

May 1, 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, Superintendent of Public Works Robert W. Kowalik and Building Inspector Donnal D. Folger.

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., Chief of Police Richard C. Lauricella, Superintendent of Public Works Robert W. Kowalik and Building Inspector Donnal D. Folger.

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

RESOLUTION, duly moved by Patterson, seconded by Perkins, that the Minutes of the Regular Meeting of April 17th, 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. MIDDAGH	- AYE
	WILLIAM P. KAUFMAN	- AYE

RESOLUTION, duly moved by Forrestel, seconded by Kaufman, 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	\$	6,248.67
Electric Fund	\$	6,707.24
Water Fund	\$	4,153.02
Sewer Fund	\$	3,283.78

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

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

John Stein & David Hasert	185 East Ave.	Sign	\$ 18.00
Walter & Mary Best	11 Colony Pl.	Fence	\$ 18.00

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

A PUBLIC HEARING was held to hear any and all interested parties relative to the property maintenance issues at 24 Parkview Drive, owned by Michael Soika. The Clerk read the proof of publication and asked if anyone wished to speak. Building Inspector Donnal D. Folger reported that a Notice of Violation and Notice of Hearing had been served upon Mr. Soika via certified mail, return receipt requested. Mr. Folger provided photographs of the premises taken on April 17th and May 1st at 9:00 A.M. and 10:00 A.M. showing a markedly improved condition of the premises with the removal of assorted debris, garbage, old appliances, lumber and so forth. The Board of Trustees directed the Building Inspector to write to Mr. Soika, commending his clean-up efforts and warning him to avoid further action of the Board in the future by keeping his property clear of assorted debris, etc.

RESOLUTION, duly moved by Perkins, seconded by Patterson, closing the Public Hearing at 7:44 P.M. relative to the property maintenance issues at 24 Parkview Drive, currently owned by Michael Soika, be and hereby is approved by the Village Board.

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

APPEARANCES – Angelo Maglio from Akron’s Pastry Shop appeared before the Board relative to his plans for his Curb-Side Café for lunches Monday through Friday from 11:00 A.M. to 2:00 P.M. Mr. Maglio presented a petition signed by a number of his Main Street neighbors, supporting his proposal to reserve the front parking spot in front of his pastry shop and to provide additional tables and chairs on the sidewalk for his lunch customers. Building Inspector Donnal D. Folger noted that, in the central business district from Buffalo Street to Church Street, the business property owners’ lines are at the front of their respective storefronts, and that the sidewalks and, of course, the streets are Village property. As such, the issues of liability and safety come into play, if and when a business conducts business on the sidewalk, in parking spaces and in the street. Mr. Folger will research the matter of permits and fees used by other municipalities in these instances. Mr. Maglio is to provide a Certificate of Insurance. The Board gave its general approval to Mr. Maglio, subject to further research into permits, etc.

PUBLIC COMMENT – No one appeared to speak.

Project Reports –

Washington/Liberty Streets Waterline Replacement Project – Supt. Kowalik reported that, upon review of the materials list by the crew chief, said list would thereafter be sent out for price quotes.

Monthly Reports –

Departments

ATTORNEYS – Items on agenda.

CLERK-TREASURER – Written report for April 2006 submitted. Village Clerk-Treasurer Daniel P. Borchert noted that Elaine Frey had returned to work this date following her recent surgery. Ray Perkins advised that correspondence from the American Legion would be forthcoming relative to the upcoming Memorial Day Parade and Ceremony. Trustee Forrestel noted that the Akron Airport should be advised of the Memorial Day schedule of activities in order to avoid any fly-overs during the ceremonies.

CHIEF OF POLICE – Written report for April 2006 submitted. Chief Richard C. Lauricella reported on the following: 1) Officer Steve Cryan may be off until the first of the year; 2) Officer Mike Baran is back from canine training; 3) availability of PT officers that work full-time for the NFTA Police may be affected starting in mid-June; 4) rear bumper of Car #90 sustained minor damage; 5) Car #90's light bar was repaired; 6) plastic signs have been ordered for the 2006 Car Show Season; and 7) APD all set for the June 10th, 2006 Sidewalk Sale.

SUPT. OF PUBLIC WORKS – Written report for April 2006 submitted. Repairs to the Russell Park Gazebo will be contracted with L Squared Building and Excavating, with completion date to be May 31st, 2006. Also annual tree plantings have been completed.

RESOLUTION, duly moved by Perkins, seconded by Patterson, allowing Robert W. Kowalik to attend the New York Municipal Power Agency 9th Annual Meeting on May 17th, 2006 in Liverpool, NY and to serve as the Village of Akron's voting delegate at said meeting, 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 Perkins, seconded by Forrestel, allowing Robert Lucia to attend the New York Rural Water Association's 27th Annual Technical Conference and Exhibition 2006 in Buffalo, NY on May 24th, 2006 at a cost of \$50.00, 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 – No report available at this time.

