

June 5, 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 E. Peter Forrestel, Michael R. Middaugh and William P. Kaufman, Village Attorney Daniel D. Shonn, Esq., Superintendent of Public Works Robert W. Kowalik, and Chief of Police Richard C. Lauricella.

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 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 Perkins, seconded by Forrestel, that the Minutes of the Regular Meeting of May 15th, 2006, be and hereby are approved by the Village Board.

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

RESOLUTION, duly moved by Perkins, 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	\$	20,704.78
Electric Fund	\$	26,681.76
Water Fund	\$	6,054.01
Sewer Fund	\$	20,460.09

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

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

Elmer & Jean Ottney	36 Shepard Ave.	Storage Shed	\$10.00
Michael Rodgers	60 Cedar St.	Pool	\$25.00
Nelson & Debbie Kuhn	20 Parkview Dr.	Windows	\$25.00
Robert Anderson	6 Hart Street	Siding	\$25.00

ADOPTED	RAY M. PERKINS	- 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 Local Law #2 for the Year 2006 concerning

condominium conversions. The Clerk read the proof of publication and asked if anyone wished to speak. No one appeared to speak. Clerk-Treasurer Daniel P. Borchert asked Village Attorney Daniel D. Shonn to comment on the proposed law. Attorney Shonn noted that the Building Inspector Donnal D. Folger initially brought the condominium conversion issue before the Board. Historically condominium conversions involved multi-level, high rise buildings and received 50% tax breaks. Often today, however, patio homes and other apartments are being converted into condominiums in order to get the tax break. The proposed Local Law #2 would prevent such condominium conversions from getting a tax break.

RESOLUTION, duly moved by Perkins, seconded by Forrestel, closing the Public Hearing at 7:38 P.M. relative to the Local Law #2 for the Year 2006 concerning condominium conversions, be and hereby is approved by the Village Board.

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

RESOLUTION, duly moved by Perkins, seconded by Middaugh, adopting Local Law #2 for the Year 2006 concerning condominium conversions, be and hereby is approved by the Village Board.

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

APPEARANCES – Russell and Kim Ormsby of 48 Cedar Street appeared before the Board relative to ongoing property maintenance issues at 44 Cedar Street. Among their concerns, Mr. Ormsby noted that the property owner of 44 Cedar Street is operating a junk yard, with storage of old tractors, engines, etc. Mr. Ormsby further expressed concerns with possible leaking of oil and/or gas into the area's wetlands. Village Attorney Daniel D. Shonn noted that the property owner of 44 Cedar Street has been before the Board twice already on property maintenance issues and that the next step would be to initiate a court proceeding against said property owner.

PUBLIC COMMENT – Douglas Ceisner of 100 East Avenue appeared before the Board to discuss, among other things: 1) Parkview Drive Bridge; 2) home occupations; 3) Village of Akron water vs. Erie County water; and 4) hydrant on East Avenue, at around 180 East Avenue.

Project Reports –

Washington/Liberty – Supt. Kowalik reported that low bidder Lock City Supply has been awarded materials bid in amounts of \$10,750.17 and \$6,008.36 for the Washington/Liberty and Parkview Drive water line projects.

Monthly Reports –

Departments

ATTORNEYS – Items on agenda.

CLERK-TREASURER – Written report for May 2006 submitted. Clerk-Treasurer Daniel P. Borchert reported that installation of the new HVAC system at the Village Hall is nearly complete and equipment testing is expected to be started on Wednesday June 7th, 2006.

RESOLUTION, duly moved by Forrestel, seconded by Perkins, authorizing a step increase for Secretary to the Mayor Diane C. Edwards, effective as of her anniversary date of May 27, 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

CHIEF OF POLICE – Written report for May 2006 submitted. Chief of Police Richard C. Lauricella reported 1) that personnel scheduling is further stretched with the recent MVA injury of PT officer Kevin Koscielniak; 2) that Cruise Nights commenced on Thursday May 25th without incident; 3) that officers have been advised to enforce skateboarding and 2-hour parking restrictions on Main Street.

SUPT. OF PUBLIC WORKS – Written report for May 2006 submitted.

RESOLUTION, duly moved by Perkins, seconded by Middaugh, allowing Superintendent Robert W. Kowalik to attend the MEUA Western Regional Meeting in Springville on June 15th, 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

RESOLUTION, duly moved by Forrestel, seconded by Middaugh, allowing several DPW employees to visit the Retsof salt mines for a guided tour on June 22nd, 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

Trustee Forrestel concurred that signage on utility poles is getting out of hand. Mayor Perkins noted that this and some 16 code issues will be researched and addressed.

Elected Officials

JUSTICE COURT – Written report for May 2006 submitted.

