

February 3, 2025

RESOLUTION duly moved by Forrestel 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 6:33 pm be and hereby is approved.

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

RESOLUTION duly moved by Forrestel and seconded by Middaugh to come out of the executive session regarding the medical, financial, credit, 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 7:01 pm be and hereby is approved.

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

A REGULAR MEETING of the Akron Village Board was held on this date at 7:03 pm. Present: Mayor: Brian T. Perry; Trustees: E. Peter Forrestel, Michael R. Middaugh, Darin S. Schultz, and John W. Norton; Attorney Andrew Borden, Clerk Jayne DeTine, Police Chief Richard Lauricella, and Code Enforcement Officer Mike Borth.

The Mayor led us in the pledge to the flag.

RESOLUTION duly moved by Norton and seconded by Schultz that the Minutes of the Regular Meeting of January 27, 2025 be and hereby are approved by the Village Board.

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

RESOLUTION, duly moved by Middaugh seconded by Forrestel 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	\$	19,852.79
Electric Fund	\$	162,311.46
Water Fund	\$	13,595.19
Sewer Fund	\$	12,981.61
Capital Projects	\$	14,480.00

ADOPTED	BRIAN T. PERRY	- AYE
	MICHAEL R. MIDDAUGH	- 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 building permits be and hereby are approved with the application and approval of the Code Enforcement Officer:

Melanie Holtz	15 Monroe St	New Business	\$50.00
Shawn Johnson	163 East Ave	Sanitary Sewer	\$100.00
Chrissy Newman	155 Main St	Roof	\$50.00

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

Chrissy Newman	155 Main 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
	JOHN W. NORTON	- AYE

PUBLIC HEARING – Public Hearing scheduled for February 24, 2025 for Local Law #1-2025 to amend Chapter 122 Sewer Code.

APPEARANCE – None

PUBLIC COMMENT – Kay Green from the Akron Mobile Home Park updated the Board that their new lease had an increase of 6% which the owners’ said resulted from property improvements. They also are adding a \$7.00 charge on the water bill for the water meter.

PROJECT REPORTS –

Wastewater Treatment Plant Upgrade – Trustee Forrestel reported still waiting for the delivery of the catwalk.

Electric Substation Upgrade – Mayor Perry stated that Jon, Tom and Jayne are working on the PON 5896 application, a grant through NYSERDA.

State Street Bridge – Nothing new to report.

East Avenue Water/Sewer Line Replacement – Sending out RFQ for Engineering Services.

Water Tank Improvements – waiting on MRB for next steps.

MONTHLY REPORTS –

Departments –

VILLAGE ATTORNEY – Reported: attended the Planning Board meeting held February 27, 2025 where Stephen Development came before the Board with new ideas regarding the wetland on the property for their proposed Mobile Home Park. More to follow.

CLERK – submitted report for January 2025. Reported: Village Hall was closed January 1<sup>st</sup> and 20<sup>th</sup> to observe holidays; submitted grant application for the Household Hazardous/Electronic Recycling/Shred-it 2024 event as well as scheduled the 2025 event for May 17, 2025; along with Jon Cummings and Tom Whitbeck worked to complete the grant application for the Electric Substation Upgrade project; preparing for the Village Elections scheduled for March 18, 2025 for two Trustee positions; and began preparations for the 2025-2026 taxes.

CHIEF OF POLICE – submitted report for January 2025 and schedule for February 2025. Reported: Returning part-time Officer Mitchell Schultz has been placed on the schedule and

part-time Officer Maria Westphal has started her 160 hours of FTO; all technical equipment under the grant has been ordered and received, cameras for the Village Hall will be installed later this month, still have a surplus of grant money and are currently accessing needs of the dept.

PUBLIC WORKS MANAGER – Excused Absence.

CODE ENFORCEMENT OFFICER – submitted report for January 2025. Reported: will begin to plan/schedule 2025 fire inspections; is completing the Annual State Report with the help of Deputy Clerk Frey; International Code will be updated with 400 plus new codes by the end of the year.

AKRON FIRE COMPANY – reported at the earlier work session.

Elected Officials –

TRUSTEES – COORDINATORS

Trustee Norton – reported: Will continue working with Modern Disposal to find a better way to inform residents when mechanical issues happen with trucks and their garbage is not picked up.

Trustee Forrestel – reported: The Lions Club built a large pole barn for storage at 43 East Avenue which is on Village owned property; attended a meeting today at the Russell Park Shelter to discuss the plans to rehabilitate the structure. Working on future staffing for the Water Plant.

