

May 20, 2024

A REGULAR MEETING of the Akron Village Board was held on this date at 7:02 p.m. Present: Mayor Brian T. Perry; Trustees: E. Peter Forrestel, Michael R. Middaugh, and John W. Norton; Attorney Andrew Borden, Clerk Jayne DeTine, Treasurer Sarah Michel, Public Works Manager Jon Cummings, and Asst Code Enforcement Officer Kevin Paquin.

The Mayor led us in the pledge to the flag.

RESOLUTION duly moved by Middaugh and seconded by Forrestel that the Minutes of the Regular Meeting of May 13, 2024 be and hereby are approved by the Village Board.

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| ADOPTED | BRIAN T. PERRY | - AYE |
| | E. PETER FORRESTEL | - AYE |
| | MICHAEL R. MIDDAUGH | - AYE |
| | JOHN W. NORTON | - AYE |

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

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| General Fund | \$ | 29,171.46 |
| Electric Fund | \$ | 112,565.39 |
| Water Fund | \$ | 1,870.25 |
| Sewer Fund | \$ | 2,054.87 |

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| ADOPTED | BRIAN T. PERRY | - AYE |
| | E. PETER FORRESTEL | - AYE |
| | MICHAEL R. MIDDAUGH | - AYE |
| | JOHN W. NORTON | - AYE |

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

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| Sage Hall | 6 Kibler Ave | Concrete Pad | \$50.00 |
| Yvonne Snell | 3 Shepard Ave | Replace Driveway | \$50.00 |

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| ADOPTED | BRIAN T. PERRY | - AYE |
| | E. PETER FORRESTEL | - AYE |
| | MICHAEL R. MIDDAUGH | - AYE |
| | JOHN W. NORTON | - AYE |

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

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| Linda Brough | 171 Main St | Temporary | \$50.00 |
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| ADOPTED | BRIAN T. PERRY | - AYE |
| | E. PETER FORRESTEL | - AYE |
| | MICHAEL R. MIDDAUGH | - AYE |
| | JOHN W. NORTON | - AYE |

RESOLUTION duly moved by Forrestel and seconded by Middaugh that the following application for a Sidewalk Café/Outdoor Dining License for the year 2024 be and hereby is approved in accordance with the application filed and payment of the annual license fee of \$50.00:

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| Market on Main | 57 Main St | Yearly | \$50.00 |
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| ADOPTED | E. PETER FORRESTEL | - AYE |
| | MICHAEL R. MIDDAUGH | - AYE |

Mayor Perry abstained from voting.

RESOLUTION duly moved by Perry and seconded by Forrestel that the following applications for a Peddler’s Permit for the year May 2024 – May 2025 be and hereby are approved in accordance with the application filed and payment of the annual license fee of \$100.00:

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| Papa’s Popcorn | Clarence Ctr, NY | Yearly | \$100.00 |
| The Bubble Bar | Hamburg, NY | Yearly | \$100.00 |

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| ADOPTED | BRIAN T. PERRY | - AYE |
| | E. PETER FORRESTEL | - AYE |
| | MICHAEL R. MIDDAUGH | - AYE |
| | JOHN W. NORTON | - AYE |

PUBLIC HEARING – As per the Planning Board Chairman, Brian Murray, request to re-zone the following properties to bring them to the correct use of today: Vacant lot at Eckerson Ave & east side of Clinton St, Vacant lot at Eckerson Ave & west side of Clinton St (SBL#47.11-2-2), 22 Franklin St (SBL#47.11-2-32), 2 Pearl St (SBL#47.11-2-46), 4 Pearl St (SBL# 47.11-2-45.1), 8 Pearl St (SBL#47.11-2-43.1), 12 Pearl St (SBL# 47.11-2-42), 14 Pearl St (SBL# 47.11-2-41), Vacant Land (SBL# 47.11-2-51), 11 Pearl St (SBL# 47.11-2-50), 9 Pearl St (SBL# 47.11-2-49), Vacant Land (SBL# 47.11-2-48.1), 1 Pearl St (SBL# 47.11-2-47.2).

