

February 26, 2024

A REGULAR MEETING of the Akron Village Board was held on this date at 7:01 p.m. Present: Mayor Brian T. Perry; Trustees: E. Peter Forrestel, Darin S. Schultz, and John W. Norton; Attorney Andrew Borden, Clerk Jayne DeTine, Treasurer Sarah Michel, Public Works Manager Jon Cummings.

The Mayor led us in the pledge to the flag. The Mayor also asked for a moment of silence for Douglas Ceisner a long-time resident, past Town Councilman, past US Marine Sergeant, past American Legion Commander, Past Akron Fireman, and Plumber.

RESOLUTION duly moved by Norton and seconded by Forrestel that the Minutes of the Regular Meeting of February 5, 2024 be and hereby are approved by the Village Board.

ADOPTED	BRIAN T. PERRY	- AYE
	E. PETER FORRESTEL	- AYE
	DARIN S. SCHULTZ	- AYE
	JOHN W. NORTON	- AYE

RESOLUTION duly moved by Forrestel seconded by Perry that the audit of the bills is approved, and the Treasurer authorized to pay same in accordance with the following abstract of audit vouchers:

General Fund	\$	33,908.50
Electric Fund	\$	167,912.99
Water Fund	\$	31,562.40
Sewer Fund	\$	4,315.78
Capital Projects	\$	23,097.94

ADOPTED	BRIAN T. PERRY	- AYE
	E. PETER FORRESTEL	- AYE
	DARIN S. SCHULTZ	- AYE
	JOHN W. NORTON	- AYE

RESOLUTION duly moved by Schultz and seconded by Forrestel that the following building permits be and hereby are approved with the application and approval of the Code Enforcement Officer:

Village Treasures	77 Main St	New Business	\$100.00
Angelo Lucciano	47 Main St	Demo 2 nd floor	\$75.00

ADOPTED	BRIAN T. PERRY	- AYE
	E. PETER FORRESTEL	- AYE
	DARIN S. SCHULTZ	- AYE
	JOHN W. NORTON	- AYE

RESOLUTION duly moved by Forrestel and seconded by Schultz that the following applications for a Dumpster Permit be and hereby are approved in accordance with the application filed and payment of permit fee:

Perry's Ice Cream	1 Ice Cream Plaza	Renewal	\$300.00
Guy's Subs	6 Clinton St	Renewal	\$50.00
Kurt Feitshans	Lewis Rd Apts	Renewal	\$50.00

ADOPTED	BRIAN T. PERRY	- AYE
	E. PETER FORRESTEL	- AYE
	DARIN S. SCHULTZ	- AYE
	JOHN W. NORTON	- AYE

RESOLUTION duly moved by Schultz and seconded by Norton that the following application for a Plumbers License for the year 2024 be and hereby is approved in accordance with the application filed and payment of the annual license fee of \$75.00:

Joel Tucciarone	Lockport, NY	Renewal	\$75.00
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ADOPTED	BRIAN T. PERRY	- AYE
	E. PETER FORRESTEL	- AYE
	DARIN S. SCHULTZ	- AYE
	JOHN W. NORTON	- AYE

PUBLIC HEARING - None

APPEARANCE - None

PUBLIC COMMENT – None

PROJECT REPORTS –

Wastewater Treatment Plant Upgrade – Nothing new.

Electric Substation Upgrade – Mayor Perry reported having a bi-weekly conference call with Ramboll this week and should be receiving an updated project estimate to pass on to PLM for the rate case review.

State Street Bridge – Mayor Perry reported that the Erie County Lands Advisory Committee (ARC) will be meeting this week and will hopefully approve our request for an easement of a small portion of Akron Falls Park land adjacent to the bridge only during construction. Also awaiting approval regarding the Northern Long Eared Bat. The bridge project so far is coming in over the grant awarded and Dan Duprey from Clark Patterson Lee is working on finding funding for the overage.

East Avenue Water/Sewer Line Replacement – Nothing new.

MONTHLY REPORTS –

Departments –

TREASURER – submitted report for January 2024. Treasurer Michel along with the Finance Committee recommended to update the Fund Balance Policy from 2017 to increase the unassigned fund balance threshold amount from 15% to 25% to ensure adequate means to financially support the village in the case of unforeseen circumstances.

RESOLUTION duly moved by Forrestel and seconded by Schultz to update the 2017 Fund Balance Policy to increase the unassigned fund balance threshold amount from 15% to 25% as per the Treasurer and Finance Committee be and hereby is approved.