Mayor Perry – reported: also attended the meeting at the Russell Park Shelter where the Lions Club has agreed to help with the much-needed update to the shelter structure, specifically the roof and improving the electric and water service; wanted to thank Public Works Manager Jon Cummings, Electric Crew Chief Tom Whitbeck, and Clerk Jayne DeTine on working together to submit all paperwork for the NYSERDA grant opportunity for the Electric Substation Upgrade project.

Trustee Middaugh – reported: During the Work Session held earlier Dustin Emerling, from Emerling Floss Murphy & Associates the manager of the AFC LOSAP program, came before the Board to recommend the Village move the LOSAP portfolio from Pershing to Schwab and to have the Mayor sign any paperwork necessary for the transfer.

RESOLUTION duly moved by Norton and seconded by Schultz to authorize the Mayor to sign paperwork to move the Akron Fire Company LOSAP funds from Pershing to Schwab as per the recommendation of Dustin Emerling, CFP from Emerling Floss Murphy & Associates who currently manages the LOSAP account be and hereby is approved.

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

Trustee Schultz – reported: Attended a meeting with Emergency Managers and State Police, discussed working with the State Police during different responses within the Town and Village going forward; Looking forward to discussions about safety adjustments for the 2025 July 4<sup>th</sup> celebration with the Celebration Committee and the Town.

OLD BUSINESS

Eckerson Avenue Property Development – Trustee Forrestel stated that the Village is planning to move quickly on the building of a Shelter, extending the bike path to the shelter, as well as a path to a designated cross walk over Eckerson Avenue, and parking spaces to utilize the grant funds approved by Legislature Christopher Green.

American Legion/LL Tillman – Trustee Forrestel reported the proposed land request will be discussed at the next Village Board meeting.

Electric Rate Case – Nothing new to report.

Russell Park Shelter – A Meeting was held Monday February 3, 2025 at 4 pm to discuss the rehab or rebuild of the shelter with all the parties involved.

NEW BUSINESS –

RESOLUTION duly moved by Forrestel and seconded by Norton to approve the following Resolution expressing opposition to the preference power rate proposal of the New York Power Authority:

**WHEREAS**, the New York Power Authority (“NYPA”) has proposed a dramatic increase in the rates charged to its preference power customers as outlined in the December 2024 NYPA Preliminary Staff Report and pursuant to the Notice filed by NYPA under SAPA, the New York State Administrative Procedures Act, on December 31, 2024, and

**WHEREAS**, the Village of Akron, a member of the Municipal Electric Utilities Association of New York State (“MEUA”) and a preference power customer of NYPA, is entitled under federal law to be provided with electricity from the Niagara Power Project to be delivered by NYPA at the “lowest rates reasonably possible”, and

**WHEREAS**, the MEUA has voiced its significant concerns with both the magnitude of these increases and the methodology used in their calculation, and

**WHEREAS**, the governing board of the Village of Akron deems it likely that NYPA’s proposal to increase hydropower rates will have an adverse impact on our community, with particular risk to low-income residents and businesses already struggling economically to survive in an unfriendly New York State business environment.

**NOW THEREFORE, IT IS HEREBY RESOLVED** by the Board of the Village of Akron that NYPA is hereby requested and encouraged to re-examine the magnitude of its proposed rate increase, with particular emphasis on its requested profit percentage and its rapidly increasing administrative and general costs and its operation and maintenance expenses.

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

RESOLUTION duly moved by Middaugh and seconded by Schultz to authorize the Mayor to appoint Mary Jane Shonn, Erin Behm, Jean York, and Cheryl Buyea as Election Inspectors for the Village of Akron Election scheduled for March 18, 2025 be and hereby are approved.

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

CORRESPONDENCE –

Letters from Charter Communications regarding broadcast changes dated January 28, January 31, and February 3, 2025.

PUBLIC COMMENT – Stephen Seligman had a question regarding the Eckerson Avenue project. Will the bike path extend down the trail? Trustee Forrestel stated the path will only extend to the shelter at this time.

EXECUTIVE SESSION –

RESOLUTION duly moved by Norton and seconded by Schultz to go into an executive session regarding the medical, financial, credit, 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 7:56 pm be and hereby is approved.

ADOPTED	BRIAN T. PERRY	- AYE
	E. PETER FORRESTEL	- AYE
	MICHAEL R. MIDDAUGH	- AYE
	DARIN S. SCHULTZ	- 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, 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 8:30 pm be and hereby is approved.

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

RESOLUTION duly moved by Forrestel and seconded by Perry to approve the RFQ for Engineering Services for the East Avenue Water/Sewer Line infrastructure project and be placed in the Akron Bugle and advertised on the New York State Contract Reporter site be and hereby is approved.

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

On motion of Schultz and seconded by Middaugh at 8:32 pm this meeting was ADJOURNED.

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MAYOR

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CLERK