

April 17, 2006

A REGULAR MEETING of the Akron Village Board was held on this date at 7:30 P.M. Present: Mayor Ray M. Perkins, Trustees E. Peter Forrestel, Michael R. Middaugh and William P. Kaufman, Village Attorney Daniel D. Shonn, Esq., Building Inspector Donnal D. Folger, 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 Forrestel, seconded by Middaugh, that the Minutes of the Regular Meeting and Annual Meeting of April 3rd, 2006, be and hereby are approved by the Village Board.

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

RESOLUTION, duly moved by Forrestel, seconded by Middaugh, 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	\$	17,546.92
Electric Fund	\$	44,895.97
Water Fund	\$	3,789.07
Sewer Fund	\$	8,232.80
Capital Sewer	\$	800.63

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

RESOLUTION, duly moved by Kaufman, seconded by Perkins, that the following building permits, be and hereby are approved with the application and approval of the Building Inspector:

Levi & Ivonne Knyter	16 Madison Ave.	Fence	\$ 18.00
Marjorie & Nancy Holtz	62 Eckerson Ave.	Fence	\$ 18.00
Michael & Rosanne Best	2 State Street	Addition	\$ 45.00
Jason & Summer Lotz	25 Chestnut St.	Swimming Pool	\$ 25.00

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

A PUBLIC HEARING was held to hear any and all interested parties relative to the tentative 2006-07 Village Budget. The Clerk read the proof of publication and asked if anyone wished to speak. No one appeared to speak. Clerk-Treasurer Daniel P. Borchert noted that

the proposed 2006-07 Village Budget reflects a 2% property tax increase, from the tax rate of \$5.75 to \$5.87/thousand assessed valuation, based upon the following factors, including but not limited to: 1) 3% contractual obligations; 2) additional DPW equipment purchases; 3) renovations to the Russell Park Gazebo; 4) increase in funding to the Akron Fire Company; and 5) necessary repairs to the Village Hall. Also, the proposed 2006-07 Village Budget reflects an increase of \$.10/thousand gallons in the water and sewer rates, effective with usages beginning July 1, 2006, thereby raising the water rate to \$5.85 per thousand gallons and the sewer rate to \$3.25 per thousand gallons. Mayor Perkins noted that a reasonable increase in taxes was deemed necessary by the Board in order to continue the forward progress being made by the Village in its various improvement projects.

RESOLUTION, duly moved by Perkins, seconded by Middaugh, closing the Public Hearing at 7:44 P.M. relative to the tentative budget of the Village of Akron for the fiscal year beginning June 1, 2006, be and hereby is approved by the Village Board.

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

APPEARANCES – None scheduled.

PUBLIC COMMENT – John Donnelly, President of the Akron Soccer League appeared before the Board to inform the Board of its upcoming Soccer Tournament on May 5th to the 7th, 2006, which will involve approximately 180 teams for games at 1) the Akron Falls Soccer Complex, 2) the Town Park Facility at Buell and Skyline Drive and 3) the Akron Central School athletic fields. Mr. Donnelly indicated that between 8,000 and 10,000 persons are expected to attend the tournament and asked that the Akron Police be available to assist Erie County Sheriffs and New York State Police as needed during the tournament. Mr. Donnelly also noted that the Akron Falls Soccer Complex had opened and that Erie County personnel had started rolling the fields today.

Project Reports –

Washington/Liberty Streets Waterline Replacement Project – Nothing new to report.

Monthly Reports –

Departments

VRI – Written report for March 2006 submitted. VRI representative Ken Scherrieble indicated that the plant by-pass on March 13th & 14th, 2006 -- following 2" of rain -- revealed a hydraulic, rather than an operations problem -- as stream backed up into sewer plant, due largely to trees and debris clogging creek downstream of plant. Mr. Scherrieble also discussed the following: 1) collection system work continues; 2) meetings with industrial customers re: pretreatment program continue to be productive; 3) I&I program

continues; 4) new catch-baskets for manholes are in; and 5) sewer plant's filters remain off line – passing all tests.