ADOPTED	BRIAN T. PERRY	- AYE
	E. PETER FORRESTEL	- AYE
	DARIN S. SCHULTZ	- AYE
	JOHN W. NORTON	- AYE

Treasurer Michel also requested a resolution to refund a credit balance to Anthony Cory/Tony's Pizza, in the amount of \$2,400.86 due to being over billed on his large commercial demand electric meter.

RESOLUTION duly moved by Forrestel and seconded by Perry to refund a credit balance to Anthony Cory/Tony's Pizza in the amount of \$2,400.86 due to being overbilled on his large commercial demand electric meter as per the recommendation of Treasurer Michel be and hereby is approved.

ADOPTED	BRIAN T. PERRY	- AYE
	E. PETER FORRESTEL	- AYE
	DARIN S. SCHULTZ	- AYE
	JOHN W. NORTON	- AYE

Elected Officials –

TRUSTEES – COORDINATORS

Trustee Norton – Reported: attended the interview last week along with Trustee Schultz for Timothy Dusza for a part-time Police position; attended the DPW Team meeting held last Friday.

Trustee Forrestel – reported: HR Committee held their DPW Team breakfast meeting on Friday, February 23, 2024; visited the Electric Dept as they did a tree removal on Eckerson Avenue; Finance Committee met and agreed to update the Fund Balance Policy; lastly Trustee Forrestel will contact Teamsters Union Representative, Nick Doran, in the near future regarding the contracts.

Mayor Perry – Attended the Finance Committee meeting last week; attended his first Village Official’s meeting last Thursday where a speaker from Noco spoke about geo-thermo heart sources.

Trustee Middaugh – Excused absence.

Trustee Schultz – reported: Attended an interview last week with Timothy Dusza applying for a part-time Police position and on behalf of the Police, Fire, Emergency Services Committee would like to recommend hiring Timothy Dusza pending the return of his fingerprint check from the NYS DCJS.

RESOLUTION moved by Perry and seconded by Norton to approve the immediate hire of Timothy Dusza as a part-time Police Officer pending the return of his fingerprint check from the NYS DCJS as per the recommendation of the Police, Fire, and Emergency Services Committee be and hereby is approved.

ADOPTED	BRIAN T. PERRY	- AYE
	E. PETER FORRESTEL	- AYE
	DARIN S. SCHULTZ	- AYE
	JOHN W. NORTON	- AYE

Trustee Schultz will meet soon with yet another company for a quote for the Village Property Security/Oversight project; Trustee Schultz was asked by some of the residents that live across the street from Akron Central School regarding a permit or something to allow those residents to park or have guest park in the street during the day when it would not interfere with School traffic, he will discuss this issue more with Chief Lauricella for any ideas he may have to help these residents out.

OLD BUSINESS –

Eckerson Avenue Property Development Project — On the Work Session agenda for the Village Board meeting scheduled March 4, 2024.

American Legion/LL Tillman – Corner of Clinton Ave and Eckerson Ave – On the Work Session agenda for the Village Board meeting scheduled March 4, 2024.

Village Property Security/Oversight – Trustee Schultz reported that he will meet soon with yet another company for a quote.

Village Residents Odor Complaint – Nothing new.

Electric Rate Case – Mayor Perry reported on it earlier.

Akron Mobile Home License – The Village Board agreed to approve after the update from Code Enforcement Officer Borth.

RESOLUTION duly moved by Schultz and seconded by Norton that the following Application for a Mobile Home Park License for the year 2024 be and hereby is approved in accordance with the application filed and payment of the annual license fee of \$1,500.00:

Akron-Cook MHP LLC	2 Wesley Drive	Renewal	\$1,500.00
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ADOPTED	BRIAN T. PERRY	- AYE
	E. PETER FORRESTEL	- AYE
	DARIN S. SCHULTZ	- AYE
	JOHN W. NORTON	- AYE

Village/Town Intermunicipal Agreement for the Street Sweeper Purchase - The Village Board approved the agreement and purchase of the Street Sweeper.