RESOLUTION duly moved by Forrestel and seconded by Middaugh to hold a Public Hearing regarding the re-zoning of the following properties: Vacant lot at Eckerson Ave & east side of Clinton St, Vacant lot at Eckerson Ave & west side of Clinton St (SBL#47.11-2-2), 22 Franklin St (SBL#47.11-2-32), 2 Pearl St (SBL#47.11-2-46), 4 Pearl St (SBL# 47.11-2-45.1), 8 Pearl St (SBL#47.11-2-43.1), 12 Pearl St (SBL# 47.11-2-42), 14 Pearl St (SBL# 47.11-2-41), Vacant Land (SBL# 47.11-2-51), 11 Pearl St (SBL# 47.11-2-50), 9 Pearl St (SBL# 47.11-2-49), Vacant Land (SBL# 47.11-2-48.1), 1 Pearl St (SBL# 47.11-2-47.2) on June 17, 2024 at 7pm be and hereby is approved.

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| ADOPTED | BRIAN T. PERRY | - AYE |
| | E. PETER FORRESTEL | - AYE |
| | MICHAEL R. MIDDAUGH | - AYE |
| | JOHN W. NORTON | - AYE |

APPEARANCE - None

PUBLIC COMMENT – Superintendent of ACS, Andrea Kersten, came before the Board to remind everyone that Tuesday May 21, 2024 is voting day for the school budget and School Board Positions as well as the Art Show and Elementary Spring Concert. She reported that the Tabletop Exercise went very well and wanted to thank Emergency Manager Daniel Kowalik and Chief of Police Richard Lauricella for their participation. She also reported that the School Annexation into the Village request is still in research status. Lastly, she reported that the cell service in the school is getting worse.

Trustee Forrestel stated that he has attended several ACS Capital Project meetings and stated the school has a great team and appreciates that they listen to non-employee’s comments and questions.

PROJECT REPORTS –

Wastewater Treatment Plant Upgrade – Trustee Forrestel reported that a recent site visit was held to update the punch list. STC and CIR also attended and discussed the items on the list such as paint covering the digesters, insultation underneath the digesters, and connecting Operators cell phones to the alarm system.

Electric Substation Upgrade – Clerk DeTine reported that two bids were received for the circuit switchers and were sent to Doug Strang for review.

State Street Bridge – Mayor Perry reported that the project is getting ready to go to bid and he is working on a grant from the State on the overage added to this project due to the increase in cost of everything.

East Avenue Water/Sewer Line Replacement – Received paperwork from USDA Representative Tom Becker that needs to be reviewed and signed by the Mayor.

MONTHLY REPORTS –

Departments –

TREASURER – submitted report for April 2024. Treasurer Michel is still working on the list of questions from PLM for the electric rate case. She stated that the Village budget was submitted and accepted by the State Comptroller’s Office. She will be scheduling a Finance Committee meeting to discuss year-end items. Lastly, she also requested budget transfers listed below.

RESOLUTION duly moved by Forrestel and seconded by Perry to approve the following budget transfers as per the Treasurer be and hereby are approved:

| | | |
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| \$1500.00 | TO | F.8310.0400.0000- Water Admin Contractual Expense |
| | FROM | F.8310.0200.0000- Water Admin Equipment |
| \$17,000.00 | TO | F.8330.0400.0000- Water Plant Contractual Expense |
| | FROM | F.8330.0200.0000- Water Plant Equipment |
| \$12,000.00 | TO | F.9010.0800.0000- Water Fund NYS Retirement |
| | FROM | F.8340.0400.0000- Water Transmission Contractual expense |
| \$18.52 | TO | F.9785.0700.0000- Water Fund Installment Purchase Interest |
| | FROM | F.9785.0600.0000- Water Fund Installment Purchase Principle |
| \$.32 | TO | F.9785.0700.0000- Water Fund Installment Purchase Interest |
| | FROM | F.1950.0400.0000- Water Fund Land Taxes |
| \$3054.00 | TO | G.8130.0400.0000- Sewer Plant Contractual Expense |
| | FROM | G.1990.0400.0000- Sewer Fund Contingency |
| \$13,000.00 | TO | G.8130.0400.0000- Sewer Plant Contractual |
| | FROM | G.8120.0200.0000- Sewer System Equipment |
| \$300.00 | TO | G.9010.0800.0000- Sewer Fund Retirement |
| | FROM | G.9040.0800.0000- Sewer Fund Worker’s Comp |
| \$510.00 | TO | G.9710.0700.0000- Sewer Fund Bond Interest |
| | FROM | G.9040.0800.0000- Sewer Fund Worker’s Comp |

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| ADOPTED | BRIAN T. PERRY | - AYE |
| | E. PETER FORRESTEL | - AYE |
| | MICHAEL R. MIDDAUGH | - AYE |
| | JOHN W. NORTON | - AYE |

Elected Officials –

TRUSTEES – COORDINATORS

Trustee Norton – Reported: Wanted to Publicly thank Public Works Manager Jon Cummings and Village Clerk Jayne DeTine for the great Household Hazardous Waste/Electronic Recycling/Shred-it event. The event was very well attended.