BLDG. INSPECTOR – Donnal D. Folger reported on the following: 1) Clarence's condo law – provided copies to Board for review; 2) Planning Federation's training re: environmental review for Planning and Zoning Boards; 3) Court appearance scheduled on 4/26/06 for penalty phase in pending property maintenance case re: 208 East Ave.; 4) property owner of 20 Clinton Street has 30 days to complete improvements; 5) advertisement has been published re: unlicensed cars, with enforcement to begin May 1st; 6) complaints received re: property maintenance at 24 Parkview Drive; and 7) property at 44 Cedar Street was cleaned up by owner before contractor was available.

RESOLUTION, duly moved by Perkins, seconded by Forrestel, scheduling Public Hearing on Monday, May 1st, 2006 at 7:30 P.M. re: property maintenance issues at 24 Parkview Drive, hereby is approved by the Village Board.

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

Elected Officials

TRUSTEES – COORDINATORS

Trustee Middaugh – Reported 1) that he has received quotes for repairs to Russell Park Gazebo; and 2) that the drainage committee is meeting on Tuesday, April 18th.

Mayor Perkins – Reported: 1) that he signed a grant support letter for the Akron Central School; 2) that the "Walk the Villages" Program has been expanded to include Batavia and Leroy; 3) that he and Clerk-Treasurer Daniel P. Borchert will attend the Village Officials Directors Meeting in Williamsville on Thursday, April 20th; and 4) that he was recently elected 2nd Vice President of the Erie County Village Officials Association.

Trustee Forrestel – Reported nothing new re: water/wastewater committee, but noted that his recycling was picked up as garbage last week.

Trustee Kaufman – Nothing new to report.

Old Business –

NYSDEC/SPEDES – Nothing new to report.

Crittenden Road Well Spill Claim – Nothing new to report.

Comprehensive Plan – Village Attorney Daniel D. Shonn reported that Village Planning Board meeting is scheduled for April 18th.

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

Annexation – Village Attorney Daniel D. Shonn indicated that he awaits quote from Engineer Keith Marquis re: updated Village Map.

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

HVAC Upgrade – Village Hall – Clerk-Treasurer Daniel P. Borchert reported that: 1) another construction meeting is scheduled for April 18th at the Village Hall; 2) Village Justice Court will be held in the upstairs conference room on Wednesday night; and 3) temporary shut-down of electric at the Village Hall and Akron House Restaurant will be needed for installation of the new electric service for the HVAC system.

Intermunicipal DPW Facility – Mayor Perkins reported that the next meeting will be April 20th.

2006-07 Village Budget – Clerk-Treasurer Daniel P. Borchert reported that midnight on May 1st, 2006 is the deadline to pass the Village Budget.

Refuse Contract – Village’s current contract with Modern Disposal expires on 12/31/06.

Temporary Structures and Fences – Nothing new to report.

New Business –

RESOLUTION, duly moved by Perkins, seconded by Forrestel, authorizing a step increase for John Asmus from Grade 14 Step #3 to Grade 14 Step #4, effective April 22, 2006, hereby is approved by the Village Board.

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

RESOLUTION, duly moved by Perkins, seconded by Kaufman, allowing the ACS Junior/Senior Prom to use Russell Park and its Gazebo for photographs on Friday, May 19, 2006 from 4:30 P.M. to 6:00 P.M., hereby is approved by the Village Board.

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

RESOLUTION, duly moved by Perkins, seconded by Middaugh, allowing the Akron Chamber of Commerce to hold Cruise Nights for the summer of 2006, beginning May 25th through September 7th from 6:00 P.M. to 9:00 P.M. each Thursday, to include the closing of Main Street from Buffalo Street to Church Street and Monroe Street to the alley as well as use of the Russell Park Gazebo and Food Shelter from 5:30 P.M. to 9:30 P.M., hereby is approved by the Village Board.

