

May 15, 2006

A work session of the Akron Village Board was held on this date at 6:30 P.M. for a presentation by Laura Landers of Freed, Maxick and Battaglia, the independent auditors for the Village of Akron relative to fiscal year ending May 31, 2005. 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., and Laura Landers of Freed, Maxick and Battaglia, LLP.

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., Chief of Police Richard C. Lauricella, Superintendent of Public Works Robert W. Kowalik, Building Inspector Donnal D. Folger 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 Forrestel, that the Minutes of the Regular Meeting of May 1st , 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 Middaugh, seconded by Perkins, 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	\$	31,442.61
Electric Fund	\$	72,721.31
Water Fund	\$	14,393.49
Sewer Fund	\$	12,603.70

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

Rhonda & Bruce Johnston	83 Eckerson Ave.	Roof	\$25.00
Jason Dieterle	24 Eckerson Ave.	Fence	\$18.00
Charles & Amy Baldwin	4 John Street	Roof	\$25.00
Sandra Affolter-Byers	82 Cedar Street	Roof	\$25.00
Dennis & Alicia Popp	7 John Street	Shed	\$10.00
Paris J. Childs	10 Eckerson Ave.	Gazebo	\$10.00
Brian & Jill Hochreiter	28 Parkview Dr.	Fence	\$18.00

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

PUBLIC HEARING – None Scheduled.

APPEARANCES – Hon. Dennis Freeman, Village Justice appeared before the Board relative to Akron Police Department officers responding to calls outside of the Village. Judge Freeman noted that the Town is growing and that Erie County Sheriff and NYS Police resources are being stretched, so that now APD are often called upon to answer calls outside the Village limits. As such, Judge Freeman discussed his concerns relative to jurisdictional legalities, liability coverage, and compensation/reimbursement to the Village, etc. Chief of Police Richard C. Lauricella noted that APD will only respond if dispatched as “first responders” by the Erie County Sheriff’s Department or the NYS Police. Mayor Perkins noted that he and Chief Lauricella have been having ongoing discussions with the Town Supervisor relative to many of the foregoing issues. Judge Freeman encouraged the Board to establish definite policies and procedures relative to APD coverage outside the Village.

PUBLIC COMMENT – No one appeared to speak.

Project Reports –

Washington/Liberty – Supt. Kowalik reported that the materials list for quotes is out, with 3-4 price quotes back already.

Monthly Reports –

Departments

VRI – Written report for April 2006 submitted. VRI representative Ken Scherrieble highlighted the following: 1) nuisance animal permit has been approved to take care of the beavers on the creek; 2) steam cleaning machine has been borrowed from the Village of Corfu; 3) dye testing continues with homeowners; 4) work on Industrial Pretreatment Permits continues; 5) VRI has hired a new Chemical Engineer - Doug Taylor - previously with Kodak; 6) per graphs, the flow has been very good, averaging 391,000 gallons over 3 day rain event; 7) liner baskets in 24 manholes are doing well; 8) filters will be back on line as of June 15th; 9) polymer additions to drying beds may eliminate the need for liquid sludge hauling this summer.

BLDG. INSPECTOR – Donnal D. Folger reported on the following: 1) SEQR Application received from the Town of Newstead re: outdoor wood furnaces; 2) 25 unlicensed vehicles have been identified so far with Notices of Violation to go out this week; and 3) recommendation to adopt Local Law re: condo conversions. Discussion continued relative to clarification of the sidewalk café issue – owner of Akron’s Pastry Shop may use sidewalk as last year, but not street; Filling Station may use sidewalk on cruise nights, with no alcohol outside. Village Attorney Daniel D. Shonn will draft Sidewalk Use Permit, similar to ordinances used in Saratoga and Albany.

RESOLUTION, duly moved by Perkins, seconded by Middaugh, scheduling a Public Hearing on Monday, June 5, 2006 at 7:30 P.M. to hear all interested parties regarding proposed Local Law re: Condo Conversion , 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

Elected Officials

JUSTICE COURT – Written report for April 2006 submitted.

TRUSTEES – COORDINATORS

Trustee Middaugh – Reported 1) that work on Russell Park Gazebo is expected to start tomorrow (5/16/06) and 2) that he has been reviewing sample ordinances re: sidewalk café use.

Trustee Patterson – Nothing new to report, except that application deadline for Skilled Laborer position is Friday, May 19th.

Mayor Perkins – Reported: 1) that police committee hopes to meet on Friday; 2) that correspondence to Erie County Highways was sent re: safety concerns on East Avenue; 3) he recently attended the Clarence/Newstead Fire Chiefs' Installation Dinner; and 4) that NIMS training can be done online – 100, 200 & 700 courses.

