

June 17, 2024

RESOLUTION duly moved by Schultz and seconded by Middaugh 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 6:00 pm be and hereby is approved.

ADOPTED	BRIAN T. PERRY	- AYE
	E. PETER FORRESTEL	- AYE
	MICHAEL R. MIDDAUGH	- AYE
	DARIN S. SCHULTZ	- AYE

RESOLUTION duly moved by Middaugh and seconded by Schultz 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 7:02 pm be and hereby is approved.

ADOPTED	BRIAN T. PERRY	- AYE
	E. PETER FORRESTEL	- AYE
	MICHAEL R. MIDDAUGH	- AYE
	DARIN S. SCHULTZ	- AYE

A REGULAR MEETING of the Akron Village Board was held on this date at 7:04 p.m. Present: Mayor Brian T. Perry; Trustees: E. Peter Forrestel, Michael R. Middaugh, and Darin S. Schultz; Attorney Andrew Borden, Clerk Jayne DeTine, Treasurer Sarah Michel, and Chief of Police Richard Lauricella.

The Mayor led us in the pledge to the flag.

The Mayor asked for a moment of silence in memory of Nancy Eckerson who passed away June 13, 2024. She was a longtime resident and past Village/Town Historian as well as a volunteer for many organizations in the community. Her dedication to the Community will be missed.

RESOLUTION duly moved by Forrestel and seconded by Schultz that the Minutes of the Regular Meeting of June 3, 2024 be and hereby are approved by the Village Board.

ADOPTED	BRIAN T. PERRY	- AYE
	E. PETER FORRESTEL	- AYE
	MICHAEL R. MIDDAUGH	- AYE
	DARIN S. SCHULTZ	- AYE

RESOLUTION duly moved by Schultz seconded by Middaugh 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	\$	99,430.02
Electric Fund	\$	112,991.09
Water Fund	\$	7,846.96
Sewer Fund	\$	11,576.75

ADOPTED	BRIAN T. PERRY	- AYE
	E. PETER FORRESTEL	- AYE
	MICHAEL R. MIDDAUGH	- AYE
	DARIN S. SCHULTZ	- 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:

Jason Baumgart	32 Front St	Fence	\$50.00
Christine Papke	9 Cedar St	Fence	\$50.00
Brian Murray	16 Flint St	Driveway Ext	\$50.00

Ryan Buckley	91 John St	Fence	\$50.00
Margaret Wagner	15 Brodie's Way	Deck	\$108.00
Steve Gates	11 Crescent Dr	Front Entry	\$50.00
Janice Rosenberg	5 Kibler Ave	Porch w/roof	\$50.00
Janice Rosenberg	5 Kibler Ave	Pad/Sidewalk	\$50.00
Nick's Deli	83 John St	Install Exhaust	\$50.00
Kimberly Holland	205 East Ave	Shed	\$250.00
Michael Neelon	3 Bodie's Way	Fence	\$50.00
Roger Alexander	9 Randy Dr	Roof	\$50.00

ADOPTED    BRIAN T. PERRY                    - AYE  
                   E. PETER FORRESTEL                    - AYE  
                   MICHAEL R. MIDDAUGH                - AYE  
                   DARIN S. SCHULTZ                      - AYE

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

Robert Farrington	57 Buell St	Temporary	\$50.00
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ADOPTED    BRIAN T. PERRY                    - AYE  
                   E. PETER FORRESTEL                    - AYE  
                   MICHAEL R. MIDDAUGH                - AYE  
                   DARIN S. SCHULTZ                      - AYE

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

The Pink Cow	Alden, NY	Yearly	\$100.00
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ADOPTED    BRIAN T. PERRY                    - AYE  
                   E. PETER FORRESTEL                    - AYE  
                   MICHAEL R. MIDDAUGH                - AYE  
                   DARIN S. SCHULTZ                      - AYE

PUBLIC HEARING – Re-scheduled for July 1, 2024 to rezone properties on Eckerson Avenue, Franklin Street and Pearl St. At 7 pm.

APPEARANCE – Matthew McKenna from MRB Group came before the Board with recommendations to have the Village of Akron be the Lead Agent and to Declare a Neg Dec on the SEQR hearing no adverse comments regarding the SEQR for the Water Tank Improvements Project.

RESOLUTION duly moved by Forrestel and seconded by Middaugh to the following:

**WHEREAS**, the Village of Akron Village Board of Trustees (hereinafter referred to as “Village Board”) on May 13, 2024 declared its intent to be designated the Lead Agency for the Village of Akron Water Tank Improvements project under the provisions of the State Environmental Quality Review (SEQR) Regulations; and

**WHEREAS**, the Village Board has provided written notices to this effect to the involved and interested agencies; and

**WHEREAS**, the Village Board has not received any written objections from the involved agencies to the Board's being designated as the lead agency under the SEQR Regulations; and

**WHEREAS**, the Village Board has previously determined that it is the most appropriate agency to ensure the coordination of this Action and for making the determination of significance thereon under the SEQR Regulations.