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

Correspondence –

Town of Amherst Central Fire Alarm March 2006 Operations Report.

Sue Covell letter regarding the property condition at 24 Parkview Drive.

Richard Zurlo Retirement Letter.

PUBLIC COMMENT TIME – Marilyn Kasperek inquired about Citizen of the Year and Business of the Year Proclamations.

RESOLUTION, duly moved by Perkins, seconded by Forrestel, authorizing the Board to go into executive session at 8:17 P.M. to discuss a legal issue, be and hereby is approved.

ADOPTED RAY M. PERKINS - 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 8:31 P.M., be and hereby is approved.

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

RESOLUTION, duly moved by Perkins, seconded by Middaugh, the Village of Akron will settle the assessment disclosure notice case with the Town of Darien as follows: SBL 183289 600.-86-1 (183289 15-1-38) at \$500,000.00, SBL 183289 632.000-9999-201.450/100D (183289 400.6-1./1) at \$365,159.00 & SBL 183289 632.000-9999-201.450/1000 (183289 400.6-1./2) at \$443,072.00, be and hereby is approved.

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

The Board briefly RECESSED and traveled to the Newstead Town Hall to meet with the Newstead Town Board at 8:35 P.M.

A Joint Meeting of the Boards of the Village of Akron and the Town of Newstead was convened at the Newstead Town Hall this date to discuss agenda items.

Joint Facilities Study – Town Engineer Andrew Casolini updated everyone in attendance regarding the progress of the project. The feasibility study is currently being worked on along with the concept of operation of the new facility.

Police Garage – The Town is in agreement in principle to the idea, but they would like to put together a committee to work with the Village of Akron Police Committee to come up with a recommendation to the Town Board.

Police Services – The Town would be willing to try and work out an agreement that would benefit the Town, but they are waiting to see what transpires with the Erie County Sheriff's Department based on their new patrols and the possible charge back to the Towns.

NIMS Training – The Disaster Coordinators for the Town of Newstead and the Village of Akron are working together with the Akron Fire Company and the Newstead Fire Company on a joint training session as the new requirements also affect our municipal elected officials and municipal employees.

Comprehensive Master Plan Changes – Village Attorney Daniel D. Shonn updated the Board on the Village's progress of updating the current plan. The Town also noted that they would like to make some changes as well and wondered if there was some way that they could make those changes and incorporate them in the same way that the Village is progressing. Mr. Shonn noted the process that the Town needs to follow to go about making their changes.

Lucy Curley Grant Services – Mayor Perkins notified the Town that the Village of Akron has terminated its agreement with Lucy Curley as of April 30, 2006. Over the past three years of the agreement, the Village has not seen any benefit from the grants that have been submitted to date.

Hazardous Waste Drop Off – The Village and the Town will work together and try to coordinate future recycling programs that would benefit both the Town and Village residents.

Discontinuing Water Service to Newstead District 1 – The Town will be holding an informational meeting on May 1, 2006 at the Newstead Town Hall for residents in District 1. The Town expects to be switched off the Village water system and connected to the ECWA (Erie County Water Authority) by June 1, 2006.

Potential Sewer Services to the Town – The Town again stressed that they have a continuing interest in sewer services in the Town once the Village gets out from under the current moratorium.

Murder Creek Drainage – Superintendent Robert Kowalik discussed and showed pictures about the numerous obstructions in Murder Creek heading North from the Sewer Plant. These obstructions are affecting the water flow as Murder Creek heads out of the Village and into the Town. There are a number of trees that have fallen and are causing the back-up problems in the creek. All of these problems are negatively affecting the Village's wastewater treatment plant. He will bring this issue up at the next meeting of the drainage district on April 18, 2006.

The next scheduled joint meeting will be held at the Village Hall on Monday, July 10, 2006 at 8:45 P.M.

On motion of Perkins, seconded by Middaugh, at 9:40 P.M. this meeting was ADJOURNED.

MAYOR

VILLAGE CLERK