting is scheduled for January 30, 2006.

Trustee Kaufman – Nothing new to report.

Old Business –

NYSDEC/SPEDES – Nothing new to report.

Crittenden Road Well Spill Claim – Nothing new to report.

Tinkham Road Water – Clerk-Treasurer Daniel P. Borchert reported that 2 payments from new water customers have been received. Water department is awaiting delivery of parts.

Comprehensive Plan – Village Attorney Daniel D. Shonn reported that mapping information is with Village Engineer Keith Marquis.

No Parking – Brooklyn, Buell, Mechanic, Jackson – Clerk-Treasurer Daniel P. Borchert reported that response from NYSDOT has been received.

Annexation – Village Attorney Daniel D. Shonn reported that field survey work is done.

Assessment Disclosure Notices – Pembroke & Darien – Appraisers have been out to water plant.

HVAC Upgrade – Village Hall – Pre-construction meetings continue, with next meeting set for mid-January.

CDBG – The following proposed projects have been approved for Community Development Block Grant Funding for 2006: 1) Washington/Liberty Streets Waterline Replacement Project; and 2) Senior Van Transportation Service with Town of Newstead and Town of Clarence.

Methane Gas Piping at Sewer Plant – Remove from agenda.

Intermunicipal DPW Facility – Feasibility study underway.

New Business –

RESOLUTION, duly moved by Perkins, seconded by Middaugh, authorizing Tammy Kelley to attend the MEUA Accounting and Finance

Workshop from March 22nd to March 23rd, 2006 in Liverpool, New York, 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

Time Warner Cable Proposal to serve the Wastewater Treatment Plant with Roadrunner.

RESOLUTION, duly moved by Perkins, seconded by Forrestel, authorizing the creation of a 4th Skilled Laborer Position in the Village Department of Public Works, 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

Erie County Electronics/Computer Recycling and Christmas Tree Mulching Day is Saturday, January 14, 2006 from 9:00 AM to Noon at the Buffalo Zoo.

Stormwater Regulations – Village Attorney Daniel D. Shonn reported that Building Inspector Donnal D. Folger forwarded a copy of the Town of Newstead's Stormwater Regulations to him. Matter referred to Trustee Middaugh o/b/o Drainage Committee for review and consideration.

RESOLUTION, duly moved by Perkins, seconded by Patterson, authorizing a step increase for Village Justice Court Clerk Bonnie Pafk from Step #4 to Step #5, effective January 1, 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

Correspondence –

Thank you note from the Akron Lioness for the support of the Community Christmas.

Town of Amherst – Central Firer Alarm December 2005 Operations Report.

Water Pressures – Finding new sources of Funds for our Community's Infrastructure Systems from Carl Calabrese of Government Action Professionals.

Erie County Village Officials Association General Membership meeting on Thursday, January 19, 2006 at Illio DiPaolo's with featured speaker Frank Gould of ENB Insurance.

NYCOM 2006 Winter Legislative Meeting from 2/26/06 to 2/28/06 at the Albany Crowne Plaza Hotel.

Letters from Robert Whiting and Richard Zurlo with the intent of pending retirement in 2006.

Association of Erie County Governments – Regular Meeting Notice – January 26, 2006 at Michael’s Banquet Facility in Hamburg, NY.

Memo from Thomas J. Dearing, Community Planning Coordinator, County Department of Environment and Planning re: Quarterly Report 10/1/05 to 12/31/05 (CDBG).

PUBLIC COMMENT TIME – Robert Scheib asked for clarification relative to the no parking issue at the intersection of Buell/Mechanic/Brooklyn/Jackson Streets. Clerk-Treasurer Daniel P. Borchert explained that, at the Board’s request, the NYSDOT has amended its original Order to limit the no parking to within approximately 35 feet of the intersection.

RESOLUTION, duly moved by Middaugh, seconded by Patterson, authorizing the Board to go into executive session at 8:44 P.M. to discuss personnel and legal issues, 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

RESOLUTION, duly moved by Perkins, seconded by Forrestel, authorizing the Board to come out of executive session at 9:31 P.M., 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

RESOLUTION, duly moved by Perkins, seconded by Forrestel, to forward Grievance #2005-05 to Norm Stocker, 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

On motion of Perkins, seconded by Patterson, at 9:33 P.M. this meeting was ADJOURNED.

MAYOR

VILLAGE CLERK