Trustee Forrestel – reported: held a Water Wastewater Committee Meeting today where discussion was held about the Capital Sewer Project and Water Tank Project.

Mayor Perry – Reported – Asked for an update on the noon whistle which he is looking to implement again. Exempt Fireman Brian Murray stated he was checking in with a company named Saia Communications to help us implement the noon whistle. Mayor Perry also reported that he and Public Works Manager Jon Cummings will be attending the NYMPA/MEUA Semi-Annual Meeting May 21 & 22, 2024 in Syracuse, NY.

Trustee Middaugh – reported: met with AFC regarding the 2024-2025 contract and as per recommendation of the Police, Fire and Emergency Services Committee request the Mayor to sign the contract. The signed contract will go back to AFC for their Board and Membership to approve.

RESOLUTION duly moved by Middaugh and seconded by Norton to approve and authorize the Mayor to sign the one-year contract with the Akron Fire Company for 2024-2025 as per the recommendation of the Police, Fire and Emergency Services Committee be and hereby is approved.

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| ADOPTED | BRIAN T. PERRY | - AYE |
| | E. PETER FORRESTEL | - AYE |
| | MICHAEL R. MIDDAUGH | - AYE |
| | JOHN W. NORTON | - AYE |

Trustee Schultz – Excused Absence

OLD BUSINESS –

Eckerson Avenue Property Development Project — Village will reacquaint with the site plan that Planning Board Member Alison Koopman drew up for this location. Planning Board Chairman Murray requested zoning changes for a portion of this property to the Village Zoning Map.

American Legion/LL Tillman – Nothing new.

Village Property Security/Oversight – Nothing new.

Electric Rate Case – discussed in Treasurer’s report.

NEW BUSINESS –

RESOLUTION duly moved by Perry and seconded by Middaugh to move Skilled Laborer Kenneth Matthies from Grade 11 Step 4 to Grade 11 Step 5 as he will complete his six-month probationary period as of May 27, 2024 and as per the recommendation of Public Works Manager Jon Cummings be and hereby is approved.

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| ADOPTED | BRIAN T. PERRY | - AYE |
| | E. PETER FORRESTEL | - AYE |
| | MICHAEL R. MIDDAUGH | - AYE |
| | JOHN W. NORTON | - AYE |

CORRESPONDENCE –

Letter from Erie County Health Dept. regarding the proposed revisions to the Erie County Sanitary Code, Article XXIII, Permitting, Inspection and Enforcement of Retail Tobacco Product Businesses, Retail Vapor Businesses, and Retail Smoking Paraphernalia Businesses. Public hearing has been scheduled for May 29, 2024 at 3 pm 110 Franklin St in Buffalo, NY.

Complaint – Resident complaint of overgrown grass/rodents on Cedar Street.

Letter from Resident Joseph McDonald of interest in position on the Village Planning Board.

PUBLIC COMMENT – Attorney Borden mentioned that the C Dee Wright Center is still soliciting any interest from organizations or community members to own and run the Center for the benefit of the Community.

EXECUTIVE SESSION –

RESOLUTION duly moved by Middaugh and seconded by Norton 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 7:44 pm be and hereby is approved.

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| ADOPTED | BRIAN T. PERRY | - AYE |
| | E. PETER FORRESTEL | - AYE |
| | MICHAEL R. MIDDAUGH | - AYE |
| | JOHN W. NORTON | - AYE |

RESOLUTION duly moved by Forrestel and seconded by Norton 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 8:27 pm be and hereby is approved.

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| ADOPTED | BRIAN T. PERRY | - AYE |
| | E. PETER FORRESTEL | - AYE |
| | MICHAEL R. MIDDAUGH | - AYE |
| | JOHN W. NORTON | - AYE |

On motion of Forrestel and seconded by Norton at 8:28 pm this meeting was ADJOURNED.

MAYOR

CLERK