RESOLUTION duly moved by Perry and seconded by Schultz to approve the following:

WHEREAS, the Village of Akron and Town of Newstead (hereinafter the “Municipalities”) each currently operate a Highway Department and Department of Public Works respectively (hereinafter the “Departments”); and

WHEREAS, the Municipalities both require the use of a street sweeper at times, with neither requiring consistent and regular use of a street sweeper; and

WHEREAS, Section 119-o of the General Municipal Law authorizes municipalities to perform jointly any function or power of government each municipality is authorized to perform separately; and

WHEREAS, the Municipalities have the power and authority to contract for the purposes of purchasing, borrowing, lending, exchanging, and otherwise sharing of vehicles, machinery, and/or equipment, without operators, with other municipalities; and

WHEREAS, the Municipalities plan to jointly purchase a street sweeper from the Town of Clarence. The vehicle is a 2008 Freightliner with VIN ending 8626 (hereinafter the “Street Sweeper”) for \$25,000. Each municipality will contribute 50% of the cost for the purchase; and

WHEREAS, the Municipalities believe it is in the best interest of the Municipalities to provide a procedure to share the Street Sweeper between their Departments for the purpose of aiding the Departments in the performance of their duties and to set expectations for sharing the Street Sweeper; and

WHEREAS, the Municipalities have prepared an Intermunicipal Agreement for the purposes outlined above in anticipation of the Street Sweeper purchase.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The Village Board hereby approves the Intermunicipal Agreement with the Town of Newstead which is attached hereto and made a part hereof.
2. The Village Board authorizes the Mayor to execute the attached Intermunicipal Agreement.
3. This resolution shall take effect immediately.

The above resolution was duly put to a roll call vote at a regular meeting of the Village Board held on February 26, 2024, the results of which were as follows:

ADOPTED	BRIAN T. PERRY	- AYE
	E. PETER FORRESTEL	- AYE
	DARIN S. SCHULTZ	- AYE
	JOHN W. NORTON	- AYE

NEW BUSINESS –

2023 Akron Fire Company Service Award Program Firefighter Record as provided by the Akron Fire Company – Tabled until the next Village Board meeting scheduled March 4, 2024.

RESOLUTION duly moved by Forrestel and seconded by Middaugh to approve the purchase in the amount of \$6,106.30 to Koester & Associates for a sludge pump rebuild kits for the Sewer Plant as per the recommendation of Public Works Manager Jon Cummings be and hereby is approved.

ADOPTED	BRIAN T. PERRY	- AYE
	E. PETER FORRESTEL	- AYE
	DARIN S. SCHULTZ	- AYE
	JOHN W. NORTON	- AYE

RESOLUTION duly moved by Schultz and seconded by Norton to approve the purchase in the amount of \$16,528.56 to Holland Company, Inc. for water plant chemicals as per the recommendation of Public Works Manager Jon Cummings be and hereby is approved.

ADOPTED	BRIAN T. PERRY	- AYE
	E. PETER FORRESTEL	- AYE
	DARIN S. SCHULTZ	- AYE
	JOHN W. NORTON	- AYE

RESOLUTION duly moved by Forrestel and seconded by Schultz to approve the purchase in the amount of \$21,536.09 to Alexander Equipment for a new Kubota lawn mower as per the recommendation of Public Works Manager Jon Cummings be and hereby is approved.

ADOPTED	BRIAN T. PERRY	- AYE
	E. PETER FORRESTEL	- AYE
	DARIN S. SCHULTZ	- AYE
	JOHN W. NORTON	- AYE

CORRESPONDENCE –

Complaint from Nicholas Killian at 29 Sylvan Pkwy regarding payment of his Plumbers bills for a sewer issue.

Planning Board minutes from meeting held January 29, 2024.

Letter from Environmental Facilities Corporation notifying the Village that the East Avenue Sewer Replacement project did not receive funding for this round.

Letter from Charter Communications regarding broadcast changes dated February 23, 2024.

Email/Memo from NY Municipal Power Agency regarding the State mandated electric surcharge increase.

PUBLIC COMMENT – None

EXECUTIVE SESSION –

RESOLUTION duly moved by Schultz and seconded by Perry to go into an executive session regarding the medical, financial, credit, or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal, or removal of a particular person or corporation at 7:42 pm be and hereby is approved.

ADOPTED	BRIAN T. PERRY	- AYE
	E. PETER FORRESTEL	- AYE
	DARIN S. SCHULTZ	- AYE
	JOHN W. NORTON	- AYE

RESOLUTION duly moved by Forrestel and seconded by Perry to come out of the executive session regarding the medical, financial, credit, or employment history of a particular

person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal, or removal of a particular person or corporation at 9:37 pm be and hereby is approved.

ADOPTED	BRIAN T. PERRY	- AYE
	E. PETER FORRESTEL	- AYE
	DARIN S. SCHULTZ	- AYE
	JOHN W. NORTON	- AYE

On motion of Forrestel and seconded by Perry at 9:39 pm this meeting was ADJOURNED.

MAYOR

CLERK