

March 6, 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 Superintendent of Public Works Robert W. Kowalik.

Mayor Perkins adjourned the work session at 7:28 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 of Public Works Robert W. Kowalik and VRI representative Ken Scherrieble.

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

RESOLUTION, duly moved by Patterson, seconded by Kaufman, that the Minutes of the Regular Meeting of February 27th, 2006, 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 Perkins, seconded by Forrestel, 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	\$	13,776.18
Electric Fund	\$	37,384.56
Water Fund	\$	6,847.86
Sewer Fund	\$	4,936.29
Capital Water	\$	3,236.00

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 Patterson, that the following building permit, be and hereby is approved with the application and approval of the Building Inspector:

John Stein & Dave Hasert 185 East Ave. Hot Dog Stand \$ 25.00

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.

There were no public hearings scheduled.

APPEARANCES: No one appeared to speak.

Public Comment: No one appeared to speak.

Project Reports –

Sewer Repairs – Crescent/Flint/Front/East/Eckerson – Nothing new to report.

Washington/Liberty Streets Waterline Replacement Project – Superintendent Robert W. Kowalik reported that approval has been received from the Erie County Health Department for replacement of the waterline within existing rights-of-way. Village Attorney Daniel D. Shonn will prepare Type II SEQR declaration for next meeting.

Monthly Reports –

Departments

ATTORNEYS – Village Attorney Daniel D. Shonn reported on the following: 1) he has contacted the Erie County District Attorney's Office Justice Court Bureau Chief Amy Goldstein re: housing enforcement issues; 2) he attended an all day SEQR workshop recently; 3) renewal of the Fire and Emergency Services Contract with the Town of Newstead; 4) he forwarded residency information to William Barto at Erie County Department of Personnel; and 5) he continues working on the Perry's electric contract.

CLERK-TREASURER – Will report at next meeting.

CHIEF OF POLICE – Written report for February 2006 submitted. Chief Richard C. Lauricella noted normal activity for the month and highlighted various staffing concerns during the work session. A meeting of the Police committee has been scheduled for March 13th, 2006 at 7:00 P.M.

SUPT. OF PUBLIC WORKS – Written report for February 2006 submitted. Supt. Robert W. Kowalik highlighted 1) that draft letter re: "Important Information about Drinking Water" was ready for publication and distribution; and 2) that monthly production for February was 15,751,000 gallons of water.

RESOLUTION, duly moved by Perkins, seconded by Forrestel, authorizing Robert Lucia to attend the 24th Annual Greater Buffalo Environmental Conference at a cost of \$65.00, 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

VRI – Written report for February 2006 was submitted. VRI representative Ken Scherrieble noted that the monthly flow charted over the last 2 years has shown marked improvement during the past 12 month period compared to the previous 12 month period.

Elected Officials

JUSTICE COURT – Written report for February 2006 submitted.

TRUSTEES – COORDINATORS

Trustee Middaugh – Nothing new to report.

Trustee Patterson – Nothing new to report.

Mayor Perkins – Nothing new to report.

Trustee Forrestel – Reported that urethane grout injection and repairs to the top of the wall on the east side of the spillway are projected to be completed in 2006. Also, he reported that timber harvesting is continuing and that the water/wastewater committee is having long range discussions re: water and sewer lines.

Trustee Kaufman – Nothing new to report.

Old Business –

NYSDEC/SPEDES – Supt. Kowalik noted that the annual Industrial Pretreatment Report was submitted to the NYSDEC on or about February 21, 2006 with permits attached.

Crittenden Road Well Spill Claim – Nothing new to report.

Tinkham Road Water – Nothing new to report. Remove from agenda.

Comprehensive Plan –

RESOLUTION, duly moved by Perkins, seconded by Kaufman, amending the map referred to in the Draft Resolution to Amend the Comprehensive Plan to show the green line ending and following along Jackson Street, thereby maintaining the triangular piece bordered by Jackson Street, the Bike Path and the current Town of Newstead Highway Garage to remain as I-1 zoned, 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

No Parking – Brooklyn, Buell, Mechanic, Jackson – Nothing new to report.

Annexation – Nothing new to report.

Assessment Disclosure Notices – Pembroke & Darien – Village Attorney Daniel D. Shonn requested executive session to discuss matter.

HVAC Upgrade – Village Hall – Nothing new to report.

Intermunicipal DPW Facility – Discussed at work session.

New Business –

WHEREAS, the Village of Akron received a letter from the NYS DEC, dated November 5, 2004 which concluded that the wastewater treatment plant is operating at or above capacity in twelve of the past twenty months and that, “the Village should not consider any additional development within the service area.” Based on this directive by the DEC, the Village Board adopted Local Law 2005-1 which created a six month moratorium, extended said moratorium for an additional period until March 7, 2006 and also revised the moratorium in Local Law 2005-3 to allow for the equivalent of ten residential units to be permitted;

WHEREAS, VRI, as contract manager of the wastewater treatment plant has provided the Village with monthly flow monitoring. Compared to the DEC finding of non-compliance of twelve of twenty months, the VRI report dated February 2006 shows an improvement in that inflow was out of compliance in eight out of twenty months. The report indicates that the Village has been in compliance during the past ten months. While the trend is favorable to the Village, the DEC has not committed to a position allowing significant additions to the wastewater collection system. An additional moratorium period will allow for a longer look at the compliance data, especially spring weather related inflow, and allow a significant infiltration on Lewis Road to be eliminated with a repair project;

WHEREAS, as this matter is a continuation of the original Local Law No. 1 of the year 2005, it remains a type II SEQRA action and requires no environmental review;

RESOLUTION, duly moved by Perkins, seconded by Forrestel, extending the Local Law 2005-1 Moratorium until July 6, 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

RESOLUTION, duly moved by Patterson, seconded by Perkins, approving Akron Fire Company Firematic Officers for 2006 including: Chief W. Keith Hawes, 1st Assistant Chief Terry Lotz, 2nd Assistant Chief Joseph Hawes and 3rd Assistant Chief Joshua Haist, 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 Forrestel, seconded by Perkins, authorizing the Board to sign the Akron Fire Company Service Award Program Participant Listing for 2005 commencing the thirty day review by the AFC members, 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 –

Latex Paint Recycling Project

PUBLIC COMMENT TIME – Kurt Schie of 6696 Utley Road appeared before the Board to inquire about the date for the Public Hearing re: Amendment of the Comprehensive Plan.

Akron Fire Company Chief Glenn Joachimiak and incoming Chief W. Keith Hawes appeared before the Board to thank the Board for its past and continuing support. Chief Joachimiak indicated that it has been an honor to serve during his term as Chief. Trustee Forrestel expressed appreciation to the Chiefs and the Akron Fire Company for everything it does for the community.

RESOLUTION, duly moved by Perkins, seconded by Kaufman, authorizing the Board to go into executive session at 8:13 P.M. to discuss Darien tax assessment issue, 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 8:34 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

On motion of Middaugh, seconded by Patterson, at 8:35 P.M. this meeting was ADJOURNED.

MAYOR

DEPUTY VILLAGE CLERK