**NOW, THEREFORE BE IT RESOLVED** that the Village Board does hereby designate itself as the lead agency for the Action identified above herein;

ADOPTED    BRIAN T. PERRY                    - AYE  
                   E. PETER FORRESTEL                    - AYE  
                   MICHAEL R. MIDDAUGH                - AYE  
                   DARIN S. SCHULTZ                      - AYE

RESOLUTION duly moved by Middaugh and seconded by Schultz to declare a Negative Declaration on the Water Tank Improvements Project SEQR as follows:

**WHEREAS**, the Village of Akron Village Board of Trustees (hereinafter referred to as “Village Board”) has determined the above referenced Action to be a Type 1 Action pursuant to Part 617 of the State Environmental Quality Review (SEQR) Regulations; and

**WHEREAS**, the Village Board has reviewed and accepted the completed Full Environmental Assessment Form Parts 1, 2, and 3 including the supporting information on the Action prepared by the MRB Group (hereinafter referred to as “Village Engineer”); and

**WHEREAS**, the Village Board has completed the coordinated review and public comment period provided for under the SEQR Regulations; and

**WHEREAS**, the Village Board has designated itself as lead agency under the SEQR Regulations for making the determination of significance upon said action on a separate resolution at the June 11, 2024 meeting; and

**WHEREAS**, the Village Board has given consideration to the criteria for determining significance as set forth in Section 617.7(c) (1) of the SEQR Regulations and the information contained in Full Environmental Assessment Form Parts 1, 2, and 3.

**NOW THEREFORE BE IT RESOLVED**, that said Action **WILL NOT** result in any significant adverse environmental impacts based on the review of the Full Environmental Assessment Form; and

**BE IT FINALLY RESOLVED** that the Village Board does hereby make a Determination of Non-Significance on said Action, and the Mayor is hereby directed to sign the Full Environmental Assessment Form (EAF) Part 3, the Negative Declaration, as evidence of the Village Board determination of environmental non-significance.

ADOPTED	BRIAN T. PERRY	- AYE
	E. PETER FORRESTEL	- AYE
	MICHAEL R. MIDDAUGH	- AYE
	DARIN S. SCHULTZ	- AYE

PUBLIC COMMENT – Kay Green from the Akron Mobile Home Park stated that the residents in the park will have to sue Cook Properties regarding the 6% increase in rent.

Akron Chamber of Commerce Chairman, Jacob Halleck stated that the Sidewalk Sale was very successful, great vendors, lots of people, and great weather. He wanted to thank the Village DPW, APD, and the AFC for all their efforts to make the sidewalk sale a success.

Trustee Middaugh mentioned that the Cruise Nights are starting before 5:30 pm with cars parking horizontally on the road to get their spot. He would like it to start at 5:30 pm, allowing people to finish conducting business in the Central Business District.

#### PROJECT REPORTS –

Wastewater Treatment Plant Upgrade – Nothing new.

Electric Substation Upgrade – Mayor Perry stated that a regular conference call is scheduled for this Wednesday.

State Street Bridge – Mayor Perry reported that the Village is waiting on the final plans and looking to go out to bid by mid-July.

East Avenue Water/Sewer Line Replacement – Clerk DeTine sent back all the requested documents as per the request of Thomas Becker from the USDA Rural Development.

#### MONTHLY REPORTS –

##### Departments –

TREASURER – submitted report for May 2024. Treasurer Michel reported having a team meeting with PLM for the electric rate case which was very informative. She had another team meeting with Edmunds Software for the new payroll software as the current software will be unsupported as of March 2025. She stated a Finance Committee meeting was held June 11<sup>th</sup> to discuss year-end items. She attended the June MAOA meeting in Hamburg, NY, the next meeting

will be in September (NYCOM). Drescher & Malecki, the Village’s auditors, will be here to begin the audit in July. Lastly, she also requested budget transfers listed below.