TRUSTEES – COORDINATORS

Trustee Middaugh – Reported 1) that 50 trees were planted this spring, representing a 5 to 1 ratio in trees planted vs. those removed this year; 2) thanks go to John Heinike at the Akron Tree Farm for his

expertise and advice in the annual tree planting project; and 3) projected completion date for repairs to the Russell Park Gazebo is 5/31/06.

Trustee Patterson – Referred H/R committee report to Trustee Forrestel. Also he noted that skateboarding is not allowed on Main Street between Parkview Drive and Mechanic Street, on Buffalo Street, Monroe Street, Clinton Street south of John Street, Church Street, in Russell Park and the alley running parallel to Main Street from Mechanic Street to Clinton Street and as such, encouraged the Akron Police to step up enforcement.

Mayor Perkins – Reported: 1) that meetings continue on the Intermunicipal DPW facility feasibility study; 2) that proclamations for Citizen of the Year Dottie Routledge and Business of the Year Pixley's Shurfine were presented at the dinner on April 29th, 2006; and 3) that letters have been received re: intentions to retire from long-time Village employees, Richard Zurlo and Robert Whiting.

Trustee Forrestel – Reported 1) that the H/R committee met last Friday to discuss personnel options in light of upcoming retirement(s) of certain DPW employees; and 2) that water/wastewater committee met on 4/24/06 and discussed among other things: HAA compliance remediation at the water plant, revamping schedule for timber harvesting at the reservoir, and sewer plant operations. The next water/wastewater committee meeting is scheduled for May 22, 2006 at 5:15 P.M.

RESOLUTION, duly moved by Forrestel, seconded by Perkins, allowing for the posting and advertising for one (1) Skilled Laborer (Streets Dept.) and one (1) Crew Chief (Water Dept.) within the Village of Akron Department of Public Works, 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

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 plans are being made for Village Engineer Keith Marquis to be at the next Village Planning Board meeting.

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

Annexation – Nothing new to report.

HVAC Upgrade – Village Hall – Clerk-Treasurer Daniel P. Borchert reported that: 1) contractor expects to complete project by June 1st, 2006; 2) temporary shut-down of electric at the Village Hall and Akron House Restaurant was on Monday, April 24th for installation of new electric service for the HVAC system; and 3) contractors will not be on site on Tuesday, May 2nd, 2006 – date of Special Election for NYS Assembly seat in 142nd District to complete term of the late Sandra Lee Wirth.

Intermunicipal DPW Facility – Discussed at work session.

2006-07 Village Budget –

RESOLUTION, duly moved by Perkins, seconded by Patterson, accepting the proposed Budget for the Village of Akron, as modified by the Board, for the fiscal year ending May 31st, 2007, including a new Village tax rate of \$5.87 per thousand, be and hereby is adopted.

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 Patterson, authorizing an increase in the water rate to \$5.85 per thousand gallons, for usage beginning July 1st, 2006 and thereafter billed on October 15th, 2006, be and hereby is adopted, as follows to wit:

Inside Village, Minimum, First 5,000 Gallons – \$29.25
Excess Rate per 1,000 Gallons - \$5.85

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 Patterson, authorizing an increase in the sewer rate to \$3.25 per thousand gallons, for usage beginning July 1st, 2006 and thereafter billed on October 15th, 2006, be and hereby is adopted, as follows to wit:

Inside Village, Minimum, First 5,000 Gallons – \$16.25
Excess Rate per 1,000 Gallons - \$3.25

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

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

Temporary Structures and Fences – Discussed at work session.

New Business –

RESOLUTION, duly moved by Middaugh, seconded by Kaufman, authorizing Village Justice Dennis Freeman to submit a grant for new chairs, calculator and shredder through the NYS Unified Court System, 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 Perkins, seconded by Forrestel, allowing the Akron Chamber of Commerce to hold the 25th Annual Sidewalk Sale on June 10, 2006 from 9:00 A.M. to 3:00 P.M. and to close Main Street from Buffalo Street to Church Street from 8:00 A.M. to 3:00 P.M., 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

Correspondence –

Planning Board Minutes of April 18, 2006.

Letter from Dorothylee Akin regarding use of the Bike Path for a fundraiser.

RESOLUTION, duly moved by Perkins, seconded by Middaugh, allowing Dorothylee Akin to use the Bike Path for a fundraiser on August 5th, 2006 (with a rain date of August 6th) 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

VFW Post 3180 to post a sign in Russell Park to advertise a Chinese Auction to benefit Marine Mark Beyers.

PUBLIC COMMENT TIME – Chief of Police Richard C. Lauricella reported that the Akron Police Department vehicles can continue to be housed at the Akron Falls Park Maintenance Building. Also early indications are that Erie County will be closing on September 1st and as such, Little League football practice this fall will be adversely impacted.

Trustees Forrestel and Patterson expressed second thoughts about the Akron Pastry Shop's proposed Curb-Side Char Grill relative to safety and liability concerns.

On motion of Patterson, seconded by Perkins, at 8:42 P.M. this meeting was ADJOURNED.

MAYOR

VILLAGE CLERK