Trustee Forrestel – Reported 1) that the Water/Wastewater committee will meet on Monday, May 22, 2006; 2) that he has been working with Village staff re: HAA notification response; and 3) that information re: water distribution system is available on-line.

Trustee Kaufman – Reported 1) that he has been working on Alisha Brinks sign; and 2) that he is in discussions re: relocating the 1991 Field Hockey Championship Sign from Grant Club Pole area to ACS property.

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 1) that system’s dry cooler is expected to be installed this week and 2) that front parking spaces will be blocked temporarily to accommodate the crane, etc.

Intermunicipal DPW Facility – Nothing new to report.

Refuse Contract – Waste Management has expressed interest when contract goes out to bid.

Temporary Structures and Fences – Research continues.

Sidewalk Use Permits – See discussion above.

Assessment – Village Attorney Daniel D. Shonn requested executive session to discuss matter.

New Business –

RESOLUTION, duly moved by Patterson, seconded by Kaufman, authorizing the Mayor to sign the Tax Warrant for the Village of Akron for the year 2006-2007 in the total amount of \$724,805.69, 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, adopting the National Incident Management System (NIMS) plan as follows:

Adoption of the National Incident Management System

It is hereby resolved by the Village of Akron, State of New York that:

WHEREAS, In Homeland Security Presidential Directive (HSPD)-5, the President directed the Secretary of the Department of Homeland Security to develop and administer a National Incident Management System (NIMS), which would provide a consistent nationwide approach for federal, state, local and tribal governments to work together more effectively and efficiently to prevent, prepare for, respond to, and recover from domestic, regardless of cause, size or complexity; and

WHEREAS, the collective input and guidance from all federal, state, local and tribal homeland security partners has been, and will continue to be, vital to the development, effective implementation and utilization of a comprehensive NIMS; and

WHEREAS, it is necessary that all federal, state, local and tribal emergency management agencies and personnel coordinate their efforts to effectively and efficiently provide the highest levels of incident management; and

WHEREAS, to facilitate the most efficient and effective incident management it is critical that federal, state, local, and tribal organizations utilize standardized terminology, standardized organizational structures, uniform personnel qualifications standards, uniform standards for planning, training, and exercising, comprehensive resource management, and designated incident facilities during emergencies or disasters; and

WHEREAS, the NIMS standardized procedures for managing personnel, communications, facilities and resources will improve the state's ability to utilize federal funding to enhance local and state agency readiness, maintain first responder safety and streamline incident management processes; and

WHEREAS, the Incident Command System components of NIMS are already an integral part of various incident management activities throughout the state, including all public safety and emergency response organizations training programs; and

WHEREAS, the National Commission of Terrorist Attacks (9-11 Commission) recommended adoption of a standardized Incident Command System.

NOW THEREFORE, Pursuant to the authority vested in me by the Village of Akron I do hereby mandate the National Incident Management System be utilized for all incident management in the Village of Akron, to take effect immediately, 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 Middaugh, allowing the American Legion Post #900 to use Main Street from Townsend Street to the Akron Fire Hall for the annual Memorial Day Parade, to include a police escort during said Parade, 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

Curbside Tree Limb Chipping – Referred to next meeting's work session.

Akron Fire Company is hosting NIMS Training courses – 100, 200 & 700 – on 5/17, 5/24 and 5/31 from 7:00 P.M. to 9:00 P.M. All elected officials will need to complete the training.

RESOLUTION, duly moved by Forrestel, seconded by Perkins, scheduling a Public Hearing on June 19, 2006 at 7:30 P.M. relative to Local Law to increase the sewer rate to \$3.25 per thousand gallons for usage beginning July 1, 2006, 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 –

NYCOM's Annual Fall Training School has a new date and location – October 2-6, 2006 at the Albany Crowne Plaza Hotel.

Central Fire Alarm April 2006 Operations Report.

PUBLIC COMMENT TIME – Bldg. Inspector Donnal D. Folger followed up re: Land Use Course(s) and the Board of Trustees recommended that the Village Planning Board and Zoning Board of Appeals members attend said training.

RESOLUTION, duly moved by Middaugh, seconded by Patterson, authorizing the Board to go into executive session at 8:43 P.M. to discuss a legal 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 9:02 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 Patterson, authorizing the Mayor to sign the Settlement Agreement with the Town of Darien re: assessment discloser notices and that said Settlement may contain a provision allowing the residence and surrounding land to be separately assessed so long as the Village of Akron has the right to challenge the amount of such assessment, 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 Middaugh, at 9:03 P.M. this meeting was ADJOURNED.

MAYOR

VILLAGE CLERK