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

\$3,297.17	TO	A.5010.0400.0000- Streets Admin Contractual
	FROM	A.0000.1990.0000- General Fund Contingency
\$1,076.02	TO	A.5010.0400.0000- Streets Admin Contractual
	FROM	A.1210.0400.0000- Mayor Contractual
\$8,000.00	TO	A.5010.0400.0000- Streets Admin Contractual
	FROM	A.3620.0400.0000- Police Contractual
\$7,500.00	TO	A.1910.0499.0000- Gen Fund Insurance
	FROM	A.1620.0400.0000- Village Hall Contractual
\$40,000.00	TO	A.5110.0400.0000- Streets Contractual
	FROM	A.5110.0200.0000- Streets Equipment
\$30,000.00	TO	A.9010.0800.0000- Gen Fund Benefits
	FROM	A.8160.0400.0000- Refuse Contractual
\$15,000.00	TO	F.9010.0800.0000- Water Fund Benefits
	FROM	F.8340.0400.0000- Water Distribution Contractual
\$25,000.00	TO	F.8310.0400.0000- Wate Plant Contractual
	FROM	F.9710.0700.0000- Serial Bond Principal
\$15,000.00	TO	F.8330.0400.0000- Water Plant Contractual
	FROM	F.8330.0200.0000- Water Plant Equipment
\$16,000.00	TO	G.8130.0400.0000- Sewer Plant Contractual
	FROM	G.8120.0400.0000- Sewer Vac Contractual

ADOPTED	BRIAN T. PERRY	- AYE
	E. PETER FORRESTEL	- AYE
	MICHAEL R. MIDDAGH	- AYE
	DARIN S. SCHULTZ	- AYE

Elected Officials –

TRUSTEES – COORDINATORS

Trustee Norton – Excused Absence.

Trustee Forrestel – reported: held a DPW breakfast meeting June 14<sup>th</sup> which was well attended. New positions available within the DPW, skilled laborer and laborer, five applications received so far, interviews will be scheduled. Trustee Forrestel will reach out to Union Representative and Union Steward regarding topics of discussion for the contract. Russell Park shelter had damage occur during the recent Sidewalk Sale, Lions Club would be interested in helping fund the re-build of the shelter as it needs to be replaced. Lastly, we need a long-term plan for the trees in Russell Park, he will contact Arborist Bruce MacCoy and Tim Richley an experienced tree consultant. Reminded the Board that the steps by the band stand need to be re-built, need to look for funding.

Mayor Perry – Reported: In reference to the odor complaint from the residents of Brodie’s Way, spoke with Matt Dwyer from I Squared R and Ryan Tomko from NYSDEC on the progress of fixing the issue, then spoke with Brodie’s Way representative Mike Neelon on the outcome of the calls. Attended a conference call with PLM regarding the electric rate case. Also spoke with Jim Stokes from MEAU regarding rate case training for Village Treasurers and or Village Clerks.

Trustee Middaugh – reported: Nothing new to report.

Trustee Schultz – reported: Vendor for Cameras in Russell Park has been confirmed at a cost of approximately \$4,600.00 plus cable which includes four cameras viewing the splash pad, gazebo, path in park, and shelter. Questioning the policy on Code Red, who has administrative rights to push out information, what kind of information, etc. Recommended to approve the Akron AFC Member Applications of Steven Tedesco, Charles Roggen, and Robert Scott Johnston.

RESOLUTION duly moved by Schultz and seconded by Middaugh to approve the Akron Fire Company Member Applications from Steven Tedesco, Charles Roggen, and Robert Scott Johnston 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
	MICHAEL R. MIDDAUGH	- AYE
	DARIN S. SCHULTZ	- AYE

OLD BUSINESS –

Eckerson Avenue Property Development Project — Nothing new.

American Legion/LL Tillman – Nothing new.

Village Property Security/Oversight – Trustee Schultz reported earlier.

Electric Rate Case – discussed in Treasurer’s report.

Planning Board Member Application – After review and discussion the Mayor appointed Joseph McDonald as an alternate member on the Planning Board.

RESOLUTION duly moved by Perry and seconded by Forrestel to allow the Mayor to appoint Joseph McDonald as an alternate member of the Planning Board effective immediately be and hereby is approved.

ADOPTED	BRIAN T. PERRY	- AYE
	E. PETER FORRESTEL	- AYE
	MICHAEL R. MIDDAUGH	- AYE
	DARIN S. SCHULTZ	- AYE

NEW BUSINESS –

RESOLUTION duly moved by Middaugh and seconded by Forrestel to approve payment of \$955.00 to Janice Rosenberg at 5 Kibler Ave to replace 240 sq ft of sidewalk be and hereby is approved.

ADOPTED	BRIAN T. PERRY	- AYE
	PETER FORRESTEL	- AYE
	MICHAEL R. MIDDAUGH	- AYE
	DARIN S. SCHULTZ	- AYE

CORRESPONDENCE –

Letter from Charter Communications regarding broadcast changes and price increases dated June 7 & 14, 2024.

Letter from BankonBuffalo regarding the revision to Funds Availability Policy.

PUBLIC COMMENT – Trustee Forrestel explained that the BankonBuffalo Funds Availability Policy was driven by fraud happening in other banks.

EXECUTIVE SESSION – None

On motion of Middaugh and seconded by Schultz at 8:07 pm this meeting was ADJOURNED.

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MAYOR

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CLERK