TRUSTEES – COORDINATORS

Trustee Middaugh – Reported 1) that the contractor has done an excellent job in completing the much-needed work on the Russell Park Gazebo; 2) that DPW crews helped assemble 5 of the 7 new benches purchased by the Rotary Club for the Russell Park amphitheater; and 3) that the Lions Club’s rehab of the Russell Park playground continues, with new equipment on order and expected to be delivered around the third week of June.

Mayor Perkins – Reported: 1) that old green park benches will be retired; 2) that he recently did proclamations for Memorial Day and Relay for Life; and 3) that he received correspondence from County Executive Joel A. Giambra relative to proposed charges for Erie County Sheriff Department Road Patrols in the Village of Akron.

Trustee Forrestel – Reported 1) that publication for the Water Crew position will be out soon; 2) that the water/wastewater committee met and discussed the revised timber management program, the Industrial Sewer Use Permits and sewer plant operations in light of recent rain events, among other things.

RESOLUTION, duly moved by Forrestel, seconded by Perkins, hiring Christopher Wargala for the DPW Skilled Laborer Position (Streets Dept.) at the Grade 10 hire rate, hereby is approved by the Village Board.

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

Trustee Kaufman – Reported 1) that he has been inquiring re: options for refuse collection in conjunction with the Town of Newstead.

Old Business –

NYSDEC/SPEDES – Nothing new to report.

Crittenden Road Well Spill Claim – Village Attorney Daniel D. Shonn reported that he has been in contact with the NYS Comptroller’s Office Engineer.

Comprehensive Plan – Village Attorney Daniel D. Shonn reported that Village Engineer Keith Marquis is working on the SEQR application.

No Parking – Brooklyn, Buell, Mechanic, Jackson – Nothing new to report. Send follow-up letter to NYSDOT.

Annexation – Nothing new to report.

HVAC Upgrade – Village Hall – As reported above, Clerk-Treasurer Daniel P. Borchert that system testing and start-up is expected on June 7th, 2006.

Intermunicipal DPW Facility – Mayor Ray Perkins noted that Board is supposed to hear from Town Councilman Tom George this month for status update.

Refuse Contract – Nothing new to report.

Temporary Structures and Fences – Referred to Code Committee, with Trustee Forrrestel to serve as committee chair.

Sidewalk Use Permits – Referred to Code Committee.

Assessment – Village Attorney Daniel D. Shonn noted that final papers were sent out today.

Curbside Tree Limb Chipping – Supt. Kowalik reported that policy will be set forth in solid waste services brochure and thereafter published, ie. "Contractors – Any tree service firm contracted by a Village resident is responsible for disposing of all brush, limbs and stumps."

Sewer Rate Increase – Public Hearing 6/19/06 at 7:30 P.M.

BLDG. INSPECTOR – Donnal D. Folger reported on the following: 1) owners of 27 unlicensed vehicles were put on 30 day notices; 2) he completed the 3 NIMS sessions provided at the Akron Fire Hall; 3) the owner of property on Cedar Street mowed the rear yard after receiving Notice of Violation; and 4) Village Planning Board meeting is scheduled for Tuesday, June 20th, 2006.

New Business –

RESOLUTION, duly moved by Perkins, seconded by Kaufman, allowing Daniel P. Borchert to attend the Master Municipal Clerks Institute at Cornell University on July 26 & 27, 2006 at a cost of \$500, hereby is approved by the Village Board.

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

Erie County Sheriffs Department Road Patrols – Discussed above.

Memorandum from Celebration Committee re: July 4th Activities - Received this date, add to agenda for next meeting.

Tony's Pizza Shop Parking Request.

Correspondence –

Water/Wastewater Committee Meeting Minutes 5/22/06.

Erie County Hazardous Waste Drop-off Saturday June 17, 2006, 9:00 A.M. to 2:00 P.M. at ECC South Campus.

Midday Summer Series in Russell Park 12:00 Noon to 1:00 P.M., July 13 to August 3, 2006.

NYCOM Update on Policy issues and the Annual Meeting June 11-14, 2006 in Saratoga Springs.

Akron Village Police Department recognition for the Project Child Safe Program.

PUBLIC COMMENT TIME – Douglas Ceisner suggested that the old park benches be sold to interested residents. Also, Mayor Perkins acknowledged five ACS students in attendance at the Village Board Meeting as required through their Participation in Government Class.

RESOLUTION, duly moved by Kaufman, seconded by Middaugh, authorizing the Board to go into executive session at 8:28 P.M. to discuss a personnel 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 Middaugh, authorizing the Board to come out of executive session at 8:33 P.M., be and hereby is approved.

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

On motion of Perkins, seconded by Middaugh, at 8:34 P.M. this meeting was ADJOURNED.

MAYOR

VILLAGE CLERK